

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Hinson offered the following:

Amendment

Remove lines 91-206 and insert:

property is vested in the City. The Authority shall not have the power of eminent domain without the express and validated agreement of the owners, the citizens of Gainesville.

(e) To authorize the issuance of revenue bonds and other evidences of indebtedness of the City, secured by the revenues and other pledged funds and accounts of the utility system, pursuant to Florida law. Upon resolution of the Authority establishing the authorized form, terms, and purpose of such bonds, for the purpose of financing or refinancing utility

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14 system projects, and to exercise all powers in connection with
15 the authorization of the issuance, and sale of such bonds by the
16 City as conferred upon municipalities by part II of chapter 166,
17 Florida Statutes, other applicable state laws, and section 103
18 of the Internal Revenue Code of 1986. Such bonds may be
19 validated in accordance with chapter 75, Florida Statutes. The
20 Authority may not authorize the issuance of general obligation
21 bonds. Such bonds and other forms of indebtedness of the City
22 shall be executed and attested by the officers, employees, or
23 agents of the City, including the chief executive
24 officer/general manager or chief financial officer of the
25 utility system, the Authority has so designated as agents of the
26 City. The Authority may enter into hedging agreements or options
27 for the purpose of moderating interest rates on existing and
28 proposed indebtedness or price fluctuations of fuel or other
29 commodities, including agreements for the future delivery
30 thereof, or any combinations thereof.

31 (f) To dispose of utility system assets only to the extent
32 and under the conditions that the City Commission may dispose of
33 such assets pursuant to section 5.04 of Article V.

34 (g) To prepare and submit to the City Commission, at least
35 3 months before the start of the City's fiscal year, an annual
36 budget for all Authority and GRU operations, including the
37 amount of any transfer to the City. The term of the budget shall
38 coincide with the City's fiscal year. The amount of any transfer

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39 is subject to the limitations specified in section 7.11.

40 (h) To appoint and remove a chief executive
41 officer/general manager as provided in this article.

42 (i) To recommend, by resolution to the City Commission,
43 the acquisition and operation of a utility system not owned or
44 operated by GRU as of the date of transfer of governing
45 authority to the Authority.

46 (2) The Authority shall not have the power to sell,
47 transfer, or gift the GRU to another utility without the express
48 and validated permission of the owners, the citizens of
49 Gainesville.

50 7.04 Authority members.—

51 (1) There shall be five members of the Authority appointed
52 by the Governor. Each member shall be a person of recognized
53 ability and good business judgment as identified by the Governor
54 who is expected to perform his or her official duties in the
55 best interests of GRU and its customers. Appointments shall be
56 made as follows:

57 (a) One member shall be a residential customer with
58 substantial knowledge of GRU, its operations, and its history.

59 (b) One member shall be a private, nongovernment customer
60 consuming at least 10,000 kilowatt hours per month of electric
61 usage during each of the previous 12 months. This member may be
62 the owner or representative of the customer.

63 (c) Three members shall be competent and knowledgeable in

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64 one or more specific fields substantially related to the duties
65 and functions of the Authority, including, but not limited to,
66 law, economics, accounting, engineering, finance, or energy.

67 (2) All members of the Authority shall:

68 (a) Maintain primary residence within the electric service
69 territory of GRU's electric utility system.

70 (b) Receive GRU electric utility system service at all
71 times during the term of appointment.

72 (c) Not have been convicted of a felony as defined by
73 general law.

74 (d) Be a qualified elector of the City, except that a
75 minimum of one member must be a resident of the unincorporated
76 area of the county or a municipality in the county other than
77 the City of Gainesville.

78 (3) The composition of the Authority shall be adjusted
79 upon expiration of any member's term, or upon any Authority
80 vacancy, to reflect the ratio of total electric meters serving
81 GRU electric customers outside the City's jurisdictional
82 boundaries to total electric meters serving all GRU electric
83 customers. For example, upon expiration of a member's term or
84 upon an Authority vacancy, if the ratio of total electric meters
85 serving customers outside the City boundaries to total electric
86 meters serving all electric customers reaches 40 percent, the
87 Governor must appoint a second member from outside the City
88 boundaries to serve the next term that would otherwise be served

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89 by a qualified elector of the City. Conversely, upon expiration
90 of any member's term or upon any Authority vacancy, if the ratio
91 subsequently falls below 40 percent, the Governor must appoint a
92 qualified elector of the City to serve the next term that
93 otherwise would have been served by a resident from outside the
94 City boundaries.

95 7.05 Member nominations and terms.-

96 (1) The Governor shall issue a public notice soliciting
97 citizen nominations for Authority members within 120 days after
98 the effective date of this article. The nomination solicitation
99 period shall remain open for at least 30 days after the date of
100 the public notice.

101 (2) The Governor shall appoint initial members to the
102 Authority from among the nominees within 60 days after the close
103 of the nomination solicitation period. The initial terms of
104 office for the five members shall commence at 12 a.m. on October
105 1, 2023. The terms of the initial appointments shall be as
106 follows: one member shall be designated to serve until 12 a.m.
107 on October 1, 2024; one member shall be designated to serve
108 until 12 a.m. on October 1, 2025; one member shall be designated
109 to serve until 12 a.m. on October 1, 2026; and two members shall
110 be designated to serve until 12 a.m. on October 1, 2027.

111 (3) The Governor shall have a citizen nomination
112 solicitation period for at least 30 days and appoint members for
113 subsequent terms from among the nominees. Members appointed for

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114 subsequent terms shall be appointed for 4-year terms commencing
115 at 12 a.m. on October 1 of the year in which they are appointed.
116 If a member is appointed to complete an unexpired term, the
117 member's term shall commence at the time of appointment and
118 shall continue through the remainder of the unexpired term.

119 (4) The Governor shall fill any vacancy for the unexpired
120 portion of a term within 60 days after the vacancy occurs if the
121 remainder of the term exceeds 90 days.

122 7.06 Member compensation.-

123 Beginning October 1, 2023, necessary expenses of members
124 incurred in carrying out and conducting the business of the
125 Authority shall be paid in accordance with Authority policy and
126 procedures, subject to the approval of a majority of the members
127 of the Authority, not including a recurring salary and not to
128 exceed an agreed-upon amount. No

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