

Resolution No. 2024-505

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A resolution of the Gainesville Regional Utilities Authority, a unit of city government of the City of Gainesville, Florida, pursuant to the power and authority of the Authority set forth in the City Charter, providing that Gainesville Regional Utilities shall no longer be subject to Chapter 27, Article II, Section 27-32, "Availability of public streetlight and rental outdoor light service," of the City of Gainesville Code of Ordinances, and modifying provisions relating to the same; providing for the notification to the City Commission of the conflict with existing ordinances; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, Article VII, 7.03(1)(b) of the Charter of the City of Gainesville, Florida vests the Gainesville Regional Utilities Authority, a unit of city government, with the power to amend the rates, fees, assessments, charges, rules, regulations, and policies governing the sale and use of services provided through the utilities; and

WHEREAS, notice has been given by posting on GRU's main website at <https://www.gru.com> notifying the public of this proposed resolution and of the public hearing in the GRU Multipurpose Room located on the first floor of the GRU Administration building in the City of Gainesville; and

WHEREAS, a public hearing was held pursuant to the published notice described above, at which all interested parties had an opportunity to be, and were, in fact, heard; and

NOW, THEREFORE, BE IT RESOLVED BY THE GAINESVILLE REGIONAL UTILITIES AUTHORITY, A UNIT OF CITY GOVERNMENT OF THE CITY OF GAINESVILLE, FLORIDA AS FOLLOWS:

26 **Section 1.** Gainesville Regional Utilities shall no longer be subject to Section 27-32,
27 “Availability of public streetlight and rental outdoor light service,” of Article II, Chapter 27 of the
28 City of Gainesville Code of Ordinances.

29 **Section 2.** The Gainesville Regional Utilities Authority hereby enacts the following terms
30 and conditions, titled, “Section 27-32. Availability of public streetlight and rental outdoor light
31 service,” which will control the operation of the utility system.

32 **Sec. 27-32. Availability of public streetlight and rental outdoor light service.**

33 The utilities system will provide public streetlight and rental outdoor light service to any
34 customer requesting such service pursuant to section 27-29 and section 27-30 of the city Code
35 of Ordinances at the rates set forth in Appendix A. The lighting rates include fixture, a fixture-
36 bracket when necessary, and up to 180 feet of secondary conductor. If the customer requests
37 additional infrastructure and materials beyond what is included in the lighting rate, the
38 customer shall pay those costs. If the city, county, or customer requests fixtures which are not
39 included in the GRU Electric Material Standards or Appendix A, the fixture, electric source, and
40 all components shall be at the expense of the customer and connected behind a meter.

41 **Section 3.** It is the intention of the Gainesville Regional Utilities Authority that the
42 provisions of Section 2 of this resolution govern in place of conflicting provisions of Chapter 27,
43 Article II, Section 27-32, “Availability of public streetlight and rental outdoor light service,” of
44 the Code of Ordinances of the City of Gainesville, Florida. To the extent this resolution conflicts
45 with section 27-32 of the Code of Ordinances, City of Gainesville, Florida, per Charter Article VII,
46 7.10(2), the provisions of this resolution shall govern.

47 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this resolution
48 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
49 finding shall not affect the other provision or applications of the resolution which can be given
50 effect without the invalid or unconstitutional provisions or application, and to this end the
51 provisions of this resolution are declared severable.

52 **Section 5.** All resolutions, or parts of resolutions, in conflict herewith are to the extent
53 of such conflict hereby repealed on the effective date of this resolution.

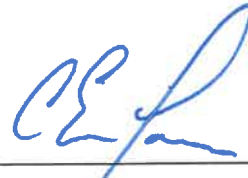
54 **Section 6.** The Gainesville Regional Utilities Authority shall notify the City Commission
55 of the conflict between the provisions of this resolution and Chapter 27, Article II, section 27-
56 32, "Availability of public streetlight and rental outdoor light service," of the Code of
57 Ordinances of the City of Gainesville, Florida.

58 **Section 7.** The resolution shall take effect immediately upon adoption.

59 **PASSED AND ADOPTED** this 26th day of June, 2024.

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



C. ERIC LAWSON

GRU AUTHORITY CHAIRPERSON

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Attest:

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KRISTEN J. BRYANT

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CITY CLERK

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Approved as to form and legality:

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DANIEL M. NEE

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CITY ATTORNEY