

**JOINT CITIZENS ADVISORY COMMITTEE
of the
WEST CENTRAL FLORIDA METROPOLITAN PLANNING ORGANIZATIONS
MEETING – TUESDAY, AUGUST 29, 2006**

The Joint Citizens Advisory Committee of the West Central Florida Metropolitan Planning Organizations met on Tuesday, August 29, 2006 at 4:00 p.m. in the offices of the Tampa Bay Regional Planning Council, 4000 Gateway Centre, Pinellas Park, Florida.

MEMBERS PRESENT

Hillsborough County CAC - Joe Amon, Pierre Mathurin, Leonard Plotkin, Al Steenson,
Pasco County CAC - Rich Balkcom, Christie Zimmer
Pinellas County CAC - Ned Allen, Steven Cohen, Karl Guenther, Jack Weiss
Polk County CAC - Michael Finch, Roger Smith
Sarasota/Manatee Counties CAC - Pamela Dorwarth

OTHERS PRESENT

Beth Alden - Hillsborough County MPO
Jim Byers - Pinellas Suncoast Transit Authority
Steve Byrd - St. Petersburg
Karen Cunningham - Pinellas County MPO
Ryan Kordek - Polk County TPO
Sheila Martin - Bay Area Commuter Services
Hugh Pascoe - Hernando County MPO
Ramon Solis - Pinellas County MPO

REMOTE SITE ATTENDEES

Sarasota/Manatee Counties CAC - Kafi Denz, Dale Stephenson

Sarasota/Manatee Counties MPO - Bob Herrington

I. CALL TO ORDER AND INTRODUCTIONS

Mr. Cohen, as acting chair, called the meeting to order at 4:20 p.m. Committee members and other meeting participants introduced themselves.

II. PUBLIC COMMENT

Steve Byrd, a transit-dependent citizen from St. Petersburg, addressed the committee about the need for an effective regional transit system. He asked the JCAC to emphasize this need to the Chairs Coordinating Committee.

III. APPROVAL OF MINUTES

ACTION: It was moved and seconded to approve the minutes of May 30, 2006 as submitted. The motion carried unanimously.

IV. STATE ATTORNEY GENERAL'S OPINION ON JCAC MEMBERSHIP AND QUORUM REQUIREMENTS

Ms. Alden provided an overview of the State Attorney General's opinion regarding the current interpretation of the Government in the Sunshine Law that a quorum must be physically present in a room in order for the JCAC to conduct official business. In a letter dated June 15, State Attorney General Crist replied that the requirement stands. In addition, the Hillsborough County counsel interpreted the language of the June 15 opinion that, absent some special circumstance such as the JCAC member suffering from a serious medical condition, only those physically present in the room may vote.

Ms. Alden said that an exception to the law is made for State agencies. No exception is made for local agencies. The JCAC was asking for a reinterpretation of the law for a regional entity, and that is not going to happen. The requirements for local agencies are being applied to the JCAC.

Ms. Dorwarth reported that she had discussed this issue with staff from the State Attorney General's Office, and she proposed the following solution: Ask State legislators working on the Transportation Committee to statutorily amend Chapter 339.175 F.S. to allow JCAC members to vote when participating in meetings from remote-site locations via teleconferencing.

Ms. Alden said that the MPO staff directors had suggested the following: 1) continue to hold meetings with satellite locations and poll participants at those locations; 2) identify a regular location for JCAC meetings that is convenient for as many of the members as possible; 3) rethink the meeting time; and 4) talk about arrangements to facilitate travel to the meeting location.

ACTION: Mr. Balkcom moved to recommend that the CCC pursue the amendment of Chapter 339.175, F.S. by the State Legislature to allow members of the JCAC who participate at remote locations to vote. Mr. Guenther seconded the motion. The motion carried without objection.

The committee discussed the MPO staff directors' suggestions. They agreed that no changes would be made at this time to the practice of rotating meeting sites or to the meeting time. The larger MPOs had no objection to assisting the smaller MPOs in producing meeting materials when they are the host counties. Each MPO can work out with its JCAC members appropriate travel arrangements and policies.

V. RATIFICATION OF THE JCAC BYLAWS

On February 28, 2006, the JCAC approved a proposal to allow each MPO that is a member of the Chairs Coordinating Committee (CCC) to appoint three voting members to serve on the JCAC. The quorum is set at seven voting members. JCAC members must be members of their county's MPO Citizens Advisory Committee.

On June 9, the CCC approved the amendment to the JCAC bylaws. For the amended bylaws to take effect, they must be ratified by vote of the JCAC's pre-existing membership.

Mr. Solis noted one correction to the bylaws: Page 2 line 3 should list Polk County as a "TPO", a Transportation Planning Organization, and not an "MPO."

Mr. Weiss noted that Hillsborough and Pinellas Counties had four members each on the JCAC. With the ratification of the bylaws at this meeting, one member would have to agree not to vote.

ACTION: It was moved and seconded to ratify the JCAC bylaws. The motion carried unanimously.

VI. REGIONAL PUBLIC INVOLVEMENT REPORT

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and the Transportation Equity Act for the 21st Century (TEA-21) of 1998 made provisions for a public involvement process. In 2000, the Chairs Coordinating Committee (CCC) adopted its first Public Involvement Plan (PIP) as required by these two acts.

The purpose of a Public Involvement Plan (PIP) is to outline a program that strengthens the two-way flow of information between agencies, elected officials, and the public on regional transportation trends, needs, and work program activities. The CCC is required to coordinate public involvement efforts with its member agencies. In addition, PIPs must comply with the State transportation process.

The 2005 Safe, Accountable, Flexible and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) added additional requirements and placed greater emphasis on the importance of the public involvement process. Ms. Cunningham gave a PowerPoint presentation and provided an overview of the federal requirements to comply with SAFETEA-LU.

To determine if the goals of the existing plan have been met, an evaluation was performed. The evaluation identified which activities were successful and where changes and improvements are needed. Based on those results, the CCC Regional Public Involvement Plan will be updated.

A committee member asked for a list of acronyms used by the MPOs.

ACTION: Mr. Allen moved to recommend that the CCC approve the Regional Public Involvement Report. Mr. Guenther seconded the motion. A friendly amendment was accepted to request that the report include a glossary of acronyms. The motion carried unanimously.

VII. TITLE VI REVISED PROCEDURE AND COMPLAINT FORMS

Ms. Cunningham reviewed that Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. Anyone who believes that he or she has experienced discrimination may file a complaint.

Included with meetings materials were the Chairs Coordinating Committee Discrimination Complaint Procedure and the complaint form. The Florida Department of Transportation (FDOT) Title VI Statewide Coordinator and the Federal Highway Administration (FHWA) have approved this complaint procedure.

Following endorsement by the CCC, the procedure and forms will be posted on the CCC website for use by the public. The CCC will also post a complaint form for Spanish-speaking persons.

ACTION: It was moved and seconded to recommend that the CCC endorse the Title VI complaint process that has been approved by FDOT. The motion carried unanimously.

VIII. TRIP PRIORITY LIST OF PROJECTS

Mr. Pascoe provided an overview of the Transportation Regional Incentive Program (TRIP) created by the Growth Management Legislation and signed into law by the governor on June 24, 2005. TRIP is meant to help improve regionally significant transportation facilities. The TRIP will fund up to 50 percent of the costs for eligible projects (*up to 50 percent of the non-federal share for public transportation facilities*), and a local funding match of at least 50 percent must be provided.

For Florida Department of Transportation (FDOT) District VII, which includes Citrus, Hernando, Hillsborough, Pasco and Pinellas Counties, approximately \$20 million is available in each fiscal year (FY 07/08 - FY 10/11). Mr. Pascoe presented the prioritized list of projects and location map for FDOT District VII.

ACTION: Ms. Zimmer moved to recommend that the CCC approve the TRIP Priority List of Projects for FDOT District VII. Mr. Plotkin seconded the motion, and the motion carried.

For FDOT District I, which is comprised of 12 counties including Polk, Sarasota and Manatee Counties, the annual TRIP funding availability is \$18.5 million. Mr. Kordek presented the prioritized list of projects and location map for FDOT District I.

Mr. Allen asked who is overseeing and coordinating the planning for statewide highways, noting that available land is disappearing. A report issued by the Florida Transportation Commission could be presented to the JCAC at a future meeting.

Committee discussion followed regarding the mass transit situation in the state and the future of road planning.

ACTION: Mr. Weiss moved to recommend that the CCC approve the TRIP Priority List of Projects for FDOT District I. Mr. Amon seconded the motion, and the motion carried.

IX. OLD BUSINESS

There was no old business.

X. NEW BUSINESS – LEGISLATIVE PROPOSALS

Mr. Pascoe provided an overview and update of the legislative proposal HB 7077, entitled "Tampa Bay Regional Transportation." This bill failed to pass in the 2006 legislative session, but it will be reintroduced during the 2007 session. The bill is an attempt by regional leaders, led by the Tampa Bay Partnership and the Bay Area Legislative Delegation, to create a regional transportation authority that would focus on a regional transit system. During committee discussion, it was noted that without a regional transit authority, getting federal funds is unlikely.

At a future meeting, staff will report on the CCC's review of Chapter 339.175 F.S., which governs them and the MPOs.

XI. OTHER BUSINESS

Mr. Cohen expressed his appreciation to all the local CAC's for their participation in the JCAC.

Sheila Martin of Bay Area Commuter Services thanked the committee for its support of the Bay Area Van Pool Program.

Mr. Balkcom presented a letter he had received from the Trinity Oaks Property Owners Association. The residential development is located in Pasco County, but the entrance to their neighborhood is in Pinellas County, off Trinity Boulevard. The Association is requesting support for a proposal to ask that Pinellas and Pasco Counties work together to conduct a study to add acceleration and deceleration lanes to Trinity Boulevard at the intersection of Trinity Oaks Boulevard to provide safe access to the neighborhood. They also asked that the currently posted speed limit of 55 mph be reviewed.

Mr. Mathurin distributed information released by the American Public Transportation Association regarding their transit ridership for the first quarter of 2006 and how it compares to the same quarter for 2005.

XII. ADJOURNMENT

There was no further business. The meeting adjourned at 6:15 p.m.