

By Representatives Sindler, Starks, Brooks, Posey,
Constantine, Trovillion, Sublette and Reddick

1 A bill to be entitled
2 An act relating to the Greater Orlando Aviation
3 Authority; consolidating the provisions of
4 chapters 57-1658, 61-2599, 67-1834, 69-1389,
5 75-464, 77-612, 78-578, 80-553, 80-554, 82-347,
6 87-555, 88-474, 91-369, and 91-391, Laws of
7 Florida, s. 14 of chapter 71-133, Laws of
8 Florida, and s. 9 of chapter 92-152, Laws of
9 Florida, into a codified charter, such charter
10 consisting of all special acts of the
11 Legislature relating to the Greater Orlando
12 Aviation Authority, and those specified
13 sections of general law having local
14 application to the Greater Orlando Aviation
15 Authority; renumbering the provisions of such
16 special acts; conforming references; repealing
17 chapters 57-1658, 61-2599, 67-1834, 69-1389,
18 75-464, 77-612, 78-578, 80-553, 80-554, 82-347,
19 87-555, 88-474, 91-369, and 91-391, Laws of
20 Florida; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Chapters 57-1658, 61-2599, 67-1834,
25 69-1389, 75-464, 77-612, 78-578, 80-553, 80-554, 82-347,
26 87-555, 88-474, 91-369, 91-391, s. 14 of chapter 71-133, and
27 s. 9 of chapter 92-152, Laws of Florida, are codified,
28 reenacted, amended, and repealed as herein provided.

29 Section 2. The Greater Orlando Aviation Authority Act
30 is recreated and reenacted to read:

31

1 Section 1. SHORT TITLE.--This act shall be known and
2 may be cited as the "Greater Orlando Aviation Authority Act"
3 and shall hereinafter be referred to as the "act."

4 Section 2. DEFINITIONS.--As used in this act, the
5 following words and terms shall have the following meanings:

6 (1) "City" shall mean the City of Orlando, a municipal
7 corporation in Orange County, State of Florida.

8 (2) "City council" or "council" shall mean the City
9 Council of the City of Orlando or the board or body in which
10 the general legislative powers of the city shall be vested.

11 (3) "Aviation authority" or "authority" shall mean the
12 Greater Orlando Aviation Authority, hereinafter created, or if
13 said authority shall be abolished, the board of commission
14 succeeding to the principal functions thereof or upon whom the
15 powers given by this act to said authority shall be given by
16 law.

17 (4) "Project" shall mean any one or more, or any
18 combination of two or more, of the following, or planning for
19 the same:

20 (a) Any area of land or water, or easement or other
21 interest therein, which is used or intended for use for the
22 take-off, landing, taxiing, parking or storing of aircraft, or
23 for the transportation by air of persons and things, or for
24 the location of any and all buildings, structures,
25 appurtenances, machinery, equipment, and all other types of
26 property and facilities related thereto, such as, but not
27 limited to, landing fields, heliports, runways, taxiways,
28 hangars, aircraft parking aprons, shops, offices, aircraft and
29 air passenger terminal buildings and structures.

30 (b) Areas of land or water, and easements above, on,
31 or under the surface thereof, used or intended for use for

1 over-flight, for noise abatement or noise buffers, for clear
2 zones, or for side transition zones.

3 (c) The fee simple interest in any area of land or
4 water, or any easement or other interest therein, above, on,
5 or under the surface thereof, used or intended to be used for
6 the full or partial satisfaction of environmental mitigation
7 requirements imposed by any federal, state, county, or
8 municipal government or agency thereof as a condition of
9 approving the acquisition, construction, expansion or
10 operation of a project, as defined in paragraphs (a), (b),
11 (d), (e), or (f), whether or not such area is located within
12 the boundaries of the city or is on or contiguous to property
13 in which the authority or the city has a preexisting ownership
14 interest.

15 (d) Other structures, improvements, and buildings of
16 all types used or useful for the convenience of the public or
17 for commercial or general aviation activities, located on the
18 property of the authority, such as, but not limited to,
19 restaurants, hotels, motels, exhibition halls, convention
20 facilities, automotive parking facilities, retail stores,
21 aircraft fueling systems, automotive service centers, cargo
22 buildings, warehouses, industrial developments, kitchen
23 facilities, drainage systems, utilities systems, roadways,
24 automobile and aircraft bridges, and surface transportation
25 terminals and facilities.

26 (e) Beacons, markers, communications systems, and all
27 navigation facilities for use in aid of air navigation.

28 (f) Any and all other improvements or facilities
29 which, in the judgment of the authority, are necessary, useful
30 or desirable to serve the occupants, passengers, users,
31 employees, operators, airlines, or lessees of any portion of

1 the property or facilities of the authority, or which are
2 otherwise deemed by the authority to be in the public
3 interest, including, but not limited to, such facilities as
4 may be necessary, used, useful, or intended for use: for the
5 handling, parking, storing, display, sale or servicing of
6 aircraft, either private or commercial; for the accommodation
7 of persons and the handling of freight, mail, and other items
8 transported by air; for the furnishing and supplying of goods,
9 commodities, services, things and facilities that are deemed
10 by the authority to be appropriate for the safety or
11 convenience of the traveling public or of the operators of
12 aircraft, or otherwise in the public interest; and in or for
13 the equipping, operation, and maintenance of any of the
14 projects of the authority.

15 (5) "Improvements" shall mean any repairs,
16 replacements, additions, extensions, enlargements or
17 betterments of and to a project as the authority deems
18 necessary to place or to maintain such project in proper
19 condition for the safe, efficient and economic operation
20 thereof.

21 (6) "Cost" as applied to improvements shall mean the
22 cost of constructing or acquiring improvements as hereinabove
23 defined and shall embrace the cost of all labor and materials,
24 the cost of all machinery and equipment, financing charges,
25 cost of engineering and legal expenses, plans, specifications,
26 and such other expenses as may be necessary or incident to
27 such construction or acquisition.

28 (7) "Cost" as applied to a project acquired,
29 constructed, extended or enlarged shall include the purchase
30 price of any project acquired, the cost of improvements, the
31 cost of such construction, extension or enlargement, the cost

1 of all lands, properties, rights, easements and franchises
2 acquired, the cost of all machinery and equipment, financing
3 charges, cost of investigations and audits and of engineering
4 and legal services, and all other expenses necessary or
5 incident to determining the feasibility or practicability of
6 such acquisition or construction, administrative expense and
7 such other expenses as may be necessary or incident to the
8 financing herein authorized and to the acquisition or
9 construction of a project and the placing of the same in
10 operation. Any obligation or expense incurred by the city or
11 by the authority prior to the conveyance of a project by the
12 city to the authority under this act, or prior to the issuance
13 of revenue bonds under the provisions of this act, for
14 engineering studies and for estimates of cost and of revenues
15 and for other technical, financial or legal services in
16 connection with the acquisition or construction of any
17 project, may be regarded as a part of the cost of such
18 project.

19 Section 3. GREATER ORLANDO AVIATION AUTHORITY.--

20 (1) There is hereby created a board or commission to
21 be known as the "Greater Orlando Aviation Authority," and by
22 that name the authority may sue and be sued, plead and be
23 impleaded, contract and be contracted with, and have an
24 official seal. The authority is hereby constituted an agency
25 of the city, and exercise by the authority of the powers
26 conferred by this act shall be deemed and held to be an
27 essential municipal function of the city. The authority shall
28 consist of seven members who shall be elected or appointed as
29 follows: one member shall be an incumbent member of the City
30 Council, who may be the mayor-commissioner or any other
31 commissioner elected by a majority vote of such council; one

1 member shall be an incumbent member of the Board of County
2 Commissioners of Orange County, Florida, who may be the
3 chairman or any other commissioner elected by a majority vote
4 of such commission; and five members shall be appointed by the
5 Governor, subject to confirmation by the Senate. Three members
6 appointed by the Governor shall be residents and electors of
7 Orange County, Florida; one member appointed by the Governor
8 shall be a resident and elector of Osceola County, Florida,
9 effective April, 1992; and, one member appointed by the
10 Governor shall be a resident and elector of Orange County,
11 Florida, or Seminole County, Florida. All seven members shall
12 be entitled to an equal voice and vote on all matters relating
13 to the authority and its business. Two of the five appointed
14 members initially appointed by the Governor shall be appointed
15 for a term of 2 years and three members shall be appointed for
16 a term of 4 years, the term of each member so appointed to be
17 designated by the Governor at the time of the appointment. All
18 subsequent appointments shall be for a term of 4 years. The
19 member of the city council and the member of the county
20 commission shall be elected for terms of 2 years each;
21 provided, however, that any such commissioner's term shall end
22 at such time as he may cease to be a city or county
23 commissioner, at which time a successor or successors shall be
24 elected for any unexpired term. The terms of all members shall
25 end at the expiration of their terms or as otherwise specified
26 herein.

27 (2) Each appointed member of the authority shall be a
28 person of integrity, responsibility and business ability, who
29 is competent and knowledgeable in one or more fields which
30 include, but are not limited to, public affairs, law,
31 economics, accounting, engineering, finance, natural resource

1 conservation, energy, or another field substantially related
2 to the duties and functions of the authority. The authority
3 shall fairly represent the above stated fields and function on
4 a nonpartisan basis. It is desirable, but not essential, that
5 one or more appointed members be experienced in some
6 aviation-related field. No person then employed by the city or
7 by Orange County shall be appointed as a member of the
8 authority. No person then transacting business with the
9 authority or who can be reasonably expected to transact
10 business with the authority, either for himself or as an
11 employee of, agent for, or consultant to any other person or
12 legal entity, shall be appointed as a member of the authority.
13 The initial appointment and election of members hereunder
14 shall be accomplished by the Governor, the city council and
15 the Orange County Board of County Commissioners within 30 days
16 after the effective date of this act, and the terms of all
17 then present members shall expire, effective the date of said
18 appointments and elections.

19 (3) At least 30 days prior to the date of expiration
20 of the term of any member of the authority, or within 30 days
21 after the creation of any vacancy in the membership of the
22 authority resulting from the death, resignation, change of
23 residence, or removal of any such member or from any other
24 cause, the successor of such member shall be appointed or
25 elected in the same manner as his predecessor. Any appointed
26 member of the authority shall be eligible for reappointment;
27 provided, that no appointed member shall serve more than two
28 consecutive terms or eight consecutive years, whichever is the
29 greater. Subject to the foregoing provisions, the successor in
30 each case, except the representative of the city council and
31 the representative of the board of county commissioners, shall

1 be appointed and shall hold office for a term of 4 years from
2 the date of expiration of the term of this predecessor. Any
3 person appointed or elected to fill a vacancy shall serve only
4 for the unexpired portion of the term. Notwithstanding any
5 other provision of this act, any appointed member of the
6 authority shall serve until his successor shall have been
7 appointed and shall have taken office, except in the case of
8 any such member who has been suspended or removed during his
9 term.

10 (4) The authority shall elect one of its members as
11 its chairman. The chairman shall be elected for a term of 2
12 years. If the elected chairman shall cease to be a member of
13 the authority, or shall for any reason not serve as a
14 chairman, a successor shall be elected for the unexpired
15 portion of his term. No person shall serve more than four
16 consecutive terms as chairman or 8 consecutive years,
17 whichever is greater. The authority may also elect a
18 secretary, who may or may not be a member of the authority.
19 The secretary shall hold office at the will of the authority.
20 The Director of Finance of the city, or any other person
21 elected by the authority and approved by the city council,
22 shall be the treasurer of the authority. Four members of the
23 authority shall constitute a quorum and the vote of four
24 members shall be necessary for any action taken by the
25 authority. No vacancy in the authority shall impair the right
26 of a quorum of the authority to exercise all of the rights and
27 perform all of the duties of the authority.

28 (5) Upon the effective date of his appointment, or as
29 soon thereafter as practicable, each appointed member of the
30 authority shall enter upon his duties, but before doing so, he
31 shall take an oath to faithfully perform the duties of his

1 office and file the same with the city clerk, and shall
2 execute a bond in the penal sum of \$10,000 payable to the city
3 and conditioned upon the faithful performance of the duties of
4 his office, which bond shall be approved by the city council
5 and filed with the city clerk, the cost of the premium on any
6 such bonds to be treated as part of the cost of operation.

7 (6) The members of the authority shall serve without
8 compensation; provided, that they shall be reimbursed by the
9 authority for their reasonable out-of-pocket, travel, and per
10 diem expenses incurred in attending meetings of or on behalf
11 of the authority, or otherwise in engaging in the business of
12 the authority. The secretary shall receive such salary as may
13 be fixed by the authority, or, in case such officer shall be a
14 member of the authority, he shall receive such salary for his
15 services as such officer as may be fixed by the authority with
16 the approval of the city council.

17 (7) The county commission member and any appointed
18 member may be suspended from office by the Governor, and the
19 city council member may be removed from office by majority
20 vote of the members of the city council, for good cause
21 affecting his ability to perform his duties as a member, for
22 misfeasance, malfeasance or nonfeasance in office, or for
23 violating the conflict of interest provisions of this act. A
24 county commission member, or an appointed member, who is
25 suspended by the Governor may be removed from office by
26 majority vote of the Senate, but only after a hearing at which
27 such member is given the right to present evidence in his own
28 behalf and only upon a finding by majority vote of the members
29 of the Senate that good cause for removal affecting the
30 member's ability to perform his duties as a member exists,
31 that he was guilty of misfeasance, malfeasance or nonfeasance

1 in office, or that he violated the conflict of interest
2 provisions of this act.

3 Section 4. CONTROL OF EXISTING FACILITIES.--No
4 existing projects, as hereinabove defined and now owned or
5 controlled by the city, shall be under the jurisdiction,
6 control or supervision of the authority unless and until the
7 city council shall so direct by resolution at such time as the
8 council shall determine that the authority has been organized
9 and is operating in such manner as to make control of such
10 projects by the authority appropriate, desirable and feasible
11 from the standpoint of efficiency of administration,
12 regulation and financing. Such resolution may also provide and
13 contain such restrictions, limitations, qualifications and
14 regulations as the city council may fix and determine as
15 necessary in the public interest. In the event the city
16 council shall so direct by resolution, all contracts, books,
17 maps, plans, papers and records of whatever description
18 pertaining to any such project shall be assigned and
19 transferred to the authority. All revenues of such projects
20 shall thereafter be collected by the authority and shall be
21 applied as provided in this act, subject to any prior pledges
22 of such revenues.

23 Section 5. CONSTRUCTION OF NEW PROJECTS.--It shall be
24 the duty of the authority to make or cause to be made such
25 surveys, investigations, studies, borings, maps, plans,
26 drawings and estimates of costs, traffic, and revenues as it
27 may deem necessary, and to thereafter prepare and adopt a
28 comprehensive plan for the construction, development and
29 improvement of any and all projects of the authority, and for
30 the construction, development and improvement of facilities
31 within Orange County, Florida, for handling air passengers,

1 mail, express and freight, and for handling general aviation
2 and commercial aircraft. Such comprehensive plan may be
3 extended, modified or changed by the authority from time to
4 time. The authority is hereby authorized and empowered,
5 whenever it shall deem such action feasible and practicable,
6 to acquire, construct, extend or enlarge any project, as
7 hereinabove defined. The cost of any such surveys,
8 investigations, plans, and estimates, and of any such
9 acquisition, construction, extension or enlargement shall be
10 paid, in whole or in part, from the proceeds of revenue bonds
11 issued under the provisions of this act, from revenues of
12 projects of the authority, or from any other funds legally
13 available for such purposes. The authority shall employ
14 procedures for the design and construction of new permanent
15 facilities or major additions to existing facilities, that
16 will include, but not be limited to, the latest developments
17 in construction techniques, materials, design and concepts.
18 The authority may employ contract management and project
19 management methods of design and construction. The following
20 concepts may be included in the construction procedures used
21 by the authority:

22 (1) Fast-track construction scheduling.--A method
23 which involves the bidding and awarding of certain building
24 subsystems after approval of preliminary design, and before
25 final document completion. Fast-track construction reduces
26 construction time by permitting early subsystems manufacture
27 and erection; it can improve cost and price control and
28 eliminate extensive design development time by planners and
29 designers.

30 (2) Construction and project management.--A process
31 whereby a single or highly coordinated authority is

1 responsible for all scheduling and coordination in both design
2 and construction phases and is generally responsible for the
3 successful, timely and economical completion of the
4 construction project.

5 (3) Design and build bidding.--A procedure which
6 requires that an architect, contractor, or engineer bid the
7 entire design and construction of a project and which requires
8 that the owner hire a single source for the project completion
9 and be responsible for the development of performance
10 specifications and technical criteria.

11 Section 6. EXPENDITURE OF FUNDS FOR PRELIMINARY
12 ACTS.--The City and the County Commissioners of Orange County
13 are hereby authorized to borrow, expend and appropriate funds
14 for use of the authority in carrying out the provisions of
15 this act, particularly, but not limited to, the provisions of
16 section 5 of this act, prior to such time as revenue-producing
17 projects or facilities are created or obtained as provided by
18 this act. Such expenditures of funds by the city or county are
19 hereby deemed and determined to be for a public purpose for
20 the benefit of the general welfare of the citizens of the city
21 and county.

22 Section 7. CONVEYANCE OF SUBMERGED LANDS.--The
23 authority is hereby authorized and empowered to make
24 application, from time to time, to the Board of Trustees of
25 the Internal Improvement Fund of the State of Florida for
26 conveyance of all of the right, title and interest of the
27 state in and to such submerged or partly submerged lands as
28 the authority may deem necessary to carry out the purposes of
29 this act, and said board of trustees are authorized to make
30 such conveyances to the city, upon such consideration as they
31 may deem proper, of all or any part of such submerged or

1 partly submerged lands as they may find to be necessary to
2 carry out the purposes of this act; provided, however, that
3 said board of trustees shall in any such conveyance make
4 adequate provisions for the protection of the interests of the
5 State School Fund in any of said lands, and no conveyance of
6 same shall be made except upon such conditions that the
7 interests of the State School Fund shall be fully protected.

8 Section 8. PURPOSES; POWERS OF AUTHORITY.--The
9 purposes of this act are to create an aviation authority in
10 Orange County, Florida, and through it to provide a means to
11 serve the public interest through the coordination of the
12 planning, financing, construction, and operation of aviation
13 facilities of the authority to the end that: adequate public
14 air navigation and transportation facilities are provided;
15 that safe and efficient air commerce is promoted; that
16 aviation projects of the authority are correlated with
17 aviation projects operated by others within this region, this
18 state, and this nation; that orderly and proper use and
19 development of public airports within Orange County will occur
20 as required to develop the potential of Orange County as an
21 air trade center and to support and enhance economic
22 development therein, and that projects of the authority will
23 be included in national and international programs for air
24 transportation relating to general aviation and commercial air
25 transport of passengers and cargo. The authority shall have
26 all of the powers which are necessary to carry out the
27 purposes of this act. Without in any manner limiting or
28 restricting such general powers, the authority shall have
29 power:

30 (1) To construct, acquire, establish, improve, extend,
31 enlarge, reconstruct, equip, maintain, repair and operate any

1 project, as hereinabove defined, either within or without or
2 partly within and partly without the territorial boundaries of
3 the city.

4 (2) To issue revenue bonds of the city, payable solely
5 from revenues, to pay all or a part of the cost of such
6 acquisition, construction, extension or enlargement.

7 (3) To fix, regulate and collect rates and charges for
8 the services and facilities furnished by any project under its
9 control, and to pledge the revenues of any such project to the
10 payment of revenue bonds issued under the provisions of this
11 act.

12 (4) To make rules and regulations for its own
13 government and procedure; provided, however, that it shall
14 hold a regular meeting at least once a month and such special
15 meetings as it may deem necessary, and all such meetings shall
16 be open to the public.

17 (5) To operate, manage and control all projects placed
18 under its control by the provisions of section 4 of this act
19 and all projects, as hereinabove defined, hereafter acquired
20 or constructed under the provisions of this act.

21 (6) To acquire in the name of the authority, either by
22 purchase or the exercise of the right of eminent domain within
23 the territorial limits of Orange County, Florida, such lands,
24 including submerged and partly submerged land, in fee simple
25 or any lesser interest or easement, and improvements thereto,
26 and to acquire such personal property, as it may deem
27 necessary either for the construction of any project or for
28 the efficient operation or for the extension of any project
29 acquired or constructed or to be constructed under the
30 provisions of this act, including, without limitation, the
31 elimination of airport hazards and the full or partial

1 satisfaction of environmental mitigation requirements of any
2 federal, state, county, or municipal government or other
3 agency thereof, and to hold, lease, and dispose of all real
4 and personal property under its control; provided that any
5 real estate or interest therein proposed to be purchased,
6 acquired, or sold by the authority shall first be approved by
7 resolution of the city council; and further provided that the
8 granting of any lease or franchise for a term in excess of 10
9 years shall first be approved by resolution of the city
10 council.

11 (7) To appoint, fix the compensation of, and make
12 provision for the discharge of an executive director who,
13 under the supervision of the authority, shall be responsible
14 for the operation, management and promotion of all activities
15 with which the authority is charged under this act, together
16 with such other duties as may be prescribed by the authority,
17 and shall have such powers as are incident to the performance
18 of his duties and such others as may be prescribed by the
19 authority. The authority may also employ such other officers,
20 agents, and employees under such terms and conditions as it
21 shall consider necessary and appropriate to effectuate its
22 purposes under this act.

23 (8) To make and enter into all contracts and
24 agreements necessary or incidental to the performance of its
25 duties and the execution of its powers under this act, and to
26 employ consulting engineers, architects, superintendents,
27 managers, aviation consultants, accountants, and attorneys,
28 and such other consultants and advisors as may be necessary in
29 its judgment to accomplish the purposes of this act, and to
30 fix their compensation; provided, however, that all such
31 expenses shall be paid solely from the proceeds of revenue

1 bonds issued under the provisions of this act, or from
2 revenues of projects of the authority, or from any other funds
3 legally available for such purposes.

4 (9) To make application directly or indirectly to any
5 federal, state, county or municipal government or agency or to
6 any other source, public or private, for loans, grants,
7 guarantees or other financial assistance in aid of projects of
8 the authority, and to accept and use the same upon such terms
9 and conditions as are prescribed by the federal, state, county
10 or municipal government or agency or other source.

11 (10) To enter into agreements with the state, any
12 subdivision or department thereof, or any county or
13 municipality or the Federal Government or any agency thereof
14 to use the facilities or the services of the state or such
15 subdivision or department, or such county or municipality or
16 the Federal Government or any agency thereof, as necessary or
17 desirable to accomplish the purposes of this act; or to allow
18 any of such agencies to utilize the facilities or the services
19 of the authority as necessary or desirable to accomplish the
20 purposes of this act.

21 (11) Subject to such provisions and restrictions as
22 may be set forth in the resolution or in the trust agreement
23 hereinafter mentioned authorizing or securing the revenue
24 bonds issued under the provisions of this act, to have
25 exclusive control of the revenues derived from each project
26 under its control, and of the expenditures thereof, except as
27 otherwise provided herein.

28 (12) To adopt and enforce in the courts of this state
29 reasonable rules and regulations for the orderly, safe,
30 efficient, and sanitary operation and use of projects and
31 facilities owned by it or under its control; provided, that no

1 such rule or regulation shall be adopted which, in the
2 judgment of the authority, will directly affect the traveling
3 public as a class, except subsequent to a public hearing which
4 shall be advertised twice in a newspaper of general
5 circulation in Orange County, Florida, the first publication
6 to occur not more than 14 days and the second such publication
7 to occur not less than 4 days, prior to the proposed adoption
8 thereof.

9 (13) Subject to the provisions of subsection (6) of
10 this section, to enter into exclusive or nonexclusive
11 contracts, leases, franchises, or other arrangements with any
12 person or persons for terms not exceeding 50 years, granting
13 the privilege of using or improving any project of the
14 authority, or any portion thereof or space therein for
15 commercial purposes; conferring the privilege of supplying
16 goods, commodities, things, services or facilities at such
17 project or projects; or making available services to be
18 furnished by the authority or its agents at such project; and
19 to establish the terms and conditions and fix the charges,
20 rentals, or fees for such privileges or services so long as
21 such fee or charges shall not conflict with any applicable
22 rules and regulations of the Public Service Commission.

23 (14) To enter into contracts, leases, or other
24 agreements with federally certificated air carriers, other
25 commercial air carriers and other commercial users of its
26 projects, for the use of such projects, under such terms and
27 conditions as it deems appropriate and for such charges,
28 rentals and fees as it deems appropriate; and to enter into
29 any contracts, leases or other agreements, set any tolls,
30 fees, or other charges for the use of its property or
31 services, and collect and use same as necessary to operate the

1 projects under its control and to accomplish any purposes of
2 this act.

3 (15) To contract with any persons, firms, or public or
4 private corporations to supply goods, commodities, facilities,
5 and services to the public, employees of the authority and
6 employees of air carriers and other commercial interests
7 located at any project under its control under such terms and
8 conditions as it deems appropriate.

9 (16)(a) Subject to the provisions of subsection (6) of
10 this section, to acquire land or other real or personal
11 property within the territorial limits of Orange County,
12 Florida, by purchase, lease, gift, devise, bequest, exchange
13 or in any other manner, including, but not limited to,
14 proceedings in the name of the authority, by eminent domain;
15 and the authority shall have the power to purchase or obtain
16 options, contracts or other rights to acquire land or other
17 real or personal property, provided that such options,
18 contracts or other rights shall be for a reasonable period of
19 time and for a consideration not in excess of 5 percent of the
20 purchase price specified upon the exercise of such options,
21 contracts, or other rights, unless prior approval of the city
22 council shall have been obtained.

23 (b) Subject to the provisions of subsection (6) of
24 this section, the authority shall have the power to sell and
25 dispose of any lands, structures, facilities or other property
26 acquired under this act, when it shall determine that such
27 lands, structures, facilities or other property are no longer
28 needed for carrying out the purposes of this act; provided,
29 however, that such sale shall be for a fair and reasonable
30 consideration; and further provided that the authority, with
31 the prior approval of the city council, may sell, or give the

1 right of use of its property to the city or other public body
2 without consideration or for less than a full and adequate
3 consideration; and the subject matter of any such sale or
4 disposal of property may be subjected by the authority to
5 reasonable restrictions for the preservation and protection of
6 any other property held or controlled by said authority. In
7 carrying out the purposes of this act, the authority may lease
8 or rent any part or portion of land, structure, or facility of
9 the authority to such private persons, corporations,
10 partnerships, or public corporations or agencies or other
11 legal entity, public or private, for use of such property by
12 such lessee as the authority shall determine is in the best
13 interests of the public in furthering the purposes of this
14 act; provided, however, that such lease or other right to use
15 thereof shall be for any term of years not to exceed 50 years.

16 (17) To make any and all applications required by the
17 United States Treasury Department and other departments or
18 agencies of the United States Government or of this state as a
19 condition precedent to the establishment within Orange County
20 of a free port or area for the reception from foreign
21 countries of articles of commerce and the handling, processing
22 and delivery thereof into foreign commerce free from the
23 payment of custom duties, and to enter into any agreements
24 required by such departments or agencies in connection
25 therewith and to make like applications and agreements with
26 respect to the establishment within said county of one or more
27 bonded warehouses.

28 (18) With the express prior approval by ordinance of
29 the city council,

30 (a) To employ and constitute its own airport guards or
31 police officers, or to contract with the city or any other

1 agency of the state or Orange County to provide law
2 enforcement services and protection through its duly sworn
3 officers, and all such officers shall have full power of
4 arrest to prevent or abate the commission of any offense
5 against the ordinances of the city, the laws of this state, or
6 the laws of the United States, when any such offense or
7 threatened offense occurs upon any lands or project owned by
8 or under the control of the authority.

9 (b) To provide its own fire protection, crash and
10 rescue services or to arrange for such services with any
11 federal, state, municipal or county agency or any private firm
12 in the business of providing such services.

13 (19) To acquire by agreement, and not through the
14 exercise of eminent domain, any aviation projects of the city,
15 or, with the prior approval of the city council, any other
16 aviation projects situate within Orange County, whether
17 publicly or privately owned; provided, that upon conveyance of
18 any such aviation project to the authority, all contracts,
19 commitments, leases and any other obligations then outstanding
20 with respect to such aviation project shall be transferred to
21 and assumed by the authority. The Board of County
22 Commissioners of Orange County and any municipality or other
23 public body of the state having an interest in an aviation
24 project situate in Orange County are hereby authorized to
25 convey their interests in any such aviation project to the
26 authority, upon terms and conditions acceptable to such public
27 body and to the authority.

28 (20) To enter into agreements with the city, or with
29 any other public body owning or operating aviation projects of
30 which the authority may subsequently assume control, with
31 respect to the manner to transfer of persons employed by the

1 city or other public body at such aviation projects to the
2 authority, as the authority deems necessary and appropriate.

3 (21) To establish a plan for retirement, disability,
4 hospitalization, and other fringe benefits, and for death
5 benefits for officers and employees of the authority, or to
6 provide by resolution that such officers and employees shall
7 be covered under any plan of the city, Orange County, or the
8 state available to them under the laws of the city, Orange
9 County, or the state.

10 (22) To exercise each and every power not inconsistent
11 with express provisions of this act which any municipality of
12 this state may now or hereafter exercise with respect to the
13 operation, acquisition, construction, or financing of airports
14 or airport projects owned or controlled by such a municipality
15 under the provisions of the general laws of this state.

16
17 All expenses incurred by the authority in exercising its
18 powers and in performing its functions and duties shall be
19 paid solely from the proceeds of revenue bonds issued under
20 the provisions of this act or from the revenues of the
21 projects under its control, and no liability or obligation not
22 payable from such proceeds or from such revenues shall at any
23 time be incurred in connection with the operation thereof,
24 except as provided herein.

25 Section 9. CREDIT OF CITY NOT PLEDGED.--Revenue bonds
26 issued under the provisions of this act shall not be deemed to
27 constitute a debt of the city or a pledge of the faith and
28 credit of the city, but such bonds shall be payable solely
29 from the funds hereinafter provided therefor from revenues.
30 All such bonds shall contain a statement on their face to the
31 effect that the city is not obligated to pay such bonds or the

1 interest thereon except from revenues, and that the faith and
2 credit of the city are not pledged to the payment of the
3 principal or of the interest on such bonds. The issuance of
4 revenue bonds under the provisions of this act shall not
5 directly or indirectly or contingently obligate the city to
6 levy or to pledge any form of taxation whatever therefor or to
7 make any appropriation for their payment.

8 Section 10. BOND ISSUE FOR PURPOSE OF FINANCING
9 PROJECTS AUTHORIZED BY THIS ACT.--In addition to any powers
10 granted in this act, the authority is hereby authorized to
11 issue revenue bonds, and to issue and borrow against bond
12 anticipation notes, for the purpose of financing any of the
13 projects authorized by this act in the same manner and subject
14 to the same restrictions as the city may be permitted by
15 general or special law.

16 Section 11. REVENUE BONDS.--

17 (1) The authority is hereby authorized to provide by
18 resolution, at one time or from time to time, for the issuance
19 of revenue bonds of the city for the purpose of paying all or
20 a part of the cost, as hereinabove defined, of acquiring,
21 constructing, extending or enlarging any project or projects
22 of the authority, or for the purpose of refunding aviation
23 revenue bonds heretofore or hereafter issued by the city or by
24 the authority. The bonds of each issue shall be dated and
25 shall mature at such time or times not exceeding 40 years from
26 their date or dates as may be determined by the authority, and
27 may be made redeemable before maturity, at the option of the
28 city, at such price or prices and under such terms and
29 conditions as may be fixed by the authority prior to the
30 issuance of the bonds. Bonds shall bear interest from their
31 date until paid at such rate or rates as may be determined by

1 the authority not exceeding the rate permitted by general law.
2 The principal of and the interest on such bonds may be made
3 payable in any lawful medium. The authority shall determine
4 the form of the bonds, including any interest coupons to be
5 attached thereto, and the manner of execution of the bonds,
6 and shall fix the denomination or denominations of the bonds
7 and the place or places of payment of principal and interest,
8 which may be any bank or trust company within or without the
9 state. Such bonds may be in certificated or uncertificated
10 form, and may be issued with compound interest, capital
11 appreciation, serial appreciation, original issue discounts or
12 zero or low interest rates, or with any combination of such
13 features, or with such other features, as the authority shall
14 determine.

15 (2) Such bonds shall be signed by the mayor of the
16 city and countersigned by the chairman of the authority.
17 Either or both signatures required may be by facsimile. The
18 seal of the city may be impressed on the bonds or a facsimile
19 may be printed or lithographed thereon. In case any officer
20 whose signature or a facsimile of whose signature shall appear
21 on the bonds or coupons shall cease to be such officer before
22 the delivery of such bonds, such signature or such facsimile
23 shall nevertheless be valid and sufficient for all purposes
24 the same as if he had remained in office until such delivery.
25 Neither the members of the authority nor any person executing
26 the bonds shall be personally liable on the bonds or be
27 subject to any personal liability or accountability by reason
28 of the issuance thereof.

29 (3) All revenue bonds issued under the provisions of
30 this act shall have and are hereby declared to have, as
31 between successive holders, all the qualities and incidents of

1 negotiable instruments under the negotiable instruments law of
2 the state. The bonds may be issued in coupon or in registered
3 form, or both, as the authority may determine, and provision
4 may be made for the registration of any coupon bonds as to
5 principal alone and also as to both principal and interest,
6 and for the reconversion into coupon bonds of any bonds
7 registered as to both principal and interest. The authority
8 may sell such bonds in such manner either at public or at
9 private sale, and for such price, as it may determine to be in
10 the best interest of the city.

11 (4) The proceeds of such bonds shall be used solely
12 for the payment of the cost of acquiring, constructing,
13 extending or enlarging the project or projects for which such
14 bonds shall be issued, and shall be disbursed in such manner
15 and under such restrictions, if any, as the authority may
16 provide. If the proceeds of such bonds, by error of estimates
17 or otherwise, shall be less than such cost, additional bonds
18 may in like manner be issued upon the prior approval of the
19 city council to provide the amount of such deficit, and,
20 unless otherwise provided in the resolution authorizing the
21 issuance of the bonds or in the trust agreement hereinafter
22 mentioned, shall be deemed to be of the same issue and shall
23 be entitled to payment from the same fund without preference
24 or priority of the bonds first issued for the same purpose. If
25 the proceeds of the bonds of any issue shall exceed the amount
26 required for the purpose for which such bonds were issued, the
27 surplus may be paid into the fund provided for the payment of
28 the principal of and the interest on such bonds, or for any
29 other lawful purpose of the authority. Prior to the
30 preparation of definitive bonds, the authority may, under like
31 restrictions, issue interim receipts or temporary bonds, with

1 or without coupons, exchangeable for definitive bonds when
2 such bonds have been executed and are available for delivery.
3 The authority may also provide for the replacement of any
4 bonds which shall become mutilated or be destroyed or lost.
5 Revenue bonds may be issued under the provisions of this act
6 without obtaining the consent of any commission, board, bureau
7 or agency of the state, and without any other proceedings or
8 the happening of any other conditions or things than those
9 proceedings, conditions or things which are specifically
10 required by this act.

11 (5) The resolution providing for the issuance of the
12 revenue bonds and any trust agreement executed in connection
13 therewith may also contain such limitations upon the issuance
14 of additional revenue bonds as the authority may deem proper,
15 and such additional bonds shall be issued under such
16 restrictions and limitations as may be prescribed by such
17 resolution or such trust agreement.

18 (6) The authority is hereby authorized to provide by
19 resolution for the issuance of revenue refunding bonds of the
20 city for the purpose of refunding any revenue bonds then
21 outstanding and issued under the provisions of this act, as
22 well as any revenue bonds theretofore issued by the city to
23 which the payment of revenues of any project of the authority
24 shall have been pledged. The authority is further authorized
25 to provide by resolution for the issuance of a single issue of
26 revenue bonds of the city for the combined purpose of:

27 (a) Paying all or a part of the cost of acquiring,
28 constructing, extending or enlarging a project or projects;
29 and

30 (b) Refunding any revenue bonds or revenue
31 certificates which shall then be outstanding and shall be

1 payable from the revenue of any existing project or projects
2 of the authority.

3
4 The issuance of such revenue bonds, the form, maturities,
5 features, and other details thereof, the rights of the holders
6 thereof, and the duties of the authority and of the city in
7 respect of the same, shall be governed by the foregoing
8 provisions of this act insofar as the same may be applicable.

9 (7) Revenue bonds may be issued under the provisions
10 of this act beyond the general limits of indebtedness
11 prescribed by law, and shall not be included in the amount of
12 bonds which the city may be authorized to issue under any
13 other law. Revenue bonds issued under the provisions of this
14 act and the income therefrom shall be exempt from all taxation
15 within the state. It shall be lawful for all state agencies,
16 banks, executors, administrators, guardians, and fiduciaries
17 generally, and all sinking fund commissioners, to invest any
18 moneys in their hands in such bonds, and such bonds may be
19 deposited as security for the deposit of public funds of the
20 state or of any county, city, or town. No resolution for the
21 issuance of any bond authorized herein shall be effective
22 until the city council shall authorize such individual issue
23 by proper resolution.

24 Section 12. TRUST AGREEMENT.--In the discretion of the
25 authority each or any issue of such revenue bonds may be
26 secured by a trust agreement by and between the authority and
27 a corporate trustee, which may be any trust company or bank
28 having the powers of a trust company within or without the
29 state. Such trust agreement may pledge or assign the revenues
30 to be received, but shall not convey or mortgage any project
31 or any part thereof. Either the resolution providing for the

1 issuance of revenue bonds or such trust agreement may contain
2 such provisions for protecting and enforcing the rights and
3 remedies of the bondholders as may be reasonable and proper
4 and not in violation of laws, including covenants setting
5 forth the duties of the authority in relation to the
6 acquisition, construction, extension, enlargement,
7 maintenance, operation, repair and insurance of a project and
8 the custody, safeguarding and application of all moneys. It
9 shall be lawful for any bank or trust company incorporated
10 under the laws of this state to act as depository of the
11 proceeds of bonds or of revenues and to furnish such
12 indemnifying bonds or to pledge such securities as may be
13 required by the authority. Such trust agreement may set forth
14 the rights and remedies of the bondholders and of the trustee,
15 and may restrict the individual right of action by bondholders
16 as is customary in trust agreements or trust indentures
17 securing bonds and debentures of corporations. In addition to
18 the foregoing, such trust agreement may contain such other
19 provisions as the authority may deem reasonable and proper for
20 the security of bondholders. Except as otherwise provided in
21 this act, the authority may provide, by resolution or by such
22 trust agreement, for the payment of the proceeds of the sale
23 of the bonds and the revenues of the project or projects to
24 such officer, board or depository as it may determine for the
25 custody thereof, and for the method of disbursement thereof,
26 with such safeguards and restrictions as it may determine. All
27 expenses incurred in carrying out the provisions of such trust
28 agreement may be treated as a part of the cost of operation of
29 the project or projects affected by such trust agreement.

30 Section 13. REVENUES AND BUDGETING THEREOF.--
31

1 (1) Not less than 1 month prior to the end of each
2 fiscal year of the authority, which shall be the same fiscal
3 year as that of the city, the authority shall adopt by
4 resolution its proposed budget for the ensuing fiscal year,
5 and submit the same to the city council. Such proposed budget
6 shall include all anticipated expenditures of the authority
7 for all of its projects during the ensuing fiscal year,
8 including operating expenses, capital outlays, materials,
9 labor, equipment, supplies, payments of principal and interest
10 on all outstanding revenue bonds of the authority, and sinking
11 fund and reserve requirements of such bonds. Such proposed
12 budget shall provide for expenditures only to the extent of
13 funds legally available to the authority for such purposes and
14 reasonably anticipated revenues of the authority for the
15 ensuing fiscal year from established sources, based upon past
16 experience and reasonable projections thereof, and from new
17 projects or new sources of income of the authority. The city
18 council shall, within 10 days of its receipt of such proposed
19 budget, conduct a public hearing with respect thereto, and in
20 that event, the chairman and executive director of the
21 authority shall be present at such public hearing. Following
22 the public hearing by the city council, the authority at any
23 regular or special meeting prior to the commencement of the
24 next fiscal year shall adopt by resolution its budget for the
25 ensuing year subject to the same constraints as to the amount
26 of expenditures as set forth above with respect to the
27 proposed budget of the authority. Once adopted, the said
28 budget shall not be amended except by resolution of the
29 authority and except following the giving of 10 days' written
30 notice of the proposed amendment to the city council and the
31 giving of public notice of the authority's intention to

1 consider amending its budget, which notice shall be by
2 publication in a newspaper of general circulation in Orange
3 County at least 10 days prior to the meeting of the authority
4 at which such proposed amendment is to be finally considered.

5 (2) Within 90 days following the close of each fiscal
6 year, the authority shall make a comprehensive report of its
7 operations of each project under its control during the
8 preceding fiscal year, including all matters relating to
9 rates, charges, revenues, expenses of maintenance, repair and
10 operation and of replacements and extensions, principal and
11 interest retirements and the status of all funds. Copies of
12 such annual reports shall be filed with the secretary of the
13 authority, with the city council, with the Board of County
14 Commissioners of Orange County, and, if the revenue bonds
15 shall be secured by a trust agreement, with the trustee under
16 such trust agreement, and shall be open to the inspection of
17 all interested persons.

18 (3) The authority shall cause an audit to be made of
19 its books and accounts for each of its fiscal years by an
20 independent certified public accountant, which audit shall be
21 accompanied by the accountant's opinion and qualifications
22 relating thereto, if any.

23 Section 14. TRUST FUNDS.--All moneys received pursuant
24 to the authority of this act, whether as proceeds from the
25 sale of revenue bonds or as revenues, shall be deemed to be
26 trust funds, to be held and applied solely as provided in this
27 act. The authority shall, in the resolution authorizing the
28 issuance of revenue bonds or in the trust agreement, provide
29 for the payment of the proceeds of the sale of such bonds and
30 all revenues to be received to any officer who, or to any
31 agency, bank or trust company which, shall act as trustee of

1 such funds and shall hold and apply the same to the purposes
2 hereof, subject to such regulations as this act and such
3 resolution or trust agreement may provide.

4 Section 15. REMEDIES.--Any holder of revenue bonds
5 issued under the provisions of this act or of any of the
6 coupons appertaining thereto, and the trustee under the trust
7 agreement, if any, except to the extent the rights herein
8 given may be restricted by such resolution or trust agreement,
9 may, either at law or in equity, by suit, action, mandamus or
10 other proceeding, protect and enforce any and all rights under
11 the laws of the State of Florida or granted hereunder or under
12 such resolution or trust agreement, and may enforce and compel
13 the performance of all duties required by this act or by such
14 resolution or trust agreement to be performed by the city or
15 the authority or by any officer thereof, including the fixing,
16 charging and collecting of rates and charges for the services
17 and facilities furnished by any project.

18 Section 16. POWER OF EMINENT DOMAIN.--It is hereby
19 specifically provided that, in the acquisition of any land or
20 other property by the exercise of the power of eminent domain
21 and condemnation proceedings as herein provided, the authority
22 shall first authorize and provide for such acquisition and
23 condemnation by appropriate resolution of the authority, which
24 shall be presented to the city council for its approval and
25 action as hereinafter provided. No condemnation proceedings in
26 exercise of the power of eminent domain shall be initiated or
27 valid unless and until the city council shall, by resolution,
28 approve the resolution of the authority and authorize by
29 resolution the exercise of the power of eminent domain in the
30 name of the authority for the purposes set forth in such
31 resolution of the authority. All such condemnation proceedings

1 shall then proceed in the manner provided by law for the
2 exercise of the power of eminent domain by a municipality for
3 the acquisition of property for a proper municipal and public
4 purpose.

5 Section 17. CITY ORDINANCES IN EFFECT.--All of the
6 ordinances of general application of the city from time to
7 time in effect, with the sole exception of its ordinances
8 pertaining to zoning, shall, when so determined by ordinance
9 of the city council, be of full force and effect in and on any
10 areas of land or water owned or controlled by the authority
11 which are not within the limits of any other municipality,
12 whether or not such areas are within, without, or partially
13 without the municipal limits of the city, and may be enforced
14 in the same manner and to the same extent as if such areas
15 were within the municipal limits of the city.

16 Section 18. EXECUTION OF CONTRACTS, LEASES AND OTHER
17 LEGAL INSTRUMENTS.--Any and all contracts, leases,
18 obligations, agreements or other legal instruments of the
19 authority shall be approved by resolution of the authority,
20 and shall be executed by those individuals designated in such
21 resolution, and in the absence of such designation by the
22 chairman or vice chairman. Nothing in this provision shall
23 prohibit general resolutions authorizing the executive
24 director or other officers, agents or employees to execute
25 such contracts, leases or other legal documents as the
26 authority may prescribe.

27 Section 19. COOPERATION BETWEEN MUNICIPALITIES, COUNTY
28 AND AUTHORITY.--

29 (1) The effectuation of the purposes of this act being
30 in all respects for the benefit of the people of the state and
31 Orange County, as well as of the municipalities in said

1 county, the state, Orange County, and each municipality
2 therein is hereby authorized to aid and cooperate with the
3 authority in carrying out any authorized purposes or projects
4 of the authority.

5 (2) Orange County and each municipality therein is
6 hereby authorized to enter into interlocal agreements with the
7 authority and to provide in any such interlocal agreement for
8 the making of a loan, gift, grant or contribution to the
9 authority for the carrying out of any of the authorized
10 purposes or projects of the authority.

11 (3) Orange County and each municipality therein is
12 hereby further authorized to grant and convey to the authority
13 real or personal property of any kind or nature, or any
14 interest therein, for the carrying out of the authorized
15 purposes or projects of the authority.

16 (4) Any such interlocal agreement may be made and
17 entered into pursuant to this act for such time or times not
18 exceeding 40 years as shall be agreed by the parties thereto,
19 and may contain such other details, terms, provisions and
20 conditions as shall be agreed upon by the parties thereto.

21 (5) Any such interlocal agreement may be made and
22 entered into for the benefit of the holders of any revenue
23 bonds issued pursuant to this act, as well as the parties
24 thereto, and shall be enforceable in any court of competent
25 jurisdiction by the holders of any such revenue bonds or of
26 the coupons appertaining thereto.

27 (6) No such interlocal agreement shall in any way
28 constitute a pledge of the taxing power, or of the full faith
29 and credit of any party thereto.

30 Section 20. CONFLICTS OF INTEREST PROHIBITED.--No
31 member, officer, agent, or employee of the authority, either

1 for himself, or as agent for anyone else, or as a stockholder
2 or owner in any other legal entity, shall participate or
3 benefit directly or indirectly in or from any sale, purchase,
4 lease, franchise, contract, or other transaction entered into
5 by the authority. If any such person shall violate the
6 provisions of this section, he shall be guilty of a
7 misdemeanor. The provisions of this section shall be
8 cumulative to any general laws of the state which are from
9 time to time applicable to members, officers, agents, or
10 employees of the authority and which require the disclosure
11 of, or prohibit, conflicts of interest.

12 Section 21. ACT CONFERS ADDITIONAL AUTHORITY.--

13 (1) The powers conferred by this act shall be in
14 addition and supplemental to the existing powers of the
15 authority heretofore granted to it by any existing acts, and
16 any other law, general or special, and this act shall not be
17 construed so as to repeal any of the provisions of the
18 existing acts, except as expressly provided herein, or of any
19 other law, general or special, except to the extent of any
20 conflict between the provisions of this act and the provisions
21 of the existing acts, or of any other law, general or special,
22 in which event the provisions of this act shall be controlling
23 and shall, to the extent of any such conflict, supersede the
24 provisions of the existing acts and the provisions of any
25 other law, general or special.

26 (2) Nothing in this act is intended, nor shall any
27 provision hereof be construed so as to repeal, abrogate,
28 impair or adversely affect the rights and remedies of the
29 holders of any obligations of the city heretofore issued.

30 (3) No approval of the electors or freeholders of the
31 city or of any other political subdivision shall be required

1 for the issuance of any revenue bonds pursuant to this act,
2 unless such approval is required by the provisions of the
3 Constitution or general laws of Florida.

4 Section 22. TERMINATION OF AUTHORITY.--If for any
5 reason, the Authority or its successors shall terminate, be
6 terminated, or cease operation or existence for any cause or
7 reason, then upon such termination or cessation all property,
8 real, personal or mixed, tangible or intangible, of whatsoever
9 kind and wheresoever located, shall immediately become the
10 property of the city, which is hereby authorized to exercise
11 any or all the powers herein granted the authority for the
12 purposes expressed herein, or any other municipal purpose.

13 Section 3. If any provision of this act or the
14 application thereof to any person or circumstance is held
15 invalid, the invalidity shall not affect other provisions or
16 applications of the act which can be given effect without the
17 invalid provision or application, and to this end the
18 provisions of this act are declared severable.

19 Section 4. Except as specifically reenacted herein,
20 chapters 57-1658, 61-2599, 67-1834, 69-1389, 75-464, 77-612,
21 78-578, 80-553, 80-554, 82-347, 87-555, 88-474, 91-369, and
22 91-391, Laws of Florida, are hereby repealed.

23 Section 5. This act shall take effect upon becoming a
24 law.

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