

1 A bill to be entitled
 2 An act relating to the Gainesville-Alachua County Regional
 3 Airport Authority; codifying, reenacting, amending, and
 4 repealing chapters 86-469, 89-433, and 95-457, Laws of
 5 Florida, relating to the authority; providing a short
 6 title; providing legislative findings and intent;
 7 providing definitions; providing purpose of the authority;
 8 providing for membership, organization, restrictions, and
 9 powers and duties of the authority; requiring a budget;
 10 specifying relationship between the authority and local
 11 government; providing for conveyance of land to the
 12 authority; authorizing issuance of bonds; providing
 13 bondholder rights and remedies; specifying covenant of the
 14 state; authorizing an alcoholic beverage license;
 15 providing for purchasing and award of contracts; exempting
 16 property from taxation; prohibiting discrimination;
 17 providing that the authority may sue and be sued;
 18 providing for severability; providing an effective date.

19
 20 Be It Enacted by the Legislature of the State of Florida:

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

27 (2) The reenactment of existing law in this act shall not
 28 be construed to modify, amend, or alter any covenants,

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29 contracts, or other obligations of any district with respect to
30 bonded indebtedness. Nothing pertaining to the reenactment of
31 existing law in this act shall be construed to affect the
32 ability of any district to levy and collect taxes, assessments,
33 fees, or charges for the purpose of redeeming or servicing
34 bonded indebtedness of the district.

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36 Florida, are amended, codified, reenacted, and repealed as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

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

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

42 Section 2. Legislative findings and intent.--

43 (1) The Legislature finds that:

44 (a) The proper operation of a publicly owned or operated
45 airport in the county is essential to the welfare of the people
46 of the Gainesville-Alachua County area, the state, and the
47 people of the state.

48 (b) A publicly owned or operated airport in the county
49 establishes a vital transportation link between the state and
50 the economic systems of the nation and the world and enables the
51 state to enjoy and provide the benefits of an international
52 tourist and commercial center.

53 (c) The economic validity and stability of a publicly
54 owned or operated airport in the county is a matter of statewide
55 importance.

56 (d) The policy of this state is to promote the development
57 of commerce and tourism and to secure for the state's residents
58 the benefits of those activities conducted in the state.

59 (e) The proper operation of a publicly owned or operated
60 airport in the county is essential to the welfare of the state
61 and its people, and the Legislature recognizes and affirms such
62 operation as a governmental function to be discharged in
63 furtherance of the policy of securing the benefits of commerce
64 and tourism for the state and its people.

65 (2) It is the intent of the Legislature that:

66 (a) The authority comply with federal law regarding
67 expenditure of federal moneys.

68 (b) This act not be construed as impairing or infringing
69 upon any rights, privileges, or benefits enjoyed by any employee
70 of the authority who is so employed on the effective date of
71 this act.

72 (c) The members and employees of the authority comply with
73 the code of ethics provisions under part III of chapter 112,
74 Florida Statutes.

75 (d) This act provide an additional, alternative, and
76 complete method for the exercise of the powers granted and
77 authorized by this act and be regarded as supplemental to powers
78 conferred by other laws and not as a derogation of any powers
79 now existing.

80 (e) The authority manage airport facilities and grant
81 airport concessions to further the development of commerce and
82 tourism in or affecting the Gainesville-Alachua County area and
83 the state. In managing its facilities and granting concessions

84 for services to the public, the authority shall promote the
 85 development of commerce and tourism by:

- 86 1. Securing a diversity of airport services.
- 87 2. Avoiding wasteful duplication of such services.
- 88 3. Securing for the users of the airport safe, courteous,
 89 and quality service.
- 90 4. Limiting or prohibiting business competition that is
 91 destructive to the promotion of commerce and tourism in the
 92 state.
- 93 5. Allocating limited airport resources to promote such
 94 ends.
- 95 6. Fostering Florida's image as a commercial and tourism
 96 center.

97 Section 3. Definitions.--As used in this act, unless the
 98 context otherwise requires, the term:

99 (1) "Airport" means any area of land or water designed for
 100 landing and takeoff of aircraft, whether or not facilities are
 101 provided for the shelter, servicing, or repair of aircraft or
 102 for receiving and discharging passengers or cargo, including all
 103 appurtenant areas used or suitable for use for airport buildings
 104 or other airport facilities and all appurtenant rights-of-way at
 105 the area now known, and which may hereafter be known, as the
 106 Gainesville Regional Airport.

107 (2) "Airport facilities" means airport facilities at the
 108 Gainesville Regional Airport and used for the transportation of
 109 people and cargo, including, but not limited to, runways,
 110 taxiways, taxi lanes, aprons, hangars, shops, terminals,
 111 buildings, parking lots, roadways, and all other facilities

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112 necessary or desirable for landing, takeoff, operating,
113 servicing, repairing, and parking of aircraft, and the unloading
114 and handling of passengers, mail, and express and freight cargo,
115 together with all necessary appurtenances and equipment and all
116 properties, rights, easements, and franchises relating thereto
117 and deemed necessary or convenient by the authority in
118 connection therewith. This shall also include the area known on
119 the effective date of this act as the "Airport Industrial Park"
120 and all appurtenant facilities related thereto.

121 (3) "Airport lands" means any area of land or water
122 described on the Gainesville Regional Airport Property Map as
123 presented to the Federal Aviation Administration, which may be
124 amended from time to time, and used for operation of the
125 airport, for protection of the airport, or for aeronautical or
126 nonaeronautical revenue generated for the benefit of the
127 airport.

128 (4) "Airport facility district" means the district
129 described in the City of Gainesville land use regulations that
130 recognizes the unique conditions pertaining to Gainesville
131 Regional Airport and provides a means of balancing conformance
132 to applicable state and federal regulations with local concerns
133 and specific needs of the airport.

134 (5) "Authority" means the Gainesville-Alachua County
135 Regional Airport Authority created herein.

136 (6) "Authorized project" means an undertaking, including a
137 capital project, approved by the authority and includes all
138 property rights, easements, and franchises related thereto and
139 deemed necessary or convenient for the construction,

140 acquisition, or operation thereof and embraces any capital
141 expenditure that is made for a public purpose, including the
142 refunding of any bonded indebtedness that may be outstanding on
143 any existing project that is to be improved by a new project.

144 (7) "Board of county commissioners" means the Board of
145 County Commissioners of the County of Alachua.

146 (8) "Bond" includes bonds, debentures, notes, certificates
147 of indebtedness, mortgage certificates, or other obligations or
148 evidences of indebtedness of any type or character.

149 (9) "City" means the City of Gainesville.

150 (10) "City commission" means the City Commission of the
151 City of Gainesville.

152 (11) "County" means the County of Alachua.

153 (12) "Person" means any individual, firm, partnership,
154 corporation, company, association, joint stock association, or
155 body politic and includes any trustee, receiver, assignee, or
156 other similar representative thereof.

157 (13) "Revenue bonds" means obligations of the authority
158 that are payable from revenues derived from sources other than
159 ad valorem taxes on real or tangible personal property and that
160 do not pledge the property, credit, or general tax revenue of
161 the authority or the city.

162 (14) "Refunding bonds" means bonds issued to refinance
163 outstanding bonds of any type and the interest and redemption
164 premium thereon. Refunding bonds shall be issuable and payable
165 in the same manner as the refinanced bonds, except that no
166 approval by the electorate is required unless required by the
167 State Constitution.

168 Section 4. Creation; purpose.--

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

178 (2) The authority has exclusive jurisdiction, control,
 179 supervision, and management over all airports in Alachua County
 180 except any airport owned, controlled, and operated by a private
 181 person. Said jurisdiction, control, supervision, and management
 182 are in the best interest of the county and each municipality.

183 Section 5. Membership of the authority.--

184 (1) The powers of the authority are vested in its members.
 185 There shall be nine members. No member shall receive any
 186 compensation for services as a member. As a condition of
 187 eligibility for appointment and to hold office, each member
 188 shall reside within the city, the county, or a county contiguous
 189 to Alachua County. No person shall serve as a member of the
 190 authority and at the same time hold any publicly elected office
 191 in the state.

192 (2) Upon expiration of the terms of office of those
 193 members of the authority upon the effective date of this act,
 194 subsequent appointments shall be made as follows:

195 (a) On or before the date a respective member's term is to
 196 expire, the Governor shall replace by appointment any of the
 197 three members appointed by the Governor.

198 (b) On or before the date the member's term is to expire,
 199 the board of county commissioners shall replace by appointment
 200 the member appointed by the board.

201 (c) On or before the date a respective member's term is to
 202 expire, the city commission shall replace by appointment any of
 203 the remaining five members appointed by the commission.

204 (3) If, upon expiration of a member's term of office, an
 205 appointing entity fails to replace that member and the member is
 206 willing to continue to serve, the member with the expired term
 207 shall continue to serve until a replacement is appointed.

208 (4) The term of any member appointed before the effective
 209 date of this act shall expire on July 31 of the year such
 210 member's term was scheduled to expire. No member shall serve
 211 more than two successive terms.

212 (5) All members appointed after the effective date of this
 213 act shall serve 4-year terms of office, beginning on August 1
 214 and expiring on July 31 of the appropriate years.

215 (6) Except as otherwise provided herein, vacancies in
 216 office shall be filled for the remainder of the term by the
 217 appropriate appointing entity in the same manner as set forth in
 218 subsection (2). Except as provided in subsection (3), a vacant
 219 position shall remain vacant until a successor has been
 220 appointed by the appropriate entity.

221 (7) A member may be removed by his or her appointing
 222 entity upon grounds constituting misfeasance, neglect of duty,

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223 incompetence, or permanent inability to perform official duties.
224 Conviction of a felony shall automatically remove a member. The
225 unexcused absence from three consecutive regular meetings of the
226 authority shall be deemed neglect of duty, without limiting the
227 meaning of the term "neglect of duty."

228 Section 6. Organization; meetings; notice; quorum.--A
229 chair, vice chair, and secretary-treasurer shall be chosen by
230 and from the authority membership. The chair, vice chair, and
231 secretary-treasurer shall each serve a term of office of 1 year,
232 and no member may hold the same office for more than 2
233 consecutive terms.

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

237 (2) The authority shall give notice of all meetings at
238 least 48 hours prior thereto, which notice shall be published in
239 a newspaper in general circulation in Alachua County, and shall
240 include agenda items whenever such items involve leasing of any
241 airport property. Emergency meetings shall be called only when
242 there is an immediate danger to the public health, safety, or
243 welfare, and do not require traditional public notice.

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

249 Section 7. Restrictions.--

250 (1) No person who has transacted business with the

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251 authority shall be eligible for appointment to the authority
252 until 3 years after the last transaction. No person who has
253 served on the authority shall be eligible to transact business
254 with the authority or be employed directly or indirectly by an
255 entity transacting business with the authority until 3 years
256 after the date of termination of membership. "Transactions"
257 include all business dealings, representation of business
258 entities, and submission of proposals for doing business with
259 the authority either for oneself or as an employee of, agent
260 for, or consultant to any other person or legal entity. However,
261 nothing in this paragraph shall be construed as prohibiting an
262 appointed member from purchasing supplies or services from any
263 fixed-base operator or tenant at the airport or Airport
264 Industrial Park or for renting individual aircraft hangars or
265 tie-downs offered to the general public and owned by the
266 authority.

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

277 (3) No member, as an individual, may represent the
278 authority, speak for the authority, or speak on behalf of the

279 authority without being directed through a formal action of the
 280 governing board to do so.

281 Section 8. Powers and duties.--

282 (1) The authority shall have exclusive jurisdiction over
 283 the operation and maintenance of and improvements to airport
 284 lands. Further, the authority shall oversee the Airport Facility
 285 District, consisting of airport lands for purposes of City of
 286 Gainesville land use regulations, which shall govern items
 287 including, but not limited to, height, landscaping, sidewalks,
 288 and lighting, and shall:

289 (a) Approve, file with the clerk, and pay any surety bond
 290 required of any member or of any employee of the authority.

291 (b) Exclusively control, supervise, and manage all
 292 airports in the county and each municipality, except any airport
 293 owned, controlled, or operated by a private person.

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

298 (d) Adopt before October 1 of each year an annual budget
 299 prepared by the chief executive officer, which must include an
 300 estimate of all revenues and anticipated expenditures for the
 301 ensuing fiscal year.

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

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

306 (2) The authority is authorized to:

307 (a) Rely on the provisions of this act, without reference
308 to other laws, in exercising its powers.

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

318 (c) Construct and maintain terminal buildings, causeways,
319 roadways, and bridges for approach to or connecting with the
320 airport.

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

325 (e) Establish positions, duties, and a pay plan and
326 employ, pay, provide benefits for, promote, discipline, and
327 terminate personnel, including a chief executive officer who
328 shall be responsible for the day-to-day administration,
329 management, and operation of the authority in accordance with
330 policy established by the members of the authority and perform
331 other duties as may be authorized by the members.

332 (f) By policy or resolution, authorize the chief executive
333 officer to perform any of the powers of the authority in whole
334 or in part and with whatever other limitations the authority may

335 impose, provided that said authorization does not result in an
336 invalid exercise of delegated legislative authority as defined
337 in general law.

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

341 (h) Reimburse for all travel expenses incurred while on
342 business for the authority, upon requisition, any member, the
343 authority's attorneys, the chief executive officer, and any
344 employee of the authority traveling under the direction of the
345 chief executive officer or the chief executive officer's
346 designee in accordance with authority policies.

347 (i) Create, appoint, and prescribe the duties of any
348 committee.

349 (j) Sue and be sued.

350 (k) Adopt, use, and alter a corporate seal.

351 (l) Publish advertisements.

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

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

359 (o) Include contract specifications maximizing the
360 employment of persons whose protected group has been
361 underutilized in the past.

362 (p) Enter into exclusive or limited agreements with a
363 single operator or a limited number of operators. The authority
364 shall grant exclusive or limited agreements to eliminate
365 business competition by rule or policy whenever the authority
366 determines, in consideration of the factors set forth in this
367 paragraph that any such agreement is necessary to further the
368 purposes of this act. Before entering into any exclusive or
369 limited agreement, the authority shall, under authority
370 expressly delegated by the state, determine the necessity for
371 such an exclusive or limited agreement to further the policies
372 and objectives stated in this act, which include public safety,
373 public convenience, quality of service, the need to conserve
374 airport space, the need to avoid duplication of services, the
375 impact on the environment or facilities of the airport as an
376 essential commercial and tourism service center, and the need to
377 avoid destructive competition that may impair the quality of
378 airport services to the public, lead to uncertainty, disruption,
379 or instability in rendering such services, or detract from the
380 Gainesville-Alachua County area and the state's attractiveness
381 as a center of tourism and commerce. In making its
382 determination, the authority shall take evidence or make
383 findings of fact and establish such policies it deems necessary.
384 Nothing in this paragraph shall excuse the authority from
385 complying with applicable state or local requirements for
386 competitive bidding or public hearings that may be required
387 before awarding or entering into any contract or other
388 agreement.

389 (q) Provide for the manual execution of any instrument on
390 behalf of the authority by the signature of the chair or vice
391 chair and attested to by the secretary or the assistant
392 secretary or, if delegated by the members to do so, the chief
393 executive officer or any other authority personnel to whom
394 authority has been delegated, or by signer's facsimile signature
395 in accordance with the Uniform Facsimile Signature of Public
396 Officials Act.

397 (r) Purchase and sell equipment, supplies, and services
398 required for authority purposes.

399 (s) Sell, lease, transfer, dispose of, or grant a lesser
400 interest in any authority properties.

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

403 (u) Grant concessions.

404 (v) Advertise, promote, and encourage the use and
405 expansion of facilities under the authority's jurisdiction.

406 (w) Enact airport zoning regulations in accordance with
407 chapter 333, Florida Statutes, to ensure the safe operation of
408 airports under the authority's jurisdiction; however, any such
409 airport zoning regulations may not affect the zoning use
410 regulations imposed by the county or any municipality.

411 (x) Acquire, own, construct, install, maintain, and
412 operate authority facilities and real property by purchase,
413 gift, devise, lease, or any other means, including eminent
414 domain in accordance with chapters 73 and 74, Florida Statutes.
415 For the purposes of making surveys and examinations incidental
416 to any condemnation proceedings, the authority may lawfully

417 enter upon any land, doing no unnecessary damage. The authority
418 may take possession of property to be acquired by condemnation
419 at any time after filing a petition describing the property in
420 condemnation proceedings as provided in general law. The
421 authority is not precluded from abandoning the condemnation of
422 any such property in any case where possession has not been
423 taken.

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

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

433 (aa) Request the county or any municipality to convey to
434 the authority the fee simple title to any county-owned or
435 municipality-owned airport or other property needed for airport
436 purposes.

437 (bb) Upon determining that any airport or part of any
438 airport under the authority's jurisdiction but owned by a
439 county, municipality, or other governmental agency is no longer
440 required for authority purposes, relinquish jurisdiction,
441 control, supervision, and management over that airport property
442 or that part of any airport property. However, the consent and
443 approval of any revenue bondholders must first be obtained and

444 necessary authorizations or approvals received from federal
 445 agencies regulating airports.

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

454 (dd) Incur expenses as provided in the authority's annual
 455 budget and any amended budget.

456 (ee) Assess against and collect from the owner or operator
 457 of each airplane using any authority facility a landing fee or
 458 service charge sufficient to cover the cost of the service
 459 provided, which cost may include the liquidation of bonds or
 460 other indebtedness for construction and improvement.

461 (ff) Accept federal, state, and any other public or
 462 private moneys, grants, contributions, or loans for the
 463 acquisition, construction, enlargement, improvement,
 464 maintenance, equipment, or operation of authority facilities, or
 465 for any other lawful purpose.

466 (gg) Fix, alter, charge, establish, and collect rates,
 467 fees, rentals, and other charges for the services of authority
 468 facilities at reasonable and uniform rates.

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

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

473 (jj) By resolution, fix and enforce penalties for the
474 violation of this act or a rule, regulation, or policy adopted
475 in accordance with this act.

476 (kk) Amend the budget after its adoption.

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

479 (mm) Designate a depository or depositories that is
480 qualified as a public depository under section 280.04, Florida
481 Statutes, and thereafter establish and open an account or
482 accounts into which revenues collected are deposited and from
483 which expenditures are made.

484 (nn) Establish and deposit into and expend moneys from a
485 surplus fund by using funds that may remain unexpended at the
486 end of the fiscal year and may be set aside in a separate fund
487 to be known as the Capital Improvement Fund and accumulated and
488 expended from year to year solely for the purpose of building
489 and constructing permanent improvements, replacements,
490 alterations, buildings, and other structures, including runways,
491 taxi strips, and aprons.

492 (oo) Except as otherwise provided in this act, by
493 resolution borrow money and issue bonds in the manner and within
494 the limitation prescribed by general law for the issuance and
495 authorization of bonds; however, any bonds issued by the
496 authority shall have a maturity date not exceeding 40 years from
497 the date of issuance, shall be self-liquidating or otherwise
498 payable from revenues of the authority, shall be payable

499 semiannually, and shall not be a lien against the general taxing
 500 powers of the county or any municipality.

501 (pp) Enter into any deeds of trust, indentures, or other
 502 agreements with any bank or trust company as security for
 503 authority bonds, and assign and pledge any or all of the
 504 authority's revenues. Such deeds of trust, indentures, or other
 505 agreements may contain provisions customary in such instruments
 506 or as authorized by the authority.

507 (qq) Secure the payment of bonds or any part thereof by
 508 pledging all or any part of authority revenues and provide for
 509 the security of the bonds and the rights and remedies of the
 510 bondholders.

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

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

516 (tt) Exercise all powers of a local agency granted
 517 pursuant to part II of chapter 159, Florida Statutes, and to a
 518 governmental unit granted pursuant to part VII of chapter 159,
 519 Florida Statutes.

520 (uu) Do all acts and things necessary or convenient for
 521 the promotion of authority business and the general welfare of
 522 the authority.

523 Section 9. Budget.--The fiscal year for the authority
 524 shall be October 1 through September 30. For each fiscal year
 525 after the effective date of this act:

526 (1) Prior to preparation of the annual budget as provided

527 in subsection (2), the authority shall develop an annual
528 proposed budget consisting of the elements described in
529 subsection (2), which shall be presented for a public hearing.
530 The public hearing shall be noticed as a budget hearing.

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

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

546 (4) All anticipated revenues to be derived from the
547 operation of the airport and airport facilities shall be
548 included in the budget, provided that any amounts of money,
549 anticipated or actual, including funds in the authority's budget
550 for the preceding fiscal year that remain unencumbered and
551 unexpended from the revenue derived under the budget for the
552 preceding fiscal year, may, by resolution of the authority, be
553 set aside in a separate fund to be entitled the "Renewal and
554 Replacement Fund" and accumulated in said fund from year to year

555 for the purpose of purchasing real and tangible personal
556 property and for building and constructing permanent
557 improvements, replacements, alterations, buildings, and other
558 structures, including, but not limited to, runways, taxi strips,
559 and aprons. Such funds may be disbursed from time to time out of
560 the Renewal and Replacement Fund upon proper resolution of the
561 authority solely for the payment of the costs of purchasing real
562 and tangible personal property and for building and constructing
563 permanent improvements, replacements, alterations, buildings,
564 and other structures, including, but not limited to, runways,
565 taxi strips, and aprons.

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

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

576 Section 10. Relationship between the authority and the
577 city and county.--The authority shall have the power and
578 responsibility to operate the airport and airport facilities in
579 a manner consistent with applicable federal, state, county, and
580 city law. The city has no power to operate or maintain the
581 airport and airport facilities, but applicable building codes of
582 the city shall apply to all construction upon the airport except

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583 to the extent that different state or federal requirements are
584 expressly applicable and except to the extent that the authority
585 or the airport has been made exempt by state or federal law from
586 any requirement of the city. All construction upon the airport
587 shall be subject to inspection by the city on behalf of the
588 state, and the city inspectors may ensure compliance with
589 applicable state regulation of such construction in addition to
590 applicable city regulations.

591 Section 11. Title to airport land.--The city may convey
592 title to the land comprising the Gainesville Regional Airport to
593 the authority for no monetary consideration. Nothing in this act
594 shall be construed to impair the obligations of any original
595 agreements with the Federal Government or of any agreement
596 between the city or any of its agencies and fixed-base operators
597 of the airport entered into as of the effective date of this
598 act.

599 Section 12. Bonds.--

600 (1) Bonds may be issued to finance one or more or a
601 combination of authority facilities. Subject to any prior rights
602 of bondholders, proceeds of such bonds may be pledged and used
603 to pay the costs of the acquisition, construction, or
604 improvement of one or more or a combination of authority
605 facilities or to refund bonds previously issued for such
606 purpose. Revenues of the authority, regardless of the airport
607 project or other source from which they are derived, may be
608 pledged to pay bonds issued to finance the cost of authority
609 facilities and to pay refunding bonds and ancillary costs
610 associated with such financings.

611 (2) Except as otherwise provided by this act, security,
612 payment provisions, contracts, terms, and other attributes of
613 bonds issued by the authority shall be specified by the
614 authority by initial or amendatory resolution, trust agreement,
615 or other bond documentation.

616 (3) The bonds shall be executed by manual or facsimile
617 signature by the officers the authority has designated, provided
618 that such bonds bear at least one signature that is manually
619 executed to the extent required by general law. Any coupons
620 attached to the bonds shall bear the facsimile signature or
621 signatures of the officer or officers designated by the
622 authority. If any member or officer whose manual or facsimile
623 signature appears on any bond or coupon ceases to be a member or
624 an officer before the delivery of the bonds, such signature
625 shall be valid and sufficient for all purposes as if that member
626 or officer had remained in office until delivery. The bonds
627 shall bear the seal of the authority affixed as provided by
628 resolution.

629 (4) Bonds may be sold either at public or private sale at
630 such price or prices determined by the authority.

631 (5) Any bonds issued under this act are negotiable
632 instruments and investment securities under chapter 678, Florida
633 Statutes.

634 (6) The pledge by the authority of its revenues to the
635 payment of its bonds by the terms of a resolution or through any
636 deed of trust, indenture, or other agreement creates a valid and
637 binding lien thereon and a prior perfected security interest
638 therein from the time the pledge is made. Any revenues so

639 pledged are immediately subject to a lien of such pledge without
 640 any physical delivery thereof or further act, and the lien of
 641 any such pledge shall be valid and binding against all parties
 642 having claims of any kind against the authority, irrespective of
 643 whether the parties have notice thereof. No resolution, deed of
 644 trust, indenture, or other agreement by which a pledge is
 645 created need be filed or recorded, except in the records of the
 646 authority, and notice is not required to be given to any obligor
 647 of such revenues. No filings under the Uniform Commercial Code
 648 are required in order to perfect any pledge granted.

649 (7) No approval of the qualified electors or qualified
 650 freeholders of the state or of the county may be required for
 651 the issuance of any bonds by the authority unless such approval
 652 is required by the provisions of the Constitution of the State
 653 of Florida.

654 (8) Notwithstanding any other provision of law, bonds
 655 issued by the authority are legal investments for banks, savings
 656 banks, trustees, executors, all other fiduciaries, and all
 657 state, municipal, and other public funds. Any such bonds are
 658 securities eligible for deposit for the securing of all state,
 659 municipal, and other public funds.

660 Section 13. Bondholder rights and remedies.--

661 (1) The authority may do nothing for the benefit of the
 662 authority that will impair the security of the bondholders of
 663 the authority or violate any agreement with the bondholders.

664 (a) In addition to any other rights and remedies lawfully
 665 granted to bondholders, unless otherwise provided by the
 666 resolution or resolutions providing for the issuance of bonds,

667 or by any deed of trust, indenture, or other agreement under
668 which the bonds have been issued, holders of 25 percent or such
669 other percentage as may be specified in any deed of trust,
670 indenture, or other agreement under which the bonds were issued
671 in the aggregate principal amount of the bonds then outstanding
672 are entitled to appoint a trustee, upon notice as provided in
673 this paragraph and for the purpose provided in this act, if the
674 authority defaults in the payment of principal or interest for a
675 period of 30 days after either becomes due, whether at maturity
676 or upon call for redemption, or if the authority fails to comply
677 with the provisions of this act, its resolution or resolutions,
678 or the requirements of any deed of trust, indenture, or other
679 agreement under which the bonds were issued. Any such
680 bondholders must first give written notice of their intention to
681 appoint a trustee to the authority by certified United States
682 mail addressed to the chair of the authority at the principal
683 office of the authority and to the holders of all other bonds
684 then outstanding at their addresses shown on the registration
685 books maintained by the authority or the bond registrar. For
686 purposes of this paragraph, any trustee appointed to serve in
687 that capacity pursuant to a deed of trust, trust agreement,
688 indenture, or other document by which bonds of the authority
689 have been issued is deemed to have been selected by the holders
690 of bonds issued under that instrument. If more than one trustee
691 is designated, either by two or more written instruments or
692 pursuant to the provisions of this paragraph, the group of
693 bondholders owning the highest percentage of bonds outstanding
694 has the right to designate the single trustee to serve in that

695 capacity for purposes of this act.

696 (b) Unless otherwise provided in any instrument under
697 which such bonds were issued, any trustee, whether appointed by
698 bondholders in accordance with the provisions of paragraph (a)
699 or in accordance with the terms of any deed of trust, indenture,
700 or other agreement, may, upon written request of the holders of
701 25 percent or such other percentage as may be specified in any
702 deed of trust, indenture, or other agreement under which the
703 bonds were issued in the aggregate principal amount of the bonds
704 then outstanding, may, in any court of competent jurisdiction,
705 in his, her, or its own name:

706 1. By mandamus or other suit, action, or proceeding at law
707 or in equity, enforce all rights of the bondholders, including
708 the right to require the authority to fix, establish, maintain,
709 collect, and charge rates, fees, rentals, and other charges
710 adequate to carry out any agreement as to, or pledge of, the
711 revenues of the authority, and to require the authority to carry
712 out any other agreements with or for the benefit of the
713 bondholders, and to perform its and their duties under this act.

714 2. Bring suit upon the bonds.

715 3. By action or suit in equity, require the authority to
716 account as if it were the trustee of an express trust for the
717 bondholders.

718 4. By action or suit in equity, enjoin any acts or things
719 which may be unlawful or in violation of the rights of the
720 bondholders.

721 5. By written notice given to the authority in the same
722 manner as provided in paragraph (a), declare all bonds due and

723 payable and, if all defaults are made good and with the consent
724 of the holders of 25 percent or such other percentage as may be
725 specified in any deed of trust, indenture, or other agreement
726 under which the bonds were issued in the aggregate principal
727 amount of the bonds then outstanding, annul such declaration and
728 its consequences.

729 (2) Unless otherwise provided in any bond resolution, deed
730 of trust, indenture, or other agreement under which bonds were
731 issued, if a default continues for more than 60 days after
732 written notice to the authority, any trustee when appointed as
733 provided in paragraph (1) (a), or acting under a deed of trust,
734 indenture, or other agreement, and whether or not all bonds have
735 been declared due and payable, upon the happening of any of the
736 events of default specified in paragraph (1) (a), shall be
737 entitled as of right to appoint a receiver. The receiver may
738 enter and take possession of any of the authority facilities for
739 which the authority is in default as provided in paragraph
740 (1) (a), or any part or parts thereof, and the revenues which are
741 or may be applicable to the payment of the bonds in default and
742 operate and maintain the same for and on behalf of and in the
743 name of the authority and the bondholders. The receiver shall
744 collect revenues in the same manner as the authority might and
745 shall use and apply the funds in accordance with the applicable
746 bond documents or, if not so specified, into a separate account
747 as directed by the court.

748 (3) Nothing in this section or any other section of this
749 act authorizes any receiver appointed to sell, assign, mortgage,
750 or otherwise dispose of any assets of the authority. The powers

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751 of such receiver are limited to the operation and maintenance of
752 the authority facilities as the court may direct, in the name of
753 and for and on behalf of the authority and the bondholders. No
754 holder of bonds or any court or any trustee is empowered by this
755 act to sell, assign, mortgage, or otherwise dispose of any
756 assets of whatever kind or character belonging to the authority.

757 Section 14. Covenant of the state.--The State of Florida
758 pledges to, and agrees with, the Federal Government and any
759 person, firm, or corporation subscribing to or acquiring the
760 bonds to be issued by the authority for the construction,
761 acquisition, extension, improvement, or enlargement of projects,
762 or any part thereof, that the state will not limit or alter the
763 rights hereby vested in the authority until all bonds at any
764 time issued, together with the interest therein, are fully paid
765 and discharged or until provision is made therefor. The State of
766 Florida further pledges to, and agrees with, the Federal
767 Government that in the event the Federal Government constructs
768 or contributes any funds for the construction, acquisition,
769 extension, improvement, or enlargement of said projects, or any
770 part thereof, the state will not alter or limit the rights and
771 powers of the authority in any manner that would be inconsistent
772 with the continued maintenance and operation of the projects, or
773 any part thereof, or the improvement thereof, or that would be
774 inconsistent with the due performance of any agreements between
775 the authority and the Federal Government, and the authority
776 shall continue to have and may exercise all powers herein
777 granted, so long as the exercise of the powers are necessary or
778 desirable to carry out the purposes of this act and the purposes

779 of the Federal Government in the construction, acquisition,
780 improvement, or enlargement of said projects or any part
781 thereof.

782 Section 15. Alcoholic beverage license.--

783 (1) One beverage license as provided under section 561.17,
784 Florida Statutes, shall be issued to the authority or other
785 governmental agency operating Gainesville-Alachua County
786 Regional Airport as provided in this section.

787 (a) The beverage license shall be issued upon the written
788 or printed application for licenses to conduct such business,
789 made to the Division of Alcoholic Beverages and Tobacco of the
790 Department of Business Regulation, stating the character of the
791 business to be engaged in, the address of the building in which
792 the establishment sought to be licensed is or will be located,
793 and the kind of license as defined in chapter 561, Florida
794 Statutes, that the applicant desires. The application shall be
795 in the name of the authority or other governmental agency
796 operating Gainesville-Alachua County Regional Airport and when
797 issued shall be issued in the name of such applicant. The
798 applicant shall pay to the division the license fees for the
799 kind of license that is desired.

800 (b) Each license is renewable as provided by general law.
801 Each beverage license shall be for the term and subject to the
802 same privileges or renewal as provided in sections 561.26 and
803 561.27, Florida Statutes.

804 (c) Any business operated under any beverage license shall
805 be operated only by a lessee of the restaurants and cocktail
806 lounge or cocktail lounges or bars in the airlines terminal,

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807 administration building, or hotel at the airport to whom the
808 license may be transferred. The authority or governmental agency
809 operating Gainesville-Alachua County Regional Airport and each
810 authorized lessee shall make application to the division for the
811 transfer of the license to the lessee, and the application shall
812 be approved by the division if it meets the applicable
813 requirements of law. Upon termination of a lease for any reason,
814 the lessee shall immediately notify the division to retransfer
815 the beverage licenses to the authority or the governmental
816 agency operating Gainesville-Alachua County Regional Airport.
817 Upon failure of a lessee to notify the division, the authority
818 or the governmental agency operating Gainesville-Alachua County
819 Regional Airport shall immediately request the division in
820 writing to transfer the license back to the authority or other
821 governmental agency operating Gainesville-Alachua County
822 Regional Airport, which may then transfer it to another
823 authorized lessee. Thereafter, the beverage license may be
824 transferred to any new lessee or the restaurants and cocktail
825 lounge, cocktail lounges, or bars upon the same terms and
826 conditions. Any alcoholic beverage license issued in accordance
827 with this section is the property of the authority or the
828 governmental agency operating Gainesville-Alachua County
829 Regional Airport, subject to transfer as provided by this
830 section.

831 (2) The Division of Alcoholic Beverages and Tobacco of the
832 Department of Business and Professional Regulation may issue a
833 special alcoholic beverage license for a mobile home park
834 recreation district operating, within Brevard County, a

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835 recreational facilities complex. The license shall be valid only
836 in and for a facility within the complex that is owned and
837 operated by the mobile home park recreation district. The
838 license shall allow the sale and service of alcoholic beverages
839 for consumption only on the licensed premises of the designated
840 facility.

841 (3) This section does not preclude persons operating on
842 property of the authority from acquiring an alcoholic beverage
843 license for use on its premises pursuant to general law and the
844 rules of the division.

845 Section 16. Purchasing and award of contracts.--Purchasing
846 and award of contracts shall be consistent with the authority's
847 purchasing policy and Florida statutes.

848 Section 17. Exemption of property from taxation.--The
849 exercise of the powers by the board conferred in this act
850 constitutes the performance of government functions. Facilities
851 owned or operated by the district under the provisions of this
852 act constitute public property. When such facilities are used
853 for governmental purposes, the board shall not be required to
854 pay any taxes or assessments upon any such facilities or parts
855 thereof.

856 Section 18. Discrimination prohibited.--

857 (1) The authority and its lessees, including successors in
858 interest, shall not because of race, color, sex, religion,
859 national origin, age, disability, or sexual orientation of any
860 individual refuse to hire or employ, or bar or discharge from
861 employment, such individual or to otherwise discriminate against
862 such individual with respect to compensation, hire, tenure,

863 terms, conditions, or privileges of employment.

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

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

873 (4) There is no right to apply to the court for relief on
 874 account of any order, requirement, decision, determination, or
 875 action of the authority under this section unless there has been
 876 an appeal to the authority.

877 Section 19. Litigation.--Nothing herein shall interfere
 878 with any legal action filed by or against the city or
 879 predecessor or predecessors of the authority. The authority may
 880 become a party in any such action as provided by law. Nothing
 881 herein shall impair the right of the city or the authority to
 882 initiate, pursue, or defend litigation.

883 Section 20. Severability.--If any provision of this act
 884 or the application thereof to any person or circumstance is held
 885 invalid, the invalidity shall not affect other provisions or
 886 applications of the act which can be given effect without the
 887 invalid provisions or applications, and to this end the
 888 provisions of this act are declared severable.

889 Section 4. This act shall take effect upon becoming a law.