

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1 Representative(s) Jennings offered the following:

2
3 **Amendment**

4 Remove line(s) 44-239 and insert:

5 by interlocal agreement between the City of Gainesville and the
6 authority, that is designed for the landing and taking off of
7 aircraft, whether or not facilities are provided for the
8 shelter, servicing, or repair of aircraft or for receiving and
9 discharging passengers or cargo, and all appurtenant areas used
10 or suitable for airport buildings or other airport facilities,
11 which may change from time to time by amendment to the
12 interlocal agreement between the City of Gainesville and the
13 authority.

14 (2) "Airport facilities" means facilities used for the
15 transportation of people and cargo as described by the
16 interlocal agreement between the City of Gainesville the and
17 authority, including, but not limited to, runways, taxiways,

528647

5/1/2006 10:15:58 AM

Amendment No. (for drafter's use only)

18 taxi lanes, aprons, hangars, shops, terminals, buildings,
19 parking lots, roadways, and all other facilities necessary or
20 desirable for the landing, taking off, operating, servicing,
21 repairing, and parking of aircraft, and the unloading and
22 handling of passengers, mail, and express and freight cargo,
23 together with all necessary appurtenances and equipment and all
24 property rights, easements, and franchises relating thereto.

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

27 (4) "Board of county commissioners" means the Board of
28 County Commissioners of the County of Alachua.

29 (5) "Bond" includes bonds, debentures, notes, certificates
30 of indebtedness, mortgage certificates, or other obligations or
31 evidences of indebtedness of any type or character.

32 (6) "City" means the City of Gainesville.

33 (7) "City Commission" means the City Commission of the
34 City of Gainesville.

35 (8) "County" means the County of Alachua.

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

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

45 (11) "Refunding bonds" means bonds issued to refinance
46 outstanding bonds of any type and the interest and redemption

528647

5/1/2006 10:15:58 AM

Amendment No. (for drafter's use only)

47 premium thereon. Refunding bonds shall be issuable and payable
48 in the same manner as the refinanced bonds, except that no
49 approval by the electorate shall be required unless required by
50 the State Constitution.

51 Section 3. Creation; purpose.--

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

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

68 Section 4. Membership of the authority.--

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

528647

5/1/2006 10:15:58 AM

Amendment No. (for drafter's use only)

76 | as a member of the authority and, at the same time, hold any
77 | publicly elected office in the State of Florida.

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

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

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

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

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

96 | (4) The term of any member initially appointed prior to
97 | the effective date of this act shall expire on July 31 of the
98 | year such member's term was scheduled to expire under chapter
99 | 95-457, Laws of Florida. No member shall serve more than two
100 | successive terms.

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

528647

5/1/2006 10:15:58 AM

Amendment No. (for drafter's use only)

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

110 (7) A member may be removed by the entity appointing such
111 member upon grounds constituting misfeasance, neglect of duty,
112 incompetence, or permanent inability to perform official duties.
113 Upon conviction of a felony, a member shall be automatically
114 removed. The unexcused failure to attend three consecutive
115 regular meetings of the authority shall be deemed neglect of
116 duty, without limiting the meaning of the term "neglect of
117 duty."

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

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

127 (2) The authority shall give notice of all meetings at
128 least 48 hours prior thereto, which shall be published in a
129 newspaper in general circulation in Alachua County, and shall
130 include agenda items whenever such items involve leasing of any
131 airport property. All meetings of the authority shall be so
132 noticed except emergency meetings, which shall only be called

528647

5/1/2006 10:15:58 AM

Amendment No. (for drafter's use only)

133 when there is an immediate danger to the public health, safety,
134 or welfare, do not require at least 48 hours' prior public
135 notice, and reasonable notice under the circumstances shall be
136 provided in such cases.

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

142 Section 6. Restrictions.--

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

158 (2) No member, officer, agent, or employee of the
159 authority, either for himself or herself or as agent for anyone
160 else, or as a stockholder or owner in any other legal entity,
161 shall participate in or benefit directly or indirectly from any

528647

5/1/2006 10:15:58 AM

Amendment No. (for drafter's use only)

162 sale, purchase, lease, franchise, contract, or other transaction
163 entered into by the authority or the city. The provisions of
164 this subsection shall be cumulative to any general laws of the
165 state that may from time to time be applicable to members,
166 officers, agents, or employees of the authority and that require
167 the disclosure of, or prohibit, conflicts of interest.

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

172 Section 7. Powers and duties.--

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

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

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

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

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

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

528647

5/1/2006 10:15:58 AM

Amendment No. (for drafter's use only)

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

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

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