SENATOR AMENDMENT

Bill No. CS for CS for SB 230

LEGISLATIVE ACTION

Senate

House

Floor: 3/AD/2R
03/20/2014 02:44 PM

Senator Simmons moved the following:

Senate Amendment (with title amendment)

Delete lines 1144 - 1330
and insert:
Plan. The authority’s expressway system shall be limited to the Poinciana Parkway, as it is described in the Osceola County Expressway Authority May 8, 2012, Master Plan, together with such changes, modifications, or revisions of the project that are deemed desirable and proper. The authority, however, may not extend the Poinciana Parkway beyond the project limits described in the Osceola County Expressway Authority May 8, 2012, Master Plan.
Plan. In implementing this act, the authority shall institute procedures to encourage the awarding of contracts for professional services and construction to certified minority business enterprises as defined in s. 288.703. The authority shall develop and implement activities to encourage the participation of certified minority business enterprises in the contracting process.

Section 19. Subsections (6) and (7) of section 369.317, Florida Statutes, are amended to read:

369.317 Wekiva Parkway.—
6 The Central Florida Orlando-Orange County Expressway Authority is hereby granted the authority to act as a third-party acquisition agent, pursuant to s. 259.041 on behalf of the Board of Trustees or chapter 373 on behalf of the governing board of the St. Johns River Water Management District, for the acquisition of all necessary lands, property and all interests in property identified herein, including fee simple or less-than-fee simple interests. The lands subject to this authority are identified in paragraph 10.a., State of Florida, Office of the Governor, Executive Order 03-112 of July 1, 2003, and in Recommendation 16 of the Wekiva Basin Area Task Force created by Executive Order 2002-259, such lands otherwise known as Neighborhood Lakes, a 1,587+-acre parcel located in Orange and Lake Counties within Sections 27, 28, 33, and 34 of Township 19 South, Range 28 East, and Sections 3, 4, 5, and 9 of Township 20 South, Range 28 East; Seminole Woods/Swamp, a 5,353+-acre parcel located in Lake County within Section 37, Township 19 South, Range 28 East; New Garden Coal; a 1,605+-acre parcel in Lake County within Sections 23, 25, 26, 35, and 36, Township 19
South, Range 28 East; Pine Plantation, a 617+/-acre tract
consisting of eight individual parcels within the Apopka City
limits. The Department of Transportation, the Department of
Environmental Protection, the St. Johns River Water Management
District, and other land acquisition entities shall participate
and cooperate in providing information and support to the third-
party acquisition agent. The land acquisition process authorized
by this paragraph shall begin no later than December 31, 2004.
Acquisition of the properties identified as Neighborhood Lakes,
Pine Plantation, and New Garden Coal, or approval as a
mitigation bank shall be concluded no later than December 31,
2010. Department of Transportation and Central Florida Orlando-
Orange County Expressway Authority funds expended to purchase an
interest in those lands identified in this subsection shall be
eligible as environmental mitigation for road construction
related impacts in the Wekiva Study Area. If any of the lands
identified in this subsection are used as environmental
mitigation for road-construction-related impacts incurred by the
Department of Transportation or Central Florida Orlando Orange
County Expressway Authority, or for other impacts incurred by
other entities, within the Wekiva Study Area or within the
Wekiva parkway alignment corridor, and if the mitigation offsets
these impacts, the St. Johns River Water Management District and
the Department of Environmental Protection shall consider the
activity regulated under part IV of chapter 373 to meet the
cumulative impact requirements of s. 373.414(8)(a).

(a) Acquisition of the land described in this section is
required to provide right-of-way for the Wekiva Parkway, a
limited access roadway linking State Road 429 to Interstate 4,
an essential component in meeting regional transportation needs to provide regional connectivity, improve safety, accommodate projected population and economic growth, and satisfy critical transportation requirements caused by increased traffic volume growth and travel demands.

(b) Acquisition of the lands described in this section is also required to protect the surface water and groundwater resources of Lake, Orange, and Seminole counties, otherwise known as the Wekiva Study Area, including recharge within the springshed that provides for the Wekiva River system. Protection of this area is crucial to the long term viability of the Wekiva River and springs and the central Florida region’s water supply. Acquisition of the lands described in this section is also necessary to alleviate pressure from growth and development affecting the surface and groundwater resources within the recharge area.

(c) Lands acquired pursuant to this section that are needed for transportation facilities for the Wekiva Parkway shall be determined not necessary for conservation purposes pursuant to ss. 253.034(6) and 373.089(5) and shall be transferred to or retained by the Central Florida Orlando-Orange County Expressway Authority or the Department of Transportation upon reimbursement of the full purchase price and acquisition costs.

(7) The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, Central Florida Orlando-Orange County Expressway Authority, and other land acquisition entities shall cooperate and establish funding responsibilities and partnerships by agreement to the extent funds are available to the various
entities. Properties acquired with Florida Forever funds shall be in accordance with s. 259.041 or chapter 373. The Central Florida Orlando-Orange County Expressway Authority shall acquire land in accordance with this section of law to the extent funds are available from the various funding partners, but shall not be required nor assumed to fund the land acquisition beyond the agreement and funding provided by the various land acquisition entities.

Section 20. Subsection (1) of section 369.324, Florida Statutes, is amended to read:

369.324 Wekiva River Basin Commission.—
(1) The Wekiva River Basin Commission is created to monitor and ensure the implementation of the recommendations of the Wekiva River Basin Coordinating Committee for the Wekiva Study Area. The East Central Florida Regional Planning Council shall provide staff support to the commission with funding assistance from the Department of Economic Opportunity. The commission shall be comprised of a total of 18 members appointed by the Governor, 9 of whom shall be voting members and 9 shall be ad hoc nonvoting members. The voting members shall include:

(a) One member of each of the Boards of County Commissioners for Lake, Orange, and Seminole Counties.
(b) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Lake County.
(c) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Orange County.
(d) One municipal elected official to serve as a
representative of the municipalities located within the Wekiva Study Area of Seminole County.

(e) One citizen representing an environmental or conservation organization, one citizen representing a local property owner, a land developer, or an agricultural entity, and one at-large citizen who shall serve as chair of the council.

(f) The ad hoc nonvoting members shall include one representative from each of the following entities:

2. Department of Economic Opportunity.
3. Department of Environmental Protection.
5. Department of Agriculture and Consumer Services.
7. Department of Transportation.
8. MetroPlan Orlando.
9. Central Florida Orlando-Orange County Expressway Authority.
10. Seminole County Expressway Authority.

Section 21. (1) While the governing body of the authority, upon the effective date of this act, has one or more members from Osceola County as provided in s. 348.753(3), Florida Statutes, and the authority has the purposes and powers described in s. 348.754, Florida Statutes, regarding Osceola County, the Osceola County Expressway Authority shall continue for the duration permitted in this section solely for the purpose of planning and construction of the Poinciana Parkway, which facility is owned by Osceola County and leased to the Osceola County Expressway Authority, as provided and permitted
in this subsection. Upon the earlier of December 31, 2016, or
the completion of construction of the Poinciana Parkway, a
limited access facility of approximately 9 miles in length in
Osceola County with its northwestern terminus at the
intersection of County Road 54 and US 17/US 92 and its
southeastern terminus at the current intersection of
Rhododendron and Cypress Parkway, described in the Osceola
County Expressway Authority May 8, 2012, Master Plan, all
powers, governance, and control of the Osceola County Expressway
System, created pursuant to part V, chapter 348, Florida
Statutes, are transferred to the Central Florida Expressway
Authority, and the assets; liabilities; facilities; tangible and
intangible property, and any rights in such property; any rights
in or benefits of contract; and any other legal rights and
obligations of the Osceola County Expressway Authority are
transferred to the Central Florida Expressway Authority. Part V
of chapter 348, Florida Statutes, consisting of ss. 348.9950–
348.9961, is repealed on the same date that the Osceola County
Expressway System is transferred to the Central Florida
Expressway Authority.

(2) The Central Florida Expressway Authority shall comply
with any and all obligations of any other governmental entities
incurred on behalf of the Osceola County Expressway System,
excluding any obligations of Osceola County with respect to
acquisition, development, construction, operations, and
maintenance of the Poinciana Parkway, and excluding any payment
or other obligations of Osceola County under any bonds issued or
other debt originally incurred by Osceola County or the Osceola
County Expressway Authority for the purpose of financing the
planning or construction of the Poinciana Parkway, which shall remain the obligations of Osceola County. Payment obligations transferred to the Central Florida Expressway Authority shall be made from revenues available for such purpose after payment of all amounts required:

And the title is amended as follows:

Delete line 83
and insert:
 System; excluding certain obligations and payments of Osceola County regarding the Poinciana Parkway; providing for reimbursement after payment of