

1 2002 Legislature

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3 A bill to be entitled

4 An act relating to the Gainesville-Alachua County Regional  
5 Airport Authority; amending chapter 86-469, Laws of  
6 Florida, as amended; revising the Authority's membership  
7 to provide for a governing board composed of members of  
8 the Gainesville City Commission, the Board of County  
9 Commissioners of Alachua County; and the President or a  
10 designated vice-president of the University of Florida;  
11 providing for the conduct of business consistent with the  
12 change in membership; deleting obsolete provisions;  
13 authorizing the creation of a Board of Trustees to whom  
14 powers of the governing board may be delegated; providing  
15 an effective date.

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

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20 Section 1. Section 3 of chapter 86-469, Laws of Florida, as  
21 amended by chapter 89-433, Laws of Florida, as amended by  
22 chapter 95-457, Laws of Florida, is amended to read:

1 Section 3. Gainesville-Alachua County Regional Airport  
2 Authority--

3 (1) CREATION AND PURPOSE--For the  
4 purpose of managing and operating the airport and airport  
5 facilities, there is hereby created an independent special  
6 district to be known as the Gainesville-Alachua County  
7 Regional Airport Authority. The exercise by the authority  
8 of the powers conferred upon it by this act will be deemed  
9 to be for an essential and proper purpose.

10 (2) MEMBERSHIP--The powers of the  
11 authority shall be vested in its members in office from time  
12 to time. ~~There shall be nine members. As a condition of~~  
13 ~~eligibility for appointment and to hold office, each member~~  
14 ~~shall reside within the city or county. No person shall serve~~  
15 ~~as a member of the authority and, at the same time, hold~~  
16 ~~any publicly elected office in the State of Florida. The~~  
17 Authority shall be composed of two members of the Board  
18 of County Commissioners of Alachua County, to be  
19 selected by the board, two members of the Gainesville City  
20 Commission to be selected by the commission, who, when  
21 acting together as the Authority, shall sit not as county or  
22 city commissioners, but as members of the Gainesville-  
23 Alachua County Regional Airport Authority, and the

1 President of the University of Florida or a Vice-President  
2 of the University of Florida designated by the President.

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5 (3) ~~INITIAL APPOINTMENTS;~~

6 EXPIRATION OF TERMS--Initial appointments  
7 shall be as follows:

8 (a) ~~—The initial members of the authority shall~~  
9 consist of:

10 1. ~~—All members of the preexisting authority;~~

11 and

12 2. ~~—The four members separately appointed by~~  
13 ~~the Governor and the county to the authority created by~~  
14 ~~chapter 85-378, Laws of Florida.~~

15 (b) ~~—If any of the members in paragraph (a)~~  
16 ~~declines to serve, such office shall be filled within 30 days~~  
17 ~~of the effective date of this act, as follows:~~

18 1. ~~—The Governor shall replace by appointment~~  
19 ~~any of the three members appointed by him under chapter~~  
20 ~~85-378, Laws of Florida;~~

21 2. ~~—The board of county commissioners shall~~  
22 ~~replace by appointment the member appointed thereby~~  
23 ~~under chapter 35-378, Laws of Florida; and~~

1                   3. ~~The city commission shall replace by~~  
2                   ~~appointment any of the remaining members.~~

3                   (e) ~~The term of any member initially appointed~~  
4                   ~~under this act shall expire on July 31 of the year such~~  
5                   ~~member's term was scheduled to expire under chapter 85-~~  
6                   ~~378, Laws of Florida, or under Gainesville City Ordinance~~  
7                   ~~No. 2721/0-82-33, as appropriate, except that the term of~~  
8                   ~~any such member previously appointed by the city who was~~  
9                   ~~also subsequently appointed to the authority created under~~  
10                  ~~chapter 85-378, Laws of Florida, shall expire on July 31 of~~  
11                  ~~the year which represents the later expiration date of the~~  
12                  ~~two appointments. The current terms of office of members~~  
13                  ~~appointed under chapter 86-469, Laws of Florida, shall~~  
14                  ~~expire on July 1, 2001.~~

15                  (3) ~~SUBSEQUENT APPOINTMENTS;~~  
16                  ~~TERMS Upon expiration or initial terms of office;~~

17                  (a) ~~Subsequent appointments shall be made by~~  
18                  ~~the appropriate appointing entity on or prior to the date of~~  
19                  ~~expiration of the preceding term in the same manner as~~  
20                  ~~described in paragraph (3) (b). In the event an appointment~~  
21                  ~~has not been made by such date, the Governor shall make~~  
22                  ~~the appointment within 20 days thereafter.~~

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

4                   (4) ~~FILLING OF VACANCIES~~ Except as may  
5 be otherwise provided herein, vacancies in office shall be  
6 filled for the balance of the term by the appropriate  
7 appointing entity, in the same manner as set forth in  
8 paragraph (3) (b). In such cases, the appointment shall be  
9 made no later than 30 days after the office has become  
10 vacant. In the event an appointment has not been made by  
11 such date, the Governor shall make the appointment within  
12 20 days thereafter.

13                   (6) ~~ORGANIZATION; MEETINGS; NOTICE;~~  
14 ~~QUORUM.~~

15                   (a) ~~A chairman, vice chairman, and~~  
16 ~~secretary/treasurer shall be chosen by and from the~~  
17 ~~authority membership. The chairman, vice chairman, and~~  
18 ~~secretary/treasurer shall each serve a term of office of 1~~  
19 ~~year, and no member shall hold the same office for more~~  
20 ~~than 2 consecutive terms.~~

21                   (b)1. ~~The authority shall meet at the call of the~~  
22 ~~chairman, at the request of three or more of its members;~~

and at such other times as may be prescribed by rule of the authority.

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

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

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

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(8) — RESTRICTIONS. —

(a) — ~~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 his 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.~~

(b) — ~~No member, officer, agent, or employee of the authority, either for himself 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 paragraph shall be cumulative to any general laws of the state which may from time to time be applicable to members, officers, agents or employees of the authority and~~

which require the disclosure of, or prohibit, conflicts of  
interest.

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

Section 2. Subsection 15 of Section 4 of chapter 86-469, Laws of Florida, as amended by chapter 89-433, Laws of Florida, as amended by chapter 95-457, Laws of Florida, is amended to read:

(15) When deemed desirable by the authority, and, when agreed to by ~~the city~~ other governmental entities, to utilize the purchasing authority and capability of ~~the city~~ such entities for such things as, but not limited to, computer services, supplies, equipment, labor, and contractual services. However, all such material and services shall be paid by the authority out of its own budget.

Section 3. Subsection 20 of Section 4 of chapter 86-469, Laws of Florida, as amended by chapter 89-433, Laws of Florida,



as amended by chapter 95-457, Laws of Florida, is added to said section to read:

(20) To create a Board of Trustees to whom may be delegated powers and duties granted to the Authority and whom may exercise said power and duties as agent for, and on behalf of, the Authority to the extent of such delegation.

Section 4. This act shall take effect on July 1, 2002.