

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; providing that the authority shall be responsible for economic development of Cecil Airport as a regional, state and national aerospace and related industry hub; defining “aerospace and related industry”; requiring annual presentation of an economic development plan for Cecil Airport to the council of the City of Jacksonville for review; revising threshold amounts for certain purchases by the authority; providing an effective date.

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

Section 1. Subsection (1) of section 1, sections 2 and 5, and subsections (1) and (2) of section 10 of chapter 2004-464, Laws of Florida, as amended by chapter 2005-328, Laws of Florida, are amended to read:

ARTICLE 4

JACKSONVILLE AVIATION AUTHORITY

Section 1. Creation of Jacksonville Aviation 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 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 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.

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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 (1) above, the authority shall also prepare and present to the council of the City of Jacksonville a plan for economic development of the Cecil Airport. The plan shall be presented for annual review by the council of the City of Jacksonville concurrently with its review of the annual budget pursuant to subsection (1) above.

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Section 10. Award of contracts.

- (1) If the total cost, value, or amount of construction, reconstruction, repairs, or work of any nature, including the labor and materials, exceeds the Category Five threshold amount established in Section 287.017, Florida Statutes, as may be amended from time to time, \$50,000 when purchased by the authority, any such construction, reconstruction, repairs, or work exceeding the foregoing amount established for the authority shall be done only under contract or contracts to be entered into by the authority with the lowest responsible bidder upon proper terms and after due public notice has been given asking for competitive bids as hereinafter

provided. The foregoing requirement for competitive bidding shall not apply to construction, reconstruction, repairs, or work done by employees of the authority or by labor supplied under agreement with the Federal Government or state government. The authority shall keep a current list of responsible bidders and, whenever the authority shall award a contract, the bidder shall come from such list. No contract shall be entered into for construction, improvement, or repair of any project, or any part thereof, unless the contractor shall have given an undertaking with a sufficient surety or sureties, approved by the authority and in an amount fixed by the authority, for the faithful performance of the contract. All such contracts shall provide, among other things, that the person or corporation entering into such contract with the authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking, as though such person or corporation were named therein, provided the action is brought within 1 year after the time the cause of action accrued. Nothing in this section shall be construed to limit the power of the authority to construct any project, or any part thereof, or any addition, betterment, or extension thereto, directly by the officers, agents, and employees of the authority, or otherwise, other than by contract.

- (2) All supplies, equipment, machinery, and materials exceeding the Category Three threshold amount established in Section 287.017, Florida Statutes, as may be amended from time to time, \$25,000 in cost purchased by the authority shall be purchased by the authority only after due advertisement as provided hereinafter. When purchasing supplies, equipment, machinery, and materials pursuant to competitive bid as mandated herein, the authority shall accept the lowest bid or bids, kind, quality, and material being equal, but the authority shall have the right to reject any or all bids or select a single item from any bid. The provision as to bidding shall not apply to the purchase of patented and manufactured products offered for sale in a noncompetitive market or solely by a manufacturer's authorized dealer.

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