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 HB 1629, Engrossed 3

2006 Legislature

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 definitions; providing purpose of the
 7 authority; providing for membership, organization,
 8 restrictions, and powers and duties of the authority;
 9 requiring a budget; specifying relationship between the
 10 authority and local governments; providing for conveyance
 11 of land to the authority; authorizing issuance of bonds;
 12 specifying covenant of the state; authorizing an alcoholic
 13 beverage license; providing for purchasing and award of
 14 contracts; prohibiting discrimination; authorizing the
 15 right to sue and be sued; providing for severability;
 16 prohibiting supersession of certain laws and grant
 17 assurances; providing an effective date.

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

20
 21 Section 1. (1) The reenactment of existing law in this
 22 act shall not be construed as a grant of additional authority to
 23 or to supersede the authority of any entity pursuant to law.
 24 Exceptions to law contained in any special act that are
 25 reenacted pursuant to this act shall continue to apply.

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

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

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 35 Florida, are amended, codified, reenacted, and repealed as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

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

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

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

43 (1) "Airport" means any area of land or water as described
 44 by interlocal agreement between the City of Gainesville and the
 45 authority, that is designed for the landing and taking off of
 46 aircraft, whether or not facilities are provided for the
 47 shelter, servicing, or repair of aircraft or for receiving and
 48 discharging passengers or cargo, and all appurtenant areas used
 49 or suitable for airport buildings or other airport facilities,
 50 which may change from time to time by amendment to the
 51 interlocal agreement between the City of Gainesville and the
 52 authority.

53 (2) "Airport facilities" means facilities used for the
 54 transportation of people and cargo as described by the

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55 | interlocal agreement between the City of Gainesville the and
 56 | authority, 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.

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

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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.

107 | Section 4. Membership of the authority.--

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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,

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161 and no member shall hold the same office for more than two
162 consecutive terms.

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

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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
 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

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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:

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

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241 States, when any such offense or threatened offense occurs upon
242 the airport.

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

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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.

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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
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 airport and airport facilities. 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

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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
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.

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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.

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

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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
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

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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
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

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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.

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

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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
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.

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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.

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

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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.

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 general law.

531 (3) The authority shall determine the terms and manner of
532 sale and distribution or other disposition of any and all bonds

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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
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

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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 Regional Airport.

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

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

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

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

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

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

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

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

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

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

620 Section 15. Discrimination prohibited.--

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

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

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

637 (4) This section does not supersede or preempt any state
638 or local laws prohibiting discrimination. The authority and its
639 officers, employees, and agents shall be subject to federal,

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640 | state, and local laws prohibiting discrimination to the extent
 641 | provided by such laws.

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

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

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

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

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