

BILL

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1                                   A bill to be entitled  
 2           An act relating to the City of Gainesville, Alachua  
 3           County; amending chapter 12760, Laws of Florida  
 4           (1927), as amended by chapter 2017-200, Laws of  
 5           Florida; providing that members of the Gainesville  
 6           Regional Utilities Authority be appointed by the  
 7           Governor, rather than the City Commission of the City  
 8           of Gainesville; providing for initial appointments;  
 9           conforming provisions; providing an effective date.

10  
 11   Be It Enacted by the Legislature of the State of Florida:

12  
 13           Section 1. Subsections (1) and (3) of section 7.04 and  
 14           sections 7.05 and 7.08 of Article VII of chapter 12760, Laws of  
 15           Florida (1927), as amended by chapter 2017-200, Laws of Florida,  
 16           are amended to read:

17  
 18                                   ARTICLE VII

19                                   GAINESVILLE REGIONAL UTILITIES AUTHORITY

20  
 21           7.04 Authority members.—

22           (1) There shall be five members of the authority appointed  
 23           by the Governor ~~a majority vote of the city commission~~. The  
 24           members shall be diverse and representative of the community.  
 25           Each member shall be a person of recognized ability and good

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26 | business judgment, as identified by the Governor ~~city~~  
 27 | ~~commission~~, who is expected to perform his or her official  
 28 | duties in the best interests of GRU and its customers.

29 | Appointments shall be made as follows:

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

32 |       (b) At least one member shall be a private, nongovernment  
 33 | customer consuming at least 10,000 kilowatt hours per month of  
 34 | electric usage during each of the previous 12 months. If the  
 35 | customer is an entity, this member may be the owner or  
 36 | representative of such customer.

37 |       (c) Three members shall be competent and knowledgeable in  
 38 | one or more specific fields substantially related to the duties  
 39 | and functions of the authority, including, but not limited to,  
 40 | law, economics, accounting, engineering, finance, or energy.

41 |       (3) The composition of the authority shall be adjusted  
 42 | upon expiration of any member's term, or upon any authority  
 43 | vacancy, to reflect the ratio of total electric meters serving  
 44 | GRU electric customers outside the city's jurisdictional  
 45 | boundaries to total electric meters serving all GRU electric  
 46 | customers. For example, upon expiration of a member's term or  
 47 | upon an authority vacancy, if the ratio of total electric meters  
 48 | serving customers outside the city boundaries to total electric  
 49 | meters serving all electric customers reaches 40 percent, the  
 50 | Governor ~~city commission~~ must appoint a second member from

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51 outside the city boundaries to serve the next term that would  
 52 otherwise be served by a qualified elector of the city.  
 53 Conversely, upon expiration of any member's term or upon any  
 54 authority vacancy, if the ratio subsequently falls below 40  
 55 percent, the Governor ~~city commission~~ must appoint a qualified  
 56 elector of the city to serve the next term that otherwise would  
 57 have been served by a resident from outside the city boundaries.

58 7.05 Member nominations and terms.—

59 (1) The Governor ~~city commission~~ shall issue a public  
 60 notice soliciting citizen nominations for authority members  
 61 within 120 days after the approval at referendum of the creation  
 62 of this article. The nomination solicitation period shall remain  
 63 open for at least 30 days after the date of the public notice.

64 (2) The Governor ~~city commission~~ shall appoint initial  
 65 members to the authority from among the nominees within 60 days  
 66 after the close of the nomination solicitation period. The  
 67 initial terms of office for the five members shall commence at  
 68 12 a.m. on October 1, 2023 ~~2019~~. The terms of the initial  
 69 appointments shall be as follows: one member shall be designated  
 70 to serve until 12 a.m. October 1, 2024 ~~2020~~; one member shall be  
 71 designated to serve until 12 a.m. October 1, 2025 ~~2021~~; one  
 72 member shall be designated to serve until 12 a.m. October 1,  
 73 2026 ~~2022~~; and two members shall be designated to serve until 12  
 74 a.m. October 1, 2027 ~~2023~~.

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75           (3) The Governor ~~city commission~~ shall have a citizen  
 76 nomination solicitation period for at least 30 days and appoint  
 77 members for subsequent terms from among the nominees. Members  
 78 appointed for subsequent terms shall be appointed for 4-year  
 79 terms commencing at 12 a.m. on October 1 of the year in which  
 80 they are appointed. If a member is appointed to complete an  
 81 unexpired term, the member's term shall commence at the time of  
 82 appointment and shall continue through the remainder of the  
 83 unexpired term.

84           (4) The Governor ~~city commission~~ shall fill any vacancy  
 85 for the unexpired portion of a term within 60 days after the  
 86 vacancy occurs if the remainder of the term exceeds 90 days.

87           7.08 Removal and suspension of members.—

88           (1) A member may be removed or suspended from office by  
 89 the Governor ~~city commission~~ in accordance with s. 112.501,  
 90 Florida Statutes. In addition to the grounds for removal set  
 91 forth therein, a member may be removed by the Governor ~~city~~  
 92 ~~commission~~ for failure to maintain the qualifications specified  
 93 in section 7.04.

94           (2) The authority may recommend to the Governor ~~city~~  
 95 ~~commission~~ that a member be removed or suspended from office if  
 96 it finds, by vote of at least three members, a reasonable basis  
 97 for removal or suspension on one or more of the grounds set  
 98 forth in s. 112.501, Florida Statutes, or for failure to  
 99 maintain the qualifications specified in section 7.04. The

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100 authority shall give reasonable notice of any proceeding in  
 101 which such action is proposed and must provide the member  
 102 against whom such action is proposed a written statement of the  
 103 basis for the proposed action and an opportunity to be heard.  
 104 The member against whom such action is proposed may not  
 105 participate in the authority's debate or vote on the matter.  
 106 Section 2. This act shall take effect upon becoming a law.