

Meeting Date
February 7, 2017



Section	NEW BUSINESS
Item No.	VI F 1

AGENDA REPORT

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Resolution: Supporting HB299 allowing for adding Brevard County to the Central Florida Expressway Authority.
DEPT/OFFICE:	County Commissioner Curt Smith, District 4

Requested Action:

It is requested that the Board approve a resolution supporting HB299 and any similar bills that would add Brevard County as a member of the Central Florida Expressway Authority.

Summary Explanation & Background:

The Central Florida Expressway Authority, currently comprised of members from Orange, Osceola, Seminole and Lake counties, has the authority to construct, operate, and maintain roads, bridges, avenues of access, transportation facilities, thoroughfares, and boulevards within the jurisdictional boundaries of the member counties, together with the right to construct, repair, replace, operate, install, and maintain electronic toll payment systems thereon.

The inclusion of Brevard County as a member of the Central Florida Expressway Authority would facilitate the planning, expansion and construction of transportation facilities between Brevard and Central Florida.

Fiscal Impact: There is no known fiscal impact.

Staff Contacts: Pat Woodard, District 4 Commission Office, 633-2044.

Exhibits Attached: Resolution No. 2017-XX and HB 299

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager	Deputy County Manager	Department Director / Extension
Stockton Whitten 	Assistant County Manager	Curt Smith, County Commissioner District 4



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

February 8, 2017

MEMORANDUM

TO: Chairman Curt Smith, District 4 Commissioner

Attn: Pat Woodard

RE: Item VI.F.1., Resolution Supporting HB299 Allowing for Adding Brevard County to the Central Florida Expressway Authority

The Board of County Commissioners, in regular session on February 7, 2017, adopted Resolution No. 17-015, supporting HB299 for the inclusion of Brevard County to the Central Florida Expressway Authority. Enclosed is a certified Resolution.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

Encl. (1)

cc: County Manager

RESOLUTION NO. 2017-015

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, SUPPORTING THE INCLUSION OF BREVARD COUNTY AS A MEMBER OF THE CENTRAL FLORIDA EXPRESSWAY AUTHORITY.

WHEREAS, the Central Florida Expressway Authority, currently comprised of members from Orange, Osceola, Seminole and Lake counties, has the authority to construct, operate, and maintain roads, bridges, avenues of access, transportation facilities, thoroughfares, and boulevards within the jurisdictional boundaries of the member counties, together with the right to construct, repair, replace, operate, install, and maintain electronic toll payment systems thereon; and

WHEREAS, the inclusion of Brevard County as a member of the Central Florida Expressway Authority would facilitate the planning, expansion and construction of transportation facilities between Brevard and Central Florida; and

WHEREAS, HB299, sponsored by Representative Goodson, is pending in the 2017 legislative session to amend Sections 348.753 and 348.754, Florida Statutes, to add Brevard County as a member of the Central Florida Expressway Authority; and

WHEREAS, if HB299 or similar legislation is enacted, it will become law as of July 1, 2017 and the Chairman of the Brevard County Board of County Commissioners will appoint a member of the commission to serve as a member of the Central Florida Expressway Authority governing body for a two-year term.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida as follows:

1. The Brevard County Board of County Commissioners fully supports HB299 and any similar bills that would add Brevard County as a member of the Central Florida Expressway Authority.
2. The Chairman is authorized to send copies of this Resolution to members of the Brevard Legislative Delegation and the Central Florida Expressway Authority.
3. The Resolution shall be effective immediately upon adoption.

DONE, ORDERED AND ADOPTED in Regular Session this 7th day of February, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Clerk of the Court:

By: 

Scott Ellis, Clerk.

By: 

Curt Smith, Chairman

Agenda Item #

VI.F.I

As Approved by Board 2/7/17



26 | Orange County Commission. Subject to confirmation by the Senate
 27 | during the next regular session of the Legislature, the Governor
 28 | shall appoint three citizen members, each of whom must be a
 29 | resident of either Orange County, Seminole County, Lake County,
 30 | Brevard County, or Osceola County. Refusal or failure of the
 31 | Senate to confirm an appointment shall create a vacancy. The
 32 | Mayor of Orange County and the Mayor of the City of Orlando
 33 | shall also serve as members. The executive director of the
 34 | Florida Turnpike Enterprise shall serve as a nonvoting advisor
 35 | to the governing body of the authority. Each member appointed by
 36 | the Governor shall serve for 4 years, with his or her term
 37 | ending on December 31 of his or her last year of service. Each
 38 | county-appointed member shall serve for 2 years. Each appointed
 39 | member shall hold office until his or her successor has been
 40 | appointed and has qualified. A vacancy occurring during a term
 41 | must be filled only for the balance of the unexpired term. Each
 42 | appointed member of the authority must be a person of
 43 | outstanding reputation for integrity, responsibility, and
 44 | business ability, but, except as provided in this subsection, a
 45 | person who is an officer or employee of a municipality or county
 46 | may not be an appointed member of the authority. Any member of
 47 | the authority is eligible for reappointment.

48 | (4)(a) The authority shall elect one of its members as the
 49 | chair of the authority, one of its members as vice chair, and
 50 | one of its members as treasurer. The chair, vice chair, and

51 treasurer shall hold such offices at the will of the authority.
 52 Six ~~Five~~ members of the authority constitute a quorum, and the
 53 vote of six ~~five~~ members is required for any action taken by the
 54 authority. A vacancy in the authority does not impair the right
 55 of a quorum of the authority to exercise all of the rights and
 56 perform all of the duties of the authority.

57 Section 2. Paragraph (a) of subsection (1) and paragraph
 58 (n) of subsection (2) of section 348.754, Florida Statutes, are
 59 amended to read:

60 348.754 Purposes and powers.--

61 (1)(a) The authority created and established under this
 62 part is granted and has the right to acquire, hold, construct,
 63 improve, maintain, operate, own, and lease in the capacity of
 64 lessor the Central Florida Expressway System, hereinafter
 65 referred to as "system." Except as otherwise specifically
 66 provided by law, including paragraph (2)(n), the area served by
 67 the authority shall be within the geographical boundaries of
 68 Orange, Seminole, Lake, Brevard, and Osceola Counties.

69 (2) The authority may exercise all powers necessary,
 70 appurtenant, convenient, or incidental to the implementation of
 71 the stated purposes, including, but not limited to, the
 72 following rights and powers:

73 (n) With the consent of the county within whose
 74 jurisdiction the following activities occur, the authority shall
 75 have the right to construct, operate, and maintain roads,

76 | bridges, avenues of access, transportation facilities,
77 | thoroughfares, and boulevards outside the jurisdictional
78 | boundaries of Orange, Seminole, Lake, Brevard, and Osceola
79 | Counties, together with the right to construct, repair, replace,
80 | operate, install, and maintain electronic toll payment systems
81 | thereon.

82 | Section 3. This act shall take effect July 1, 2017.

RESOLUTION NO. 2017-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, SUPPORTING THE INCLUSION OF BREVARD COUNTY AS A MEMBER OF THE CENTRAL FLORIDA EXPRESSWAY AUTHORITY.

WHEREAS, the Central Florida Expressway Authority, currently comprised of members from Orange, Osceola, Seminole and Lake counties, has the authority to construct, operate, and maintain roads, bridges, avenues of access, transportation facilities, thoroughfares, and boulevards within the jurisdictional boundaries of the member counties, together with the right to construct, repair, replace, operate, install, and maintain electronic toll payment systems thereon; and

WHEREAS, the inclusion of Brevard County as a member of the Central Florida Expressway Authority would facilitate the planning, expansion and construction of transportation facilities between Brevard and Central Florida; and

WHEREAS, HB299, sponsored by Representative Goodson, is pending in the 2017 legislative session to amend Sections 348.753 and 348.754, Florida Statutes, to add Brevard County as a member of the Central Florida Expressway Authority; and

WHEREAS, if HB299 or similar legislation is enacted, it will become law as of July 1, 2017 and the Chairman of the Brevard County Board of County Commissioners will appoint a member of the commission to serve as a member of the Central Florida Expressway Authority governing body for a two-year term.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida as follows:

1. The Brevard County Board of County Commissioners fully supports HB299 and any similar bills that would add Brevard County as a member of the Central Florida Expressway Authority.
2. The Chairman is authorized to send copies of this Resolution to members of the Brevard Legislative Delegation and the Central Florida Expressway Authority.
3. The Resolution shall be effective immediately upon adoption.

DONE, ORDERED AND ADOPTED in Regular Session this 7th day of February, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Clerk of the Court:

By:

Scott Ellis, Clerk

By:

Curt Smith, Chairman

Agenda Item #

A bill to be entitled

An act relating to the Central Florida Expressway Authority; amending s. 348.753, F.S.; increasing the membership of the governing board of the authority to include a member appointed by the chair of the Brevard County Commission; authorizing the Governor to appoint a citizen member from Brevard County; conforming quorum and voting requirements; amending s. 348.754, F.S.; adding the area within the geographical boundary of Brevard County to the area to be served by the authority; authorizing the authority to exercise certain powers outside the jurisdictional boundaries of Brevard County; providing an effective date.

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

Section 1. Subsection (3) and paragraph (a) of subsection (4) of section 348.753, Florida Statutes, are amended to read:
 348.753 Central Florida Expressway Authority.—

(3) The governing body of the authority shall consist of ten ~~nine~~ members. The chairs of the boards of the county commissions of Seminole, Lake, Brevard, and Osceola Counties shall each appoint one member from his or her respective county, who must be a commission member or chair or the county mayor. The Mayor of Orange County shall appoint a member from the

26 Orange County Commission. Subject to confirmation by the Senate
27 during the next regular session of the Legislature, the Governor
28 shall appoint three citizen members, each of whom must be a
29 resident of either Orange County, Seminole County, Lake County,
30 Brevard County, or Osceola County. Refusal or failure of the
31 Senate to confirm an appointment shall create a vacancy. The
32 Mayor of Orange County and the Mayor of the City of Orlando
33 shall also serve as members. The executive director of the
34 Florida Turnpike Enterprise shall serve as a nonvoting advisor
35 to the governing body of the authority. Each member appointed by
36 the Governor shall serve for 4 years, with his or her term
37 ending on December 31 of his or her last year of service. Each
38 county-appointed member shall serve for 2 years. Each appointed
39 member shall hold office until his or her successor has been
40 appointed and has qualified. A vacancy occurring during a term
41 must be filled only for the balance of the unexpired term. Each
42 appointed member of the authority must be a person of
43 outstanding reputation for integrity, responsibility, and
44 business ability, but, except as provided in this subsection, a
45 person who is an officer or employee of a municipality or county
46 may not be an appointed member of the authority. Any member of
47 the authority is eligible for reappointment.

48 (4) (a) The authority shall elect one of its members as the
49 chair of the authority, one of its members as vice chair, and
50 one of its members as treasurer. The chair, vice chair, and

51 treasurer shall hold such offices at the will of the authority.
 52 ~~Six~~ Five members of the authority constitute a quorum, and the
 53 vote of ~~six~~ five members is required for any action taken by the
 54 authority. A vacancy in the authority does not impair the right
 55 of a quorum of the authority to exercise all of the rights and
 56 perform all of the duties of the authority.

57 Section 2. Paragraph (a) of subsection (1) and paragraph
 58 (n) of subsection (2) of section 348.754, Florida Statutes, are
 59 amended to read:

60 348.754 Purposes and powers.—

61 (1)(a) The authority created and established under this
 62 part is granted and has the right to acquire, hold, construct,
 63 improve, maintain, operate, own, and lease in the capacity of
 64 lessor the Central Florida Expressway System, hereinafter
 65 referred to as "system." Except as otherwise specifically
 66 provided by law, including paragraph (2)(n), the area served by
 67 the authority shall be within the geographical boundaries of
 68 Orange, Seminole, Lake, Brevard, and Osceola Counties.

69 (2) The authority may exercise all powers necessary,
 70 appurtenant, convenient, or incidental to the implementation of
 71 the stated purposes, including, but not limited to, the
 72 following rights and powers:

73 (n) With the consent of the county within whose
 74 jurisdiction the following activities occur, the authority shall
 75 have the right to construct, operate, and maintain roads,

76 | bridges, avenues of access, transportation facilities,
77 | thoroughfares, and boulevards outside the jurisdictional
78 | boundaries of Orange, Seminole, Lake, Brevard, and Osceola
79 | Counties, together with the right to construct, repair, replace,
80 | operate, install, and maintain electronic toll payment systems
81 | thereon.

82 | Section 3. This act shall take effect July 1, 2017.