

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Ethics and Elections

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BILL: SB 720

INTRODUCER: Senator Mayfield

SUBJECT: Central Florida Expressway Authority

DATE: March 23, 2017

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Price	Miller	TR	<b>Favorable</b>
2.	Carlton	Ulrich	EE	<b>Favorable</b>
3.			RC	

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## **I. Summary:**

SB 720 adds Brevard County to the Central Florida Expressway Authority (CFX) by:

- Increasing the number of governing body members from nine to ten;
- Adding the Brevard County Commission chair to the list of chairs authorized to appoint a member to the CFX;
- Adding Brevard County to the list of counties the citizens of which may be appointed by the Governor to serve on the authority;
- Adding the geographical boundary of Brevard County to the area served by the CFX;
- Increasing the number of members constituting a quorum from five to six; and
- Adding Brevard County to the list of counties outside the jurisdictional boundaries of which the CFX may undertake the specified activities with the consent of the county within whose jurisdiction the activities occur, to conform to changes made by the act.

The bill has no apparent fiscal impact on state or local governments.

The bill takes effect July 1, 2017.

## **II. Present Situation:**

### **Central Florida Expressway Authority**

The Legislature created the Orlando-Orange County Expressway Authority in 1963 for the purpose of construction and operation of an expressway road system in Central Florida.<sup>1</sup> The OOCEA was granted the power to construct, operate, and maintain roads, bridges, avenues of access, thoroughfares, and boulevards in Orange County, as well as in any consenting county within whose jurisdiction the activities occurred.

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<sup>1</sup> Chapter 63-573, L.O.F.

In 2014, the Legislature re-named the OOCEA as the Central Florida Expressway Authority (CFX) and transferred governance and control, legal rights and powers, responsibilities, terms, and obligations of the former OOCEA to the CFX, an agency of the state. The area served by the CFX was expanded to include Seminole, Lake, and Osceola Counties, in addition to Orange County.<sup>2</sup> The CFX has the right to acquire, hold, construct, improve, maintain, operate, own, and lease the CFX system.<sup>3</sup>

With the consent of the county within whose jurisdiction the activities occur, the CFX also has the power to construct, operate, and maintain roads, bridges, avenues of access, transportation facilities, thoroughfares, and boulevards outside the jurisdictional boundaries of Orange, Seminole, Lake, and Osceola Counties, together with the right to construct, repair, replace, operate, install, and maintain electronic toll payment systems thereon.<sup>4</sup>

Currently, the CFX governing body consists of the following nine members:

- The chairs of the Seminole, Lake, and Osceola County Commissions appoint one member each from the respective counties, who must be a commission member or chair or the county mayor;
- The Mayor of Orange County appoints one member from the Orange County Commission;
- The Governor appoints three members, each of whom must be a citizen of either Orange, Seminole, Lake, or Osceola County and is subject to Senate confirmation;
- The eighth member must be the Orange County Mayor; and
- The ninth member must be City of Orlando Mayor.<sup>5</sup>

The executive director of the Florida Turnpike Enterprise serves as a non-voting advisor. Members hold office until a successor has been appointed and qualified.<sup>6</sup> Each member appointed by the Governor serves for 4 years, and each county-appointed member serves for 2 years.

### **East Central Florida Corridor Task Force**

In 2013, the Governor by Executive Order<sup>7</sup> created the East Central Florida Corridor Task Force, which developed recommendations on future transportation corridor planning in portions of Brevard, Orange, and Osceola counties. In its final report, the Task Force included in its recommendations:

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<sup>2</sup> Chapter 2014-171, L.O.F.

<sup>3</sup> Section 348.754(1), F.S. According to the CFX, the system serves a region with more than 2.3 million residents and an estimated 60 million annual visitors and includes 109 centerline miles, 741 lane miles (including ramps, 59 interchanges, 285 bridges, and 14 mainline toll plazas. No taxes support the CFX's operations; tolls support the entire system. The system includes State Roads 408, 414, 417, 429, 451, and 528. See the CFX website available at: <https://www.cfxway.com/agency-information/agency-overview/about-cfx/>. (Last visited March 6, 2017.)

<sup>4</sup> Section 348.754(2)(n), F.S.

<sup>5</sup> Section 348.753(3), F.S.

<sup>6</sup> *Id.*

<sup>7</sup> See Executive Order 13-319 available at: [http://ecfcorridortaskforce.org/doc/meeting\\_1/EO%2013-319.pdf](http://ecfcorridortaskforce.org/doc/meeting_1/EO%2013-319.pdf). (Last visited March 6, 2017.)

- Identifying future investment needs to maximize the use of and add capacity to existing east-west corridors between Orange, Osceola, and Brevard Counties;
- Conducting one or more evaluation studies of potential new east-west corridors between Orange, Osceola, and Brevard Counties; and
- Improving north-south connectivity in eastern Orange and Osceola Counties, which could connect to improved or new east-west corridors linking Orange and Osceola Counties to Brevard County.<sup>8</sup>

### Supporting Resolutions

On February 7, 2017, the Brevard County Board of County Commissioners approved a resolution supporting HB 299, which is identical to SB 720.<sup>9</sup> The Space Coast Transportation Planning Organization likewise passed a resolution supporting the inclusion of Brevard County as a member of the CFX on February 9, 2017.<sup>10</sup> The CFX Governing Board approved its supporting resolution on March 9, 2017.<sup>11</sup>

### III. Effect of Proposed Changes:

The bill incorporates Brevard County into the CFX as follows:

**Section 1** of the bill amends s. 348.753(3), F.S., increasing the number of members on the CFX governing board from nine to ten members. The chair of the Brevard County Commission is directed to appoint one member from Brevard County, who must also be a commission member or chair or the county mayor. The Governor's three citizen appointees must now be residents of either Orange County, Seminole County, Lake County, *or* Brevard County.

This section of the bill also amends s. 348.753(4), F.S., increasing from five to six the number of members constituting a quorum and the number of votes required for any action taken by the CFX governing body.

**Section 2** of the bill amends s. 348.754(1)(a) and (2)(n), F.S., respectively:

- Adding the geographical boundary of Brevard County to the area served by the CFX; and
- Adding Brevard County to the list of counties outside the jurisdictional boundaries of which the CFX may undertake the specified activities with the consent of the county within whose jurisdiction the activities occur to conform to changes made by the act.

**Section 3** of the bill provides the bill take effect on July 1, 2017.

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<sup>8</sup> See the Task Force Final Report available at: [http://ecfcorridortaskforce.org/doc/ECFCTF\\_FinalReport\\_signed.pdf](http://ecfcorridortaskforce.org/doc/ECFCTF_FinalReport_signed.pdf). (Last visited March 6, 2017.)

<sup>9</sup> Copy on file in the Senate Transportation Committee.

<sup>10</sup> Copy on file in the Senate Transportation Committee.

<sup>11</sup> Copy on file in the Senate Transportation Committee.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends the following sections of the Florida Statutes: 348.753 and 348.754.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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