

House Bill No. 1629

An act relating to the Gainesville-Alachua County Regional Airport Authority; codifying, reenacting, amending, and repealing chapters 86-469, 89-433, and 95-457, Laws of Florida, relating to the authority; providing a short title; providing definitions; providing purpose of the authority; providing for membership, organization, restrictions, and powers and duties of the authority; requiring a budget; specifying relationship between the authority and local governments; providing for conveyance of land to the authority; authorizing issuance of bonds; specifying covenant of the state; authorizing an alcoholic beverage license; providing for purchasing and award of contracts; prohibiting discrimination; authorizing the right to sue and be sued; providing for severability; prohibiting supersession of certain laws and grant assurances; providing an effective date.

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

Section 1. (1) The reenactment of existing law in this act shall not be construed as a grant of additional authority to or to supersede the authority of any entity pursuant to law. Exceptions to law contained in any special act that are reenacted pursuant to this act shall continue to apply.

(2) The reenactment of existing law in this act shall not be construed to modify, amend, or alter any covenants, contracts, or other obligations of any district with respect to bonded indebtedness. Nothing pertaining to the reenactment of existing law in this act shall be construed to affect the ability of any district to levy and collect taxes, assessments, fees, or charges for the purpose of redeeming or servicing bonded indebtedness of the district.

Section 2. Chapters 86-469, 89-433, and 95-457, Laws of Florida, are amended, codified, reenacted, and repealed as provided in this act.

Section 3. The charter for the Gainesville-Alachua County Regional Airport Authority is re-created and reenacted to read:

Section 1. Short title.—This act 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, the term:

(1) “Airport” means any area of land or water as described by interlocal agreement between the City of Gainesville and the authority, that 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, which may change from time to time by amendment to the interlocal agreement between the City of Gainesville and the authority.

(2) “Airport facilities” means facilities used for the transportation of people and cargo as described by the interlocal agreement between the City of Gainesville the and authority, including, but not limited to, runways, taxiways, taxi lanes, aprons, hangars, shops, terminals, buildings, parking lots, roadways, 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, and express and freight cargo, together with all necessary appurtenances and equipment and all property rights, easements, and franchises relating thereto.

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

(4) “Board of county commissioners” means the Board of County Commissioners of the County of Alachua.

(5) “Bond” includes bonds, debentures, notes, certificates of indebtedness, mortgage certificates, or other obligations or evidences of indebtedness of any type or character.

(6) “City” means the City of Gainesville.

(7) “City Commission” means the City Commission of the City of Gainesville.

(8) “County” means the County of Alachua.

(9) “Person” means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic and includes any trustee, receiver, assignee, or other similar representative thereof.

(10) “Revenue bonds” means obligations of the authority which are payable from revenues derived from sources other than ad valorem taxes on real or tangible personal property and which do not pledge the property, credit, or general tax revenue of the authority or the city.

(11) “Refunding bonds” means bonds issued to refinance outstanding bonds of any type and the interest and redemption premium thereon. Refunding bonds shall be issuable and payable in the same manner as the refinanced bonds, except that no approval by the electorate shall be required unless required by the State Constitution.

Section 3. Creation; purpose.—

(1) The Gainesville-Alachua County Regional Airport Authority is created, and the powers granted by this act are declared to be public and governmental functions, exercised for public purposes, and are matters of public necessity. Lands and other real and personal property, easements, and privileges acquired and used by the authority are declared to have been acquired for and used for public and governmental purposes and as a matter of public necessity. The authority is a public body corporate and is an independent special district.

(2) The authority shall have jurisdiction over the operation and maintenance of, and improvements to, the airport and airport facilities. The authority has jurisdiction, control, supervision, and management over other airports in the county except any airport owned, controlled, and operated by a private person. Said jurisdiction, control, supervision, and management are in the best interest of the county and each municipality.

Section 4. Membership of the authority.—

(1) The powers of the authority shall be vested in its members in office from time to time. There shall be nine members. No member shall receive any compensation for services as a member. As a condition of eligibility for appointment and to hold office, each member shall reside within the city or the county. However, one member appointed by the Governor may reside in a county contiguous to Alachua County. No person shall serve as a member of the authority and, at the same time, hold any publicly elected office in the State of Florida.

(2) Upon expiration of initial terms of office, subsequent appointments shall be made as follows:

(a) The Governor shall replace by appointment any of the three members appointed by him or her under chapter 95-457, Laws of Florida, on or prior to the date of expiration of the preceding term.

(b) The board of county commissioners shall replace by appointment the member appointed by it under chapter 95-457, Laws of Florida, on or prior to the date of expiration of the preceding term.

(c) The city commission shall replace by appointment any of the remaining five members on or prior to the expiration of the preceding term.

(3) If, upon expiration of a member's term of office, the appointing entity fails to replace by appointment its member, and the member is willing to continue to serve, the member with the expired term shall continue to serve until a replacement appointment is made.

(4) The term of any member initially appointed prior to the effective date of this act shall expire on July 31 of the year such member's term was scheduled to expire under chapter 95-457, Laws of Florida. No member shall serve more than two successive terms.

(5) All members appointed subsequent to the effective date of this act shall serve 3-year terms of office, beginning on August 1 and expiring on July 31 of the appropriate year.

(6) Except as may be otherwise provided herein, vacancies in office shall be filled for the balance of the term by the appropriate appointing entity, in the same manner as set forth in subsection (2). A vacant position shall remain vacant until a successor has been appointed by the appropriate appointing entity.

(7) A member may be removed by the entity appointing such member upon grounds constituting misfeasance, neglect of duty, incompetence, or

permanent inability to perform official duties. Upon conviction of a felony, a member shall be automatically removed. The unexcused failure to attend three consecutive regular meetings of the authority shall be deemed neglect of duty, without limiting the meaning of the term "neglect of duty."

Section 5. Organization; meetings; notice; quorum.—A chair, vice chair, and secretary-treasurer shall be chosen by and from the authority membership. The chair, vice chair, and secretary-treasurer shall each serve a term of office of 1 year, and no member shall hold the same office for more than two consecutive terms.

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

(2) The authority shall give notice of all meetings at least 48 hours prior thereto, which shall be published in a newspaper in general circulation in Alachua County, and shall include agenda items whenever such items involve leasing of any airport property. All meetings of the authority shall be so noticed except emergency meetings, which shall only be called when there is an immediate danger to the public health, safety, or welfare, do not require at least 48 hours' prior public notice, and reasonable notice under the circumstances shall be provided in such cases.

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

Section 6. Restrictions.—

(1) No person who has transacted business with the authority shall be eligible for appointment to the authority until 3 years after the last transaction. No person who has served on the authority shall be eligible to transact business with the authority until 3 years after the person's last date of service. Said transactions include transactions either for oneself or as an employee of, agent for, or consultant to any other person or legal entity. However, nothing in this paragraph shall be construed as prohibiting an appointed member from purchasing supplies or services from any fixed-base operators or tenants at the airport or Airport Industrial Park, or for renting individual aircraft hangars or tie-downs offered to the general public and owned by the authority, provided that the price and terms of the transaction are available to all members of the public.

(2) No member, officer, agent, or employee of the authority, either for himself or herself or as agent for anyone else, or as a stockholder or owner in any other legal entity, shall participate in or benefit directly or indirectly from any sale, purchase, lease, franchise, contract, or other transaction entered into by the authority or the city. The provisions of this subsection shall be cumulative to any general laws of the state that may from time to time be applicable to members, officers, agents, or employees of the authority and that require the disclosure of, or prohibit, conflicts of interest.

(3) No member, as an individual, may represent the authority, speak for the authority, or speak on behalf of the authority without being directed through a formal action of the authority to do so.

Section 7. Powers and duties.—

(1) The authority shall have jurisdiction over the operation and maintenance of all airport and airport facilities in the city or county, except any airport owned and operated by a private person.

(2) The authority has the power to and may:

(a) Approve, file with the chief executive officer (CEO), and pay any surety bond required of any member or of any employee of the authority.

(b) Advertise for sealed bids when required by law; however, the authority may reject all bids and readvertise or select a single item from any bid as further provided in this act.

(c) Adopt before October 1 an annual budget that has been prepared by the CEO and which must include an estimate of all revenues and anticipated expenditures for the following fiscal year.

(d) Require in all bond documents that moneys derived from such bonds be paid to or upon order of the authority.

(e) Have the authority's finances audited in the same manner as other independent special districts are audited.

(f) Rely on the provisions of this act in exercising its powers.

(g) Appoint or employ and constitute its own airport guards or police officers, or to contract with the city, county, or agency of the state to provide law enforcement services and protection through its duly sworn officers, and all such officers shall have full power of arrest to prevent or abate the commission of an offense against the ordinances of the city or county, the laws of this state, or the laws of the United States, when any such offense or threatened offense occurs upon the airport.

(h) Construct and maintain terminal buildings, causeways, roadways, bridges for approach to or connecting with the airport, on airport property.

(i) Require the secretary-treasurer and other officers or employees of the authority to execute an adequate surety bond, conditioned upon the faithful performance of the duties of the office or employment and in a penal sum fixed by the authority.

(j) Establish positions, duties, and a pay plan, and employ, pay, provide benefits for, promote, discipline, and terminate personnel and a CEO, in accordance with general law, who shall be responsible for the day-to-day administration, management, and operation of the airport in accordance with policy established by the authority and perform other duties as may be authorized by the authority.

(k) By policy or resolution, authorize the CEO to perform any of the powers of the authority in whole or in part and with whatever other limitations it may find appropriate, provided that said authorization does not result in an invalid exercise of delegated legislative authority as defined in general law.

(l) Employ or contract with technical and professional experts necessary to assist the authority in carrying out or exercising any powers granted by this act.

(m) Reimburse for all travel expenses incurred while on business for the authority, upon requisition, any member, its attorneys, the CEO, and any employee of the authority traveling under the direction of the CEO or the CEO's designee in accordance with section 112.061, Florida Statutes.

(n) Create, appoint, and prescribe the duties of any committee.

(o) Sue and be sued.

(p) Adopt, use, and alter a corporate seal.

(q) Publish advertisements.

(r) Waive advertisement when the authority determines an emergency exists and supplies and materials must be immediately acquired by the authority.

(s) Negotiate and enter into contracts, agreements, exclusive or limited agreements, and cooperation agreements of any kind necessary for the authority to fulfill the purposes of this act.

(t) Include contract specifications maximizing the employment of persons whose protected group has been underutilized in the past.

(u) Provide for the manual execution of any instrument on behalf of the authority by the signature of the chair or vice chair, and attested to by the secretary or the assistant secretary, or, if delegated by the members to do so, the CEO or any other authority personnel to whom authority has been delegated, or by the signer's facsimile signature in accordance with the Uniform Facsimile Signature of Public Officials Act.

(v) Purchase and sell equipment, supplies, and services required for its purposes.

(w) Consent to the sale, lease, transfer, disposition of, or granting a lesser interest in the airport. To let or lease the airport and the airport facilities or any portion thereof and to grant concessions upon such terms and conditions as it shall deem proper.

(x) Dispose of tangible personal property in accordance with chapter 274, Florida Statutes.

(y) Advertise, promote, and encourage the use and expansion of facilities under its jurisdiction.

(z) The airport shall have jurisdiction over the operation and maintenance of the airport and airport facilities. All development activity must be in accordance with the City of Gainesville's Comprehensive Plan and Land Development Regulations, except as set forth below in this paragraph, and with the Airport Master Zoning Plan to be adopted by the city commission and updated from time to time by the city commission. The airport may adopt its own development standards relating only to heights and design of buildings, landscaping, parking, sidewalks, lighting, and signage (excluding billboards and off-premises signs). If the authority formally adopts such development standards, they will apply in lieu of the comparable specific standards in the city's land development regulations.

(aa) Acquire real property in fee simple or any lesser interest or easement by purchase, gift, devise, lease, or other means if the authority is able to agree with the owners of said property on the terms of such acquisition. To acquire real property in fee simple or any lesser interest or easement as it may deem necessary for the property managing and operation of the airport and airport facilities, by condemnation in the manner provided by the law under which municipalities are authorized to acquire property for public purposes, with full power to exercise the right of eminent domain for such purposes being hereby granted to said authority as specified in and including all the powers, rights, and privileges of chapters 73 and 74, Florida Statutes, or any succeeding legislation. For the purposes of making surveys and examinations relative to any condemnation proceedings, it shall be lawful to enter upon any land, doing no unnecessary damage. The authority may take possession of any such property to be acquired at any time after the filing of the petition describing the same in condemnation proceedings, as provided in chapters 73 and 74, Florida Statutes. It shall not be precluded from abandoning the condemnation of any such property in any case where possession thereof has not been taken. To acquire or lease personal property in the name of the authority.

(bb) Reimburse the owner of any structure for which the authority may require removal, relocation, or reconstruction located in, on, under, or across any private property, public street, highway, or other public or private places for the estimated or actual expense of the removal, relocation, or reconstruction.

(cc) Supplement and coordinate in design and operation air navigation facilities with those established and operated by the federal and state governments.

(dd) Request the county or any municipality to convey to the authority the fee simple title to any airport or other property owned by the county or any municipality and needed for airport purposes.

(ee) Relinquish jurisdiction, control, supervision, and management over the airport or part of the airport which is under its jurisdiction but which is owned by a municipality, county, or other governmental agency, upon determining that any such airport or part of any such airport is no longer required for airport purposes, provided that the consent and approval of any municipality, county, or other governmental agency and any revenue bond-

holders are first obtained and necessary authorizations or approvals are received from federal agencies regulating airports.

(ff) Expend revenues for the cost of investigating, surveying, planning, acquiring, establishing, constructing, enlarging, improving, equipping, and erecting airport facilities by appropriation of revenues or wholly or partly from the proceeds of bonds of the authority. The term "cost" includes awards in condemnation proceedings, rentals where an acquisition is by lease, and amounts paid to utility companies for relocation of their wires, poles, and other facilities.

(gg) Incur expenses as provided in its annual budget and any amended budget.

(hh) Assess against and collect from the owner or operator of each airplane using any airport facility a landing fee or service charge sufficient to cover the cost of the service furnished to airplanes using any such facility, which cost may include the liquidation of bonds or other indebtedness for construction and improvement.

(ii) Accept federal, state, and any other public or private moneys, grants, contributions, or loans for the acquisition, construction, enlargement, improvement, maintenance, equipment, or operation of airport facilities, or any other lawful purpose.

(jj) Fix, alter, charge, establish, and collect rates, fees, rentals, and other charges for the services of the authority at reasonable and uniform rates.

(kk) Apply for, hold, and periodically transfer alcoholic beverage licenses as provided by this act.

(ll) Adopt and amend rules, regulations, and policies reasonably necessary for the implementation of this act.

(mm) By resolution, fix and enforce civil penalties for the violation of a rule, regulation, or policy adopted in accordance with this act relating to the operation of general aviation, air passenger service, or ground transportation service.

(nn) Amend the budget after its adoption.

(oo) Receive, deposit, secure, and pay out moneys as provided by this act.

(pp) Designate a depository or depositories which are qualified as a public depository pursuant to section 280.04, Florida Statutes, and thereafter establish and open an account or accounts into which revenues collected are to be deposited and from which expenditures may be made.

(qq) Establish and deposit into and expend moneys from a surplus fund by using funds that may remain unexpended at the end of the fiscal year and may be set aside in a separate fund to be known as the Capital Improvement Fund and accumulated and expended from year to year solely for the purpose of building and constructing permanent improvements, replacements,

alterations, buildings, and other structures, including runways, taxi strips, and aprons.

(rr) By resolution, borrow money and issue bonds in the manner and within the limitation, except as otherwise provided in this act, prescribed by general law for the issuance and authorization of bonds; however, any bonds issued by the authority shall have a maturity date not exceeding 40 years from the date of issuance, shall be self-liquidating or otherwise payable from revenues of the authority, shall be payable semiannually, and shall not be a lien against the general taxing powers of the county or any municipality.

(ss) Enter into any agreements with any bank or trust company as security for its bonds, and assign and pledge any or all of its revenues. Such agreements may contain provisions customary in such instruments or as authorized by the authority.

(tt) Secure the payment of bonds or any part thereof by pledging all or any part of its revenues and provide for the security of said bonds, without pledging any real property rights to the airport or airport facilities, and the rights and remedies of the bondholders.

(uu) Pending the preparation of definitive bonds, issue certificates or temporary bonds to the purchaser of bonds.

(vv) Transact the business of the authority and exercise all powers necessarily incidental to the exercise of the general and special powers granted in this act and under any other law.

(ww) Do all acts and things necessary or convenient for the promotion of its business and the general welfare of the authority.

Section 8. Budget.—The fiscal year for the authority shall be October 1 through September 30 of each year. For each fiscal year after the effective date of this act:

(1) Prior to preparation of the annual budget as provided in subsection (2), the authority shall develop an annual proposed budget consisting of the elements described in subsection (2), which shall be presented for a public hearing before the citizens of Alachua County. This public hearing shall be noticed as a budget hearing.

(2) Following the public hearing conducted pursuant to subsection (1), the authority shall prepare an annual budget, consisting of an operating revenue/operating expense account, capital outlay account, and capital project account for its operations in the ensuing fiscal year. At the time the authority prepares its annual budget, it shall adopt a resolution determining and finding the estimated amounts to be expended by the authority in the ensuing year in each account, exclusive of any bonds or other indebtedness of the authority, used to acquire, establish, construct, enlarge, operate, and maintain the airport and airport facilities and other facilities related thereto, or for any other corporate purpose of the authority.

(3) The authority may, at any time within a fiscal year, adopt budget amendments.

(4) All anticipated revenues to be derived from the operation of the airport and airport facilities shall be included in the budget, provided that any amounts of money, anticipated or actual, including funds in the authority's budget for the preceding fiscal year which remain unencumbered and unexpended from the revenue derived under the budget for the preceding fiscal year, may, by resolution of the authority, be set aside in a separate fund, to be known and described as a Renewal and Replacement Fund and accumulated in said fund from year to year for the purpose purchasing real and tangible personal property, and building and constructing permanent improvements, replacements, alterations, buildings, and other structures, including, but not limited to, runways, taxi strips, and aprons. Such funds may be disbursed from time to time out of the Renewal and Replacement Fund, upon proper resolution of the authority, solely for the payment of the cost of purchasing real and tangible personal property, and building and constructing permanent improvements, replacements, alterations, buildings, and other structures, including, but not limited to, runways, taxi strips, and aprons.

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

(6) The city, the county, and the county's other political subdivisions may, by loan or grant, fund budget deficits of the authority, and all may guarantee bonds issued by the authority.

Section 9. Relationship between the authority and the city and county.—The authority shall have the power and responsibility to operate the airport and airport facilities in a manner consistent with applicable federal, state, county, and city law. The city has no power to operate or maintain the airport and airport facilities. Applicable codes of the city shall apply to the airport except to the extent that different state or federal requirements are expressly applicable, and except to the extent that the authority or the airport has been made exempt from any requirement of the city by state or federal law. All construction upon the airport shall be subject to inspection by the city on behalf of the state and the city inspectors may ensure compliance with applicable state regulation for such construction in addition to applicable city regulations.

Section 10. Title to airport land.—The city may convey title to the land comprising the airport to the authority for no monetary consideration. Nothing in this act shall be construed to impair the obligations of any original agreements with the Federal Government.

Section 11. Bonds.—

(1) The authority is empowered and authorized to issue revenue or refund bonds. The purpose of the bonds shall be to pay all or any part of the cost for acquisition and development of property by the authority for the

design and construction or reconstruction of any authorized project, for equipment, or for refunding of bonds for the same purpose.

(2) Bonds issued under this section shall be authorized by resolution of the authority. Such bonds may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, be in such denomination or denominations, be in such form, registered or not, with or without coupon, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment at such place or places, and be subject to such terms of redemption, with or without premium, be secured in such manner, and have such other characteristics as may be provided by such resolution or ordinance or trust indenture or mortgage issued pursuant thereto. Such bonds shall bear interest at such rate or rates allowed by general law.

(3) The authority shall determine the terms and manner of sale and distribution or other disposition of any and all bonds it may issue and shall have any and all powers necessary or convenient to such disposition.

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

Section 12. Covenant of the state.—The state does pledge to, and agree with, the Federal Government and any person, firm, or corporation subscribing to or acquiring the bonds to be issued by the authority for the construction, acquisition, extension, improvement, or enlargement of projects, or any part thereof, that the state will not limit or alter the rights hereby vested in the authority until all bonds at any time issued, together with the interest thereon, are fully paid and discharged or until provision is made therefor. The state does further pledge to, and agree with, the Federal Government that in the event that the Federal Government shall construct or contribute any funds for the construction, acquisition, extension, improvement, or enlargement of said projects, or any part thereof, the state will not alter or limit the rights and powers of the authority in any manner which would be inconsistent with the continued maintenance and operation of the projects, or any part thereof, or the improvement thereof, or which would be inconsistent with the due performance of any agreements between the authority and the Federal Government, and the authority shall continue to have and may exercise all powers herein granted, so long as the same may be necessary or desirable for the carrying out of the purposes of this act and the purposes of the Federal Government in the construction or acquisition or improvement or enlargement of said projects or any part thereof.

Section 13. Alcoholic beverage license.—

(1) Notwithstanding any other provision of law, upon application to the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, the division shall issue a beverage license as provided under section 561.17, Florida Statutes, to the authority or other governmental agency operating the Gainesville Regional Airport.

(a) Application shall be made with the division in the name of the authority or other governmental agency operating Gainesville Regional Airport and the license shall be issued in the name of the applicant.

(b) The beverage license shall authorize the consumption of alcoholic beverages only on a licensed premises located within the Gainesville Regional Airport.

(c) The applicant shall pay to the division the applicable license fee provided in section 565.02, Florida Statutes.

(2) Any alcoholic beverage license issued in accordance with this section is the property of the authority or the governmental agency operating Gainesville Regional Airport, subject to transfer as provided by this section. Such license may be transferred from time to time to a lessee operating within the Gainesville Regional Airport that meets all applicable qualifications for licensure under the Beverage Law.

(a) The authority or governmental agency operating the Gainesville Regional Airport and an authorized lessee shall make application to the division for the transfer of the license to a lessee, and the application shall be approved by the division if the lessee meets the applicable licensing requirements of the Beverage Law.

(b) Upon termination of a lease, the lessee shall immediately notify the division to transfer the license back to the authority or the governmental agency operating the Gainesville Regional Airport. Upon failure of a lessee to notify the division, the authority or the governmental agency operating Gainesville Regional Airport shall immediately request the division in writing to transfer the license back to the authority or other governmental agency operating the Gainesville Regional Airport. Thereafter, the beverage license may be transferred to any lessee meeting qualification standards for licensure under the Beverage Law.

(c) Upon termination of a lease for any reason or other disqualification, the license shall automatically revert by operation of law to the authority or governmental agency operating the Gainesville Regional Airport.

(3) Each beverage license shall be for the term and subject to the same privileges or renewal as provided in sections 561.26 and 561.27, Florida Statutes. All provisions of the Beverage Law not inconsistent with this act shall apply to the license.

(4) This section does not preclude other persons operating on property of the authority from acquiring an alcoholic beverage license for use on its premises pursuant to general law.

Section 14. Purchasing and award of contracts.—Purchasing and award of contracts shall be consistent with the authority's purchasing policy and general law.

Section 15. Discrimination prohibited.—

(1) The authority and its lessees, including successors in interest, shall not because of race, color, sex, religion, national origin, age, or disability of any individual refuse to hire, employ, bar, or discharge from employment such individual or to otherwise discriminate against such individual with respect to compensation, hire, tenure, terms, conditions, or privileges of employment.

(2) No person on the grounds of race, color, sex, religion, national origin, age, or disability shall be excluded from the participation in, denied the benefits of, or otherwise subjected to discrimination in the use of leased premises of the authority.

(3) In furnishing services or materials, or in the construction of any improvements, no person shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination with respect thereto.

(4) This section does not supersede or preempt any state or local laws prohibiting discrimination. The authority and its officers, employees, and agents shall be subject to federal, state, and local laws prohibiting discrimination to the extent provided by such laws.

Section 16. Litigation.—Nothing herein shall interfere with any legal action filed by or against the city or predecessor or predecessors of the authority. The authority may become a party in any such action as provided by law. Nothing herein shall impair the right of the city or the authority to initiate, pursue, or defend litigation.

Section 17. Severability.—If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications, and to this end the provisions of this act are declared severable.

Section 4. Chapters 86-469, 89-433, and 95-457, Laws of Florida, are repealed.

Section 5. This act does not supersede any state or federal laws or any state or federal grant assurances.

Section 6. This act shall take effect upon becoming a law.

Approved by the Governor June 6, 2006.

Filed in Office Secretary of State June 6, 2006.