

Resolution adopted by
Brevard County Commission



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February 8, 2017

M E M O R A N D U M

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

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



Resolution adopted by
Space Coast TPO



RESOLUTION 17-17

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

WHEREAS, the SPACE COAST TRANSPORTATION PLANNING ORGANIZATION (TPO) is the designated and constituted body responsible for the urban transportation planning and programming process for the Palm Bay-Melbourne and Titusville Urbanized Areas; and

WHEREAS, the Central Florida Expressway (CFX) Authority operates limited access roadways in Orange, Osceola, Seminole and Lake Counties that Brevard County residents, visitors and businesses pay tolls to use; and

WHEREAS, Central Florida residents and visitors rely upon the CFX system, particularly SR 528, to access Brevard County businesses and attractions such as Port Canaveral, the Kennedy Space Center and Atlantic Ocean beaches; and

WHEREAS, future enhancements to the CFX system could include additional facilities serving or located within Brevard County, such as the SR 408 extension and potential new tollroads identified in 2014 by the East Central Florida Corridor Task Force; and

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

NOW THEREFORE, BE IT RESOLVED that the SPACE COAST TRANSPORTATION PLANNING ORGANIZATION supports legislation that will add Brevard County as a member of the Central Florida Expressway Authority governing board.

DONE, ORDERED AND ADOPTED THIS 9th DAY OF February, 2017.

SPACE COAST TRANSPORTATION
PLANNING ORGANIZATION


KATHY MEEHAN, CHAIRWOMAN

ATTEST:


ROBERT KAMM, ASSISTANT SECRETARY

Florida Senate Bill 720

By Senator Mayfield

17-00346-17

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A bill to be entitled

An act related to the Central Florida Expressway Authority; amending s. 348.753, F.S.; increasing the number of members making up the governing body of the Central Florida Expressway Authority; adding the chair of the board of the county commission of Brevard County to the list of chairs authorized to appoint a member to the authority; adding Brevard County to the list of counties the citizens of which may be appointed by the Governor to serve on the authority; requiring six members of the authority to constitute a quorum; requiring the vote of six members for any action taken by the authority; amending s. 348.754, F.S.; adding the geographical boundary of Brevard County to the area served by the authority; conforming a provision to changes made by the act; 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 10 ~~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 Orange County Commission. Subject to confirmation by the Senate during the next regular session of the Legislature, the Governor shall appoint three citizen members, each of whom must be a resident

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of either Orange County, Seminole County, Lake County, Brevard County, or Osceola County. Refusal or failure of the Senate to confirm an appointment shall create a vacancy. The Mayor of Orange County and the Mayor of the City of Orlando shall also serve as members. The executive director of the Florida Turnpike Enterprise shall serve as a nonvoting advisor to the governing body of the authority. Each member appointed by the Governor shall serve for 4 years, with his or her term ending on December 31 of his or her last year of service. Each county-appointed member shall serve for 2 years. Each appointed member shall hold office until his or her successor has been appointed and has qualified. A vacancy occurring during a term must be filled only for the balance of the unexpired term. Each appointed member of the authority must be a person of outstanding reputation for integrity, responsibility, and business ability, but, except as provided in this subsection, a person who is an officer or employee of a municipality or county may not be an appointed member of the authority. Any member of the authority is eligible for reappointment.

(4)(a) The authority shall elect one of its members as the chair of the authority, one of its members as vice chair, and one of its members as treasurer. The chair, vice chair, and treasurer shall hold such offices at the will of the authority. Six ~~Five~~ members of the authority constitute a quorum, and the vote of six ~~five~~ members is required for any action taken by the authority. A vacancy in the authority does not impair the right of a quorum of the authority to exercise all of the rights and perform all of the duties of the authority.

Section 2. Paragraph (a) of subsection (1) and paragraph

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(n) of subsection (2) of section 348.754, Florida Statutes, are amended to read:

348.754 Purposes and powers.—

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

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

(n) With the consent of the county within whose jurisdiction the following activities occur, the authority shall have the right to construct, operate, and maintain roads, bridges, avenues of access, transportation facilities, thoroughfares, and boulevards outside the jurisdictional boundaries of Orange, Seminole, Lake, Brevard, and Osceola Counties, together with the right to construct, repair, replace, operate, install, and maintain electronic toll payment systems thereon.

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

Florida House Bill 299

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.