

By Senator Simmons

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1 A bill to be entitled
2 An act relating to the Central Florida Expressway
3 Authority; amending s. 348.753, F.S.; requiring the
4 chairs of the boards of specified county commissions
5 each to appoint one member from his or her respective
6 county who is a commission member or chair or the
7 county mayor to serve on the governing body of the
8 authority; requiring Senate confirmation of members
9 appointed to the authority by the Governor; providing
10 that the Senate's refusal or failure to confirm a
11 member appointed by the Governor creates a vacancy;
12 specifying that the terms of members appointed by the
13 Governor end on a specified date; removing the
14 requirement that the authority elect one of its
15 members as secretary; amending s. 348.754, F.S.;
16 specifying that the Central Florida Expressway
17 Authority is a party to a certain lease-purchase
18 agreement between the Department of Transportation and
19 the Orlando-Orange County Expressway Authority;
20 amending s. 348.757, F.S.; removing the requirement
21 that title in fee simple absolute to the former
22 Orlando-Orange County Expressway System be transferred
23 to the state upon the completion of the faithful
24 performance and termination of a specified lease-
25 purchase agreement; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Subsection (3) and paragraph (a) of subsection
30 (4) of section 348.753, Florida Statutes, are amended to read:

31 348.753 Central Florida Expressway Authority.—

32 (3) The governing body of the authority shall consist of

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33 nine members. The chairs of the boards of the county commissions
34 of Seminole, Lake, and Osceola Counties shall each appoint one
35 member from his or her respective county, who must ~~may~~ be a
36 commission member or chair or the county mayor. The Mayor of
37 Orange County shall appoint a member from the Orange County
38 Commission. Subject to confirmation by the Senate during the
39 next regular session of the Legislature, the Governor shall
40 appoint three citizen members, each of whom must be a resident
41 ~~citizen~~ of either Orange County, Seminole County, Lake County,
42 or Osceola County. Refusal or failure of the Senate to confirm
43 an appointment shall create a vacancy. The ~~eighth member must be~~
44 ~~the Mayor of Orange County and. The ninth member must be~~ the
45 Mayor of the City of Orlando shall also serve as members. The
46 executive director of the Florida Turnpike Enterprise shall
47 serve as a nonvoting advisor to the governing body of the
48 authority. Each member appointed by the Governor shall serve for
49 4 years, with his or her term ending on December 31 of his or
50 her last year of service. Each county-appointed member shall
51 serve for 2 years. ~~The terms of standing board members expire~~
52 ~~June 20, 2014~~. Each appointed member shall hold office until his
53 or her successor has been appointed and has qualified. A vacancy
54 occurring during a term must be filled only for the balance of
55 the unexpired term. Each appointed member of the authority must
56 ~~shall~~ be a person of outstanding reputation for integrity,
57 responsibility, and business ability, but, except as provided in
58 this subsection, a person who is an officer or employee of a
59 municipality or county may not be an appointed member of the
60 authority. Any member of the authority is eligible for
61 reappointment.

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62 (4) (a) The authority shall elect one of its members as the
63 chair of the authority, ~~The authority shall also elect one of~~
64 its members as vice chair, ~~one of its members as secretary,~~ and
65 one of its members as treasurer. The chair, vice chair,
66 ~~secretary,~~ and treasurer shall hold such offices at the will of
67 the authority. Five members of the authority constitute a
68 quorum, and the vote of five members is required ~~necessary~~ for
69 any action taken by the authority. A vacancy in the authority
70 does not impair the right of a quorum of the authority to
71 exercise all of the rights and perform all of the duties of the
72 authority.

73 Section 2. Paragraph (e) of subsection (2) of section
74 348.754, Florida Statutes, is amended to read:

75 348.754 Purposes and powers.—

76 (2) The authority may exercise all powers necessary,
77 appurtenant, convenient, or incidental to the implementation of
78 the stated purposes, including, but not limited to, the
79 following rights and powers:

80 (e) To enter into and make lease-purchase agreements with
81 the department for terms not exceeding 99 years, or until any
82 bonds secured by a pledge of rentals pursuant to the agreement,
83 and any refundings pursuant to the agreement, are fully paid as
84 to both principal and interest, whichever is longer. The
85 authority is a party to a lease-purchase agreement between the
86 department and the Orlando-Orange County Expressway Authority
87 dated December 23, 1985, as supplemented by a first supplement
88 to the lease-purchase agreement dated November 25, 1986, and a
89 second supplement to the lease-purchase agreement dated October
90 27, 1988. The authority may not enter into other lease-purchase

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91 agreements with the department and may not amend the existing
92 agreement in a manner that expands or increases the department's
93 obligations unless the department determines that the agreement
94 or amendment is necessary to permit the refunding of bonds
95 issued before July 1, 2013.

96 Section 3. Subsection (2) of section 348.757, Florida
97 Statutes, is amended to read:

98 348.757 Lease-purchase agreement.-

99 (2) The lease-purchase agreement must provide for the
100 leasing of the former Orlando-Orange County Expressway System,
101 by the authority, as lessor, to the department, as lessee, and
102 must prescribe the term of such lease and the rentals to be
103 paid, ~~and must provide that upon the completion of the faithful~~
104 ~~performance and the termination of the lease purchase agreement,~~
105 ~~title in fee simple absolute to the former Orlando-Orange County~~
106 ~~Expressway System as then constituted shall be transferred in~~
107 ~~accordance with law by the authority, to the state and the~~
108 ~~authority shall deliver to the department such deeds and~~
109 ~~conveyances as shall be necessary or convenient to vest title in~~
110 ~~fee simple absolute in the state.~~

111 Section 4. This act shall take effect July 1, 2016.