

Sec. 170. - Composition; qualifications, selection, terms of office, removal and compensation of members; vacancies; election and duties of officers; authority to adopt rules; required vote to act; quorum; meetings; execution of contracts, written instruments.

- (a) The authority shall consist of five (5) members, one (1) of whom shall be the mayor. In the discretion of the city commission, the city manager may serve as an ex officio member without vote, and whose term shall be set by the city commission.
- (b) The city commission shall, within fifteen (15) days upon this article becoming law, elect by a majority vote, four (4) citizens with such qualifications as are provided for herein, one of whom shall serve for one year, one of whom shall serve for two (2) years, one of whom shall serve for three (3) years, and one of whom shall serve for four (4) years, each of such terms to commence the first day of each new fiscal year. Thereafter, the term of office of each member shall be for four (4) years, but each elected member shall hold such office until his successor has qualified and been elected and furthermore, the city commission shall by a majority vote nominate and elect any successor to the present membership of the utilities authority and shall by a majority vote elect all new members of the authority. No member of the utilities authority shall serve more than two (2) consecutive terms.
- (c) Any vacancy in the authority shall be filled for the unexpired term in the same manner as provided for appointment after the initial appointments. No vacancy in the authority shall impair the right of the remaining members to exercise all the powers of the authority.
- (d) Any member may be removed from office by the city commission for malfeasance, misfeasance or nonfeasance in office, or upon conviction of a felony.
- (e) No person shall be a member unless he shall be a qualified elector of the city. No person who holds any other public office or who is an employee of the city government or who has any business relationship with the authority other than as a consumer shall be a member, except the mayor and the ex officio member. A member ceasing to possess any of these qualifications shall be removed from his office forthwith by the city commission.

State Law reference— Code of ethics for public officers and employees, F.S. § 112.311 et seq.

- (f) Each member shall be paid as set out in the budget and approved by the city commission in accordance with section 176, subsection (12).
- (g) The authority by majority vote shall elect from among its members a chairman, who shall preside over the meetings of the authority, a vice-chairman who shall act for the chairman during his absence, and a secretary. An election of officers of the authority shall be held at the first regular meeting at which all members are present following the appointment of a new member for a full term, but not later than the fourth meeting following the appointment.
- (h) The authority shall adopt rules for the conduct of its meetings.
- (i) No action shall be taken by the authority except by the affirmative vote of at least three (3) members.
- (j) Three (3) members shall constitute a quorum.
- (k) The authority shall meet at least once each month. All meetings shall be open to the public and minutes shall be kept of all meetings; copies of such minutes shall be furnished members of the city commission within seven (7) days of such meeting. Special meetings may be called upon six (6) hours['] written notice thereof by the chairman or any three (3) members.
- (l)

All contracts shall be executed by the chairman or vice-chairman and secretary. All other instruments in writing necessary to be signed by the authority shall be executed by the chairman or vice-chairman and secretary, or by such officer, agent or employee of the authority as it may designate.

(Ord. No. F-399, § 2, 4-24-72; Ord. No. G-297, §§ 2, 4, 9-20-76)