

2014230er

1  
2 An act relating to the Orlando-Orange County  
3 Expressway Authority; amending ss. 348.751 and  
4 348.752, F.S.; renaming the Orlando-Orange County  
5 Expressway System as the "Central Florida Expressway  
6 System"; revising definitions; making technical  
7 changes; amending s. 348.753, F.S.; creating the  
8 Central Florida Expressway Authority; providing for  
9 the transfer of governance and control, legal rights  
10 and powers, responsibilities, terms, and obligations  
11 to the authority; providing conditions for the  
12 transfer; revising the composition of the governing  
13 body of the authority; providing for appointment of  
14 officers of the authority and for the expiration of  
15 terms of standing board members; revising quorum and  
16 voting requirements; conforming terminology and making  
17 technical changes; prohibiting a member or the  
18 executive director of the authority from personally  
19 representing certain persons or entities for a  
20 specified time period; prohibiting a retired or  
21 terminated member or executive director of the  
22 authority from contracting with a business entity  
23 under certain circumstances; requiring authority board  
24 members, employees, and consultants to make certain  
25 annual disclosures; requiring an ethics officer to  
26 review such disclosures; requiring the authority code  
27 of ethics to include a conflict of interest process;  
28 prohibiting authority employees and consultants from  
29 serving on the board during their employment or

2014230er

30 contract period; requiring the code of ethics to be  
31 reviewed and updated at least every 2 years; requiring  
32 employees to participate in ongoing ethics education;  
33 providing penalties; amending s. 348.754, F.S.;  
34 providing that the area served by the authority is  
35 within the geopolitical boundaries of Orange,  
36 Seminole, Lake, and Osceola Counties; requiring the  
37 authority to have prior consent from the Secretary of  
38 the Department of Transportation to construct an  
39 extension, addition, or improvement to the expressway  
40 system in Lake County; extending, to 99 years from 40  
41 years, the term of a lease-purchase agreement;  
42 limiting the authority's authority to enter into a  
43 lease-purchase agreement; limiting the use of certain  
44 toll-revenues; providing exceptions; removing the  
45 requirement that the route of a project must be  
46 approved by a municipality before the right-of-way can  
47 be acquired; requiring that the authority encourage  
48 the inclusion of local-, small-, minority-, and women-  
49 owned businesses in its procurement and contracting  
50 opportunities; removing the authority and criteria for  
51 an authority to waive payment and performance bonds  
52 for certain public works projects that are awarded  
53 pursuant to an economic development program;  
54 conforming terminology and making technical changes;  
55 amending ss. 348.7543, 348.7544, 348.7545, 348.7546,  
56 348.7547, 348.755, and 348.756, F.S.; conforming  
57 terminology and making technical changes; amending s.  
58 348.757, F.S.; providing that upon termination of the

2014230er

59 lease-purchase agreement of the former Orlando-Orange  
60 County Expressway System, title in fee simple to the  
61 former system shall be transferred to the state;  
62 conforming terminology and making technical changes;  
63 amending ss. 348.758, 348.759, 348.760, 348.761, and  
64 348.765, F.S.; conforming terminology and making  
65 technical changes; amending s. 369.317, F.S.;  
66 conforming terminology and making technical changes;  
67 amending s. 369.324, F.S.; revising the membership of  
68 the Wekiva River Basin Commission; conforming  
69 terminology; providing criteria for the transfer of  
70 the Osceola County Expressway System to the Central  
71 Florida Expressway Authority; providing for the repeal  
72 of part V of ch. 348, F.S., when the Osceola County  
73 Expressway System is transferred to the Central  
74 Florida Expressway Authority; requiring the Central  
75 Florida Expressway Authority to reimburse other  
76 governmental entities for obligations related to the  
77 Osceola County Expressway System; providing for  
78 reimbursement after payment of other obligations;  
79 providing a directive to the Division of Law Revision  
80 and Information; providing an effective date.

81

82 Be It Enacted by the Legislature of the State of Florida:

83

84 Section 1. Section 348.751, Florida Statutes, is amended to  
85 read:

86

87

348.751 Short title.—This part ~~shall be known and~~ may be  
cited as the "Central Florida ~~Orlando-Orange County~~ Expressway

2014230er

88 Authority Law.”

89 Section 2. Section 348.752, Florida Statutes, is amended to  
90 read:

91 348.752 Definitions.—As used in this part ~~The following~~  
92 ~~terms, whenever used or referred to in this law, shall have the~~  
93 ~~following meanings, except in those instances where the context~~  
94 ~~clearly indicates otherwise:~~

95 (1) The term “agency of the state” means ~~and includes~~ the  
96 state and any department of, or corporation, agency, or  
97 instrumentality ~~heretofore or hereafter~~ created, designated, or  
98 established by, the state.

99 (2) The term “authority” means the body politic and  
100 corporate, and agency of the state created by this part.

101 (3) The term “bonds” means ~~and includes~~ the notes, bonds,  
102 refunding bonds, or other evidences of indebtedness or  
103 obligations, in either temporary or definitive form, which the  
104 authority is authorized to issue pursuant to this part.

105 (4) The term “Central Florida Expressway Authority” means  
106 the body politic and corporate, and agency of the state created  
107 by this part.

108 (5) The term “Central Florida Expressway System” means any  
109 expressway and appurtenant facilities, including all approaches,  
110 roads, bridges, and avenues for the expressway and any rapid  
111 transit, trams, or fixed guideways located within the right-of-  
112 way of an expressway.

113 ~~(4) The term “city” means the City of Orlando.~~

114 ~~(5) The term “county” means the County of Orange.~~

115 (6) The term “department” means the Department of  
116 Transportation ~~existing under chapters 334–339.~~

2014230er

117 (7) The term "expressway" has the same meaning ~~is the same~~  
118 as limited access expressway.

119 (8) The term "federal agency" means and includes the United  
120 States, the President of the United States, and any department  
121 of, or corporation, agency, or instrumentality ~~heretofore or~~  
122 ~~hereafter~~ created, designated, or established by, the United  
123 States.

124 (9) The term "lease-purchase agreement" means the lease-  
125 purchase agreements that ~~which~~ the authority is authorized  
126 ~~pursuant to this part~~ to enter into with the Department of  
127 Transportation pursuant to this part.

128 (10) The term "limited access expressway" means a street or  
129 highway specifically ~~especially~~ designed for through traffic,  
130 and over, from, or to which, a no person does not ~~shall~~ have the  
131 right of easement, use, or access except in accordance with the  
132 rules of ~~and regulations promulgated and established by~~ the  
133 authority governing its use ~~for the use of such facility~~. Such  
134 highways or streets may be parkways that do not allow traffic  
135 by, ~~from which~~ trucks, buses, and other commercial vehicles  
136 ~~shall be excluded, or they may be~~ freeways open to use by all  
137 customary forms of street and highway traffic.

138 (11) The term ~~"members"~~ means ~~the governing body of the~~  
139 ~~authority, and the term~~ "member" means an individual who serves  
140 on the one of the individuals constituting such governing body  
141 of the authority.

142 (12) The term "Orange County gasoline tax funds" means ~~all~~  
143 the revenue derived from the 80-percent surplus gasoline tax  
144 funds accruing in each year to the Department of Transportation  
145 for use in Orange County under ~~the provisions of~~ s. 9, Art. XII

2014230er

146 of the State Constitution, after deducting ~~deduction only~~ of any  
147 amounts of said gasoline tax funds previously ~~heretofore~~ pledged  
148 by the department or the county for outstanding obligations.

149 ~~(13) The term "Orlando-Orange County Expressway System"~~  
150 ~~means any and all expressways and appurtenant facilities~~  
151 ~~thereto, including, but not limited to, all approaches, roads,~~  
152 ~~bridges, and avenues of access for said expressway or~~  
153 ~~expressways.~~

154 (13) ~~(14)~~ The term "State Board of Administration" means the  
155 body corporate existing under the provisions of s. 4, Art. IV of  
156 the State Constitution, or any successor ~~thereto~~.

157 (14) The term "transportation facilities" means and  
158 includes the mobile and fixed assets, and the associated real or  
159 personal property or rights, used in the transportation of  
160 persons or property by any means of conveyance, and all  
161 appurtenances, such as, but not limited to, highways; limited or  
162 controlled access lanes, avenues of access, and facilities;  
163 vehicles; fixed guideway facilities, including maintenance  
164 facilities; and administrative and other office space for the  
165 exercise by the authority of the powers and obligations granted  
166 in this part.

167 ~~(15) Words importing singular number include the plural~~  
168 ~~number in each case and vice versa, and words importing persons~~  
169 ~~include firms and corporations.~~

170 Section 3. Section 348.753, Florida Statutes, is amended to  
171 read:

172 348.753 Central Florida ~~Orlando-Orange County~~ Expressway  
173 Authority.—

174 (1) There is ~~hereby~~ created and established a body politic

2014230er

175 and corporate, an agency of the state, to be known as the  
176 Central Florida ~~Orlando-Orange County~~ Expressway Authority.  
177 ~~hereinafter referred to as "authority."~~

178 (2) (a) Immediately upon the effective date of this act, the  
179 Central Florida Expressway Authority shall assume the governance  
180 and control of the Orlando-Orange County Expressway Authority  
181 System, including its assets, personnel, contracts, obligations,  
182 liabilities, facilities, and tangible and intangible property.  
183 Any rights in such property, and other legal rights of the  
184 authority, are transferred to the Central Florida Expressway  
185 Authority. The Central Florida Expressway Authority shall  
186 immediately succeed to and assume the powers, responsibilities,  
187 and obligations of the Orlando-Orange County Expressway  
188 Authority.

189 (b) It is the intent of the Legislature that the Central  
190 Florida Expressway Authority, upon its formation, be the  
191 successor party to the Orlando-Orange County Expressway  
192 Authority under the land acquisition contract dated November 11,  
193 2013, and be subject to all terms and provisions, including  
194 conditions precedent and rights of termination, stated in the  
195 contract.

196 (c) The transfer pursuant to this subsection is subject to  
197 the terms and covenants provided for the protection of the  
198 holders of the Orlando-Orange County Expressway Authority bonds  
199 in the lease-purchase agreement and the resolutions adopted in  
200 connection with the issuance of the bonds. Further, the transfer  
201 does not impair the terms of the contract between the Orlando-  
202 Orange County Expressway Authority and the bondholders, does not  
203 act to the detriment of the bondholders, and does not diminish

2014230er

204 the security for the bonds. After the transfer, the Central  
205 Florida Expressway Authority shall operate and maintain the  
206 expressway system and any other facilities of the Orlando-Orange  
207 County Expressway Authority in accordance with the terms,  
208 conditions, and covenants contained in the bond resolutions and  
209 lease-purchase agreement securing the bonds of the authority.  
210 The Central Florida Expressway Authority shall collect toll  
211 revenues and apply them to the payment of debt service as  
212 provided in the bond resolution securing the bonds, and shall  
213 expressly assume all obligations relating to the bonds to ensure  
214 that the transfer will have no adverse impact on the security  
215 for the bonds. The transfer does not make the obligation to pay  
216 the principal and interest on the bonds a general liability of  
217 the Central Florida Expressway Authority or pledge additional  
218 expressway system revenues to payment of the bonds. Revenues  
219 that are generated by the expressway system and other facilities  
220 of the Central Florida Expressway Authority which were pledged  
221 by the Orlando-Orange County Expressway Authority to payment of  
222 the bonds will remain subject to the pledge for the benefit of  
223 the bondholders. The transfer does not modify or eliminate any  
224 prior obligation of the department to pay certain costs of the  
225 expressway system from sources other than revenues of the  
226 expressway system.

227 (3)~~(2)~~ The governing body of the authority shall consist of  
228 nine ~~five~~ members. The chairs of the boards of the county  
229 commissions of Seminole, Lake, and Osceola Counties shall each  
230 appoint one member, who may be a commission member or chair. The  
231 Mayor of Orange County shall appoint a member from the Orange  
232 County Commission. The Governor shall appoint three citizen



2014230er

233 Three members, each of whom must be a citizen of either Orange  
234 County, Seminole County, Lake County, or Osceola County shall be  
235 citizens of Orange County, who shall be appointed by the  
236 Governor. The eighth fourth member must shall be, ex officio,  
237 the Mayor of chair of the County Commissioners of Orange County.  
238 The ninth member must be the Mayor of the City of Orlando. The  
239 executive director of Florida Turnpike Enterprise shall serve as  
240 a nonvoting advisor to the governing body of the authority, and  
241 the fifth member shall be, ex officio, the district secretary of  
242 the Department of Transportation serving in the district that  
243 contains Orange County. The term of Each appointed member  
244 appointed by the Governor shall serve be for 4 years. Each  
245 county-appointed member shall serve for 2 years. The terms of  
246 standing board members expire upon the effective date of this  
247 act. Each appointed member shall hold office until his or her  
248 successor has been appointed and has qualified. A vacancy  
249 occurring during a term must shall be filled only for the  
250 balance of the unexpired term. Each appointed member of the  
251 authority shall be a person of outstanding reputation for  
252 integrity, responsibility, and business ability, but, except as  
253 provided in this subsection, a no person who is an officer or  
254 employee of a municipality or any city or of Orange county may  
255 not in any other capacity shall be an appointed member of the  
256 authority. Any member of the authority is shall be eligible for  
257 reappointment.

258 (4) (3) (a) The authority shall elect one of its members as  
259 chair of the authority. The authority shall also elect one of  
260 its members as vice chair, one of its members as a secretary,  
261 and one of its members as a treasurer who may or may not be

2014230er

262 ~~members of the authority.~~ The chair, vice chair, secretary, and  
263 treasurer shall hold such offices at the will of the authority.  
264 Five ~~Three~~ members of the authority shall constitute a quorum,  
265 and the vote of five ~~three~~ members is ~~shall be~~ necessary for any  
266 action taken by the authority. A ~~No~~ vacancy in the authority  
267 does not ~~shall~~ impair the right of a quorum of the authority to  
268 exercise all of the rights and perform all of the duties of the  
269 authority.

270 (b) Upon the effective date of his or her appointment, or  
271 as soon thereafter as practicable, each appointed member of the  
272 authority shall enter upon his or her duties. Members of the  
273 authority may be removed from office by the Governor for  
274 misconduct, malfeasance, misfeasance, or nonfeasance in office.

275 (c) Members of the authority are entitled to receive  
276 reimbursement from the authority for travel and other necessary  
277 expenses incurred in connection with the business of the  
278 authority as provided in s. 112.061, but may not draw salaries  
279 or other compensation.

280 ~~(5)(4)(a)~~ The authority may employ an executive secretary,  
281 an executive director, its own counsel and legal staff,  
282 technical experts, and the ~~such~~ engineers, ~~and such~~ employees  
283 ~~that, permanent or temporary,~~ as it requires. The authority may  
284 ~~require and~~ may determine the qualifications and fix the  
285 compensation of such persons, firms, or corporations, and may  
286 employ a fiscal agent or agents; ~~provided, however, that~~ the  
287 authority shall solicit sealed proposals from at least three  
288 persons, firms, or corporations for the performance of any  
289 services as fiscal agents. The authority may delegate to one or  
290 more of its agents or employees the ~~such of its power as~~ it

2014230er

291 ~~deems shall deem~~ necessary to carry out the purposes of this  
292 part, ~~subject always to the supervision and control of the~~  
293 ~~authority. Members of the authority may be removed from their~~  
294 ~~office by the Governor for misconduct, malfeasance, misfeasance,~~  
295 ~~or nonfeasance in office.~~

296 ~~(b) Members of the authority shall be entitled to receive~~  
297 ~~from the authority their travel and other necessary expenses~~  
298 ~~incurred in connection with the business of the authority as~~  
299 ~~provided in s. 112.061, but they shall draw no salaries or other~~  
300 ~~compensation.~~

301 (6) A member or the executive director of the authority may  
302 not:

303 (a) Personally represent another person or entity for  
304 compensation before the authority for a period of 2 years  
305 following vacation of his or her position.

306 (b) After retirement or termination, have an employment or  
307 contractual relationship with a business entity other than an  
308 agency as defined in s. 112.312, in connection with a contract  
309 in which the member or executive director personally and  
310 substantially participated in through decision, approval,  
311 disapproval, recommendation, rendering of advice, or  
312 investigation while he or she was a member or employee of the  
313 authority.

314 (7) The authority's general counsel shall serve as the  
315 authority's ethics officer.

316 (8) Authority board members, employees, and consultants who  
317 hold positions that may influence authority decisions shall  
318 refrain from engaging in any relationship that may adversely  
319 affect their judgment in carrying out authority business. To

2014230er

320 prevent such conflicts of interest and preserve the integrity  
321 and transparency of the authority to the public, the following  
322 disclosures must be made annually on a disclosure form:

323 (a) Any relationship a board member, employee, or  
324 consultant has which affords a current or future financial  
325 benefit to such board member, employee, or consultant, or to a  
326 relative or business associate of such board member, employee,  
327 or consultant, and which a reasonable person would conclude has  
328 the potential to create a prohibited conflict of interest. As  
329 used in this subsection, the term "relative" has the same  
330 meaning as in s. 112.312.

331 (b) Whether a relative of a board member, employee, or  
332 consultant is a registered lobbyist, and if so, the names of the  
333 lobbyist's clients. Such names shall be provided in writing to  
334 the ethics officer.

335 (c) Any and all interests in real property that a board  
336 member, employee, or consultant has, or that a relative,  
337 principal, client, or business associate of such board member,  
338 employee, or consultant has, if such real property is located  
339 within, or within a one-half mile radius of, any actual or  
340 prospective authority roadway project. The executive director  
341 shall provide a corridor map and a property ownership list  
342 reflecting the ownership of all real property within the  
343 disclosure area, or an alignment map with a list of associated  
344 owners, to all board members, employees, and consultants.

345 (9) The disclosure forms required under subsection (8) must  
346 be reviewed by the ethics officer or, if a form is filed by the  
347 general counsel, by the executive director.

348 (10) The conflict of interest process shall be outlined in

2014230er

349 the authority's code of ethics.

350 (11) Authority employees and consultants are prohibited  
351 from serving on the governing body of the authority while  
352 employed by or under contract with the authority.

353 (12) The code of ethics policy shall be reviewed and  
354 updated by the ethics officer and presented for board approval  
355 at a minimum of once every 2 years.

356 (13) Employees shall be adequately informed and trained on  
357 the code of ethics and shall continually participate in ongoing  
358 ethics education.

359 (14) The requirements in subsections (6) through (13) are  
360 in addition to the requirements that the members and the  
361 executive director of the authority are required to follow under  
362 chapter 112.

363 (15) Violations of subsections (6), (8), and (11) are  
364 punishable in accordance with s. 112.317.

365 Section 4. Section 348.754, Florida Statutes, is amended to  
366 read:

367 348.754 Purposes and powers.—

368 (1) (a) The authority created and established under ~~by the~~  
369 ~~provisions of this part is hereby granted and has~~ shall have the  
370 right to acquire, hold, construct, improve, maintain, operate,  
371 own, and lease in the capacity of lessor, the Central Florida  
372 ~~Orlando-Orange County~~ Expressway System, hereinafter referred to  
373 as "system." Except as otherwise specifically provided by law,  
374 including paragraph (2) (n), the area served by the authority  
375 shall be within the geographical boundaries of Orange, Seminole,  
376 Lake, and Osceola Counties.

377 (b) ~~It is the express intention of this part that said~~

2014230er

378 ~~authority,~~ In the construction of the Central Florida ~~said~~  
379 ~~Orlando-Orange County~~ Expressway System, the authority may ~~shall~~  
380 ~~be authorized to~~ construct any extensions, additions, or  
381 improvements to the said system or appurtenant facilities,  
382 including all necessary approaches, roads, bridges, ~~and~~ avenues  
383 of access, rapid transit, trams, fixed guideways, thoroughfares,  
384 and boulevards with any such changes, modifications, or  
385 revisions of the said project which are ~~as shall be~~ deemed  
386 desirable and proper.

387 (c) Notwithstanding any other provision of this section to  
388 the contrary, to ensure the continued financial feasibility of  
389 the portion of the Wekiva Parkway to be constructed by the  
390 department, the authority may not, without the prior consent of  
391 the secretary of the department, construct any extensions,  
392 additions, or improvements to the expressway system in Lake  
393 County.

394 (2) The authority ~~is hereby granted, and shall have and may~~  
395 exercise all powers necessary, appurtenant, convenient, or  
396 incidental to the implementation ~~carrying out~~ of the stated  
397 ~~aforsaid~~ purposes, including, but not ~~without being~~ limited to,  
398 the following rights and powers:

399 (a) To sue and be sued, implead and be impleaded, complain  
400 and defend in all courts.

401 (b) To adopt, use, and alter at will a corporate seal.

402 (c) To acquire by donation or otherwise, purchase, hold,  
403 lease as lessee, and use any franchise or any, property, real,  
404 personal, ~~or~~ mixed, or tangible or intangible, or any options  
405 ~~thereof~~ in its own name or in conjunction with others, or  
406 interest in those options ~~therein~~, necessary or desirable to

2014230er

407 carry ~~for carrying~~ out the purposes of the authority, and to  
408 sell, lease as lessor, transfer, and dispose of any property or  
409 interest in the property ~~therein~~ at any time acquired by it.

410 (d) To enter into and make leases for terms not exceeding  
411 99 years, as ~~either~~ lessee or lessor, in order to carry out the  
412 right to lease as specified ~~set forth~~ in this part.

413 (e) To enter into and make lease-purchase agreements with  
414 the department for terms not exceeding 99 ~~40~~ years, or until any  
415 bonds secured by a pledge of rentals pursuant to the agreement  
416 ~~thereunder~~, and any refundings pursuant to the agreement  
417 ~~thereof~~, are fully paid as to both principal and interest,  
418 whichever is longer. The authority is a party to a lease-  
419 purchase agreement between the department and the authority  
420 dated December 23, 1985, as supplemented by a first supplement  
421 to the lease-purchase agreement dated November 25, 1986, and a  
422 second supplement to the lease-purchase agreement dated October  
423 27, 1988. The authority may not enter into other lease-purchase  
424 agreements with the department and may not amend the existing  
425 agreement in a manner that expands or increases the department's  
426 obligations unless the department determines that the agreement  
427 or amendment is necessary to permit the refunding of bonds  
428 issued before July 1, 2013.

429 (f) To fix, alter, charge, establish, and collect rates,  
430 fees, rentals, and other charges for the services and facilities  
431 of the Central Florida ~~Orlando-Orange County~~ Expressway System,  
432 which must ~~rates, fees, rentals and other charges~~ shall always  
433 be sufficient to comply with any covenants made with the holders  
434 of any bonds issued pursuant to this part; ~~provided~~, however,  
435 ~~that~~ such right and power may be assigned or delegated, by the

2014230er

436 authority, to the department. Toll revenues attributable to an  
437 increase in the toll rates charged on or after the effective  
438 date of this act for the use of a portion of the system may not  
439 be used to construct or expand a different portion of the system  
440 unless a two-thirds majority of the members of the authority  
441 votes to approve such use. This requirement does not apply if,  
442 and to the extent that:

443 1. Application of the requirement would violate any  
444 covenant established in a resolution or trust indenture under  
445 which bonds were issued by the Orlando-Orange County Expressway  
446 Authority on or before the effective date of this act; or

447 2. Application of the requirement would cause the authority  
448 to be unable to meet its obligations under the terms of the  
449 memorandum of understanding between the authority and the  
450 department as ratified by the Orlando-Orange County Expressway  
451 Authority board on February 22, 2012.

452  
453 Notwithstanding s. 338.165, and except as otherwise prohibited  
454 by this part, to the extent revenues of the expressway system  
455 exceed amounts required to comply with any covenants made with  
456 the holders of bonds issued pursuant to this part, revenues may  
457 be used for purposes enumerated in subsection (6), provided the  
458 expenditures are consistent with the metropolitan planning  
459 organization's adopted long-range plan.

460 (g) To borrow money, make and issue negotiable notes,  
461 bonds, refunding bonds, and other evidences of indebtedness or  
462 obligations, either in temporary or definitive form, ~~hereinafter~~  
463 ~~in this chapter sometimes called "bonds" of the authority,~~ for  
464 the purpose of financing all or part of the improvement or



2014230er

465 extension of the Central Florida ~~Orlando-Orange County~~  
466 Expressway System, and appurtenant facilities, including all  
467 approaches, streets, roads, bridges, and avenues of access for  
468 the Central Florida ~~said Orlando-Orange County~~ Expressway System  
469 and for any other purpose authorized by this part, ~~said bonds to~~  
470 ~~mature in not exceeding 40 years from the date of the issuance~~  
471 ~~thereof~~, and to secure the payment of such bonds or any part  
472 thereof by a pledge of any or all of its revenues, rates, fees,  
473 rentals, or other charges, including all or any portion of the  
474 Orange County gasoline tax funds received by the authority  
475 pursuant to ~~the terms of~~ any lease-purchase agreement between  
476 the authority and the department; and in general to provide for  
477 the security of the ~~said~~ bonds and the rights and remedies of  
478 the holders thereof. ~~Provided, However, that~~ no portion of the  
479 Orange County gasoline tax funds may ~~shall~~ be pledged for the  
480 construction of any project for which a toll is to be charged  
481 unless the anticipated toll is ~~tolls are~~ reasonably estimated by  
482 the board of county commissioners, at the date of its resolution  
483 pledging the ~~said~~ funds, to be sufficient to cover the principal  
484 and interest of such obligations during the period when the ~~said~~  
485 pledge of funds is ~~shall be~~ in effect. The bonds issued under  
486 this paragraph must mature not more than 40 years after their  
487 issue date.

488 1. The authority shall reimburse Orange County for any sums  
489 expended from the ~~said~~ gasoline tax funds used for the payment  
490 of such obligations. Any gasoline tax funds so disbursed must  
491 ~~shall~~ be repaid when the authority deems it practicable,  
492 together with interest at the highest rate applicable to any  
493 obligations of the authority.

2014230er

494           2. If, pursuant to this section, ~~In the event~~ the authority  
495 funds shall determine to fund or refunds refund any bonds  
496 previously theretofore issued by the said authority, ~~or the~~ by  
497 said commission before the bonds mature as ~~aforsaid~~ prior to  
498 ~~the maturity thereof,~~ the proceeds of such funding or refunding  
499 must bonds shall, pending the prior redemption of these the  
500 bonds ~~to be funded or refunded,~~ be invested in direct  
501 obligations of the United States, ~~and it is the express~~  
502 ~~intention of this part that such outstanding bonds may be funded~~  
503 ~~or refunded by the issuance of bonds pursuant to this part.~~

504           (h) To make contracts ~~of every name and nature,~~ including,  
505 but not limited to, partnerships providing for participation in  
506 ownership and revenues, and to execute all instruments necessary  
507 or convenient for conducting ~~the carrying on of~~ its business.

508           (i) Notwithstanding paragraphs (a)-(h), ~~Without limitation~~  
509 ~~of the foregoing,~~ to borrow money and accept grants from, and to  
510 enter into contracts, leases, or other transactions with any  
511 federal agency, the state, any agency of the state, the County  
512 of Orange, the City of Orlando, or with any other public body of  
513 the state.

514           (j) To have the power of eminent domain, including the  
515 procedural powers granted under both chapters 73 and 74.

516           (k) To pledge, hypothecate, or otherwise encumber ~~all or~~  
517 any part of the revenues, rates, fees, rentals, or other charges  
518 or receipts of the authority, including all or any portion of  
519 the Orange County gasoline tax funds received by the authority  
520 pursuant to the terms of any lease-purchase agreement between  
521 the authority and the department, as security for ~~all or~~ any of  
522 the obligations of the authority.

2014230er

523 (1) To enter into partnership and other agreements  
524 respecting ownership and revenue participation in order to  
525 facilitate financing and constructing the Western Beltway, or  
526 portions thereof.

527 (m) To do everything ~~all acts and things~~ necessary or  
528 convenient for the conduct of its business and the general  
529 welfare of the authority, in order to comply with ~~carry out the~~  
530 ~~powers granted to it by~~ this part or any other law.

531 (n) With the consent of the county within whose  
532 jurisdiction the following activities occur, the authority shall  
533 have the right to construct, operate, and maintain roads,  
534 bridges, avenues of access, transportation facilities,  
535 thoroughfares, and boulevards outside the jurisdictional  
536 boundaries of Orange, Seminole, Lake, and Osceola Counties  
537 ~~County,~~ together with the right to construct, repair, replace,  
538 operate, install, and maintain electronic toll payment systems  
539 thereon, ~~with all necessary and incidental powers to accomplish~~  
540 ~~the foregoing.~~

541 (3) The authority does not ~~shall~~ have the ~~no~~ power ~~at any~~  
542 ~~time or in any manner~~ to pledge the credit or taxing power of  
543 the state or any political subdivision or agency thereof,  
544 including any city and any county ~~the City of Orlando and the~~  
545 ~~County of Orange,~~ nor may ~~nor shall~~ any of the authority's  
546 obligations be deemed to be obligations of the state or of any  
547 political subdivision or agency thereof, nor may ~~nor shall~~ the  
548 state or any political subdivision or agency thereof, except the  
549 authority, be liable for the payment of the principal of or  
550 interest on such obligations.

551 ~~(4) Anything in this part to the contrary notwithstanding,~~

2014230er

552 ~~acquisition of right of way for a project of the authority which~~  
553 ~~is within the boundaries of any municipality in Orange County~~  
554 ~~shall not be begun unless and until the route of said project~~  
555 ~~within said municipality has been given prior approval by the~~  
556 ~~governing body of said municipality.~~

557 (4) ~~(5)~~ The authority has ~~shall have~~ no power other than by  
558 consent of an affected Orange county or any affected city, to  
559 enter into any agreement which would legally prohibit the  
560 construction of a any road by the respective county or city  
561 ~~Orange County or by any city within Orange County.~~

562 (5) The authority shall encourage the inclusion of local-,  
563 small-, minority-, and women-owned businesses in its procurement  
564 and contracting opportunities.

565 (6)(a) The authority may, within the right-of-way of the  
566 expressway system, finance or refinance the planning, design,  
567 acquisition, construction, extension, rehabilitation, equipping,  
568 preservation, maintenance, or improvement of an intermodal  
569 facility or facilities, a multimodal corridor or corridors, or  
570 any programs or projects that will improve the levels of service  
571 on the expressway system ~~Notwithstanding s. 255.05, the Orlando-~~  
572 ~~Orange County Expressway Authority may waive payment and~~  
573 ~~performance bonds on construction contracts for the construction~~  
574 ~~of a public building, for the prosecution and completion of a~~  
575 ~~public work, or for repairs on a public building or public work~~  
576 ~~that has a cost of \$500,000 or less and when the project is~~  
577 ~~awarded pursuant to an economic development program for the~~  
578 ~~encouragement of local small businesses that has been adopted by~~  
579 ~~the governing body of the Orlando-Orange County Expressway~~  
580 ~~Authority pursuant to a resolution or policy.~~

2014230er

581 ~~(b) The authority's adopted criteria for participation in~~  
582 ~~the economic development program for local small businesses~~  
583 ~~requires that a participant:~~

584 ~~1. Be an independent business.~~

585 ~~2. Be principally domiciled in the Orange County Standard~~  
586 ~~Metropolitan Statistical Area.~~

587 ~~3. Employ 25 or fewer full-time employees.~~

588 ~~4. Have gross annual sales averaging \$3 million or less~~  
589 ~~over the immediately preceding 3 calendar years with regard to~~  
590 ~~any construction element of the program.~~

591 ~~5. Be accepted as a participant in the Orlando-Orange~~  
592 ~~County Expressway Authority's microcontracts program or such~~  
593 ~~other small business program as may be hereinafter enacted by~~  
594 ~~the Orlando-Orange County Expressway Authority.~~

595 ~~6. Participate in an educational curriculum or technical~~  
596 ~~assistance program for business development that will assist the~~  
597 ~~small business in becoming eligible for bonding.~~

598 ~~(c) The authority's adopted procedures for waiving payment~~  
599 ~~and performance bonds on projects with values not less than~~  
600 ~~\$200,000 and not exceeding \$500,000 shall provide that payment~~  
601 ~~and performance bonds may only be waived on projects that have~~  
602 ~~been set aside to be competitively bid on by participants in an~~  
603 ~~economic development program for local small businesses. The~~  
604 ~~authority's executive director or his or her designee shall~~  
605 ~~determine whether specific construction projects are suitable~~  
606 ~~for:~~

607 ~~1. Bidding under the authority's microcontracts program by~~  
608 ~~registered local small businesses; and~~

609 ~~2. Waiver of the payment and performance bond.~~

2014230er

610  
611 ~~The decision of the authority's executive director or deputy~~  
612 ~~executive director to waive the payment and performance bond~~  
613 ~~shall be based upon his or her investigation and conclusion that~~  
614 ~~there exists sufficient competition so that the authority~~  
615 ~~receives a fair price and does not undertake any unusual risk~~  
616 ~~with respect to such project.~~

617 ~~(d) For any contract for which a payment and performance~~  
618 ~~bond has been waived pursuant to the authority set forth in this~~  
619 ~~section, the Orlando Orange County Expressway Authority shall~~  
620 ~~pay all persons defined in s. 713.01 who furnish labor,~~  
621 ~~services, or materials for the prosecution of the work provided~~  
622 ~~for in the contract to the same extent and upon the same~~  
623 ~~conditions that a surety on the payment bond under s. 255.05~~  
624 ~~would have been obligated to pay such persons if the payment and~~  
625 ~~performance bond had not been waived. The authority shall record~~  
626 ~~notice of this obligation in the manner and location that surety~~  
627 ~~bonds are recorded. The notice shall include the information~~  
628 ~~describing the contract that s. 255.05(1) requires be stated on~~  
629 ~~the front page of the bond. Notwithstanding that s. 255.05(9)~~  
630 ~~generally applies when a performance and payment bond is~~  
631 ~~required, s. 255.05(9) shall apply under this subsection to any~~  
632 ~~contract on which performance or payment bonds are waived and~~  
633 ~~any claim to payment under this subsection shall be treated as a~~  
634 ~~contract claim pursuant to s. 255.05(9).~~

635 ~~(e) A small business that has been the successful bidder on~~  
636 ~~six projects for which the payment and performance bond was~~  
637 ~~waived by the authority pursuant to paragraph (a) shall be~~  
638 ~~ineligible to bid on additional projects for which the payment~~

2014230er

639 and performance bond is to be waived. The local small business  
640 may continue to participate in other elements of the economic  
641 development program for local small businesses as long as it is  
642 eligible.

643 ~~(f) The authority shall conduct bond eligibility training~~  
644 ~~for businesses qualifying for bond waiver under this subsection~~  
645 ~~to encourage and promote bond eligibility for such businesses.~~

646 ~~(g) The authority shall prepare a biennial report on the~~  
647 ~~activities undertaken pursuant to this subsection to be~~  
648 ~~submitted to the Orange County legislative delegation. The~~  
649 ~~initial report shall be due December 31, 2010.~~

650 Section 5. Section 348.7543, Florida Statutes, is amended  
651 to read:

652 348.7543 Improvements, bond financing authority for.—  
653 Pursuant to s. 11(f), Art. VII of the State Constitution, the  
654 Legislature hereby approves for bond financing by the Central  
655 Florida Orlando-Orange County Expressway Authority improvements  
656 to toll collection facilities, interchanges to the legislatively  
657 approved expressway system, and any other facility appurtenant,  
658 necessary, or incidental to the approved system. Subject to  
659 terms and conditions of applicable revenue bond resolutions and  
660 covenants, such costs may be financed in whole or in part by  
661 revenue bonds issued pursuant to s. 348.755(1)(a) or (b) whether  
662 currently issued or issued in the future, or by a combination of  
663 such bonds.

664 Section 6. Section 348.7544, Florida Statutes, is amended  
665 to read:

666 348.7544 Northwest Beltway Part A, construction authorized;  
667 financing.—Notwithstanding s. 338.2275, the Central Florida

2014230er

668 ~~Orlando-Orange County~~ Expressway Authority may ~~is hereby~~  
669 ~~authorized to~~ construct, finance, operate, own, and maintain  
670 that portion of the Western Beltway known as the Northwest  
671 Beltway Part A, extending from Florida's Turnpike near Ocoee  
672 north to U.S. 441 near Apopka, as part of the authority's 20-  
673 year capital projects plan. This project may be financed with  
674 any funds available to the authority for such purpose or revenue  
675 bonds issued by the Division of Bond Finance of the State Board  
676 of Administration on behalf of the authority pursuant to s. 11,  
677 Art. VII of the State Constitution and the State Bond Act, ss.  
678 215.57-215.83.

679 Section 7. Section 348.7545, Florida Statutes, is amended  
680 to read:

681 348.7545 Western Beltway Part C, construction authorized;  
682 financing.—Notwithstanding s. 338.2275, the Central Florida  
683 ~~Orlando-Orange County~~ Expressway Authority may ~~is authorized to~~  
684 exercise its condemnation powers, construct, finance, operate,  
685 own, and maintain that portion of the Western Beltway known as  
686 the Western Beltway Part C, extending from Florida's Turnpike  
687 near Ocoee in Orange County southerly through Orange and Osceola  
688 Counties to an interchange with I-4 near the Osceola-Polk County  
689 line, as part of the authority's 20-year capital projects plan.  
690 This project may be financed with any funds available to the  
691 authority for such purpose or revenue bonds issued by the  
692 Division of Bond Finance of the State Board of Administration on  
693 behalf of the authority pursuant to s. 11, Art. VII of the State  
694 Constitution and the State Bond Act, ss. 215.57-215.83. This  
695 project may be refinanced with bonds issued by the authority  
696 pursuant to s. 348.755(1)(d).



2014230er

697 Section 8. Section 348.7546, Florida Statutes, is amended  
698 to read:

699 348.7546 Wekiva Parkway, construction authorized;  
700 financing.—

701 (1) The Central Florida ~~Orlando-Orange County~~ Expressway  
702 Authority may ~~is authorized to~~ exercise its condemnation powers  
703 and to construct, finance, operate, own, and maintain those  
704 portions of the Wekiva Parkway which are identified by agreement  
705 between the authority and the department and which are included  
706 as part of the authority's long-range capital improvement plan.  
707 The "Wekiva Parkway" means any limited access highway or  
708 expressway constructed between State Road 429 and Interstate 4  
709 specifically incorporating the corridor alignment recommended by  
710 Recommendation 2 of the Wekiva River Basin Area Task Force final  
711 report dated January 15, 2003, and the recommendations of the SR  
712 429 Working Group which were adopted January 16, 2004. This  
713 project may be financed with any funds available to the  
714 authority for such purpose or revenue bonds issued by the  
715 authority under s. 11, Art. VII of the State Constitution and s.  
716 348.755(1)(b). This section does not invalidate the exercise by  
717 the authority of its condemnation powers or the acquisition of  
718 any property for the Wekiva Parkway before July 1, 2012.

719 (2) Notwithstanding any other provision of law ~~to the~~  
720 ~~contrary~~, in order to ensure that funds are available to the  
721 department for its portion of the Wekiva Parkway, beginning July  
722 1, 2012, the authority shall repay the expenditures by the  
723 department for costs of operation and maintenance of the Central  
724 Florida ~~Orlando-Orange County~~ Expressway System in accordance  
725 with the terms of the memorandum of understanding between the

2014230er

726 authority and the department as ratified by the authority board  
727 on February 22, 2012, which requires the authority to pay the  
728 department \$10 million on July 1, 2012, and \$20 million on each  
729 successive July 1 until the department has been fully reimbursed  
730 for all costs of the Central Florida ~~Orlando-Orange County~~  
731 Expressway System which were paid, advanced, or reimbursed to  
732 the authority by the department, with a final payment in the  
733 amount of the balance remaining. Notwithstanding any other law  
734 ~~to the contrary~~, the funds paid to the department pursuant to  
735 this subsection must ~~shall~~ be allocated by the department for  
736 construction of the Wekiva Parkway.

737 (3) The department's obligation to construct its portions  
738 of the Wekiva Parkway is contingent upon the timely payment by  
739 the authority of the annual payments required of the authority  
740 and receipt of all required environmental permits and approvals  
741 by the Federal Government.

742 Section 9. Section 348.7547, Florida Statutes, is amended  
743 to read:

744 348.7547 Maitland Boulevard Extension and Northwest Beltway  
745 Part A Realignment construction authorized; financing.—  
746 Notwithstanding s. 338.2275, the Central Florida ~~Orlando-Orange~~  
747 ~~County~~ Expressway Authority may ~~is hereby authorized to~~ exercise  
748 its condemnation powers, construct, finance, operate, own, and  
749 maintain the portion of State Road 414 known as the Maitland  
750 Boulevard Extension and the realigned portion of the Northwest  
751 Beltway Part A as part of the authority's long-range capital  
752 improvement plan. The Maitland Boulevard Extension extends ~~will~~  
753 ~~extend~~ from the current terminus of State Road 414 at U.S. 441  
754 west to State Road 429 in west Orange County. The realigned

2014230er

755 portion of the Northwest Beltway Part A runs ~~will run~~ from the  
756 point at or near where the Maitland Boulevard Extension connects  
757 ~~will connect~~ with State Road 429 and proceeds ~~will proceed~~ to  
758 the west and then north resulting in the northern terminus of  
759 State Road 429 moving farther west before reconnecting with U.S.  
760 441. However, under no circumstances may ~~shall~~ the realignment  
761 of the Northwest Beltway Part A conflict with or contradict ~~with~~  
762 the alignment of the Wekiva Parkway as defined in s. 348.7546.  
763 This project may be financed with any funds available to the  
764 authority for such purpose or revenue bonds issued by the  
765 authority under s. 11, Art. VII of the State Constitution and s.  
766 348.755(1)(b).

767 Section 10. Subsections (2) and (3) of section 348.755,  
768 Florida Statutes, are amended to read:

769 348.755 Bonds of the authority.—

770 (2) Any ~~such~~ resolution that authorizes ~~or resolutions~~  
771 ~~authorizing~~ any bonds issued under this section hereunder may  
772 contain provisions that must ~~which shall~~ be part of the contract  
773 with the holders of such bonds, relating ~~as~~ to:

774 (a) The pledging of ~~all or~~ any part of the revenues, rates,  
775 fees, rentals, ~~(including all or~~ any portion of the Orange  
776 County gasoline tax funds received by the authority pursuant to  
777 the terms of any lease-purchase agreement between the authority  
778 and the department, or any part thereof), or other charges or  
779 receipts of the authority, derived by the authority, from the  
780 Central Florida Orlando-Orange County Expressway System.

781 (b) The completion, improvement, operation, extension,  
782 maintenance, repair, lease or lease-purchase agreement of the  
783 ~~said~~ system, and the duties of the authority and others,

2014230er

784 including the department, ~~with reference thereto.~~

785 (c) Limitations on the purposes to which the proceeds of  
786 the bonds, then or thereafter to be issued, or of any loan or  
787 grant by the United States or the state may be applied.

788 (d) The fixing, charging, establishing, and collecting of  
789 rates, fees, rentals, or other charges for use of the services  
790 and facilities of the Central Florida ~~Orlando-Orange County~~  
791 Expressway System or any part thereof.

792 (e) The setting aside of reserves or sinking funds or  
793 repair and replacement funds and the regulation and disposition  
794 thereof.

795 (f) Limitations on the issuance of additional bonds.

796 (g) The terms and provisions of any lease-purchase  
797 agreement, deed of trust or indenture securing the bonds, or  
798 under which the same may be issued.

799 (h) Any other or additional agreements with the holders of  
800 the bonds which the authority may deem desirable and proper.

801 (3) The authority may employ fiscal agents as provided by  
802 this part or the State Board of Administration of Florida may  
803 upon request of the authority act as fiscal agent for the  
804 authority in the issuance of any bonds that ~~which~~ may be issued  
805 pursuant to this part, and the State Board of Administration may  
806 upon request of the authority take over the management, control,  
807 administration, custody, and payment of any ~~or all~~ debt services  
808 or funds or assets now or hereafter available for any bonds  
809 issued pursuant to this part. The authority may enter into any  
810 deeds of trust, indentures or other agreements with its fiscal  
811 agent, or with any bank or trust company within or without the  
812 state, as security for such bonds, and may, under such

2014230er

813 agreements, sign and pledge ~~all or~~ any of the revenues, rates,  
814 fees, rentals or other charges or receipts of the authority,  
815 including ~~all or~~ any portion of the Orange County gasoline tax  
816 funds received by the authority pursuant to the terms of any  
817 lease-purchase agreement between the authority and the  
818 department, ~~thereunder~~. Such deed of trust, indenture, or other  
819 agreement may contain such provisions as are customary in such  
820 instruments, or, as the authority may authorize, including but  
821 without limitation, provisions as to:

822 (a) The completion, improvement, operation, extension,  
823 maintenance, repair, and lease of, or lease-purchase agreement  
824 relating to the Central Florida Orlando-Orange County Expressway  
825 System, and the duties of the authority and others including the  
826 department, with reference thereto.

827 (b) The application of funds and the safeguarding of funds  
828 on hand or on deposit.

829 (c) The rights and remedies of the trustee and the holders  
830 of the bonds.

831 (d) The terms and provisions of the bonds or the  
832 resolutions authorizing the issuance of same.

833 Section 11. Subsections (3) and (4) of section 348.756,  
834 Florida Statutes, are amended to read:

835 348.756 Remedies of the bondholders.—

836 (3) When a ~~Any~~ trustee is ~~when~~ appointed pursuant to  
837 subsection (1) as aforesaid, or is acting under a deed of trust,  
838 indenture, or other agreement, and whether or not all bonds have  
839 been declared due and payable, the trustee is ~~shall be~~ entitled  
840 ~~as of right~~ to the appointment of a receiver, who may enter upon  
841 and take possession of the Central Florida Orlando-Orange County

2014230er

842 Expressway System or the facilities or any part of the system or  
843 facilities ~~or parts thereof~~, the rates, fees, rentals, or other  
844 revenues, charges, or receipts ~~that from which~~ are, or may be,  
845 applicable to the payment of the bonds so in default, and  
846 subject to and in compliance with the provisions of any lease-  
847 purchase agreement between the authority and the department  
848 operate and maintain the same, for and on behalf of and in the  
849 name of, the authority, the department, and the bondholders, and  
850 collect and receive all rates, fees, rentals, and other charges  
851 or receipts or revenues arising therefrom in the same manner as  
852 the authority or the department might do, and shall deposit all  
853 such moneys in a separate account and apply the same in such  
854 manner as the court directs ~~shall direct~~. In any suit, action,  
855 or proceeding by the trustee, the fees, counsel fees, and  
856 expenses of the trustee, and the said receiver, if any, and all  
857 costs and disbursements allowed by the court must ~~shall~~ be a  
858 first charge on any rates, fees, rentals, or other charges,  
859 revenues, or receipts, derived from the Central Florida Orlando-  
860 Orange County Expressway System, or the facilities or services  
861 or any part of the system or facilities ~~or parts thereof~~,  
862 including payments under any such lease-purchase agreement ~~as~~  
863 ~~aforsaid~~ which ~~said~~ rates, fees, rentals, or other charges,  
864 revenues, or receipts ~~shall or~~ may be applicable to the payment  
865 of the bonds that are ~~so~~ in default. ~~The~~ ~~Such~~ trustee has ~~shall~~,  
866 ~~in addition to the foregoing, have and possess~~ all of the powers  
867 necessary or appropriate for the exercise of any functions  
868 specifically set forth in this section ~~herein~~ or incident to the  
869 representation of the bondholders in the enforcement and  
870 protection of their rights.

2014230er

871           (4) ~~Nothing in~~ This section or any other section of this  
872 part does not shall authorize any receiver appointed pursuant  
873 ~~hereto~~ for the purpose, subject to and in compliance with the  
874 provisions of any lease-purchase agreement between the authority  
875 and the department, of operating and maintaining the Central  
876 Florida Orlando-Orange County Expressway System or any  
877 facilities or part of the system or facilities ~~or parts thereof~~,  
878 to sell, assign, mortgage, or otherwise dispose of any of the  
879 assets of whatever kind and character belonging to the  
880 authority. ~~It is the intention of this part to limit~~ The powers  
881 of the such receiver, subject to and in compliance with the  
882 provisions of any lease-purchase agreement between the authority  
883 and the department, are limited to the operation and maintenance  
884 of the Central Florida Orlando-Orange County Expressway System,  
885 or any facility, or part ~~or parts~~ thereof, as the court may  
886 direct, in the name and for and on behalf of the authority, the  
887 department, and the bondholders, and no holder of bonds on the  
888 authority nor any trustee, has shall ever have the right in any  
889 suit, action, or proceeding at law or in equity, to compel a  
890 receiver, nor may shall any receiver be authorized or any court  
891 be empowered to direct the receiver to sell, assign, mortgage,  
892 or otherwise dispose of any assets ~~of whatever kind or character~~  
893 belonging to the authority.

894           Section 12. Subsections (1) through (7) of section 348.757,  
895 Florida Statutes, are amended to read:

896           348.757 Lease-purchase agreement.—

897           (1) ~~In order to effectuate the purposes of this part and as~~  
898 ~~authorized by this part~~, The authority may enter into a lease-  
899 purchase agreement with the department relating to and covering

2014230er

900 the former Orlando-Orange County Expressway System.

901 (2) The ~~Such~~ lease-purchase agreement must ~~shall~~ provide  
902 for the leasing of the former Orlando-Orange County Expressway  
903 System, by the authority, as lessor, to the department, as  
904 lessee, must ~~shall~~ prescribe the term of such lease and the  
905 rentals to be paid ~~thereunder~~, and must ~~shall~~ provide that upon  
906 the completion of the faithful performance ~~thereunder~~ and the  
907 termination of the ~~such~~ lease-purchase agreement, title in fee  
908 simple absolute to the former Orlando-Orange County Expressway  
909 System as then constituted shall be transferred in accordance  
910 with law by the authority, to the state and the authority shall  
911 deliver to the department such deeds and conveyances as shall be  
912 necessary or convenient to vest title in fee simple absolute in  
913 the state.

914 (3) The ~~Such~~ lease-purchase agreement may include ~~such~~  
915 other provisions, agreements, and covenants that ~~as~~ the  
916 authority and the department deem advisable or required,  
917 including, but not limited to, provisions as to the bonds to be  
918 issued under, and for the purposes of, this part, the  
919 completion, extension, improvement, operation, and maintenance  
920 of the former Orlando-Orange County Expressway System and the  
921 expenses and the cost of operation of the ~~said~~ authority, the  
922 charging and collection of tolls, rates, fees, and other charges  
923 for the use of the services and facilities of the system  
924 ~~thereof~~, the application of federal or state grants or aid that  
925 ~~which~~ may be made or given to assist the authority in the  
926 completion, extension, improvement, operation, and maintenance  
927 of the former Orlando-Orange County ~~Orlando~~ Expressway System,  
928 which the authority is ~~hereby~~ authorized to accept and apply to



2014230er

929 such purposes, the enforcement of payment and collection of  
930 rentals and any other terms, provisions, or covenants necessary,  
931 incidental, or appurtenant to the making of and full performance  
932 under the ~~such~~ lease-purchase agreement.

933 (4) The department as lessee under the ~~such~~ lease-purchase  
934 agreement, may ~~is hereby authorized to~~ pay as rentals under the  
935 agreement ~~thereunder~~ any rates, fees, charges, funds, moneys,  
936 receipts, or income accruing to the department from the  
937 operation of the former Orlando-Orange County Expressway System  
938 and the Orange County gasoline tax funds and may also pay as  
939 rentals any appropriations received by the department pursuant  
940 to any act of the Legislature of the state heretofore or  
941 hereafter enacted; ~~provided,~~ however, this part or the ~~that~~  
942 ~~nothing herein nor in such~~ lease-purchase agreement is not  
943 intended to and does not ~~nor shall this part or such lease-~~  
944 ~~purchase agreement~~ require the making or continuance of such  
945 appropriations, and ~~nor shall~~ any holder of bonds issued  
946 pursuant to this part does not ~~ever~~ have any right to compel the  
947 making or continuance of such appropriations.

948 (5) A ~~No~~ pledge of the ~~said~~ Orange County gasoline tax  
949 funds as rentals under a ~~such~~ lease-purchase agreement may not  
950 ~~shall~~ be made without the consent of the County of Orange  
951 evidenced by a resolution duly adopted by the board of county  
952 commissioners of said county at a public hearing held pursuant  
953 to due notice thereof published at least once a week for 3  
954 consecutive weeks before the hearing in a newspaper of general  
955 circulation in Orange County. The ~~Said~~ resolution, among other  
956 things, must ~~shall~~ provide that any excess of the ~~said~~ pledged  
957 gasoline tax funds which is not required for debt service or

2014230er

958 reserves for the ~~such~~ debt service for any bonds issued by the  
959 ~~said~~ authority shall be returned annually to the department for  
960 distribution to Orange County as provided by law. Before making  
961 any application for a ~~such~~ pledge of gasoline tax funds, the  
962 authority shall present the plan of its proposed project to the  
963 Orange County planning and zoning commission for its comments  
964 and recommendations.

965 (6) The ~~Said~~ department may ~~shall have power to~~ covenant in  
966 any lease-purchase agreement that it will pay all or any part of  
967 the cost of the operation, maintenance, repair, renewal, and  
968 replacement of the ~~said~~ system, and any part of the cost of  
969 completing the ~~said~~ system to the extent that the proceeds of  
970 bonds issued ~~therefor~~ are insufficient, from sources other than  
971 the revenues derived from the operation of the ~~said~~ system and  
972 the ~~said~~ Orange County gasoline tax funds. The ~~said~~ department  
973 may also agree to make such other payments from any moneys  
974 available to the ~~said~~ commission, the ~~said~~ county, or the ~~said~~  
975 city in connection with the construction or completion of the  
976 ~~said~~ system as shall be deemed by the ~~said~~ department to be fair  
977 and proper under any ~~such~~ covenants ~~heretofore or hereafter~~  
978 entered into.

979 (7) The ~~said~~ system must ~~shall~~ be a part of the state road  
980 system and the ~~said~~ department may ~~is hereby authorized,~~ upon  
981 the request of the authority, ~~to~~ expend out of any funds  
982 available for the purpose the ~~such~~ moneys, and ~~to~~ use ~~such~~ of  
983 its engineering and other forces, as may be necessary and  
984 ~~desirable in the judgment of said department,~~ for the operation  
985 of the ~~said~~ authority and for traffic surveys, borings, surveys,  
986 preparation of plans and specifications, estimates of cost, and

2014230er

987 other preliminary engineering and other studies; provided,  
988 however, that the aggregate amount of moneys expended for the  
989 ~~said~~ purposes by the ~~said~~ department do ~~shall~~ not exceed the sum  
990 of \$375,000.

991 Section 13. Section 348.758, Florida Statutes, is amended  
992 to read:

993 348.758 Appointment of department as ~~may be appointed~~ agent  
994 of authority for construction.—The department may be appointed  
995 by the ~~said~~ authority as its agent for the purpose of  
996 constructing improvements and extensions to the Central Florida  
997 ~~Orlando-Orange County~~ Expressway System and for its ~~the~~  
998 completion ~~thereof~~. In such event, the authority shall provide  
999 the department with complete copies of all documents,  
1000 agreements, resolutions, contracts, and instruments relating  
1001 thereto and shall request the department to do such construction  
1002 work, including the planning, surveying, and actual construction  
1003 of the completion, extensions, and improvements to the Central  
1004 Florida ~~Orlando-Orange County~~ Expressway System and shall  
1005 transfer to the credit of an account of the department in the  
1006 State Treasury ~~of the state~~ the necessary funds, therefor and  
1007 the department may ~~shall thereupon be authorized, empowered and~~  
1008 ~~directed to~~ proceed with such construction and ~~to~~ use the ~~said~~  
1009 funds for such purpose in the same manner that it is ~~now~~  
1010 authorized to use the funds ~~otherwise provided by law~~ for the  
1011 ~~its use in~~ construction of roads and bridges.

1012 Section 14. Section 348.759, Florida Statutes, is amended  
1013 to read:

1014 348.759 Acquisition of lands and property.—

1015 (1) For the purposes of this part, the Central Florida

2014230er

1016 ~~Orlando-Orange County~~ Expressway Authority may acquire private  
1017 or public property and property rights, including rights of  
1018 access, air, view, and light, by gift, devise, purchase, or  
1019 condemnation by eminent domain proceedings, as the authority  
1020 deems ~~may deem~~ necessary for any of the purposes of this part,  
1021 including, but not limited to, any lands reasonably necessary  
1022 for securing applicable permits, areas necessary for management  
1023 of access, borrow pits, drainage ditches, water retention areas,  
1024 rest areas, replacement access for landowners whose access is  
1025 impaired due to the construction of a facility, and replacement  
1026 rights-of-way for relocated rail and utility facilities; for  
1027 existing, proposed, or anticipated transportation facilities on  
1028 the Central Florida ~~Orlando-Orange County~~ Expressway System or  
1029 in a transportation corridor designated by the authority; or for  
1030 the purposes of screening, relocation, removal, or disposal of  
1031 junkyards and scrap metal processing facilities. The authority  
1032 may ~~shall also have the power to~~ condemn any material and  
1033 property necessary for such purposes.

1034 (2) The ~~right of eminent domain herein conferred shall be~~  
1035 ~~exercised by the~~ authority shall exercise the right of eminent  
1036 domain in the manner provided by law.

1037 (3) When the authority acquires property for a  
1038 transportation facility or in a transportation corridor, it is  
1039 not subject to any liability imposed by chapter 376 or chapter  
1040 403 for preexisting soil or groundwater contamination due solely  
1041 to its ownership. This section does not affect the rights or  
1042 liabilities of any past or future owners of the acquired  
1043 property and ~~nor~~ does not ~~it~~ affect the liability of any  
1044 governmental entity for the results of its actions which create

2014230er

1045 or exacerbate a pollution source. The authority and the  
1046 Department of Environmental Protection may enter into  
1047 interagency agreements for the performance, funding, and  
1048 reimbursement of the investigative and remedial acts necessary  
1049 for property acquired by the authority.

1050 Section 15. Section 348.760, Florida Statutes, is amended  
1051 to read:

1052 348.760 Cooperation with other units, boards, agencies, and  
1053 individuals. A ~~Express authority and power is hereby given and~~  
1054 ~~granted any~~ county, municipality, drainage district, road and  
1055 bridge district, school district or any other political  
1056 subdivision, board, commission, or individual in, or of, the  
1057 state may ~~to~~ make and enter into with the authority, contracts,  
1058 leases, conveyances, partnerships, or other agreements pursuant  
1059 to ~~within the provisions and purposes of~~ this part. The  
1060 authority may ~~is hereby expressly authorized to~~ make and enter  
1061 into contracts, leases, conveyances, partnerships, and other  
1062 agreements with any political subdivision, agency, or  
1063 instrumentality of the state and any ~~and all~~ federal agencies,  
1064 corporations, and individuals, for the purpose of carrying out  
1065 the provisions of this part ~~or with the consent of the Seminole~~  
1066 ~~County Expressway Authority, for the purpose of carrying out and~~  
1067 ~~implementing part VIII of this chapter.~~

1068 Section 16. Section 348.761, Florida Statutes, is amended  
1069 to read:

1070 348.761 Covenant of the state. The state pledges ~~does~~  
1071 ~~hereby pledge~~ to, and agrees, with any person, firm or  
1072 corporation, or federal or state agency subscribing to, or  
1073 acquiring the bonds to be issued by the authority for the

2014230er

1074 purposes of this part that the state will not limit or alter the  
1075 rights that are hereby vested in the authority and the  
1076 department until all issued bonds and interest ~~at any time~~  
1077 ~~issued, together with the interest thereon,~~ are fully paid and  
1078 discharged insofar as the pledge same affects the rights of the  
1079 holders of bonds issued pursuant to this part hereunder. The  
1080 state does further pledge to, and agree, with the United States  
1081 that in the event any federal agency constructs or contributes  
1082 ~~shall construct or contribute~~ any funds for the completion,  
1083 extension, or improvement of the Central Florida Orlando-Orange  
1084 ~~County~~ Expressway System, or any part or portion of the system  
1085 ~~thereof~~, the state will not alter or limit the rights and powers  
1086 of the authority and the department in any manner that which  
1087 would be inconsistent with the continued maintenance and  
1088 operation of the Central Florida Orlando-Orange County  
1089 Expressway System or the completion, extension, or improvement  
1090 of the system thereof, or that which would be inconsistent with  
1091 the due performance of any agreements between the authority and  
1092 any such federal agency, and the authority and the department  
1093 shall continue to have and may exercise all powers ~~herein~~  
1094 granted in this part, so long as the powers are same ~~shall be~~  
1095 necessary or desirable for the carrying out of the purposes of  
1096 this part and the purposes of the United States in the  
1097 completion, extension, or improvement of the Central Florida  
1098 ~~Orlando-Orange County~~ Expressway System, or any part of the  
1099 system or portion thereof.

1100 Section 17. Section 348.765, Florida Statutes, is amended  
1101 to read:

1102 348.765 This part complete and additional authority.-

2014230er

1103           (1) The powers conferred by this part are ~~shall be~~ in  
1104 addition and supplemental to the existing powers of the ~~said~~  
1105 board and the department, and this part may ~~shall~~ not be  
1106 construed as repealing any of the provisions, of any other law,  
1107 general, special, or local, but to supersede such other laws in  
1108 the exercise of the powers provided in this part, and to provide  
1109 a complete method for the exercise of the powers granted in this  
1110 part. The extension and improvement of the Central Florida ~~said~~  
1111 ~~Orlando-Orange County~~ Expressway System, and the issuance of  
1112 bonds pursuant to this part hereunder to finance all or part of  
1113 the cost of the system thereof, may be accomplished upon  
1114 compliance with the provisions of this part without regard to or  
1115 necessity for compliance with the provisions, limitations, or  
1116 restrictions contained in any other general, special, or local  
1117 law, including, but not limited to, s. 215.821, and no approval  
1118 of any bonds issued under this part by the qualified electors or  
1119 qualified electors who are freeholders in the state or in the  
1120 ~~said~~ County of Orange, or in the ~~said~~ City of Orlando, or in any  
1121 other political subdivision of the state, is ~~shall be~~ required  
1122 for the issuance of such bonds pursuant to this part.

1123           (2) This part does ~~shall not be deemed to~~ repeal, rescind,  
1124 or modify any other law ~~or laws~~ relating to the ~~said~~ State Board  
1125 of Administration, the ~~said~~ Department of Transportation, or the  
1126 Division of Bond Finance of the State Board of Administration,  
1127 but supersedes any ~~shall be deemed to and shall supersede such~~  
1128 ~~other law that is or laws as~~ are inconsistent with the  
1129 provisions of this part, including, but not limited to, s.  
1130 215.821.

1131           Section 18. Subsections (6) and (7) of section 369.317,

2014230er

1132 Florida Statutes, are amended to read:

1133 369.317 Wekiva Parkway.—

1134 (6) The Central Florida ~~Orlando-Orange County~~ Expressway  
1135 Authority is hereby granted the authority to act as a third-  
1136 party acquisition agent, pursuant to s. 259.041 on behalf of the  
1137 Board of Trustees or chapter 373 on behalf of the governing  
1138 board of the St. Johns River Water Management District, for the  
1139 acquisition of all necessary lands, property and all interests  
1140 in property identified herein, including fee simple or less-  
1141 than-fee simple interests. The lands subject to this authority  
1142 are identified in paragraph 10.a., State of Florida, Office of  
1143 the Governor, Executive Order 03-112 of July 1, 2003, and in  
1144 Recommendation 16 of the Wekiva Basin Area Task Force created by  
1145 Executive Order 2002-259, such lands otherwise known as  
1146 Neighborhood Lakes, a 1,587+/-acre parcel located in Orange and  
1147 Lake Counties within Sections 27, 28, 33, and 34 of Township 19  
1148 South, Range 28 East, and Sections 3, 4, 5, and 9 of Township 20  
1149 South, Range 28 East; Seminole Woods/Swamp, a 5,353+/-acre  
1150 parcel located in Lake County within Section 37, Township 19  
1151 South, Range 28 East; New Garden Coal; a 1,605+/-acre parcel in  
1152 Lake County within Sections 23, 25, 26, 35, and 36, Township 19  
1153 South, Range 28 East; Pine Plantation, a 617+/-acre tract  
1154 consisting of eight individual parcels within the Apopka City  
1155 limits. The Department of Transportation, the Department of  
1156 Environmental Protection, the St. Johns River Water Management  
1157 District, and other land acquisition entities shall participate  
1158 and cooperate in providing information and support to the third-  
1159 party acquisition agent. The land acquisition process authorized  
1160 by this paragraph shall begin no later than December 31, 2004.



2014230er

1161 Acquisition of the properties identified as Neighborhood Lakes,  
1162 Pine Plantation, and New Garden Coal, or approval as a  
1163 mitigation bank shall be concluded no later than December 31,  
1164 2010. Department of Transportation and Central Florida ~~Orlando-~~  
1165 ~~Orange County~~ Expressway Authority funds expended to purchase an  
1166 interest in those lands identified in this subsection shall be  
1167 eligible as environmental mitigation for road construction  
1168 related impacts in the Wekiva Study Area. If any of the lands  
1169 identified in this subsection are used as environmental  
1170 mitigation for road-construction-related impacts incurred by the  
1171 Department of Transportation or Central Florida ~~Orlando-Orange~~  
1172 ~~County~~ Expressway Authority, or for other impacts incurred by  
1173 other entities, within the Wekiva Study Area or within the  
1174 Wekiva parkway alignment corridor, and if the mitigation offsets  
1175 these impacts, the St. Johns River Water Management District and  
1176 the Department of Environmental Protection shall consider the  
1177 activity regulated under part IV of chapter 373 to meet the  
1178 cumulative impact requirements of s. 373.414(8)(a).

1179 (a) Acquisition of the land described in this section is  
1180 required to provide right-of-way for the Wekiva Parkway, a  
1181 limited access roadway linking State Road 429 to Interstate 4,  
1182 an essential component in meeting regional transportation needs  
1183 to provide regional connectivity, improve safety, accommodate  
1184 projected population and economic growth, and satisfy critical  
1185 transportation requirements caused by increased traffic volume  
1186 growth and travel demands.

1187 (b) Acquisition of the lands described in this section is  
1188 also required to protect the surface water and groundwater  
1189 resources of Lake, Orange, and Seminole counties, otherwise

2014230er

1190 known as the Wekiva Study Area, including recharge within the  
1191 springshed that provides for the Wekiva River system. Protection  
1192 of this area is crucial to the long term viability of the Wekiva  
1193 River and springs and the central Florida region's water supply.  
1194 Acquisition of the lands described in this section is also  
1195 necessary to alleviate pressure from growth and development  
1196 affecting the surface and groundwater resources within the  
1197 recharge area.

1198 (c) Lands acquired pursuant to this section that are needed  
1199 for transportation facilities for the Wekiva Parkway shall be  
1200 determined not necessary for conservation purposes pursuant to  
1201 ss. 253.034(6) and 373.089(5) and shall be transferred to or  
1202 retained by the Central Florida ~~Orlando-Orange County~~ Expressway  
1203 Authority or the Department of Transportation upon reimbursement  
1204 of the full purchase price and acquisition costs.

1205 (7) The Department of Transportation, the Department of  
1206 Environmental Protection, the St. Johns River Water Management  
1207 District, Central Florida ~~Orlando-Orange County~~ Expressway  
1208 Authority, and other land acquisition entities shall cooperate  
1209 and establish funding responsibilities and partnerships by  
1210 agreement to the extent funds are available to the various  
1211 entities. Properties acquired with Florida Forever funds shall  
1212 be in accordance with s. 259.041 or chapter 373. The Central  
1213 Florida ~~Orlando-Orange County~~ Expressway Authority shall acquire  
1214 land in accordance with this section of law to the extent funds  
1215 are available from the various funding partners, but shall not  
1216 be required nor assumed to fund the land acquisition beyond the  
1217 agreement and funding provided by the various land acquisition  
1218 entities.

2014230er

1219 Section 19. Subsection (1) of section 369.324, Florida  
1220 Statutes, is amended to read:

1221 369.324 Wekiva River Basin Commission.—

1222 (1) The Wekiva River Basin Commission is created to monitor  
1223 and ensure the implementation of the recommendations of the  
1224 Wekiva River Basin Coordinating Committee for the Wekiva Study  
1225 Area. The East Central Florida Regional Planning Council shall  
1226 provide staff support to the commission with funding assistance  
1227 from the Department of Economic Opportunity. The commission  
1228 shall be comprised of a total of 18 ~~19~~ members appointed by the  
1229 Governor, 9 of whom shall be voting members and 9 ~~10~~ shall be ad  
1230 hoc nonvoting members. The voting members shall include:

1231 (a) One member of each of the Boards of County  
1232 Commissioners for Lake, Orange, and Seminole Counties.

1233 (b) One municipal elected official to serve as a  
1234 representative of the municipalities located within the Wekiva  
1235 Study Area of Lake County.

1236 (c) One municipal elected official to serve as a  
1237 representative of the municipalities located within the Wekiva  
1238 Study Area of Orange County.

1239 (d) One municipal elected official to serve as a  
1240 representative of the municipalities located within the Wekiva  
1241 Study Area of Seminole County.

1242 (e) One citizen representing an environmental or  
1243 conservation organization, one citizen representing a local  
1244 property owner, a land developer, or an agricultural entity, and  
1245 one at-large citizen who shall serve as chair of the council.

1246 (f) The ad hoc nonvoting members shall include one  
1247 representative from each of the following entities:

2014230er

- 1248 1. St. Johns River Management District.  
1249 2. Department of Economic Opportunity.  
1250 3. Department of Environmental Protection.  
1251 4. Department of Health.  
1252 5. Department of Agriculture and Consumer Services.  
1253 6. Fish and Wildlife Conservation Commission.  
1254 7. Department of Transportation.  
1255 8. MetroPlan Orlando.  
1256 9. Central Florida ~~Orlando-Orange County~~ Expressway

1257 Authority.

1258 ~~10. Seminole County Expressway Authority.~~

1259 Section 20. (1) Effective upon this act becoming a law, the  
1260 Osceola County Expressway Authority may only exercise its powers  
1261 for the purpose of studying, planning, designing, financing,  
1262 constructing, operating, and maintaining those projects  
1263 identified in the Osceola County Expressway Authority May 8,  
1264 2012, Master Plan, as adopted on such date, and an additional  
1265 extension of the Osceola Parkway Extension 2 miles to the east  
1266 of its intersection with the Northeast Connector Expressway.  
1267 Effective December 31, 2018, all powers, governance, and control  
1268 of the Osceola County Expressway System, created pursuant to  
1269 part V of chapter 348, Florida Statutes, are transferred to the  
1270 Central Florida Expressway Authority, and the assets,  
1271 liabilities, facilities, tangible and intangible property and  
1272 any rights in the property, and any other legal rights of the  
1273 Osceola County Expressway Authority are transferred to the  
1274 Central Florida Expressway Authority. Upon transfer, the Osceola  
1275 County Expressway System facilities shall each be a "non-system  
1276 project" of the Central Florida Expressway Authority, as that

2014230er

1277 term is defined in the then-current master senior lien bond  
1278 resolution of the Central Florida Expressway Authority. The  
1279 effective date of such transfer shall be extended until the date  
1280 on which the current and forecasted total debt service coverage  
1281 ratio with respect to all bonds, notes, loans, and other debt  
1282 obligations issued to finance such projects to be transferred  
1283 can be and is calculated and certified by the financial advisor  
1284 for the Central Florida Expressway Authority to be equal to or  
1285 greater than 1.5 for each and every year during which such  
1286 obligations are then scheduled to be outstanding, including  
1287 scheduled reimbursement obligations to other governmental  
1288 entities. The debt service coverage ratio shall be calculated in  
1289 a manner consistent with the then-current master senior lien  
1290 bond resolution of the Central Florida Expressway Authority. If  
1291 the effective date of the transfer is extended, after December  
1292 31, 2018, the Osceola County Expressway Authority may only  
1293 exercise its powers through a contract or contracts with another  
1294 governmental entity and only for the purpose of operating and  
1295 maintaining those projects which were completed before such  
1296 date, in accordance with the requirements of any agreement,  
1297 resolution, or indenture under which bonds or other debt  
1298 obligations were issued to finance such projects, and completing  
1299 construction of those projects for which financing of the full  
1300 estimated costs of acquisition, design, and construction was  
1301 obtained and construction began before December 31, 2018.

1302 (2) Part V of chapter 348, Florida Statutes, consisting of  
1303 ss. 348.9950, 348.9951, 348.9952, 348.9953, 348.9954, 348.9956,  
1304 348.9957, 348.9958, 348.9959, 348.9960, and 348.9961, is  
1305 repealed on the same date that the Osceola County Expressway

2014230er

1306 System is transferred to the Central Florida Expressway  
1307 Authority.

1308 (3) (a) Following the repeal of part V of chapter 348,  
1309 Florida Statutes, consisting of sections 348.9950-348.9961, and  
1310 the transfer of the Osceola County Expressway System to the  
1311 Central Florida Expressway Authority, the Central Florida  
1312 Expressway Authority shall include the uncompleted elements of  
1313 the Osceola County Expressway Authority May 8, 2012, Master  
1314 Plan, as adopted on such date, and an additional extension of  
1315 the Osceola Parkway Extension 2 miles to the east of its  
1316 intersection with the Northeast Connector Expressway, in the  
1317 equivalent Central Florida Expressway Authority master plan or  
1318 long-range plan, each as a "non-system project" of the Central  
1319 Florida Expressway Authority, as that term is defined in the  
1320 then-current master senior lien bond resolution of the Central  
1321 Florida Expressway Authority.

1322 (b) The Department of Transportation shall also include  
1323 elements of the Osceola County Expressway Authority May 8, 2012,  
1324 Master Plan, as adopted on such date, and an additional  
1325 extension of the Osceola Parkway Extension 2 miles to the east  
1326 of its intersection with the Northeast Connector Expressway, in  
1327 its work program in accordance with s. 339.135, Florida  
1328 Statutes, as tolled facilities.

1329 (4) The Central Florida Expressway Authority shall comply  
1330 with any and all obligations of the Osceola County Expressway  
1331 Authority to reimburse other governmental entities for costs  
1332 incurred on behalf of the Osceola County Expressway System from  
1333 revenues of the Osceola County Expressway System available after  
1334 payment of all amounts required for operation and maintenance of

2014230er

1335 the Osceola County Expressway System and all amounts required to  
1336 be paid under the terms of any resolution authorizing the  
1337 issuance of bonds to fund the acquisition, design, or  
1338 construction of any portion of the Osceola County Expressway  
1339 System. This reimbursement obligation specifically includes, but  
1340 is not limited to, any obligation of the Osceola County  
1341 Expressway Authority to reimburse Osceola County and Polk County  
1342 for costs incurred, or debt issued, to fund the acquisition,  
1343 development, construction, operation, and maintenance of the  
1344 Osceola County Expressway System. The transfer of any  
1345 reimbursement obligation of the Osceola County Expressway  
1346 Authority pursuant to this section does not alter the terms of  
1347 any agreement between the Osceola County Expressway Authority  
1348 and any other governmental entity, does not relieve any other  
1349 governmental entity of its contractual obligations incurred on  
1350 behalf of the Osceola County Expressway System, does not make  
1351 any reimbursement obligation a general obligation of the Central  
1352 Florida Expressway Authority, and does not constitute an  
1353 independent pledge or lien on revenues of the Central Florida  
1354 Expressway Authority for the benefit of any person or entity. To  
1355 the extent that revenues generated by the Osceola County  
1356 Expressway System are insufficient to pay a reimbursement  
1357 obligation, the Central Florida Expressway Authority may, but is  
1358 not required to, make any payment from other revenues of the  
1359 Central Florida Expressway System available for such purpose  
1360 after payment of all amounts required:

1361 (a) Otherwise by law or contract;

1362 (b) By the terms of any resolution authorizing the issuance  
1363 of bonds by the Central Florida Expressway Authority or the

2014230er

1364 Orlando-Orange County Expressway Authority; and

1365 (c) By the terms of the memorandum of understanding between  
1366 the Orlando-Orange County Expressway Authority and the  
1367 department as ratified by the board of the Orlando-Orange County  
1368 Expressway Authority on February 22, 2012.

1369 (5) Revenues generated by the Osceola County Expressway  
1370 System May 8, 2012, Master Plan facilities available after  
1371 payment of all current operation, maintenance, and  
1372 administrative expenses of the Osceola County Expressway System;  
1373 payment of debt service on any bonds, notes, loans, or other  
1374 obligations issued and used to finance the costs of design,  
1375 acquisition, and construction of such facilities; and payment of  
1376 all other amounts required by the terms of any trust agreement  
1377 or indenture established with respect thereto shall be used:

1378 (a) On a pro rata basis to repay or reimburse in full  
1379 Osceola County or any other local agency any funds or amounts  
1380 loaned to the Osceola County Expressway Authority to complete  
1381 any such projects and to repay or reimburse in full the Central  
1382 Florida Expressway Authority for any funds or amounts  
1383 contributed to such projects; and

1384 (b) Thereafter, to advance any other uncompleted elements  
1385 of the Osceola County Expressway Authority May 8, 2012, Master  
1386 Plan, and an additional extension of the Osceola Parkway  
1387 Extension 2 miles to the east of its intersection with the  
1388 Northeast Connector Expressway.

1389 (6) The Central Florida Expressway Authority shall have no  
1390 obligation to financially support any elements of the Osceola  
1391 County Expressway Authority May 8, 2012, Master Plan, or the  
1392 additional extension of the Osceola Parkway Extension 2 miles to



2014230er

1393 the east of its intersection with the Northeast Connector  
1394 Expressway, from revenues of the Central Florida Expressway  
1395 Authority's Expressway System. To the extent the governing board  
1396 of the Central Florida Expressway Authority, in its sole  
1397 discretion, votes to financially support any elements of the  
1398 Osceola County Expressway Authority May 8, 2012, Master Plan, or  
1399 the additional extension of the Osceola Parkway Extension 2  
1400 miles to the east of its intersection with the Northeast  
1401 Connector Expressway, it must treat any such element as a "non-  
1402 system project" and shall only finance such element from  
1403 revenues of the Central Florida Expressway Authority's  
1404 Expressway System to the extent permitted by and in accordance  
1405 with the terms of any resolution authorizing the issuance of  
1406 bonds by the Central Florida Expressway Authority. For the  
1407 purpose of advancing the design, acquisition, and construction  
1408 of the elements of the Osceola County Expressway Authority May  
1409 8, 2012, Master Plan, and an additional extension of the Osceola  
1410 Parkway Extension 2 miles to the east of its intersection with  
1411 the Northeast Connector Expressway, the Central Florida  
1412 Expressway Authority is specifically authorized to enter into  
1413 new or amended lease-purchase agreements with Osceola County for  
1414 the leasing, construction, operation, and maintenance of any  
1415 facility described in the Osceola County Expressway Authority  
1416 May 8, 2012, Master Plan, and an additional extension of the  
1417 Osceola Parkway Extension 2 miles to the east of its  
1418 intersection with the Northeast Connector Expressway.

1419 (7) In recognition of the strategic economic importance of  
1420 enhanced mobility in the region served by the Osceola County  
1421 Expressway Authority, the Department of Transportation shall

2014230er

1422 cooperate with the Osceola County Expressway Authority, the  
1423 Central Florida Expressway Authority, and Osceola County in  
1424 working to identify solutions to potential barriers to  
1425 implementation of the projects included in the Osceola County  
1426 Expressway Authority May 8, 2012, Master Plan, and an additional  
1427 extension of the Osceola Parkway Extension 2 miles to the east  
1428 of its intersection with the Northeast Connector Expressway,  
1429 including funding sources and revenues that may be available for  
1430 implementation of those improvements.

1431       Section 21. The Division of Law Revision and Information is  
1432 directed to replace the phrase "the effective date of this act"  
1433 wherever it occurs in this act with the date the act becomes a  
1434 law.

1435       Section 22. This act shall take effect upon becoming a law.