RESOLUTION NO. 90-M-43

A RESOLUTION STATING ORANGE COUNTY'S OPPOSITION TO THE USE OF PUBLIC FUNDS, TAXES AND/OR SPECIAL ASSESSMENTS FOR DEVELOPMENT OF THE HIGH SPEED RAIL PROJECT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the High Speed Rail Corporation portrayed in its original application that it would build the rail project, including transit stations and transit station appurtenant buildings, with little or no infusion of public funds; and

WHEREAS, High Speed Rail Corporation has recently revealed its plans to construct transit stations only when there is a major commitment of public funds in the form of tax dollars and special assessments from the local governments where such facilities are to be located; and

WHEREAS, High Speed Rail Corporation was chosen by the High Speed Rail Commission as the applicant to develop High Speed Rail Project in Florida over all other applicants, in part, because of High Speed Rail Corporation's representation that little or no public funds would be required for the project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, THAT:

Section 1. Orange County believes it was not the intent of the Florida Legislature to have local governments bear the cost of constructing and implementing a High Speed Rail Project.

Section 2. If major public funds commitments will be required to construct transit stations, then Orange County specifically requests that as part of the certification and franchise conditions that:

(a) Such facilities be subject to all local permitting and building requirements which shall be administered on a local basis.

(b) That full impact fees and other appropriate fees be imposed against the developer as permitted by §341.383, Florida Statutes.
(c) That any special development rights which may be
conferred under the certification and franchise be
withheld.

Section 3. Orange County further requests that the High
Speed Rail Act §§341.321-341.386, Florida Statutes, be
brought back before the Florida Legislature for clarification
of any minimum or maximum amount of public funds commitment
which may be necessitated by said act of the local
governments and agencies involved in relation to the
construction and maintenance of such project.

Section 4. Should the High Speed Rail Corporation's
change in plans to now substantially utilize public funds be
viewed by the High Speed Rail Commission as a fundamental
change to the original application then Orange County
recommends and endorses an action by the High Speed Rail
Commission to take such actions as are necessary to toll the
present certification process of High Speed Rail Corporation
and accept for consideration new requests for proposals
pursuant to Section 431.338, Florida Statutes, and Chapter
47-3 and 47-4, Florida Administrative Code, with particular
attention focused on the fiscal effects on local governments.

Section 5. Effective Date. This Resolution shall take
effect immediately upon its adoption.

ORANGE COUNTY, FLORIDA

BY: Date: AUG 06 1990
Chairman, Board of County Commissioners

ATTEST: Martha O. Haynie,
Comptroller, as Clerk to the
Board of County Commissioners

BY: Deputy Clerk

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