

HB 1645

2023

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

HB 1645

2023

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

HB 1645

2023

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~~.

HB 1645

2023

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

HB 1645

2023

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.