

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.