

1 A bill to be entitled
2 An act relating to the Jacksonville Aviation
3 Authority, Consolidated City of Jacksonville, Duval
4 County; amending chapter 2004-464, Laws of Florida, as
5 amended by chapter 2005-328, Laws of Florida;
6 providing that the Jacksonville Aviation Authority is
7 responsible for the economic development of Cecil
8 Airport as a regional, state, and national aerospace
9 and related-industry hub; defining the term "aerospace
10 and related industry"; revising the definition of the
11 term "project"; requiring annual presentation of an
12 economic development plan for Cecil Airport to the
13 council of the City of Jacksonville for review;
14 revising threshold amounts for certain purchases by
15 the authority; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:
18

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

23 Section 1. Creation of Jacksonville Aviation Authority.—

24 (1) The charter provisions concerning the airport
25 operations of the former Jacksonville Port Authority established

26 | pursuant to Chapter 2001-319, Laws of Florida, as amended, are
27 | hereby amended and restated in their entirety to read as
28 | follows: There is hereby created and established as of October
29 | 1, 2001, a separate body politic and corporate to be known as
30 | the Jacksonville Aviation Authority and hereinafter referred to
31 | singly as the "authority," which is created as an agency and
32 | political subdivision of the State of Florida in the nature of
33 | counties and not municipalities. This authority is authorized to
34 | exercise its jurisdiction, powers, and duties within the
35 | geographic area defined by the boundary lines of Duval County as
36 | established by section 7.16, Florida Statutes, which boundary
37 | lines also define the geographic area of the City of
38 | Jacksonville, and outside such boundary lines as hereinafter
39 | provided. The Jacksonville Aviation Authority shall operate,
40 | manage, and control all of the publicly owned airports and
41 | ancillary facilities located within Duval County and outside
42 | such boundary lines as hereinafter provided. The authority is
43 | also responsible for the economic development of Cecil Airport,
44 | which shall include, but is not limited to, activities and
45 | projects that support workforce development and training,
46 | infrastructure investments, job creation, and technology
47 | innovation, and is further charged with establishing and growing
48 | Cecil Airport as a regional, state, and national aerospace and
49 | related-industry hub in partnership with the economic
50 | development agency or agencies of the City of Jacksonville. The

51 authority was separated from the former Jacksonville Port
52 Authority pursuant to 2001-319, Laws of Florida, as amended, and
53 this separation shall be reviewed for performance and efficiency
54 after a period of 4 years from October 1, 2001.

55 Section 2. Definitions.—In the interpretation hereof, the
56 following words and terms shall be taken to include the
57 following meanings when the context shall require or permit:

58 (1) The term "aerospace and related industry" means and
59 includes the design, development, manufacturing, maintenance,
60 logistics, operation, use, and service of aircraft and
61 spacecraft for civilian, government, and military applications,
62 including subsystems and components thereof, and other
63 industries in substantial relation thereto.

64 (2)~~(1)~~ The term "bonds" means and embraces bonds, notes,
65 certificates, and other financial obligations issued by the
66 authority for financing or refinancing purposes and, except
67 where otherwise required by the context, notes and other
68 instruments executed to evidence obligations of the authority
69 for the repayment of borrowed funds.

70 (3)~~(2)~~ The term "county" means the County of Duval.

71 (4)~~(3)~~ The term "city" or "City of Jacksonville" means the
72 consolidated government of the City of Jacksonville created
73 pursuant to section 9, Article VIII of the State Constitution.

74 (5)~~(4)~~ The term "federal agency" means and includes the
75 United States, the President of the United States, and any

76 department, or corporation, agency, or instrumentality thereof,
77 heretofore or hereafter created, designated, or established by
78 the United States.

79 ~~(6)~~~~(5)~~ Words importing the singular number shall include
80 the plural number in each case and vice versa, and words
81 importing persons shall include firms and corporations.

82 ~~(7)~~~~(6)~~ The term "project" embraces any one or any
83 combination of two or more of the following, to wit: facilities
84 for the construction, manufacture, repair, or maintenance of
85 airplanes, helicopters, spacecraft, and aircraft of all kinds;
86 other facilities, directly or indirectly related to the
87 promotion and development of airborne, ~~and~~ airport and aerospace
88 and related-industry activities, commerce, travel, exploration,
89 and researching; and other airport and aerospace and related-
90 industry facilities of all kinds, including, but not limited to,
91 landings, ramps, runways, taxiways, warehouses, terminals,
92 refrigeration, and cold storage plants and facilities, tiedown
93 and parking areas and facilities, intermodal, railroad, air, and
94 motor terminals for passengers, freight, exploration, and
95 research, rolling stock, airplanes, helicopters, spacecraft,
96 conveyors, and appliances of all kinds for the handling,
97 storage, inspection, and transportation of freight and the
98 handling of passenger traffic, mail, express, and freight,
99 administration and service buildings, toll highways, tunnels,
100 causeways, and bridges connected therewith or incident or

101 auxiliary thereto, and may include all property, structures,
102 facilities, rights, easements, and franchises relating to any
103 such project deemed necessary or convenient for the acquisition,
104 construction, purchase, or operation thereof. The authority is
105 authorized to use such of its real property as it deems fit for
106 facilities for recreational programs and activities, provided,
107 however, that such programs and activities are approved by a
108 simple majority vote of the Jacksonville City Council.

109 (8)~~(7)~~ The term "cost," as applied to improvements, means
110 the cost of constructing or acquiring improvements as
111 hereinabove defined and shall embrace the cost of all labor and
112 materials, the cost of all machinery and equipment, financing
113 charges, the cost of engineering and legal expenses, plans,
114 specifications, and such other expenses as may be necessary or
115 incident to such construction or acquisition.

116 (9)~~(8)~~ The term "cost," as applied to a project acquired,
117 constructed, extended, or enlarged, includes the purchase price
118 of any project acquired, the cost of improvements, the cost of
119 such construction, extension, or enlargement, the cost of all
120 lands, properties, rights, easements, and franchises acquired,
121 the cost of all machinery and equipment, financing charges,
122 interest during construction, and, if deemed advisable, for up
123 to 1 year after completion of construction, cost of
124 investigations and audits, and of engineering and legal
125 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.

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 the submittal of its budget as provided in subsection (1), the authority shall also prepare and present to the council of the City of Jacksonville a plan for the economic development of 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).

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

176 Federal Government or state government. The authority shall keep
177 a current list of responsible bidders and, whenever the
178 authority shall award a contract, the bidder shall come from
179 such list. No contract shall be entered into for construction,
180 improvement, or repair of any project, or any part thereof,
181 unless the contractor shall have given an undertaking with a
182 sufficient surety or sureties, approved by the authority and in
183 an amount fixed by the authority, for the faithful performance
184 of the contract. All such contracts shall provide, among other
185 things, that the person or corporation entering into such
186 contract with the authority will pay for all materials furnished
187 and services rendered for the performance of the contract and
188 that any person or corporation furnishing such materials or
189 rendering such services may maintain an action to recover for
190 the same against the obligor in the undertaking, as though such
191 person or corporation were named therein, provided the action is
192 brought within 1 year after the time the cause of action
193 accrued. Nothing in this section shall be construed to limit the
194 power of the authority to construct any project, or any part
195 thereof, or any addition, betterment, or extension thereto,
196 directly by the officers, agents, and employees of the
197 authority, or otherwise, other than by contract.

198 (2) All supplies, equipment, machinery, and materials
199 exceeding the CATEGORY THREE threshold amount established in
200 section 287.017, Florida Statutes, as may be amended from time

201 to time, ~~\$25,000~~ in cost purchased by the authority shall be
202 purchased by the authority only after due advertisement as
203 provided hereinafter. When purchasing supplies, equipment,
204 machinery, and materials pursuant to competitive bid as mandated
205 herein, the authority shall accept the lowest bid or bids, kind,
206 quality, and material being equal, but the authority shall have
207 the right to reject any or all bids or select a single item from
208 any bid. The provision as to bidding shall not apply to the
209 purchase of patented and manufactured products offered for sale
210 in a noncompetitive market or solely by a manufacturer's
211 authorized dealer.

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