

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 1415

West Orange Airport Authority, Orange County

SPONSOR(S): Nelson

TIED BILLS:

IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Urban & Local Affairs</u>	<u>8 Y, 0 N</u>	<u>Kruse</u>	<u>Kruse</u>
2) <u>Government Efficiency & Accountability Council</u>	<u></u>	<u></u>	<u></u>
3) <u></u>	<u></u>	<u></u>	<u></u>
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5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

This bill moves the West Orange Airport Authority to an area of north-west Orange County.

The bill is effective upon becoming a law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Current Situation

The West Orange Airport Authority was created as an Independent Special District in ch. 99-482, L.O.F. The Authority is currently located in the Horizon's West community in Orange County. The authority was established for the development and maintenance of an airport for the area and the territory included within the district, including industry, commerce, and business necessary and incidental thereto. The governing board of the authority is composed of nine members, each of whom must be a resident and elector of the state. The authority members are appointed as follows: three (3) by the Board of County Commissioners of Orange County, one (1) by the City of Apopka, one (1) by the City of Ocoee, one (1) by the City of Winter Garden, and three (3) by the Governor. Section 12 of ch. 99-482, L.O.F., lists the powers and limitations of the authority. For example, the authority, in the acquisition, financing, and operation of airports and air navigation facilities, may exercise the authority and powers, except taxation as provided in s. 332.07, F.S., provided for cities, counties, villages, or towns of Florida by ch. 332, F.S. However, the authority is not empowered or authorized in any manner to create a debt against the state, county, or any or all of the cities, and may not pledge the faith and credit of the state, county, or any of the cities.

Effect of Proposed Changes

The bill moves the West Orange Airport Authority from the Horizon's West community in Orange County to an area of north-west Orange County, near Zellwood. The Authority is finalizing its plans to utilize two existing airports through agreements with the existing owners of those airports. Evidently, this is a more suitable location to all parties and staff has been informed that the local governments involved are in agreement with the move.

C. SECTION DIRECTORY:

Section 1: Amends section 3 of section 1 of ch. 99-482, L.O.F., to change the legal description of the bill and move the authority to a new location.

Section 2: Provides that the bill is effective upon becoming a law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 12, 2007

WHERE? The Apopka Chief, a newspaper published weekly in Apopka, and The West Orange Times, a newspaper published weekly in Winter Garden.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The legal description is vague. A more specific legal description was suggested and staff has received a much more specific legal description as an amendment to the bill.

D. STATEMENT OF THE SPONSOR

The West Orange Aviation Authority was created by the legislature in 1999 to construct and oversee an airport in West Orange County. The existing territory in the law comprises Lots 1-40 of Shell Pond Estates, which is within the Horizon West town center area in West Orange County. This is an area of planned high residential concentrated areas. Several Orange County commissioners requested that other locations be investigated. WOAA has negotiated a deal to accept the donation of two already existing private airports located in NW Orange County instead of building an expensive airport from scratch. WOAA will then convert the airports to public use. Thus, the WOAA enabling legislation needs to be revised to simply move the WOAA territory from the Horizon West area to NW Orange County where these two donated airports are situated.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On March 21, 2007, the Committee on Urban Affairs adopted one amendment which provided a more detailed legal description of the location where the West Orange Airport Authority plans to be located.