



MEMORANDUM

AGENDA ITEM III. I

DATE: FEBRUARY 6, 2012

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: RESOLUTION OPPOSING LEGISLATION THAT WOULD CHANGE COMPOSITION OF SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY BOARD AND ITS ABILITY TO EXPAND SERVICES IN THE FUTURE

In 2003, the Florida Legislature reconstituted the former three-county "Tri-Rail Commuter Rail Authority" as the South Florida Regional Transportation Authority (SFRTA). As described in Section 343.53(2), Florida Statutes, the governing board of the SFRTA is comprised of nine members:

- three county commissioners (one each from Miami-Dade, Broward, and Palm Beach counties);
- three county commission appointees (one citizen appointee from each county who must reside in that county, "to represent the business and civic interests of the community");
- one District Secretary of the Florida Department of Transportation (FDOT) for either District IV or VI (or their designee); and
- two gubernatorial appointees (who are residents and qualified electors in the two counties that are not the residence of the FDOT District Secretary appointee).

The authority's service area is defined as the "tri-county area of Broward, Miami-Dade, and Palm Beach Counties" (§ 343.54(1) (a)). If so desired by the SFRTA Board and County Commission of an adjacent (contiguous) county and confirmed by resolution of those entities, the authority may expand its service area into a contiguous county. This creates the opportunity for the SFRTA to expand into other Treasure Coast counties, if expansion is desired by those counties and the SFRTA Board, without requesting legislative permission.

Legislation (HB1399 and SB1866) has been filed that would modify the SFRTA's governance structure to eliminate the three citizen appointees; increase the gubernatorial appointees to three; and retain the FDOT Secretary appointee. The revised SFRTA Board structure would be comprised of three local representatives (the three county commission appointees) and four gubernatorial/state representatives, thereby shifting the balance of power on the Board from local to state control. The three subject counties would continue to be required to fund the authority per statutory obligation. The legislation also proposes to eliminate the authority's ability to expand into a contiguous county with affirmative votes of the SFRTA Board and subject county.

Recommendation

Approve the Resolution



RESOLUTION #12-05

**A RESOLUTION OF THE TREASURE COAST REGIONAL PLANNING COUNCIL
EXPRESSING OPPOSITION TO PROPOSED TRANSPORTATION LEGISLATION
MODIFICATIONS TO THE SOUTH FLORIDA REGIONAL TRANSPORTATION
AUTHORITY (AUTHORITY) GOVERNING BOARD AND ELIMINATING THE
ABILITY FOR THE AUTHORITY TO EXPAND WITH LOCAL APPROVALS**

WHEREAS, the membership of the South Florida Regional Planning Council consists of elected officials from Broward, Miami-Dade, and Monroe Counties, South Florida's municipalities, private sector representatives appointed by the Governor; and

WHEREAS, the South Florida Regional Planning Council has consistently supported the operation of the Tri-Rail commuter rail service in southeast Florida for its benefits to mobility, economic sustainability, and quality of life; and

WHEREAS, the South Florida Regional Transportation Authority (SFRTA) was created by the Legislature in 2003 to absorb the responsibilities of the former Tri-Rail Commuter Rail Authority and operate transit service in Miami-Dade, Broward, and Palm Beach Counties; and

WHEREAS, the SFRTA is governed by a locally controlled board that includes six local appointees (one county commissioner from each of the three counties and one citizen appointee from each of the three said counties) and three gubernatorial representatives (two gubernatorial citizen appointees and one Florida Department of Transportation (FDOT) district secretary); and

WHEREAS, the six local and three state appointees that comprise the SFRTA Board enable local control for the Authority; and

WHEREAS, transportation legislation has been filed for consideration in the 2012 Legislative Session that would modify the SFRTA Board to a seven-member board with three county commissioners and four state representatives (including three gubernatorial appointees and an FDOT district secretary from southeast Florida), thereby shifting the balance of power on the Board from local representatives to state representatives while continuing to require the Authority be funded by the three counties within which it operates; and

WHEREAS, current state statutes allow the SFRTA to expand its area of operations into an adjacent, contiguous county with resolutions of approval from the SFRTA Board and subject adjacent, contiguous county, should expansion be desired; and

WHEREAS, the transportation legislation that has been filed for consideration in the 2012 Legislative Session would also eliminate the statutory permission for the Authority to expand with local resolutions of support, thereby requiring additional legislative action for the authority to expand, should expansion be desired;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL THAT:

SECTION 1. The South Florida Regional Planning Council opposes legislation for consideration in the 2012 Legislative Session that would modify the SFRTA Board structure from nine members with local control to seven members with state control.

SECTION 2. The Council opposes legislation for consideration in the 2012 Legislative Session that would eliminate the ability for the SFRTA to expand into an adjacent, contiguous county with affirmative resolutions of the SFRTA Board and subject county, should expansion be desired.

SECTION 3. This Resolution shall become effective immediately upon its passage and adoption.

DULY ADOPTED by the South Florida Regional Planning Council this 6th day of February 2012.

Heather Carruthers, Chair
South Florida Regional Planning Council