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1 A bill to be entitled
2 An act relating to education capital outlay; amending
3 s. 1001.706, F.S.; deleting the requirement that the
4 Board of Governors prepare a campus development
5 agreement; amending s. 1009.24, F.S.; increasing the
6 cap on the university Capital Improvement Trust Fund
7 fee; revising the amount of the technology fee and
8 allowing the fee to be used for technology-related
9 facilities; amending s. 1010.62, F.S.; adding public-
10 private partnership agreements to the definition of
11 university debt; allowing the technology fee and sales
12 and services of education departments to be used to
13 secure revenue bonds; increasing the cap on the amount
14 of athletic fees that may be used to secure revenue
15 bonds; allowing revenues from royalties and licensing
16 and auxiliary enterprise revenues to be used to secure
17 debt for academic, educational, and research
18 facilities that are part of a multipurpose project;
19 allowing academic and educational facilities to be
20 bonded without legislative approval of the specific
21 project; amending s. 1013.30, F.S.; deleting
22 university campus development agreements and
23 requirements thereof; requiring a university campus
24 master plan to identify the level-of-service standard
25 established by the local government and the entity
26 that will provide the service to the campus; deleting
27 a requirement relating to verification of campus
28 master plan regulations; amending s. 1013.33, F.S.;

29 conforming provisions; amending s. 1013.64, F.S.;
 30 increasing the cap on certain appropriated funds a
 31 university board of trustees may utilize for minor
 32 projects; amending s. 1013.74, F.S.; increasing the
 33 cap on funds a university may use from nonstate
 34 revenue sources to construct new facilities or remodel
 35 existing facilities; providing an effective date.
 36

37 Be It Enacted by the Legislature of the State of Florida:
 38

39 Section 1. Paragraphs (g) and (h) of subsection (7) of
 40 section 1001.706, Florida Statutes, are amended to read:

41 1001.706 Powers and duties of the Board of Governors.—

42 (7) POWERS AND DUTIES RELATING TO PROPERTY.—

43 ~~(g) The Board of Governors, or the board's designee, shall~~
 44 ~~prepare, adopt, and execute a campus development agreement~~
 45 ~~pursuant to s. 1013.30.~~

46 (g) ~~(h)~~ Notwithstanding the provisions of s. 216.351, the
 47 Board of Governors, or the board's designee, may authorize the
 48 rent or lease of parking facilities provided that such
 49 facilities are funded through parking fees or parking fines
 50 imposed by a university. The Board of Governors, or the board's
 51 designee, may authorize a university board of trustees to charge
 52 fees for parking at such rented or leased parking facilities.

53 Section 2. Paragraph (c) of subsection (8) and subsection
 54 (13) of section 1009.24, Florida Statutes, are amended to read:

55 1009.24 State university student fees.—

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57 (c) The fee may not exceed 20 ~~10~~ percent of the sum of
58 tuition and the tuition differential for resident students or 20
59 ~~10~~ percent of the sum of tuition, the tuition differential, and
60 out-of-state fees for nonresident students. The fee for resident
61 students shall be limited to an increase of \$3 ~~\$2~~ per credit
62 hour over the prior year. The Capital Improvement Trust Fund fee
63 may be used to fund any project or real property acquisition
64 that meets the requirements of chapter 1013. The Division of
65 Bond Finance of the State Board of Administration shall analyze
66 any proposed reductions to the Capital Improvement Trust Fund
67 fee to ensure consistency with prudent financial management of
68 the bond program associated with the revenues from the fee. The
69 Board of Governors shall approve any proposed fee reductions
70 provided that no such reduction reduces the fee below the level
71 established in paragraph (a).

72 (13) Each university board of trustees may establish a
73 technology fee of up to 5 percent of the sum of tuition and the
74 tuition differential per credit hour. The revenue from this fee
75 shall be used to enhance instructional technology resources and
76 related facilities for students and faculty. The technology fee
77 may not be included in any award under the Florida Bright
78 Futures Scholarship Program established pursuant to ss. 1009.53-
79 1009.538.

80 Section 3. Paragraph (c) of subsection (1), paragraph (a)
81 of subsection (2), paragraph (a) of subsection (3), and
82 paragraph (a) of subsection (7) of section 1010.62, Florida
83 Statutes, are amended to read:

84 1010.62 Revenue bonds and debt.—

85 (1) As used in this section, the term:

86 (c) "Debt" means bonds, except revenue bonds as defined in
 87 paragraph (e), loans, promissory notes, lease-purchase
 88 agreements, certificates of participation, installment sales,
 89 leases, public-private partnership agreements, or any other
 90 financing mechanism or financial arrangement, whether or not a
 91 debt for legal purposes, for financing or refinancing for or on
 92 behalf of a state university or a direct-support organization or
 93 for the acquisition, construction, improvement, or purchase of
 94 capital outlay projects.

95 (2) (a) The Board of Governors may request the issuance of
 96 revenue bonds pursuant to the State Bond Act and s. 11(d), Art.
 97 VII of the State Constitution to finance or refinance capital
 98 outlay projects permitted by law. Revenue bonds may be secured
 99 by or payable only from those revenues authorized for such
 100 purpose, including the Capital Improvement Trust Fund fee, ~~the~~
 101 ~~building fee~~, the health fee, the transportation access fee,
 102 hospital revenues, or those revenues derived from or received in
 103 relation to sales and services of auxiliary enterprises or
 104 component units of the university, including, but not limited
 105 to, housing, transportation, health care, research or research-
 106 related activities, food service, retail sales, athletic
 107 activities, or other similar services, other revenues
 108 attributable to the projects to be financed or refinanced, any
 109 other revenue approved by the Legislature for facilities
 110 construction or for securing revenue bonds issued pursuant to s.
 111 11(d), Art. VII of the State Constitution, or any other revenues
 112 permitted by law. Revenues from the activity and service fee ~~and~~

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113 | ~~the athletic fee~~ may be used to pay and secure revenue bonds
114 | except that the maximum annual debt service shall not exceed an
115 | amount equal to 5 percent of the fees collected during the most
116 | recent 12 consecutive months for which collection information is
117 | available before ~~prior to~~ the sale of the bonds. Revenues from
118 | the athletic fee, sales and services of educational departments,
119 | and the technology fee may be used to pay and secure revenue
120 | bonds except that the maximum annual debt service shall not
121 | exceed an amount equal to 75 percent of the pledged fees or
122 | revenue collected during the most recent 12 consecutive months
123 | for which collection information is available before the sale of
124 | the bonds. The assets of a university foundation and the
125 | earnings thereon may also be used to pay and secure revenue
126 | bonds of the university or its direct-support organizations.
127 | Revenues from royalties and licensing fees may also be used to
128 | pay and secure revenue bonds so long as either the facilities
129 | being financed are functionally related to the university
130 | operation or direct-support organization reporting such
131 | royalties and licensing fees or such revenues are used to secure
132 | revenue bonds issued to finance academic, educational, or
133 | research facilities that are part of a multipurpose capital
134 | outlay project. Revenue bonds may not be secured by or be
135 | payable from, directly or indirectly, tuition, the financial aid
136 | ~~fee, sales and services of educational departments,~~ revenues
137 | from grants and contracts, except for money received for
138 | overhead and indirect costs and other moneys not required for
139 | the payment of direct costs, or any other operating revenues of
140 | a state university. Revenues from one auxiliary enterprise may

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141 ~~not~~ be used to secure revenue bonds of another only if unless
142 the Board of Governors, after review and analysis, determines
143 that either the facilities being financed are functionally
144 related to the auxiliary enterprise revenues being used to
145 secure such revenue bonds or such revenues are used to secure
146 revenue bonds issued to finance academic, educational, or
147 research facilities that are part of a multipurpose capital
148 outlay project.

149 (3) (a) A state university or direct-support organization
150 may not issue debt without the approval of the Board of
151 Governors. The Board of Governors may approve the issuance of
152 debt by a state university or a direct-support organization only
153 when such debt is used to finance or refinance capital outlay
154 projects. The debt may be secured by or payable only from those
155 revenues authorized for such purpose, including the health fee,
156 the transportation access fee, hospital revenues, or those
157 revenues derived from or received in relation to sales and
158 services of auxiliary enterprises or component units of the
159 university, including, but not limited to, housing,
160 transportation, health care, research or research-related
161 activities, food service, retail sales, athletic activities, or
162 other similar services. Revenues derived from the activity and
163 service fee ~~and the athletic fee~~ may be used to pay and secure
164 debt except that the maximum annual debt service shall not
165 exceed an amount equal to 5 percent of the fees collected during
166 the most recent 12 consecutive months for which collection
167 information is available before ~~prior to~~ incurring the debt.
168 Revenues from the athletic fee, the sales and services of

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169 educational departments, and the technology fee may be used to
170 pay and secure debt except that the maximum annual debt service
171 shall not exceed an amount equal to 75 percent of the pledged
172 fees or revenues collected during the most recent 12 consecutive
173 months for which collection information is available before
174 incurring the debt. The assets of university foundations and the
175 earnings thereon may be used to pay and secure debt of the
176 university or its direct-support organizations. Gifts and
177 donations or pledges of gifts may also be used to secure debt so
178 long as the maturity of the debt, including extensions,
179 renewals, and refundings, does not exceed 5 years. Revenues from
180 royalties and licensing fees may also be used to secure debt so
181 long as either the facilities being financed are functionally
182 related to the university operation or direct-support
183 organization reporting such royalties and licensing fees or such
184 revenues are used to secure debt issued to finance academic,
185 educational, or research facilities that are part of a
186 multipurpose capital outlay project. The debt may not be secured
187 by or be payable from, directly or indirectly, tuition, the
188 financial aid fee, ~~sales and services of educational~~
189 ~~departments,~~ revenues from grants and contracts, except for
190 money received for overhead and indirect costs and other moneys
191 not required for the payment of direct costs of grants, or any
192 other operating revenues of a state university. The debt of
193 direct-support organizations may not be secured by or be payable
194 under an agreement or contract with a state university unless
195 the source of payments under such agreement or contract is
196 limited to revenues that universities are authorized to use for

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197 payment of debt service. Revenues from one auxiliary enterprise
198 may ~~not~~ be used to secure debt of another only if unless the
199 Board of Governors, after review and analysis, determines that
200 either the facilities being financed are functionally related to
201 the auxiliary enterprise revenues being used to secure such debt
202 or such revenues are used to secure debt issued to finance
203 academic, educational, or research facilities that are part of a
204 multipurpose capital outlay project. Debt may not be approved to
205 finance or refinance operating expenses of a state university or
206 a direct-support organization. The maturity of debt used to
207 finance or refinance the acquisition of equipment or software,
208 including any extensions, renewals, or refundings thereof, shall
209 be limited to 5 years or the estimated useful life of the
210 equipment or software, whichever is shorter. The Board of
211 Governors may establish conditions and limitations on such debt
212 as it determines to be advisable.

213 (7) (a) As required pursuant to s. 11(d), Art. VII of the
214 State Constitution and subsection (6), the Legislature approves
215 capital outlay projects meeting the following requirements:

216 1. The project is located on a campus of a state
217 university or on land leased to the university or is used for
218 activities relating to the state university;

219 2. The project is included in the master plan of the state
220 university or is for facilities that are not required to be in a
221 university's master plan;

222 3. The project is approved by the Board of Governors as
223 being consistent with the strategic plan of the state university
224 and the programs offered by the state university; and

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225 4. The project is for purposes relating to the housing,
226 transportation, health care, research or research-related
227 activities, food service, retail sales, ~~or~~ student activities,
228 or academic or educational activities that are part of a
229 multipurpose capital outlay project of the state university.

230 Section 4. Section 1013.30, Florida Statutes, is amended
231 to read:

232 1013.30 University campus master plans ~~and campus~~
233 ~~development agreements.~~

234 (1) This section contains provisions for campus planning
235 and concurrency management that supersede the requirements of
236 part II of chapter 163, except when stated otherwise in this
237 section. These special growth management provisions are adopted
238 in recognition of the unique relationship between university
239 campuses and the local governments in which they are located.
240 While the campuses provide research and educational benefits of
241 statewide and national importance, and further provide
242 substantial educational, economic, and cultural benefits to
243 their host local governments, they may also have an adverse
244 impact on the public facilities and services and natural
245 resources of host governments. On balance, however, universities
246 should be considered as vital public facilities of the state and
247 local governments. The intent of this section is to address this
248 unique relationship by providing for the preparation of campus
249 master plans ~~and associated campus development agreements.~~

250 (2) As used in this section:

251 (a) "Affected local government" means a unit of local
252 government that provides public services to or is responsible

253 | for maintaining facilities within a campus of an institution or
 254 | is directly affected by development that is proposed for a
 255 | campus.

256 | (b) "Affected person" means a host local government; an
 257 | affected local government; any state, regional, or federal
 258 | agency; or a person who resides, owns property, or owns or
 259 | operates a business within the boundaries of a host local
 260 | government or affected local government. In order to qualify
 261 | under this definition, each person, other than a host or
 262 | affected local government, must have submitted oral or written
 263 | comments, recommendations, or objections to the university
 264 | during the period of time beginning with the advertisement of
 265 | the first public hearing under subsection (6) and ending with
 266 | the adoption of the campus master plan or plan amendment. If the
 267 | plan or plan amendment is amended at the adoption hearing, the
 268 | time period shall be extended by 7 calendar days. However, any
 269 | comments, recommendations, or objections filed during the
 270 | extension must be limited to those amendments adopted at the
 271 | adoption hearing.

272 | (c) "Host local government" means a local government
 273 | within the jurisdiction of which all or part of a campus of an
 274 | institution is located, but does not include a county if no part
 275 | of an institution is located within its unincorporated area.

276 | (d) "Institution" means a university.

277 | (e) "Division" means the Division of Administrative
 278 | Hearings.

279 | (3) Each university board of trustees shall prepare and
 280 | adopt a campus master plan for the university and maintain a

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281 | copy of the plan on the university's website. The master plan
282 | must identify general land uses and address the need for and
283 | plans for provision of roads, parking, public transportation,
284 | solid waste, drainage, sewer, potable water, and recreation and
285 | open space during the coming 10 to 20 years. The plans must
286 | contain elements relating to future land use, intergovernmental
287 | coordination, capital improvements, recreation and open space,
288 | general infrastructure, housing, and conservation. Each element
289 | must address compatibility with the surrounding community. The
290 | master plan must identify specific land uses, general location
291 | of structures, densities and intensities of use, and contain
292 | standards for onsite development, site design, environmental
293 | management, and the preservation of historic and archaeological
294 | resources. The transportation element must address reasonable
295 | transportation demand management techniques to minimize offsite
296 | impacts where possible. Data and analyses on which the elements
297 | are based must include, at a minimum: the characteristics of
298 | vacant lands; projected impacts of development on onsite and
299 | offsite infrastructure, public services, and natural resources;
300 | student enrollment projections; student housing needs; and the
301 | need for academic and support facilities. For each of the
302 | facilities and services listed in the campus master plan, the
303 | level-of-service standard established by the applicable local
304 | government and the entity that will provide the service to the
305 | campus shall be identified. Master plans must be updated at
306 | least every 5 years.

307 | (4) Campus master plans may contain additional elements at
308 | the discretion of the Board of Governors; however, such elements

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309 are not subject to review under this section. These additional
310 elements may include the academic mission of the institution,
311 academic program, utilities, public safety, architectural
312 design, landscape architectural design, and facilities
313 maintenance.

314 (5) Subject to the right of the university board of
315 trustees to initiate the dispute resolution provisions of
316 subsection (8), a campus master plan must not be in conflict
317 with the comprehensive plan of the host local government and the
318 comprehensive plan of any affected local governments. A campus
319 master plan must be consistent with the state comprehensive
320 plan.

321 (6) Before a campus master plan is adopted, a copy of the
322 draft master plan must be sent for review or made available
323 electronically to the host and any affected local governments,
324 the state land planning agency, the Board of Governors, the
325 Department of Environmental Protection, the Department of
326 Transportation, the Department of State, the Fish and Wildlife
327 Conservation Commission, and the applicable water management
328 district and regional planning council. At the request of a
329 governmental entity, a hard copy of the draft master plan shall
330 be submitted within 7 business days of an electronic copy being
331 made available. These agencies must be given 90 days after
332 receipt of the campus master plans in which to conduct their
333 review and provide comments to the university board of trustees.
334 The commencement of this review period must be advertised in
335 newspapers of general circulation within the host local
336 government and any affected local government to allow for public

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337 comment. Following receipt and consideration of all comments and
338 the holding of an informal information session and at least two
339 public hearings within the host jurisdiction, the university
340 board of trustees shall adopt the campus master plan. It is the
341 intent of the Legislature that the university board of trustees
342 comply with the notice requirements set forth in s. 163.3184(11)
343 to ensure full public participation in this planning process.
344 The informal public information session must be held before the
345 first public hearing. The first public hearing shall be held
346 before the draft master plan is sent to the agencies specified
347 in this subsection. The second public hearing shall be held in
348 conjunction with the adoption of the draft master plan by the
349 university board of trustees. Campus master plans developed
350 under this section are not rules and are not subject to chapter
351 120 except as otherwise provided in this section.

352 (7) Notice that the campus master plan has been adopted
353 must be forwarded within 45 days after its adoption to any
354 affected person that submitted comments on the draft campus
355 master plan. The notice must state how and where a copy of the
356 master plan may be obtained or inspected. Within 30 days after
357 receipt of the notice of adoption of the campus master plan, or
358 30 days after the date the adopted plan is available for review,
359 whichever is later, an affected person who submitted comments on
360 the draft master plan may petition the university board of
361 trustees, challenging the campus master plan as not being in
362 compliance with this section or any rule adopted under this
363 section. The petition must state each objection, identify its
364 source, and provide a recommended action. A petition filed by an

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365 affected local government may raise only those issues directly
366 pertaining to the public facilities or services that the
367 affected local government provides to or maintains within the
368 campus or to the direct impact that campus development would
369 have on the affected local government. A petition filed by an
370 affected person must include those items required by the uniform
371 rules adopted under s. 120.54(5). Any affected person who files
372 a petition under this subsection may challenge only those
373 provisions in the plan that were raised by that person's oral or
374 written comments, recommendations, or objections presented to
375 the university board of trustees, as required by paragraph
376 (2)(b). ~~The university may, during the pendency of a challenge,~~
377 ~~negotiate a campus development agreement as provided in~~
378 ~~subsection (11).~~

379 (8) Following receipt of a petition challenging a campus
380 master plan or plan amendment, the university board of trustees
381 must submit the petition to the Division of Administrative
382 Hearings of the Department of Management Services for assignment
383 to an administrative law judge under ss. 120.569 and 120.57.

384 (a) If a party to the proceeding requests mediation, the
385 parties have no more than 30 days to resolve any issue in
386 dispute. The costs of the mediation must be borne equally by all
387 of the parties to the proceeding.

388 (b) If the matter is not resolved within 30 days, the
389 administrative law judge shall proceed with a hearing under ss.
390 120.569 and 120.57. The hearing shall be held in the county
391 where the campus of the university subject to the amendment is
392 located. Within 60 days after receiving the petition, the

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393 administrative law judge must, consistent with the applicable
394 requirements and procedures of the Administrative Procedure Act,
395 hold a hearing, identify the issues remaining in dispute,
396 prepare a record of the proceedings, and submit a recommended
397 order to the state land planning agency for final action.
398 Parties to the proceeding may submit written exceptions to the
399 recommended order within 10 days after the recommended order is
400 issued. The state land planning agency must issue its final
401 order no later than 60 days after receiving the recommended
402 order.

403 (c) The final order of the state land planning agency is
404 subject to judicial review as provided in s. 120.68.

405 (d) The signature of an attorney or party constitutes a
406 certificate that he or she has read the pleading, motion, or
407 other paper and that, to the best of his or her knowledge,
408 information, and belief formed after reasonable inquiry, it is
409 not interposed for any improper purpose, such as to harass or to
410 cause unnecessary delay, or for economic advantage, competitive
411 reasons, frivolous purposes, or needless increase in the cost of
412 litigation. If a pleading, motion, or other paper is signed in
413 violation of these requirements, the division, upon motion or
414 its own initiative, shall impose upon either the person who
415 signed it or a represented party, or both, an appropriate
416 sanction, which may include an order to pay to the other party
417 or parties the amount of reasonable expenses incurred because of
418 the filing of the pleading, motion, or other paper, including
419 reasonable attorney's fees.

420 (9) An amendment to a campus master plan must be reviewed

421 and adopted under subsections (6)-(8) if such amendment, alone
 422 or in conjunction with other amendments, would:

423 (a) Increase density or intensity of use of land on the
 424 campus by more than 10 percent;

425 (b) Decrease the amount of natural areas, open space, or
 426 buffers on the campus by more than 10 percent; or

427 (c) Rearrange land uses in a manner that will increase the
 428 impact of any proposed campus development by more than 10
 429 percent on a road or on another public facility or service
 430 provided or maintained by the state, the county, the host local
 431 government, or any affected local government.

432 (10) Upon adoption of a campus master plan, all campus
 433 development may proceed without further review by the host local
 434 government if it is consistent with the adopted ~~the university~~
 435 ~~board of trustees shall draft a proposed campus development~~
 436 ~~agreement for each local government and send it to the local~~
 437 ~~government within 270 days after the adoption of the relevant~~
 438 ~~campus master plan.~~

439 ~~(11) At a minimum, each campus development agreement:~~

440 ~~(a) Must identify the geographic area of the campus and~~
 441 ~~local government covered by the campus development agreement.~~

442 ~~(b) Must establish its duration, which must be at least 5~~
 443 ~~years and not more than 10 years.~~

444 ~~(c) Must address public facilities and services including~~
 445 ~~roads, sanitary sewer, solid waste, drainage, potable water,~~
 446 ~~parks and recreation, and public transportation.~~

447 ~~(d) Must, for each of the facilities and services listed~~
 448 ~~in paragraph (c), identify the level of service standard~~

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449 | ~~established by the applicable local government, identify the~~
450 | ~~entity that will provide the service to the campus, and describe~~
451 | ~~any financial arrangements between the Board of Governors and~~
452 | ~~other entities relating to the provision of the facility or~~
453 | ~~service.~~

454 | ~~(e) Must, for each of the facilities and services listed~~
455 | ~~in paragraph (c), determine the impact of existing and proposed~~
456 | ~~campus development reasonably expected over the term of the~~
457 | ~~campus development agreement on each service or facility and any~~
458 | ~~deficiencies in such service or facility which the proposed~~
459 | ~~campus development will create or to which it will contribute.~~

460 | ~~(f) May, if proposed by the university board of trustees,~~
461 | ~~address the issues prescribed in paragraphs (d) and (e) with~~
462 | ~~regard to additional facilities and services, including, but not~~
463 | ~~limited to, electricity, nonpotable water, law enforcement, fire~~
464 | ~~and emergency rescue, gas, and telephone.~~

465 | ~~(g) Must, to the extent it addresses issues addressed in~~
466 | ~~the campus master plan and host local government comprehensive~~
467 | ~~plan, be consistent with the adopted campus master plan and host~~
468 | ~~local government comprehensive plan.~~

469 | ~~(12) (a) Each proposed campus development agreement must~~
470 | ~~clearly identify the lands to which the university board of~~
471 | ~~trustees intends the campus development agreement to apply.~~

472 | ~~(b) Such land may include:~~

473 | ~~1. Land to be purchased by the university board of~~
474 | ~~trustees and if purchased with state appropriated funds titled~~
475 | ~~in the name of the board of trustees of the Internal Improvement~~
476 | ~~Trust Fund for use by an institution over the life of the campus~~

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477 ~~development agreement.~~

478 ~~2. Land not owned by the board of trustees of the Internal~~
479 ~~Improvement Trust Fund if the university board of trustees~~
480 ~~intends to undertake development activities on the land during~~
481 ~~the term of the campus development agreement.~~

482 ~~(c) Land owned by the Board of Trustees of the Internal~~
483 ~~Improvement Trust Fund for lease to the Board of Governors~~
484 ~~acting on behalf of the institution may be excluded, but any~~
485 ~~development activity undertaken on excluded land is subject to~~
486 ~~part II of chapter 163.~~

487 ~~(13) With regard to the impact of campus development on~~
488 ~~the facilities and services listed in paragraph (11)(c), the~~
489 ~~following applies:~~

490 ~~(a) All improvements to facilities or services which are~~
491 ~~necessary to eliminate the deficiencies identified in paragraph~~
492 ~~(11)(c) must be specifically listed in the campus development~~
493 ~~agreement.~~

494 ~~(b) The university board of trustees' fair share of the~~
495 ~~cost of the measures identified in paragraph (a) must be stated~~
496 ~~in the campus development agreement. In determining the fair~~
497 ~~share, the effect of any demand management techniques, which may~~
498 ~~include such techniques as flexible work hours and carpooling,~~
499 ~~that are used by the Board of Governors to minimize the offsite~~
500 ~~impacts shall be considered.~~

501 ~~(c) The university board of trustees is responsible for~~
502 ~~paying the fair share identified in paragraph (b), and it may do~~
503 ~~so by:~~

504 ~~1. Paying a fair share of each of the improvements~~

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505 ~~identified in paragraph (a); or~~

506 ~~2. Taking on full responsibility for the improvements,~~
507 ~~selected from the list of improvements identified in paragraph~~
508 ~~(a), and agreed to between the host local government and the~~
509 ~~Board of Governors, the total cost of which equals the~~
510 ~~contribution identified in paragraph (b).~~

511 ~~(d) All concurrency management responsibilities of the~~
512 ~~university board of trustees are fulfilled if the university~~
513 ~~board of trustees expends the total amount of funds identified~~
514 ~~in paragraph (b) notwithstanding that the university board of~~
515 ~~trustees may not have undertaken or made contributions to some~~
516 ~~of the measures identified in paragraph (a).~~

517 ~~(e) Capital projects included in the campus development~~
518 ~~agreement may be used by the local government for the~~
519 ~~concurrency management purposes.~~

520 ~~(f) Funds provided by universities in accordance with~~
521 ~~campus development agreements are subject to appropriation by~~
522 ~~the Legislature. A development authorized by a campus~~
523 ~~development agreement may not be built until the funds to be~~
524 ~~provided pursuant to paragraph (b) are appropriated by the~~
525 ~~Legislature.~~

526 ~~(14) A campus development agreement may not address or~~
527 ~~include any standards or requirements for onsite development,~~
528 ~~including environmental management requirements or requirements~~
529 ~~for site preparation.~~

530 ~~(15) Once the university board of trustees and host local~~
531 ~~government agree on the provisions of the campus development~~
532 ~~agreement, the campus development agreement shall be executed by~~

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533 ~~the university board of trustees and the host local government~~
534 ~~in a manner consistent with the requirements of s. 163.3225.~~
535 ~~Once the campus development agreement is executed, it is binding~~
536 ~~upon the university board of trustees and host local government.~~
537 ~~A copy of the executed campus development agreement must be sent~~
538 ~~to the state land planning agency within 14 days after the date~~
539 ~~of execution.~~

540 ~~(16) If, within 180 days following the host local~~
541 ~~government's receipt of the proposed campus development~~
542 ~~agreement, the university board of trustees and host local~~
543 ~~government cannot reach agreement on the provisions of the~~
544 ~~campus development agreement, the following procedures for~~
545 ~~resolving the matter must be followed:~~

546 ~~(a) The matter must be submitted to the state land~~
547 ~~planning agency, which has 60 days to hold informal hearings, if~~
548 ~~necessary.~~

549 ~~(b) In deciding upon a proper resolution, the state land~~
550 ~~planning agency shall consider the nature of the issues in~~
551 ~~dispute, the compliance of the parties with this section, the~~
552 ~~extent of the conflict between the parties, the comparative~~
553 ~~hardships, and the public interest involved. In resolving the~~
554 ~~matter, the state land planning agency may prescribe, by order,~~
555 ~~the contents of the campus development agreement.~~

556 ~~(17) Disputes that arise in the implementation of an~~
557 ~~executed campus development agreement must be resolved as~~
558 ~~follows:~~

559 ~~(a) Each party shall select one mediator and notify the~~
560 ~~other in writing of the selection. Thereafter, within 15 days~~

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561 ~~after their selection, the two mediators selected by the parties~~
562 ~~shall select a neutral, third mediator to complete the mediation~~
563 ~~panel.~~

564 ~~(b) Each party is responsible for all costs and fees~~
565 ~~payable to the mediator selected by it and shall equally bear~~
566 ~~responsibility for the costs and fees payable to the third~~
567 ~~mediator for services rendered and costs expended in connection~~
568 ~~with resolving disputes pursuant to the campus development~~
569 ~~agreement.~~

570 ~~(c) Within 10 days after the selection of the mediation~~
571 ~~panel, proceedings must be convened by the panel to resolve the~~
572 ~~issues in dispute.~~

573 ~~(d) Within 60 days after the convening of the panel, the~~
574 ~~panel shall issue a report containing a recommended resolution~~
575 ~~of the issues in dispute.~~

576 ~~(e) If either the university board of trustees or local~~
577 ~~government rejects the recommended resolution of the issues in~~
578 ~~dispute, the disputed issues must be resolved pursuant to the~~
579 ~~procedures provided by subsection (16).~~

580 ~~(18) Once the campus development agreement is executed,~~
581 ~~all campus development may proceed without further review by the~~
582 ~~host local government if it is consistent with the adopted~~
583 ~~campus master plan and associated campus development agreement.~~

584 ~~(19) A campus development agreement may be amended under~~
585 ~~subsections (10)-(16):~~

586 ~~(a) In conjunction with any amendment to the campus master~~
587 ~~plan subject to the requirements in subsection (9).~~

588 ~~(b) If either party delays by more than 12 months the~~

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589 ~~construction of a capital improvement identified in the~~
590 ~~agreement.~~

591 ~~(20) Any party to a campus development agreement or~~
592 ~~aggrieved or adversely affected person, as defined in s.~~
593 ~~163.3215(2), may file an action for injunctive relief in the~~
594 ~~circuit court where the host local government is located to~~
595 ~~enforce the terms of a campus development agreement or to~~
596 ~~challenge compliance of the agreement with this section. This~~
597 ~~action shall be the sole and exclusive remedy of an adversely~~
598 ~~affected person other than a party to the agreement to enforce~~
599 ~~any rights or obligations arising from a development agreement.~~

600 (11)~~(21)~~ State and regional environmental program
601 requirements remain applicable, except that this section
602 supersedes all other sections of part II of chapter 163 and s.
603 380.06 except as provided in this section.

604 (12)~~(22)~~ In consultation with the state land planning
605 agency, the Board of Governors shall adopt a single, uniform set
606 of regulations to administer subsections (3)-(6). The
607 regulations must set specific schedules and procedures for the
608 development and adoption of campus master plans. ~~Before adopting~~
609 ~~the regulations, the Board of Governors must obtain written~~
610 ~~verification from the state land planning agency that the~~
611 ~~regulations satisfy the minimum statutory criteria required by~~
612 ~~subsections (3)-(6). The state land planning agency shall~~
613 ~~provide the verification within 45 days after receiving a copy~~
614 ~~of the regulations.~~

615 (13)~~(23)~~ Until the campus master plan and campus
616 development agreement for an institution is ~~have been~~ finalized,

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617 any dispute between the university board of trustees and a local
 618 government relating to campus development for that institution
 619 shall be resolved by the process established in subsection (8).

620 Section 5. Subsection (6) of section 1013.33, Florida
 621 Statutes, is amended to read:

622 1013.33 Coordination of planning with local governing
 623 bodies.—

624 (6) As early in the design phase as feasible and
 625 consistent with an interlocal agreement entered pursuant to s.
 626 163.31777, but no later than 90 days before commencing
 627 construction, the district school board shall in writing request
 628 a determination of consistency with the local government's
 629 comprehensive plan. The local governing body that regulates the
 630 use of land shall determine, in writing within 45 days after
 631 receiving the necessary information and a school board's request
 632 for a determination, whether a proposed educational facility is
 633 consistent with the local comprehensive plan and consistent with
 634 local land development regulations. If the determination is
 635 affirmative, school construction may commence and further local
 636 government approvals are not required, except as provided in
 637 this section. Failure of the local governing body to make a
 638 determination in writing within 90 days after a district school
 639 board's request for a determination of consistency shall be
 640 considered an approval of the district school board's
 641 application. Campus master plans ~~and development agreements~~ must
 642 comply with the provisions of s. 1013.30.

643 Section 6. Paragraph (h) of subsection (1) of section
 644 1013.64, Florida Statutes, is amended to read:

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645 1013.64 Funds for comprehensive educational plant needs;
646 construction cost maximums for school district capital
647 projects.—Allocations from the Public Education Capital Outlay
648 and Debt Service Trust Fund to the various boards for capital
649 outlay projects shall be determined as follows:

650 (1)

651 (h) University boards of trustees may utilize funds
652 appropriated pursuant to this section for replacement of minor
653 facilities provided that such projects do not exceed \$2 ~~\$1~~
654 million in cost ~~or 10,000 gross square feet in size~~. Minor
655 facilities may not be replaced from funds provided pursuant to
656 this section unless the board determines that the cost of repair
657 or renovation is greater than or equal to the cost of
658 replacement.

659 Section 7. Paragraph (e) of subsection (2) of section
660 1013.74, Florida Statutes, is amended to read:

661 1013.74 University authorization for fixed capital outlay
662 projects.—

663 (2) The following types of projects may be accomplished
664 pursuant to this section:

665 (e) Construction of facilities or remodeling of existing
666 facilities to meet needs as determined by the university,
667 provided that the amount of funds for any such project does not
668 exceed \$2 ~~\$1~~ million, and the trust funds, other than the funds
669 used to accomplish projects contemplated in this subsection, are
670 authorized and available for such purposes.

671 Section 8. This act shall take effect July 1, 2013.