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CS/HB 4005

2026 Legislature

1
 2 An act relating to the City of Naples Airport
 3 Authority, Collier County; amending chapter 69-1326,
 4 Laws of Florida, as amended, relating to the City of
 5 Naples Airport Authority; removing provisions relating
 6 to authority members' duties and responsibilities;
 7 removing provisions that prohibit officers and
 8 employees of the city from being authority members;
 9 removing provisions that prohibit authority members
 10 from receiving compensation; providing for authority
 11 memberships by election rather than by appointment;
 12 providing requirements for elections; providing
 13 authority membership terms and qualifications;
 14 providing interim services and vacancy fillings;
 15 conforming provisions to changes made by the act;
 16 providing an effective date.

17
 18 Be It Enacted by the Legislature of the State of Florida:

19
 20 Section 1. Section 3 of chapter 69-1326, Laws of Florida,
 21 as amended by chapters 79-516 and 90-468, Laws of Florida, is
 22 amended to read:

23 Section 3. There is hereby created a body politic and
 24 corporate to be known as the City of Naples Airport Authority
 25 for the purpose of operating and maintaining the airport

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26 facilities at the City of Naples Municipal Airport, located in
27 Collier County, Florida, or any other airport in Collier County
28 which the airport authority may contract to operate. The
29 authority is hereby constituted a public instrumentality, and
30 the exercise by the authority of the powers conferred by this
31 act shall be deemed and held to be the performance of essential
32 governmental functions.

33
34 ~~Said authority shall not transact any business or exercise its~~
35 ~~powers hereunder until or unless the city council of the City of~~
36 ~~Naples by proper resolution shall declare that there is need for~~
37 ~~the authority to function. The determination as to whether there~~
38 ~~is such need for the authority to function may be made by the~~
39 ~~city council on its own motion. In any suit, action or~~
40 ~~proceeding involving the validity or enforcement of or relating~~
41 ~~to any contract of the authority, the authority shall be~~
42 ~~conclusively deemed to have become established and authorized to~~
43 ~~transact business and exercise its powers hereunder upon proof~~
44 ~~of the adoption of a resolution by the city council declaring~~
45 ~~the need for the authority. A copy of such resolution duly~~
46 ~~certified by the clerk shall be admissible in evidence in any~~
47 ~~suit, action or proceeding.~~

48
49 The city council by an affirmative vote of four ~~(4)~~ members of
50 the council shall appoint five ~~(5)~~ persons as members

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51 ~~commissioners~~ of the authority created for the city. Three ~~(3)~~
52 of the members ~~commissioners~~ who are first appointed shall be
53 designated to serve for terms of 1, 2, and 3 ~~one (1), two (2)~~
54 ~~and three (3)~~ years, respectively; and the remaining two ~~(2)~~ of
55 such members ~~commissioners~~ shall be designated to serve for
56 terms of 4 ~~four (4)~~ years each, from the date of their
57 appointment. Thereafter, members ~~commissioners~~ shall be
58 appointed as aforesaid for a term of office of 4 ~~four (4)~~ years,
59 except that all vacancies shall be filled for the unexpired
60 term. ~~No commissioner of the authority may be an officer or~~
61 ~~employee of the city. A commissioner shall hold office until his~~
62 ~~successor has been appointed and has qualified. A certificate of~~
63 ~~the appointment or reappointment of any commissioner shall be~~
64 ~~filed with the clerk, and such certificate shall be conclusive~~
65 ~~evidence of the due and proper appointment of such commissioner.~~
66 ~~A commissioner shall receive no compensation for his services,~~
67 ~~but he shall be entitled to the necessary expenses, including~~
68 ~~traveling expenses, incurred in the discharge of his duties.~~

69
70 Beginning with the 2026 general election, the authority shall be
71 composed of five members, with three members, designated as
72 seats 1, 2, and 3, who are residents of the City of Naples, and
73 two members, designated as seats 4 and 5, who are residents of
74 Collier County outside of the municipal boundaries of the City
75 of Naples. All members shall be elected by the qualified

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76 | electors of Collier County. All members shall be elected at the
77 | 2026 general election, with the members elected from odd-
78 | numbered seats for a term of 4 years and even-numbered seats for
79 | a term of 2 years. Thereafter, elections shall be held to
80 | replace members upon expiration of their terms with terms of 4
81 | years each.

82 |
83 | Each member must have spent at least 5 years engaged in
84 | financial management, small business operations, or aerospace as
85 | defined in s. 331.303, Florida Statutes. At the time of
86 | qualifying, a candidate for the authority must submit an
87 | affirmation of meeting this requirement to the Supervisor of
88 | Elections. Qualification and election of members of the
89 | authority shall be as prescribed by the general election laws of
90 | Florida.

91 |
92 | Members of the authority as of the effective date of this act
93 | shall serve until the certification of the November 2026 general
94 | election results. Each elected member of the authority shall
95 | hold office until a successor has been elected. A vacancy
96 | occurring during a term of a member shall be filled only for the
97 | balance of the unexpired term, such appointments to be made by
98 | the Governor.

99 |
100 | All meetings of the authority shall be public meetings, and the

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101 powers of the authority shall be vested in the members
102 ~~commissioners~~ thereof in office from time to time. Three members
103 ~~(3) commissioners~~ shall constitute a quorum of the authority for
104 the purpose of conducting its business and exercising its powers
105 and for all other purposes. Action may be taken by the authority
106 upon a vote of a majority of the members ~~commissioners~~ present,
107 unless in any case the bylaws of the authority shall require a
108 larger number. ~~The mayor with the concurrence of the city~~
109 ~~council shall designate which of the commissioners appointed~~
110 ~~shall be the first chairman, but when the office of the chairman~~
111 ~~of the authority thereafter becomes vacant, the authority shall~~
112 ~~select a chairman from among its commissioners.~~ The authority
113 shall select from among its members ~~commissioners~~ a chair and a
114 vice chair ~~chairman~~, and it may employ a secretary (who shall be
115 executive director), technical experts and such other officers,
116 agents and employees, permanent and temporary, as it may require
117 and shall determine their qualifications, duties and
118 compensation. For such legal services as it may require, the
119 authority may call upon the chief law officer of the city or may
120 employ its own counsel and legal staff. The authority may
121 delegate to one ~~(1)~~ or more of its agents or employees such
122 powers or duties as it may deem proper.

123
124 ~~For inefficiency or neglect of duty or misconduct in office, a~~
125 ~~commissioner of the authority may be removed by an affirmative~~

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126 | ~~vote of five (5) members of the city council, but a commissioner~~
127 | ~~shall be removed only after he shall have been given a copy of~~
128 | ~~the charges at least ten (10) days prior to the hearing thereon~~
129 | ~~and had an opportunity to be heard in person or by counsel. In~~
130 | ~~the event of the removal of any commissioner, a record of the~~
131 | ~~proceedings, together with the charges and findings thereon,~~
132 | ~~shall be filed in the office of the clerk.~~

133 | Section 2. This act shall take effect upon becoming a law.