

EXHIBIT 1

CHAPTER 2026-_____

House Bill No. _____

An act relating to the Jacksonville Airport Authority, Consolidated City of Jacksonville, Duval County; amending ch. 2004-464, Laws of Florida, as amended by ch. 2005-328, Laws of Florida; renaming the authority as the Jacksonville Aviation and Aerospace Authority; providing that the authority shall be responsible for economic development of Cecil Airport as a regional, state and national aerospace and related industry hub; requiring one member appointed by the Mayor and one member appointed by the Governor to the governing body for the authority shall be from the aerospace and related industry; defining "aerospace and related industry"; requiring annual submittal of an economic development plan for Cecil Airport to the council of the City of Jacksonville for review; providing an effective date.

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

Section 1. Subsections (1) and (2) of section 1 and sections 2, 5 and 7 of chapter 2004-646, Laws of Florida, as amended by chapter 2005-328, Laws of Florida, are amended to read:

ARTICLE 4

JACKSONVILLE AVIATION AND AEROSPACE AUTHORITY

Section 1. Creation of Jacksonville Aviation and Aerospace Authority.

- (1) The charter provisions concerning the airport operations of the former Jacksonville Port Authority established pursuant to Chapter 2001-319, Laws of Florida, as amended, are hereby amended and restated in their entirety to read as follows: There is hereby created and established as of October 1, 2001, a separate body politic and corporate to be known as the Jacksonville Aviation and Aerospace Authority and hereinafter referred to singly as the "authority," which is created as an agency and political subdivision of the State of Florida in the nature of counties and not municipalities. This authority is authorized to exercise its jurisdiction, powers, and duties within the geographic area defined by the boundary lines of Duval County as established by section 7.16, Florida Statutes, which boundary lines also define the geographic area of the City of Jacksonville, and outside such boundary lines as hereinafter provided. The Jacksonville Aviation and Aerospace Authority shall operate, manage, and control all of the publicly owned airports and ancillary facilities located within Duval County and outside such boundary lines as hereinafter provided. The authority shall also be responsible for economic development of Cecil Airport, which shall include, but is not limited to, activities and projects that support workforce development and training, infrastructure investments, job creation, and technology innovation, and is further charged with establishing and growing Cecil Airport as a regional, state and national aerospace and related industry hub in partnership with the economic development agency or agencies of the City of Jacksonville. The authority was separated from the former Jacksonville Port Authority pursuant to 2001-319, Laws of Florida, as amended, and this separation shall be reviewed for performance and efficiency after a period of 4 years from October 1, 2001.

- (2) The governing body for the Jacksonville Aviation and Aerospace Authority shall consist of seven members, three of whom shall be appointed by the Mayor of the City of Jacksonville with the confirmation of the council of the City of Jacksonville, and four of whom shall be appointed by the Governor of Florida with the confirmation of the Senate. One member appointed by the Mayor and one member appointed by the Governor shall be from the aerospace and related industry as herein defined. Members shall serve for terms of 4 years commencing on October 1 of the year of the appointment or for the unexpired portion of a term deemed to have commenced on October 1. Members of the authority, during their terms, shall serve at the pleasure of the Mayor or Governor, whoever appointed the member. Members shall continue to serve on the authority until their death, resignation, removal, or until their respective successors are appointed and confirmed. A vacancy occurring during the term of an appointed member on the authority shall be filled only for the balance of the unexpired term. Any member appointed to the authority for two consecutive full terms shall not be eligible for appointment to the authority for the next succeeding term. Provided, however, notwithstanding the above, members initially appointed to the authority shall serve in staggered terms to provide continuity of experience to the authority with two gubernatorial appointments and two mayoral appointments being for initial 2-year terms, which shall count as a full term for purposes of term limits provided herein.

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Section 2. Definitions.

In the interpretation hereof, the following words and terms shall be taken to include the following meanings when the context shall require or permit:

- (1) The term "aerospace and related industry" means and includes the design, development, manufacturing, maintenance, logistics, operation, use, and service of aircraft and spacecraft for civilian, government, and military applications, including subsystems and components thereof, and other industries in substantial relation thereto.
- ~~(2)~~(4) The term "bonds" means and embraces bonds, notes, certificates, and other financial obligations issued by the authority for financing or refinancing purposes and, except where otherwise required by the context, notes and other instruments executed to evidence obligations of the authority for the repayment of borrowed funds.
- ~~(3)~~(2) The term "county" means the County of Duval.
- ~~(4)~~(3) The term "city" or "City of Jacksonville" means the consolidated government of the City of Jacksonville created pursuant to section 9, Article VIII of the State Constitution.
- ~~(5)~~(4) The term "federal agency" means and includes the United States, the President of the United States, and any department, or corporation, agency, or instrumentality thereof, heretofore or hereafter created, designated, or established by the United States.
- ~~(6)~~(5) Words importing the singular number shall include the plural number in each case and vice versa, and words importing persons shall include firms and corporations.
- ~~(7)~~(6) The term "project" embraces any one or any combination of two or more of the following, to wit: facilities for the construction, manufacture, repair, or maintenance of airplanes, helicopters, space craft and aircraft of all kinds; other facilities, directly or indirectly related to the promotion and development of airborne, ~~and~~-airport and

aerospace and related industry activities, commerce, travel, exploration, and researching; and other airport and aerospace and related industry facilities of all kinds, including, but not limited to, landings, ramps, runways, taxiways, warehouses, terminals, refrigeration, and cold storage plants and facilities, tiedown and parking areas and facilities, intermodal, railroad, air, and motor terminals for passengers, freight, exploration, and research, rolling stock, airplanes, helicopters, spacecraft, conveyors, and appliances of all kinds for the handling, storage, inspection, and transportation of freight and the handling of passenger traffic, mail, express, and freight, administration and service buildings, toll highways, tunnels, causeways, and bridges connected therewith or incident or auxiliary thereto, and may include all property, structures, facilities, rights, easements, and franchises relating to any such project deemed necessary or convenient for the acquisition, construction, purchase, or operation thereof. The authority is authorized to use such of its real property as it deems fit for facilities for recreational programs and activities, provided, however, that such programs and activities are approved by a simple majority vote of the Jacksonville City Council.

~~(8)~~(7) The term "cost," as applied to improvements, means the cost of constructing or acquiring improvements as hereinabove defined and shall embrace the cost of all labor and materials, the cost of all machinery and equipment, financing charges, the cost of engineering and legal expenses, plans, specifications, and such other expenses as may be necessary or incident to such construction or acquisition.

~~(9)~~(8) The term "cost," as applied to a project acquired, constructed, extended, or enlarged, includes the purchase price of any project acquired, the cost of improvements, the cost of such construction, extension, or enlargement, the cost of all lands, properties, rights, easements, and franchises acquired, the cost of all machinery and equipment, financing charges, interest during construction, and, if deemed advisable, for up to 1 year after completion of construction, cost of investigations and audits, and of engineering and legal services, and all other expenses necessary or incident to determining the feasibility or practicability of such acquisition or construction, administrative expense, and such other expenses as may be necessary or incident to the financing herein authorized and to the acquisition or construction of a project and the placing of the same in operation. Any cost, obligation or expense incurred by the authority prior to the issuance of revenue bonds under the provisions of this act, including, without limitation, costs for engineering studies and for estimates of cost and of revenue and for other technical, financial, or legal services in connection with the acquisition or construction of any project, may be regarded as a part of the cost of such project.

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Section 5. Budget and finance; plan for economic development.

(1) The fiscal year of the authority shall commence on October 1 of each year and end on the following September 30. The authority shall prepare and submit its budget to the council of the City of Jacksonville on or before July 1 for the ensuing fiscal year. The council, consistent with the provisions of the Charter of the City of Jacksonville, may increase or decrease the appropriation (budget) requested by the authority on a total basis or a line-by-line basis; however, the appropriation for construction, reconstruction, enlargement, expansion, improvement, or development of any project or projects authorized to be undertaken by the

former Jacksonville Port Authority and the authority shall not be reduced below the amount required under the terms and provisions of any outstanding bonds.

- (2) Simultaneously with submittal of its budget as provided in subsection (a) above, the authority shall also prepare and submit to the council of the City of Jacksonville a plan for economic development of the Cecil Airport. The plan shall be subject to annual performance review by the council of the City of Jacksonville concurrent with its review of the authority's annual budget.

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Section 7. Rights of employees.

- (1) Except as provided in subsection (2), all employment rights and employee benefits authorized under section 11, chapter 63-1447, Laws of Florida, as amended, are hereby confirmed, ratified, and continued, notwithstanding the repeal of said chapter 63-1447, Laws of Florida, as amended. Effective October 1, 2001, in order to preserve the rights of employees of the former Jacksonville Port Authority to continue participation in the Florida Retirement System pursuant to chapter 121, Florida Statutes, the authority created by this act (and its predecessor act) shall be a county agency and employees of the authority shall participate in the Florida Retirement System, notwithstanding any law to the contrary. Effective October 1, 2001, those employees of the former Jacksonville Port Authority who were assigned to any activity related to the operation of the airport facilities shall become employees of the Jacksonville Aviation and Aerospace Authority created by this act (and its predecessor act). Effective October 1, 2001, central administrative employees shall be employed by either the Jacksonville Aviation and Aerospace Authority, formerly known as the Jacksonville Aviation Authority, or the Jacksonville Port Authority, formerly known as the Jacksonville Seaport Authority, created by this act (and its predecessor act) or as otherwise agreed by both. It is expressly provided that none of those employees of the former Jacksonville Port Authority who remain with the authority created by this act (and its predecessor act) shall lose any rights or benefits of whatsoever kind or nature afforded to them by any law, ordinance, collective bargaining agreement, or existing policy or plan, including, but not limited to, pension benefits by virtue of the change in corporate structure. In order to effectively implement the foregoing, the authority shall perform all functions with regard to its own employees that prior to the operation of the two authorities created by this act (and its predecessor act) were performed by the former Jacksonville Port Authority. In order to specifically preserve the rights of employees of the former Jacksonville Port Authority to continue participation in the Florida Retirement System, pursuant to chapter 121, Florida Statutes, the authority created by this act (and its predecessor act) shall be a county authority and employees of this authority who are currently participating in the Florida Retirement System and all employees of the authority after October 1, 2001, shall be eligible to participate in the Florida Retirement System.
- (2) Effective October 1, 2001, the Jacksonville Aviation and Aerospace Authority, formerly known as the Jacksonville Aviation Authority, firefighters shall be merged into the City of Jacksonville's Fire and Rescue Department and shall become employees of the City of Jacksonville; however, with respect to pension benefits such Jacksonville Aviation and Aerospace Authority Fire Department employees shall have a one-time option to continue participation in the Florida Retirement System or to participate in the City of Jacksonville

Police and Fire Pension Fund. Such option must be exercised no later than November 1, 2001. Upon such merger, firefighting services for the airports owned and operated by the Jacksonville Aviation and Aerospace Authority shall be provided by the Fire and Rescue Department of the City of Jacksonville pursuant to a written contract to be entered into by and between the City of Jacksonville and the Jacksonville Aviation and Aerospace Authority. Notwithstanding any provision in this act to the contrary, such merger and contract shall become effective October 1, 2001. If any firefighter who has vested in the Florida Retirement System exercises the option to become a member of the City of Jacksonville Police and Fire Pension Fund, such vested time shall not be included in the City of Jacksonville Police and Fire Pension Fund.

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Section 2. This act shall take effect upon becoming a law.