

Agenda Item #: **4A-1**

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: November 1, 2011	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Regular
	<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Public Hearing

Department:
Submitted By: Administration
Submitted For: Legislative Affairs

=====

I. EXECUTIVE BRIEF

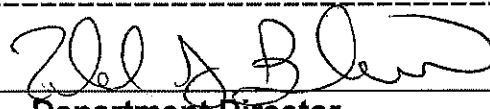

Motion and Title: Staff recommends motion to *adopt*: A resolution of the Board of County Commissioners of Palm Beach County, Florida, opposing state legislation that weakens Palm Beach, Broward, and Miami-Dade's home rule powers by eliminating our ability to appoint local, citizen members to the South Florida Regional Transportation Authority, by allowing gubernatorial appointments to the SFRTA from outside the tri-county area, by weakening the Authority's independent exercise of statutory powers as they relate to governance and operations, and by altering the control and allocation of SFRTA funds.

Summary: The South Florida Regional Transportation Authority was created to provide rail service in the South Florida region. Florida statute governs how members are appointed to the board and set the funding requirements of the three counties that make up the SFRTA region. Recent communications from the Governor's office and the Department of Transportation have indicated a desire to alter how members are appointed to the SFRTA Board. Concerns have been raised about the overall contribution rates of the state and the three local governments as it relates to the amount of authority that each entity has over the governance of the Authority. Additionally, the Governor's office has made broad statements about potential legislative action they may take this session on special districts and entities that have tax and bonding authority of public funds. Countywide (DW)

Background and Justification: The South Florida Regional Transportation Authority is currently comprised of both local government and gubernatorial appointees. This includes members selected by the contributing counties, Miami-Dade, Broward, and Palm Beach County. In addition, funding contributions from the three counties serviced by the SFRTA are controlled by the SFRTA. There is currently some discussion happening surrounding the appointment process. Additionally, there is some possibility of legislation being introduced that would allow the Florida Department of Transportation, rather than the SFRTA, to control contributions made by the three SFRTA counties of Miami-Dade, Broward and Palm Beach. Palm Beach County is joining Miami-Dade and Broward counties in supporting this legislative initiative to oppose these efforts in the event legislation is introduced.

Attachments:

=====

Recommended by:		10/26/11
	Department Director	Date
Approved by:		10/26/11
	Assistant County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included In Current Budget? Yes _____ No _____					
Budget Account No.: Fund _____ Department _____ Unit _____					
Object _____ Reporting Category _____					

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature] 10/20/11
 OFMB
 SP 10/20/11
 10/20/11
[Initials]

[Signature] 10/27/11
 Contract Dev. and Control

B. Legal Sufficiency:

[Signature] 10/27/11
 Assistant County Attorney

C. Other Department Review:

 Department Director

Resolution No. 2011-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, OPPOSING STATE LEGISLATION THAT WEAKENS PALM BEACH, BROWARD, AND MIAMI-DADE'S HOME RULE POWERS BY ELIMINATING OUR ABILITY TO APPOINT LOCAL, CITIZEN MEMBERS TO THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY, BY ALLOWING GUBERNATORIAL APPOINTMENTS TO THE SFRTA FROM OUTSIDE THE TRI-COUNTY AREA, BY WEAKENING THE AUTHORITY'S INDEPENDENT EXERCISE OF STATUTORY POWERS AS THEY RELATE TO GOVERNANCE AND OPERATIONS, AND BY ALTERING THE CONTROL AND ALLOCATION OF SFRTA FUNDS.

WHEREAS, Miami-Dade, Broward, and Palm Beach counties form the nation's eighth largest metropolitan statistical area with a population of nearly 5.6 million in 2010; and

WHEREAS, the population of Miami-Dade, Broward, and Palm Beach counties is expected to exceed 7.2 million by 2030; and

WHEREAS, the average South Florida commuter wastes 39 hours per year and approximately \$892 in fuel costs (or 31 gallons of fuel) due to traffic congestion; and

WHEREAS, the South Florida region has the 13th worst travel time index in the country; and

WHEREAS, the Board of County Commissioners of Palm Beach County have identified regional transportation projects and transit improvements as critical to South Florida's economy and quality of life; and

WHEREAS, the regional nature of transportation demand in South Florida requires that efforts be focused on regional solutions; and

WHEREAS, the Florida Legislature has stated that the South Florida Regional Transportation Authority has the overall authority to coordinate, develop, and operate a regional transportation system in South Florida (Chapter 2003-159, Laws of Florida); and

WHEREAS, the Board of the South Florida Regional Transportation Authority is a local government and gubernatorial appointed Board composed of elected and appointed officials and private sector appointees from Miami-Dade County, Broward County, and Palm Beach County; and

WHEREAS, the Board of County Commissioners of Palm Beach County have unanimously agreed that the SFRTA Governing Board must maintain its home rule powers by ensuring that the SFRTA consist of members appointed by each contributing county, including Palm Beach County, and consist of members that reside within the South Florida Regional Transportation Authority service area in order to provide a local representation; and

WHEREAS, the South Florida Regional Transportation Authority receives a dedicated funding source from the State Transportation Trust Fund in the amount of \$13.3 million, as well as \$17.3 million in FDOT operating assistance. Any efforts to reduce that funding amount or dedicated source are opposed by Palm Beach County; and

WHEREAS, the Board of County Commissioners of Palm Beach County currently contributes an annual amount of \$1.565 and \$2.67 million to assist in the operational and capital needs, respectively, of the SFRTA pursuant to Section 343.52, Florida Statutes, and would vehemently oppose any efforts that would relinquish budgeting control of these funds from the SFRTA to the Florida Department of Transportation or any other state agency.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. Palm Beach County requests the Florida Legislature oppose state legislation that weakens Palm Beach, Broward, and Miami-Dade counties' home rule powers by eliminating the

counties' ability to appoint local, citizen members to the South Florida Regional Transportation Authority.

2. Palm Beach County requests the Florida Legislature oppose state legislation that would allow gubernatorial appointments to the SFRTA from outside the tri-county area.
3. Palm Beach County requests the Florida Legislature oppose state legislation that would weaken the authority's independent exercise of statutory powers as they relate to governance and operations, and by altering the control and allocation of SFRTA funds.
4. A copy of this resolution be forwarded to the Governor of Florida, the Secretary of the Florida Department of Transportation, the Chair of the South Florida Regional Transportation Authority, and members of the Palm Beach County Legislative Delegation.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Karen T. Marcus, Chair	-	_____
Commissioner Shelley Vana, Vice Chair	-	_____
Commissioner Paulette Burdick	-	_____
Commissioner Burt Aaronson	-	_____
Commissioner Steven L. Abrams	-	_____
Commissioner Jess Santamaria	-	_____
Commissioner Priscilla Taylor	-	_____

The Chairman thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2011.

Approved as to Form
And Legal Sufficiency

Palm Beach County, Florida by its
Board of County Commissioners

Sharon R. Bock, Clerk & Comptroller

By: 
Assistant County Attorney

By: _____
Deputy Clerk