

New Item 002438

2/25/02

February 20, 2002

Dear Commissioners, Legislators, and interested parties:

At our meeting of February 14th, the MTPO met via conference call with Representative Ed Jennings, Jr. to discuss the bill establishing a regional transportation authority that he is sponsoring. The MTPO appointed Gainesville City Commissioner Warren Nielsen and myself to re-draft HB 1083/SB1780.

On February 18th, our subcommittee met for a couple of hours with:

- Charles Justice (NCFRPC),
- Marlie Sanderson (NCFRPC),
- Chris Thurow (North Central Florida Gateway Council),
- Mac MacEachern (Gainesville Alachua County Airport Authority)
- Dashwood Hicks (Pilot's Assn?)
- Rick Crider (Airport Director)
- Wendy Richard (Airport Consultant)

The participants outlined the components of what would be a regional "talking group", while suggesting that this alliance might provide a forum for proposing future legislation. Our draft bill may not be in proper legislative format, but I believe it does indicate the consensus of the participants in the subcommittee meeting on the substantive issues.

This draft is being provided directly to the Alachua County Commission and to the Gainesville City Commission so that each body can comment on it independently to our legislative delegation. If necessary, we can also agenda this item for further discussion at an upcoming MTPO meeting. Mr. Sanderson, our MTPO staff, has been asked to expeditiously distribute this to members of our legislative delegation and to other interested parties to facilitate deliberations.

The caveat I promised is: This draft bill does not represent the position of the MTPO or its participants, nor does it presume the acceptance or participation of any of the parties or elected officials therein, and is provided for discussion purposes only.

Finally, we all appreciate the willingness of Representative Jennings to listen to our concerns and encourage our input. It's attached.

Sincerely,



Robert Hutchinson
Sub-committee Chair

A bill to be entitled

An act enabling the establishment of the North Central Florida Regional Transportation Alliance (NCFRTA).

Section 1. Short title: North Central Florida Regional Transportation Alliance (NCFRTA)

Section 2. Definitions.--

(1) Regional Transportation Facility. Any airport, seaport, railway, highway, freight or passenger hub or facility, which provides service to the residents or businesses of more than one County in the Region.

(2) Region. The political boundaries of the Counties of: Alachua, Bradford, Citrus, Gilchrist, Levy, Marion, Putnam, Sumter, and Union

(3) Elected Official. For the purposes of this act, an "elected official" is any member of a City Commission, City Council, County Commission, County Constitutional Officer, or member of the Florida House or Florida Senate.

Section 3. Creation and membership of the North Central Florida Regional Transportation Alliance (NCFRTA). --

(1) Title. There is created a coordinating council titled the North Central Florida Regional Transportation Alliance. Membership in the NCFRTA shall be voluntary.

(2) Members. Each participating jurisdiction may designate one voting member to serve on the Coordinating Council of the NCFRTA. The Coordinating Council of the NCFRTA may include voting members from participating jurisdictions:

(a) One Elected Official from each County appointed by the County Commissions of Alachua, Bradford, Citrus, Gilchrist, Lake, Levy, Marion, Putnam, Sumter, and Union

(b) One Elected Official appointed by the City Commission of Gainesville

(c) One elected official appointed by the City Council of Ocala

(d) The President of the University of Florida, or the President's designee

(e) Two appointees of the Governor

(3) Ex-officio members. The following shall be non-voting *ex officio* members of the NCFRTA:

- (a) One appointee of the Gainesville-Alachua County Regional Airport Authority (GACRAA)
- (b) Each Secretary of the District Offices of the Florida Department of Transportation from District 2 and 5

Section 4. Organization and conduct of business of the NCFRTA.--

- (1) Officers. The NCFRTA shall select a Chair, Vice Chair, and Secretary
- (2) Quorum. A quorum shall consist of two-thirds of the appointed voting members. Affirmative action shall require a vote of the majority of the members present at any meeting.
- (3) Bylaws. The NCFRTA may create bylaws as necessary to further define its operating procedures.
- (4) Contracts. The NCFRTA may enter into contracts for service or consulting, and may enter into inter-local agreements with other units of government.
- (5) Budget. The NCFRTA shall adopt a budget consistent with a fiscal year beginning on October 1.
- (6) Accounting. The NCFRTA shall provide accounting documentation consistent with the requirements for any public agency to all participating members.
- (7) Office. The NCFRTA may lease an office within the Region.

Section 5. Powers of the NCFRTA.--

- (1) Issues identification. The NCFRTA shall define the long-term transportation problems and opportunities of the Region which affect more than one County.
- (2) Potential solutions. The NCFRTA shall provide an analysis of how long term and regional transportation facilities and trends interact with and are affected by planning, economic development, and environmental issues, including:
 - Air travel and airports
 - Seaports
 - Rail (including light passenger rail, high speed rail initiatives, AMTRAK, freight)
 - Public transit, including regional connectivity
 - Interstate, intrastate highway system (new routes, expansion of capacity, truck routes, scenic highways and beautification)
 - Alternative fuel infrastructure
 - Foreign Trade Zones

- Inter-modal and multi-modal transportation facilities

(3) Coordination. The NCFRTA shall assess existing plans Continuing Florida Aviation Planning Process (CFASPP) Plans, Strategic Regional Policy Plans, Florida Department of Transportation Plans, Metropolitan Transportation Organization Long Range Transportation Plans, local government comprehensive plans, and public land acquisition plans for the purpose of reporting inconsistencies between any of these plans to local governments and agencies with jurisdiction.

(4) The NCFRTA may draft legislation to establish transportation authorities or other regional transportation-related bills. Any such draft legislation shall be provided to all local governments with an analysis of its costs and benefits.

(5) The NCFRTA shall provide a written annual report to the Governor, Legislature, local governments, Regional Planning Councils, Metropolitan Planning Organizations, Florida Department of Transportation district offices, airport authorities, water management districts, and other interested and affected parties

Section 6. Prohibitions.--

(1) The NCFRTA shall not supercede or preempt local home rule authority, police powers of local government to protect the public health, safety, and welfare, or the authority of any metropolitan transportation planning organization.

(2) The NCFRTA is not granted any independent taxing authority, nor can it assess fees from its participating members other than voluntary contributions for operational purposes.

(3) The NCFRTA is not granted the power of eminent domain.

(4) The NCFRTA shall not build or operate transportation facilities.

Section 7 Finances.--

The NCFRTA may apply for and receive grants from public agencies, political subdivisions, and private corporations and foundations.

Section 8 Administrative Procedures.--

In accordance with Sec 120.52(1)(c) F.S. the NCFRTTF is considered subject to the Administrative Procedures Act under Chapter 120 F.S. to the extent the NCFRTTF is made subject to that Act by general law, existing judicial decision, or by other special law.

Section 9 Additional Method.--

This act provides an additional and alternative method for the doing of things authorized by this act and is supplemental and additional to powers conferred by other laws and is not in derogation of or repealing of any powers now existing under any other law, whether general, special, or local.

Section 11 Severability.--

The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions

Section 12 Effective date, sunset provisions.--

This Act shall take effect upon becoming a law, and shall sunset on September 30, 2006

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