

ENROLLED

HB 1253

2005 Legislature

1                                   A bill to be entitled  
 2           An act relating to the Jacksonville Airport Authority,  
 3           Consolidated City of Jacksonville, Duval County; amending  
 4           chapter 2004-464, Laws of Florida; renaming the authority  
 5           as the Jacksonville Aviation Authority; providing an  
 6           effective date.

7  
 8   Be It Enacted by the Legislature of the State of Florida:

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 10           Section 1. Subsections (1) and (2) of section 1 and  
 11           section 7 of section 1 of chapter 2004-464, Laws of Florida, are  
 12           amended to read:

13           Section 1. Creation of Jacksonville Aviation Airport  
 14           Authority.--

15           (1) The charter provisions concerning the airport  
 16           operations of the former Jacksonville Port Authority established  
 17           pursuant to Chapter 2001-319, Laws of Florida, as amended, are  
 18           hereby amended and restated in their entirety to read as  
 19           follows: There is hereby created and established as of October  
 20           1, 2001, a separate body politic and corporate to be known as  
 21           the Jacksonville Aviation Airport Authority and hereinafter  
 22           referred to singly as the "authority," which is created as an  
 23           agency and political subdivision of the State of Florida in the  
 24           nature of counties and not municipalities. This authority is  
 25           authorized to exercise its jurisdiction, powers, and duties  
 26           within the geographic area defined by the boundary lines of  
 27           Duval County as established by section 7.16, Florida Statutes,  
 28           which boundary lines also define the geographic area of the City  
 29           of Jacksonville, and outside such boundary lines as hereinafter

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30 provided. The Jacksonville Aviation ~~Airport~~ Authority shall  
31 operate, manage, and control all of the publicly owned airports  
32 and ancillary facilities located within Duval County and outside  
33 such boundary lines as hereinafter provided. The authority was  
34 separated from the former Jacksonville Port Authority pursuant  
35 to 2001-319, Laws of Florida, as amended, and this separation  
36 shall be reviewed for performance and efficiency after a period  
37 of 4 years from October 1, 2001.

38 (2) The governing body for the Jacksonville Aviation  
39 ~~Airport~~ Authority shall consist of seven members, three of whom  
40 shall be appointed by the Mayor of the City of Jacksonville with  
41 the confirmation of the council of the City of Jacksonville, and  
42 four of whom shall be appointed by the Governor of Florida with  
43 the confirmation of the Senate. Members shall serve for terms of  
44 4 years commencing on October 1 of the year of the appointment  
45 or for the unexpired portion of a term deemed to have commenced  
46 on October 1. Members of the authority, during their terms,  
47 shall serve at the pleasure of the Mayor or Governor, whoever  
48 appointed the member. Members shall continue to serve on the  
49 authority until their death, resignation, removal, or until  
50 their respective successors are appointed and confirmed. A  
51 vacancy occurring during the term of an appointed member on the  
52 authority shall be filled only for the balance of the unexpired  
53 term. Any member appointed to the authority for two consecutive  
54 full terms shall not be eligible for appointment to the  
55 authority for the next succeeding term. Provided, however,  
56 notwithstanding the above, members initially appointed to the  
57 authority shall serve in staggered terms to provide continuity  
58 of experience to the authority with two gubernatorial

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59 | appointments and two mayoral appointments being for initial 2-  
60 | year terms, which shall count as a full term for purposes of  
61 | term limits provided herein.

62 | Section 7. Rights of employees.--

63 | (1) Except as provided in subsection (2), all employment  
64 | rights and employee benefits authorized under section 11,  
65 | chapter 63-1447, Laws of Florida, as amended, are hereby  
66 | confirmed, ratified, and continued, notwithstanding the repeal  
67 | of said chapter 63-1447, Laws of Florida, as amended. Effective  
68 | October 1, 2001, in order to preserve the rights of employees of  
69 | the former Jacksonville Port Authority to continue participation  
70 | in the Florida Retirement System pursuant to chapter 121,  
71 | Florida Statutes, the authority created by this act (and its  
72 | predecessor act) shall be a county agency and employees of the  
73 | authority shall participate in the Florida Retirement System,  
74 | notwithstanding any law to the contrary. Effective October 1,  
75 | 2001, those employees of the former Jacksonville Port Authority  
76 | who were assigned to any activity related to the operation of  
77 | the airport facilities shall become employees of the  
78 | Jacksonville Aviation Airport Authority created by this act (and  
79 | its predecessor act). Effective October 1, 2001, central  
80 | administrative employees shall be employed by either the  
81 | Jacksonville Aviation Airport Authority or the Jacksonville Port  
82 | Authority, formerly known as the Jacksonville Seaport Authority,  
83 | created by this act (and its predecessor act) or as otherwise  
84 | agreed by both. It is expressly provided that none of those  
85 | employees of the former Jacksonville Port Authority who remain  
86 | with the authority created by this act (and its predecessor act)  
87 | shall lose any rights or benefits of whatsoever kind or nature

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88 | afforded to them by any law, ordinance, collective bargaining  
 89 | agreement, or existing policy or plan, including, but not  
 90 | limited to, pension benefits by virtue of the change in  
 91 | corporate structure. In order to effectively implement the  
 92 | foregoing, the authority shall perform all functions with regard  
 93 | to its own employees that prior to the operation of the two  
 94 | authorities created by this act (and its predecessor act) were  
 95 | performed by the former Jacksonville Port Authority. In order to  
 96 | specifically preserve the rights of employees of the former  
 97 | Jacksonville Port Authority to continue participation in the  
 98 | Florida Retirement System, pursuant to chapter 121, Florida  
 99 | Statutes, the authority created by this act (and its predecessor  
 100 | act) shall be a county authority and employees of this authority  
 101 | who are currently participating in the Florida Retirement System  
 102 | and all employees of the authority after October 1, 2001, shall  
 103 | be eligible to participate in the Florida Retirement System.

104 |       (2) Effective October 1, 2001, the Jacksonville Aviation  
 105 | ~~Airport~~ Authority firefighters shall be merged into the City of  
 106 | Jacksonville's Fire and Rescue Department and shall become  
 107 | employees of the City of Jacksonville; however, with respect to  
 108 | pension benefits such Jacksonville Aviation ~~Airport~~ Authority  
 109 | Fire Department employees shall have a one-time option to  
 110 | continue participation in the Florida Retirement System or to  
 111 | participate in the City of Jacksonville Police and Fire Pension  
 112 | Fund. Such option must be exercised no later than November 1,  
 113 | 2001. Upon such merger, firefighting services for the airports  
 114 | owned and operated by the Jacksonville Aviation ~~Airport~~  
 115 | Authority shall be provided by the Fire and Rescue Department of  
 116 | the City of Jacksonville pursuant to a written contract to be

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117 entered into by and between the City of Jacksonville and the  
118 Jacksonville Aviation ~~Airport~~ Authority. Notwithstanding any  
119 provision in this act to the contrary, such merger and contract  
120 shall become effective October 1, 2001. If any firefighter who  
121 has vested in the Florida Retirement System exercises the option  
122 to become a member of the City of Jacksonville Police and Fire  
123 Pension Fund, such vested time shall not be included in the City  
124 of Jacksonville Police and Fire Pension Fund.

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