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LEGISLATIVE ACTION

Senate

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House

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03/20/2014 02:44 PM

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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



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12 Plan. In implementing this act, the authority shall institute
13 procedures to encourage the awarding of contracts for
14 professional services and construction to certified minority
15 business enterprises as defined in s. 288.703. The authority
16 shall develop and implement activities to encourage the
17 participation of certified minority business enterprises in the
18 contracting process.

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

21 369.317 Wekiva Parkway.—

22 (6) The Central Florida ~~Orlando-Orange County~~ Expressway
23 Authority is hereby granted the authority to act as a third-
24 party acquisition agent, pursuant to s. 259.041 on behalf of the
25 Board of Trustees or chapter 373 on behalf of the governing
26 board of the St. Johns River Water Management District, for the
27 acquisition of all necessary lands, property and all interests
28 in property identified herein, including fee simple or less-
29 than-fee simple interests. The lands subject to this authority
30 are identified in paragraph 10.a., State of Florida, Office of
31 the Governor, Executive Order 03-112 of July 1, 2003, and in
32 Recommendation 16 of the Wekiva Basin Area Task Force created by
33 Executive Order 2002-259, such lands otherwise known as
34 Neighborhood Lakes, a 1,587+/-acre parcel located in Orange and
35 Lake Counties within Sections 27, 28, 33, and 34 of Township 19
36 South, Range 28 East, and Sections 3, 4, 5, and 9 of Township 20
37 South, Range 28 East; Seminole Woods/Swamp, a 5,353+/-acre
38 parcel located in Lake County within Section 37, Township 19
39 South, Range 28 East; New Garden Coal; a 1,605+/-acre parcel in
40 Lake County within Sections 23, 25, 26, 35, and 36, Township 19



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41 South, Range 28 East; Pine Plantation, a 617+/-acre tract
42 consisting of eight individual parcels within the Apopka City
43 limits. The Department of Transportation, the Department of
44 Environmental Protection, the St. Johns River Water Management
45 District, and other land acquisition entities shall participate
46 and cooperate in providing information and support to the third-
47 party acquisition agent. The land acquisition process authorized
48 by this paragraph shall begin no later than December 31, 2004.
49 Acquisition of the properties identified as Neighborhood Lakes,
50 Pine Plantation, and New Garden Coal, or approval as a
51 mitigation bank shall be concluded no later than December 31,
52 2010. Department of Transportation and Central Florida ~~Orlando-~~
53 ~~Orange County~~ Expressway Authority funds expended to purchase an
54 interest in those lands identified in this subsection shall be
55 eligible as environmental mitigation for road construction
56 related impacts in the Wekiva Study Area. If any of the lands
57 identified in this subsection are used as environmental
58 mitigation for road-construction-related impacts incurred by the
59 Department of Transportation or Central Florida ~~Orlando-Orange~~
60 ~~County~~ Expressway Authority, or for other impacts incurred by
61 other entities, within the Wekiva Study Area or within the
62 Wekiva parkway alignment corridor, and if the mitigation offsets
63 these impacts, the St. Johns River Water Management District and
64 the Department of Environmental Protection shall consider the
65 activity regulated under part IV of chapter 373 to meet the
66 cumulative impact requirements of s. 373.414(8)(a).

67 (a) Acquisition of the land described in this section is
68 required to provide right-of-way for the Wekiva Parkway, a
69 limited access roadway linking State Road 429 to Interstate 4,



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70 an essential component in meeting regional transportation needs
71 to provide regional connectivity, improve safety, accommodate
72 projected population and economic growth, and satisfy critical
73 transportation requirements caused by increased traffic volume
74 growth and travel demands.

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

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

93 (7) The Department of Transportation, the Department of
94 Environmental Protection, the St. Johns River Water Management
95 District, Central Florida ~~Orlando-Orange County~~ Expressway
96 Authority, and other land acquisition entities shall cooperate
97 and establish funding responsibilities and partnerships by
98 agreement to the extent funds are available to the various



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99 entities. Properties acquired with Florida Forever funds shall
100 be in accordance with s. 259.041 or chapter 373. The Central
101 Florida Orlando-Orange County Expressway Authority shall acquire
102 land in accordance with this section of law to the extent funds
103 are available from the various funding partners, but shall not
104 be required nor assumed to fund the land acquisition beyond the
105 agreement and funding provided by the various land acquisition
106 entities.

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

109 369.324 Wekiva River Basin Commission.—

110 (1) The Wekiva River Basin Commission is created to monitor
111 and ensure the implementation of the recommendations of the
112 Wekiva River Basin Coordinating Committee for the Wekiva Study
113 Area. The East Central Florida Regional Planning Council shall
114 provide staff support to the commission with funding assistance
115 from the Department of Economic Opportunity. The commission
116 shall be comprised of a total of 18 ~~19~~ members appointed by the
117 Governor, 9 of whom shall be voting members and 9 ~~10~~ shall be ad
118 hoc nonvoting members. The voting members shall include:

119 (a) One member of each of the Boards of County
120 Commissioners for Lake, Orange, and Seminole Counties.

121 (b) One municipal elected official to serve as a
122 representative of the municipalities located within the Wekiva
123 Study Area of Lake County.

124 (c) One municipal elected official to serve as a
125 representative of the municipalities located within the Wekiva
126 Study Area of Orange County.

127 (d) One municipal elected official to serve as a



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128 representative of the municipalities located within the Wekiva
129 Study Area of Seminole County.

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

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

- 136 1. St. Johns River Management District.
- 137 2. Department of Economic Opportunity.
- 138 3. Department of Environmental Protection.
- 139 4. Department of Health.
- 140 5. Department of Agriculture and Consumer Services.
- 141 6. Fish and Wildlife Conservation Commission.
- 142 7. Department of Transportation.
- 143 8. MetroPlan Orlando.
- 144 9. Central Florida ~~Orlando-Orange County~~ Expressway
145 Authority.

146 ~~10. Seminole County Expressway Authority.~~

147 Section 21. (1) While the governing body of the authority,
148 upon the effective date of this act, has one or more members
149 from Osceola County as provided in s. 348.753(3), Florida
150 Statutes, and the authority has the purposes and powers
151 described in s. 348.754, Florida Statutes, regarding Osceola
152 County, the Osceola County Expressway Authority shall continue
153 for the duration permitted in this section solely for the
154 purpose of planning and construction of the Poinciana Parkway,
155 which facility is owned by Osceola County and leased to the
156 Osceola County Expressway Authority, as provided and permitted



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157 in this subsection. Upon the earlier of December 31, 2016, or
158 the completion of construction of the Poinciana Parkway, a
159 limited access facility of approximately 9 miles in length in
160 Osceola County with its northwestern terminus at the
161 intersection of County Road 54 and US 17/US 92 and its
162 southeastern terminus at the current intersection of
163 Rhododendron and Cypress Parkway, described in the Osceola
164 County Expressway Authority May 8, 2012, Master Plan, all
165 powers, governance, and control of the Osceola County Expressway
166 System, created pursuant to part V, chapter 348, Florida
167 Statutes, are transferred to the Central Florida Expressway
168 Authority, and the assets; liabilities; facilities; tangible and
169 intangible property, and any rights in such property; any rights
170 in or benefits of contract; and any other legal rights and
171 obligations of the Osceola County Expressway Authority are
172 transferred to the Central Florida Expressway Authority. Part V
173 of chapter 348, Florida Statutes, consisting of ss. 348.9950-
174 348.9961, is repealed on the same date that the Osceola County
175 Expressway System is transferred to the Central Florida
176 Expressway Authority.

177 (2) The Central Florida Expressway Authority shall comply
178 with any and all obligations of any other governmental entities
179 incurred on behalf of the Osceola County Expressway System,
180 excluding any obligations of Osceola County with respect to
181 acquisition, development, construction, operations, and
182 maintenance of the Poinciana Parkway, and excluding any payment
183 or other obligations of Osceola County under any bonds issued or
184 other debt originally incurred by Osceola County or the Osceola
185 County Expressway Authority for the purpose of financing the



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186 planning or construction of the Poinciana Parkway, which shall
187 remain the obligations of Osceola County. Payment obligations
188 transferred to the Central Florida Expressway Authority shall be
189 made from revenues available for such purpose after payment of
190 all amounts required:

191
192 ===== T I T L E A M E N D M E N T =====

193 And the title is amended as follows:

194 Delete line 83

195 and insert:

196 System; excluding certain obligations and payments of
197 Osceola County regarding the Poinciana Parkway;
198 providing for reimbursement after payment of