

CHAMBER ACTION

1 The Local Government Council recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

21  
22 Be It Enacted by the Legislature of the State of Florida:

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

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

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 38 Florida, are amended, codified, reenacted, and repealed as  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

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

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

44           Section 2. Definitions.--As used in this act, unless the  
 45 context otherwise requires, the term:

46           (1) "Airport" means any area of land or water that is  
 47 designed for the landing and taking off of aircraft, whether or  
 48 not facilities are provided for the shelter, servicing, or  
 49 repair of aircraft or for receiving and discharging passengers  
 50 or cargo, and all appurtenant areas used or suitable for airport  
 51 buildings or other airport facilities, on any land owned by the

52 authority, which may change from time to time by written  
 53 agreement between the airport and the city.

54 (2) "Airport facilities" means facilities on any land  
 55 owned by the authority and used for the transportation of people  
 56 and cargo, including, but not limited to, runways, taxiways,  
 57 taxi lanes, aprons, hangars, shops, terminals, buildings,  
 58 parking lots, roadways, and all other facilities necessary or  
 59 desirable for the landing, taking off, operating, servicing,  
 60 repairing, and parking of aircraft, and the unloading and  
 61 handling of passengers, mail, and express and freight cargo,  
 62 together with all necessary appurtenances and equipment and all  
 63 property rights, easements, and franchises relating thereto.

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

66 (4) "Board of county commissioners" means the Board of  
 67 County Commissioners of the County of Alachua.

68 (5) "Bond" includes bonds, debentures, notes, certificates  
 69 of indebtedness, mortgage certificates, or other obligations or  
 70 evidences of indebtedness of any type or character.

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

72 (7) "City Commission" means the City Commission of the  
 73 City of Gainesville.

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

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

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

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

90           Section 3. Creation; purpose.--

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

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

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107 Section 4. Membership of the authority.--

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

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

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

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

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

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

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135       (4) The term of any member initially appointed prior to  
136 the effective date of this act shall expire on July 31 of the  
137 year such member's term was scheduled to expire under chapter  
138 95-457, Laws of Florida. No member shall serve more than two  
139 successive terms.

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

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

149       (7) A member may be removed by the entity appointing such  
150 member upon grounds constituting misfeasance, neglect of duty,  
151 incompetence, or permanent inability to perform official duties.  
152 Upon conviction of a felony, a member shall be automatically  
153 removed. The unexcused failure to attend three consecutive  
154 regular meetings of the authority shall be deemed neglect of  
155 duty, without limiting the meaning of the term "neglect of  
156 duty."

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

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

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

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

181       Section 6. Restrictions.--

182       (1) No person who has transacted business with the  
183 authority shall be eligible for appointment to the authority  
184 until 3 years after the last transaction. No person who has  
185 served on the authority shall be eligible to transact business  
186 with the authority until 3 years after the person's last date of  
187 service. Said transactions include transactions either for  
188 oneself or as an employee of, agent for, or consultant to any  
189 other person or legal entity. However, nothing in this paragraph  
190 shall be construed as prohibiting an appointed member from

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191 purchasing supplies or services from any fixed-base operators or  
192 tenants at the airport or Airport Industrial Park, or for  
193 renting individual aircraft hangars or tie-downs offered to the  
194 general public and owned by the authority, provided that the  
195 price and terms of the transaction are available to all members  
196 of the public.

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

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

211 Section 7. Powers and duties.--

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

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



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

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

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

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

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

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

234 (g) Appoint or employ and constitute its own airport  
235 guards or police officers, or to contract with the city, county,  
236 or agency of the state to provide law enforcement services and  
237 protection through its duly sworn officers, and all such  
238 officers shall have full power of arrest to prevent or abate the  
239 commission of an offense against the ordinances of the city or  
240 county, the laws of this state, or the laws of the United  
241 States, when any such offense or threatened offense occurs upon  
242 airport property on any land owned by the authority.

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

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

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

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

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

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

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

272       (o) Sue and be sued.

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

274       (q) Publish advertisements.

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

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

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

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

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

294       (w) Consent to the sale, lease, transfer, disposition of,  
295 or granting a lesser interest in the airport. To let or lease  
296 the airport and the airport facilities or any portion thereof

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297 | and to grant concessions upon such terms and conditions as it  
 298 | shall deem proper.

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

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

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

316 | (aa) Acquire real property in fee simple or any lesser  
 317 | interest or easement by purchase, gift, devise, lease, or other  
 318 | means if the authority is able to agree with the owners of said  
 319 | property on the terms of such acquisition. To acquire real  
 320 | property in fee simple or any lesser interest or easement as it  
 321 | may deem necessary for the property managing and operation of  
 322 | the airport and airport facilities, by condemnation in the  
 323 | manner provided by the law under which municipalities are  
 324 | authorized to acquire property for public purposes, with full

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325 power to exercise the right of eminent domain for such purposes  
326 being hereby granted to said authority as specified in and  
327 including all the powers, rights, and privileges of chapters 73  
328 and 74, Florida Statutes, or any succeeding legislation. For the  
329 purposes of making surveys and examinations relative to any  
330 condemnation proceedings, it shall be lawful to enter upon any  
331 land, doing no unnecessary damage. The authority may take  
332 possession of any such property to be acquired at any time after  
333 the filing of the petition describing the same in condemnation  
334 proceedings, as provided in chapters 73 and 74, Florida  
335 Statutes. It shall not be precluded from abandoning the  
336 condemnation of any such property in any case where possession  
337 thereof has not been taken. To acquire or lease personal  
338 property in the name of the authority.

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

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

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

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352        (ee) Relinquish jurisdiction, control, supervision, and  
353 management over the airport or part of the airport which is  
354 under its jurisdiction but which is owned by a municipality,  
355 county, or other governmental agency, upon determining that any  
356 such airport or part of any such airport is no longer required  
357 for airport purposes, provided that the consent and approval of  
358 any municipality, county, or other governmental agency and any  
359 revenue bondholders are first obtained and necessary  
360 authorizations or approvals are received from federal agencies  
361 regulating airports.

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

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

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

378        (ii) Accept federal, state, and any other public or  
379 private moneys, grants, contributions, or loans for the

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380 acquisition, construction, enlargement, improvement,  
381 maintenance, equipment, or operation of airport facilities, or  
382 any other lawful purpose.

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

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

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

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

395 (nn) Amend the budget after its adoption.

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

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

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

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408 and constructing permanent improvements, replacements,  
409 alterations, buildings, and other structures, including runways,  
410 taxi strips, and aprons.

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

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

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

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

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



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

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

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

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

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

460 (4) All anticipated revenues to be derived from the  
461 operation of the airport and airport facilities shall be

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462 included in the budget, provided that any amounts of money,  
463 anticipated or actual, including funds in the authority's budget  
464 for the preceding fiscal year which remain unencumbered and  
465 unexpended from the revenue derived under the budget for the  
466 preceding fiscal year, may, by resolution of the authority, be  
467 set aside in a separate fund, to be known and described as a  
468 Renewal and Replacement Fund and accumulated in said fund from  
469 year to year for the purpose purchasing real and tangible  
470 personal property, and building and constructing permanent  
471 improvements, replacements, alterations, buildings, and other  
472 structures, including, but not limited to, runways, taxi strips,  
473 and aprons. Such funds may be disbursed from time to time out of  
474 the Renewal and Replacement Fund, upon proper resolution of the  
475 authority, solely for the payment of the cost of purchasing real  
476 and tangible personal property, and building and constructing  
477 permanent improvements, replacements, alterations, buildings,  
478 and other structures, including, but not limited to, runways,  
479 taxi strips, and aprons.

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

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

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

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

510        Section 11. Bonds.--

511        (1) The authority is empowered and authorized to issue  
512 revenue or refund bonds. The purpose of the bonds shall be to  
513 pay all or any part of the cost for acquisition and development  
514 of property by the authority for the design and construction or  
515 reconstruction of any authorized project, for equipment, or for  
516 refunding of bonds for the same purpose.

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517       (2) Bonds issued under this section shall be authorized by  
518 resolution of the authority. Such bonds may be issued in one or  
519 more series and shall bear such date or dates, be payable upon  
520 demand or mature at such time or times, be in such denomination  
521 or denominations, be in such form, registered or not, with or  
522 without coupon, carry such conversion or registration  
523 privileges, have such rank or priority, be executed in such  
524 manner, be payable in such medium of payment at such place or  
525 places, and be subject to such terms of redemption, with or  
526 without premium, be secured in such manner, and have such other  
527 characteristics as may be provided by such resolution or  
528 ordinance or trust indenture or mortgage issued pursuant  
529 thereto. Such bonds shall bear interest at such rate or rates  
530 allowed by section 215.84, Florida Statutes.

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

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

539       Section 12. Covenant of the state.--The state does pledge  
540 to, and agree with, the Federal Government and any person, firm,  
541 or corporation subscribing to or acquiring the bonds to be  
542 issued by the authority for the construction, acquisition,  
543 extension, improvement, or enlargement of projects, or any part  
544 thereof, that the state will not limit or alter the rights

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545 hereby vested in the authority until all bonds at any time  
546 issued, together with the interest thereon, are fully paid and  
547 discharged or until provision is made therefor. The state does  
548 further pledge to, and agree with, the Federal Government that  
549 in the event that the Federal Government shall construct or  
550 contribute any funds for the construction, acquisition,  
551 extension, improvement, or enlargement of said projects, or any  
552 part thereof, the state will not alter or limit the rights and  
553 powers of the authority in any manner which would be  
554 inconsistent with the continued maintenance and operation of the  
555 projects, or any part thereof, or the improvement thereof, or  
556 which would be inconsistent with the due performance of any  
557 agreements between the authority and the Federal Government, and  
558 the authority shall continue to have and may exercise all powers  
559 herein granted, so long as the same may be necessary or  
560 desirable for the carrying out of the purposes of this act and  
561 the purposes of the Federal Government in the construction or  
562 acquisition or improvement or enlargement of said projects or  
563 any part thereof.

564 Section 13. Alcoholic beverage license.--

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

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572        (a) Application shall be made with the division in the  
573 name of the authority or other governmental agency operating  
574 Gainesville-Alachua County Regional Airport and the license  
575 shall be issued in the name of the applicant.

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

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

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

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

595        (b) Upon termination of a lease, the lessee shall  
596 immediately notify the division to transfer the license back to  
597 the authority or the governmental agency operating the  
598 Gainesville-Alachua County Regional Airport. Upon failure of a  
599 lessee to notify the division, the authority or the governmental

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600 agency operating Gainesville-Alachua County Regional Airport  
601 shall immediately request the division in writing to transfer  
602 the license back to the authority or other governmental agency  
603 operating the Gainesville-Alachua County Regional Airport.  
604 Thereafter, the beverage license may be transferred to any  
605 lessee meeting qualification standards for licensure under the  
606 Beverage Law.

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

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

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

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

623 Section 15. Exemption of property from taxation.--The  
624 exercise of the powers by the authority conferred in this act  
625 constitutes the performance of government functions. Facilities  
626 owned or operated by the district under the provisions of this  
627 act constitute public property. When such facilities are used

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628 for governmental purposes, the authority shall not be required  
629 to pay any taxes or assessments upon any such facilities or  
630 parts thereof.

631 Section 16. Discrimination prohibited.--

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

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

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

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

653 Section 17. Litigation.--Nothing herein shall interfere  
654 with any legal action filed by or against the city or  
655 predecessor or predecessors of the authority. The authority may



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656 become a party in any such action as provided by law. Nothing  
657 herein shall impair the right of the city or the authority to  
658 initiate, pursue, or defend litigation.

659 Section 18. Severability.--If any provision of this act or  
660 the application thereof to any person or circumstance is held  
661 invalid, the invalidity shall not affect other provisions or  
662 applications of the act which can be given effect without the  
663 invalid provisions or applications, and to this end the  
664 provisions of this act are declared severable.

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

667 Section 5. This act shall take effect upon becoming a law.