



Council Minutes

April 9, 2007
10:00 a.m.

REPRESENTATIVES PRESENT

Chair, Commissioner Scott Black, City of Dade City
Secretary/Treasurer, Reverend James T. Golden, City of Bradenton
Past Chair, Mr. Robert Kersteen, Gubernatorial Appointee, Pinellas County
Mayor Larry Bustle, City of Palmetto
Ms. Michele Cavallo, Gubernatorial Appointee, Pinellas County
Council Member Bob Consalvo, City of New Port Richey
Commissioner Bill Dodson, City of Plant City
Commissioner Ronnie Duncan, Pinellas County
Mr. Julian Garcia, Jr., Gubernatorial Appointee, Hillsborough County
Dr. Lois Gerber, Gubernatorial Appointee, Manatee County
Commissioner Jack Mariano, Pasco County
Councilor Bob Matthews, City of Seminole
Councilwoman Mary Mulhern, City of Tampa
Mr. Andy Núñez, Gubernatorial Appointee, Pinellas County
Vice Mayor Carlen Petersen, City of Clearwater
Ms. Barbara Sheen Todd, Gubernatorial Appointee, Pinellas County
Ms. Kim Vance, Gubernatorial Appointee, Hillsborough County
Commissioner Jane von Hahmann, Manatee County
Mr. Charles Waller, Gubernatorial Appointee, Pasco County
Mr. Philip Waller, Gubernatorial Appointee, Hillsborough County
Commissioner Robert Worthington, Alt., City of Gulfport
Ms. Michelle Miller, Ex-officio, Enterprise Florida
Mr. Todd Pressman, Ex-officio, SWFWMD

REPRESENTATIVES ABSENT

Commissioner Gigi Arntzen, City of Largo
Commissioner Phil Collins, City of Treasure Island
Vice Mayor Larry Crowley, City of South Pasadena
Commissioner Rose Ferlita, Hillsborough County
Mayor Ward Friszolowski, City of St. Pete Beach
Mr. Russell Johnson, Gubernatorial Appointee, Hillsborough County
Ms. Angeleah Kinsler, Hillsborough County Gubernatorial Appointee
Council Member Mark Knapp, City of Temple Terrace
Vice Chair, Vice Mayor Deborah Kynes, City of Dunedin
Commissioner James McCormick, City of Safety Harbor
Vice Mayor Janice Miller, City of Oldsmar
Mr. Frank Parker, Gubernatorial Appointee, Pasco County
Commissioner Robin Saenger, City of Tarpon Springs
Vice Mayor Ed Taylor, City of Pinellas Park
Councilman Earnest Williams, City of St. Petersburg
Mr. Bob Clifford., Ex-officio, Florida Department of Transportation
Mr. Mike Farley, Alt., Ex-officio, Department of Environmental Protection

OTHERS PRESENT

Shawn College, Exec. Planner, Hillsborough Planning Commission
John Healey, Planner, Hillsborough County
Trisha Neasman, Planner, SWFWMD
Mel Klein, Area Manager, FPL
Dave Balut, Reporter, Tampa Bays 10 News
Cassandra Ecker, Planner, Carter & Burgess
Lori Belangia, Planner, SWFWMD
Tony Rodriguez, Dep. Dir./Public Works, City of Tampa

STAFF PRESENT

Mr. Manny Pumariaga, Executive Director
Mr. Martin Shelby, Legal Counsel
Ms. Suzanne Cooper, Principal Planner
Ms. Lori Denman, Recording Secretary
Mr. John Jacobsen, Accounting Manager
Ms. Wren Krahl, Manager of Administration/Public Information
Mr. Bill Lofgren, Principal Planner
Mr. John Meyer, Principal Planner
Mr. Greg Miller, Senior Planner
Mr. Patrick O’Neil, Senior Planner
Mr. Brady Smith, Senior Planner
Mr. Mike Spina, Senior Planner
Ms. Jessica White, Senior Planner
Ms. Kim Williams, Communications/Graphics Coordinator

Call to Order - Chairman Black

The regular meeting of the Tampa Bay Regional Planning Council was called to order by Chairman Black on April 12, 2007 at 10:08 a.m.

The Invocation was given by Mayor Larry Bustle, followed by the pledge of allegiance.

Roll Call - Recording Secretary

A quorum was present. There were no voting conflicts.

Announcements:

Chairman Black made the following announcements:

Commissioner Robert Worthington, City of Gulfport, was sitting in as the Alternate for Vice Mayor John Phillips who is ill.

Councilwoman Mary Mulhern, City of Tampa, was introduced and welcomed to the Council.

Ms. Barbara Sheen Todd was thanked for being the Mistress of Ceremonies at the *15th Annual Future of the Region Awards* and congratulations were provided to all of the members that had winning projects in their communities. Ms. Kim Williams, TBRPC Communications/Graphics Coordinator, was recognized for doing a great job on her design of everything from the invitation

to the Commemorative Program, and Ms. Sue Young was thanked for her efforts with the registration.

The Tampa Bay Water Newsletter was distributed to Council members.

1. **Approval of Minutes** - Secretary/Treasurer Golden
The minutes from the March 12, 2007 meeting were approved. (Bustle/Duncan)
2. **Budget Committee** -Secretary/Treasurer Golden
 - A. The Financial Report for the period ending 2/28/07 was approved. (von Hahmann/Duncan)
 - B. FY 2006/2007 Mid Year Budget Amendment
The Budget Committee met and was presented the FY 2006/2007 Mid Year Budget Amendment. The overall budget decreased \$135,000 primarily due to the following:
Statewide Evacuation Plans decreased \$60,000 and Fiscal Impact Analysis Model II decreased \$199,000 as a result of the actual funding levels being lower than initially anticipated. New projects not included in the Initial Budget partially offset these reductions. Tampa Bay Water III provides an additional \$47,000; while Eckerd College Mitigation Plan adds \$67,000 to the budget.
The Budget Committee unanimously approved the proposed FY 2006/2007 Mid Year Budget Amendment.

Motion to approve the FY 2006/2007 Mid Year Budget Amendment. (Garcia/Waller)
3. **Consent Agenda** - Chairman Black
The Consent Agenda was approved. (Kersteen/Duncan)
4. **Item(s) Removed from Consent Agenda and Addendum Item(s)** - None.
5. **Review Item(s) or Any Other Item(s) for Discussion** - None
6. **Secretary Don Skelton, FDOT District 7, Florida Department of Transportation**
Secretary Skelton provided a Power Point presentation on FDOT's Strategic Regional Transit Needs Assessment (SRTNA). Further information can be found on the web site: www.fdot-srna.c-b.com

This study was started a little less than 2 years ago to look at the future of transportation in the west central Florida/Tampa Bay region. Last year we celebrated nationally 50 years of the interstate system. Thinking back to 1956 when President Dwight Eisenhower signed that bill into law and thinking of what our interstate system has meant to us, both locally and nationally, and how long it took to build it and what it is today, we started thinking what's the next interstate system? Are we really going to double the roadway interstate system, or what lies ahead for Florida's transportation, particularly this region, over the next 50 years. That is why we labeled this SRTNA as the interstate of transit. We are looking at that system that is going to carry us to the next 50 years.

We started the study trying to keep with a very simple vision and goal. The vision was to ensure that more people can get to where they need to go quickly, safely, and affordably. That is what the traveling public expects, and that's what they deserve. Our goal was to maintain or improve mobility, economic vitality, goods delivery, and lifestyle options.

We set out to implement the vision, looking at the next 50 years. As we look to the future and our growing

travel needs, how will we build our transportation system to meet those needs without doubling what is currently on the ground? There are a lot of issues going on in West Central Florida not unique to this part of the state. West Central Florida drivers frequently experience congestion on the regional transportation system, with few transit options. They are also experiencing an explosive population growth, congested arterials and collectors, longer commute times, degradation of collective free time & quality of life, detrimental aspects to the environment, and negative financial and economic impact.

Why support transit now? Some of the comments heard is that we don't have densities, we don't have those things that would support a mass transit system, and to some extent those may be accurate statements. However, looking at the 50 years of the interstate system and knowing it took someone with a lot of vision to get that started, we are not going to end up with a mass transit system that can move people regionally unless we get started today. We talked about densities and other land use policies and those things can be shaped by the transportation systems that you plan and set out to use.

Some of the technical milestones and accomplishments that we got to along the way are data collection and existing trends (plans) and existing market conditions. We conducted an awareness survey by doing a random telephone survey and those findings were pretty telling. We wanted to find and gauge what the interest or importance of transit is in regional transportation. Respondents agreed that public transit is an extremely (60%) or somewhat (30%) important part of the region's overall transportation system. The next step was to stratify the data. A majority of residents in both the urban/suburban and Central Business District (CBD) or CBD fringe areas generally support some form of tax increase to fund public transit in the greater West Central Florida region. 57% said they would be very likely or somewhat likely to support such an increase.

A lot of different scenarios were tested in doing this study. Today's land use trends were used and projected out to 2030 and 2050 and used different land use scenarios. The "what if?" People are probably familiar with the 1000 Friends of Florida analysis which showed that if we continue growing in the same manner that it has over the last 30 years, what that would be in the state of Florida. We cannot continue in the same patterns. We have to be able to plan and grow in a way that can be supported by our infrastructure.

The transit scenario told us that a regional transit system would certainly need higher density planning around transit stations and transit lines. If local governments are unwilling to support those types of growth and land use policies, it probably will not matter to invest in mass transit because it won't be successful and you will continue with a lot of the sprawling development that has been occurring today.

It has been important every step of the way to keep the local jurisdictions involved in the modeling efforts. We held numerous meetings with local county commissions, MPOs, planning commissions, etc. to make sure they were kept informed. We used a model that was very complex. It was difficult pulling this modeling together knowing that we were modeling for transit. Transit is not something that works on a highway model very successfully. We struggled until we got to a model which combined 3 travel demand models: Tampa Bay Regional Planning Model, Sarasota/Manatee/Charlotte Model and the Polk Model. We pulled that together and then infused in it a transit component. We also ran over 20 different model runs on proposed alternatives. More than 300 sub-regional connections were evaluated. What we came out with has been confirmed by the data. It showed 5 key connections from a regional perspective: Sarasota/Bradenton has a very strong regional connection to the St. Petersburg area; Lakeland/Tampa/St. Petersburg has strong connections; St. Petersburg/Clearwater and up to New Port Richey; Dade City/Zephyrhills/Spring Hill connections to the Tampa Bay area. These are the 5 major connections and it is important to note that when the analysis was run and the study was conducted we weren't looking at one specific type of mass transit. It could be any one of either commuter rail or light rail or bus rapid transit. It could be any of those. We needed to find out what the attractions and the connections were from a regional perspective before we start narrowing some of those things down.

Success will include:

- A true regional system with flexible solutions that maximizes mobility opportunities
- Moving beyond planning to implementation
- Local transit system support
- Coordination with growth and development
- Strong partnerships with the business community and local agencies
- Common regional vision

Next steps:

- Identify state funding options for planning, engineering, construction, and operations
- Advance several corridors towards implementation
- Provide support to organization(s) responsible for implementation

The project website has a public comment section and a request for presentations. Local agency presentations are scheduled for April-June 2007 and the department will keep moving forward and develop system operating scenarios.

This presentation is available on www.tbrpc.org or www.FDOT-SRTNA.C-B.com

Questions & Comments:

Mr. Philip Waller:

I liked the summary of the DOT commitments, but is there a clear entity that is responsible for implementing the regional transit in the Tampa Bay area?

Secretary Skelton:

Right now there is not a clear entity. From that aspect the department is going to continue to move forward. We are the regional entity that will be responsible for this. There is a lot of discussion going on right now in the legislature about the Regional Transportation Authority (RTA). Personally I would see that as a very logical entity that would take over implementation and operation of such a system.

Commissioner von Hahmann:

It's interesting that you mentioned the RTA, and I do believe that Representative Galvano will get that passed. I am hoping that transit does become a larger portion of alternative modes of transportation. It seems like right now the focus is on more asphalt and toll roads. Our interstate systems are a perfect example of how growth can be dictated because we use our interstate system in the state of Florida for growth. It is obvious growth took place right along those systems and they are no longer interstate systems because they now operate as local arterial roads. This will take participation from the state and federal government in the way of dollars because once you create that spine system there is no way to get around in the community once you get there. Local dollars would be needed to provide that service.

Secretary Skelton:

The main focus of the RTA is mass transit and, in fact, if you look at last year when that bill was first introduced I think that is what caused it to fail last year. The uncertainty of, is this really mass transit or is this another way to fund more roads? We have a lot of agencies that are responsible for road building. We have an Expressway Authority, Turnpike Enterprise, the FDOT. I do not believe that the focus of the RTA will be on roads. I do believe it is on the mass transit system. The other points you raised are exactly what we've been saying along the way of doing this study. This is a look at a larger vision. It will not be successful without the supporting land use policies. It will not be successful without that local support. If there's not a willingness to have those local things then you will not see an investment in this because in and of itself this system will not operate

well. It will not work. We will not build this all at one time. You have to ensure that whatever you build first, the first piece of this, is building towards implementation and is successful and then you can build on top of that. We see this as a way to guide land use policy. If everybody knows that this is a system that's going to be in place, then the local land use policies can be geared towards making it successful.

- Commissioner Mariano: Referring to one of the maps in the presentation, what is the purpose of that?
- Secretary Skelton: The first thing I would say is don't focus on specific alignments. The solid area of the yellow line goes to the Lakeland area, but there is a realization that it shouldn't really stop there. It should connect on to the commuter system in the Orlando/Osceola County and eastern Polk County and what they are trying to do, so eventually it does connect up and go completely statewide. Same thing on the northern line, it would continue north to the Hernando/Spring Hill areas.
- Commissioner Mariano: Has the DOT taken a position to back the RTA as far as to go forward to back the position that we do need to get some land use considerations when they do set this membership up.
- Secretary Skelton: We have not taken any formal position as far as DOT. We understand that this is something that is going to be debated through the legislature. We are going to work with whatever the legislature dictates that is appropriate for the Tampa Bay region. I think it is important and I believe it will get set up and the bill will pass and what's important is that we continue moving through the seamless transition and work very well with the RTA.
- Reverend Golden: It appears that this configuration focuses on the metropolitan areas in the region. Is that correct? Secondly, in Manatee County another connecting road is needed that would take you from the Bradenton area which we are already recognizing
- Secretary Skelton: Your first question about trying to look at the map and seeing if this is really what it is showing the answer is yes. The data that we looked at shows a very strong tie regionally between Sarasota/Manatee and the St. Petersburg/southern Pinellas County areas. Much stronger than a Manatee/Bradenton to Hillsborough or Pasco areas. That doesn't mean that some of those other things aren't needed, but they are probably more localized than they are regional and they certainly weren't one of the top five strong regional connections. If you are going to start implementing something it would be one of the five that you would start with. From that aspect, while there may still be a need for a transit corridor along I-75 that may still very well move forward, but from a true regional perspective these are the strong ties that we see. There are a couple of studies and analysis that you referenced with respect to new roads and new corridors. In fact, we are conducting one of those which is looking at a corridor connection from the Charlotte County area up into the Hernando County area. It kind of follows the western Polk edge/Eastern Hillsborough County edge as you look at that. At the same time District 1 was looking at what they refer to as the Heartland Study that connects from Okeechobee up to the Polk County area and the I-4 area. Those corridors also are something that will be needed when we talk about balancing the transportation system. When we are looking at that type corridor we are looking at more than just a highway. We are looking at accommodating any future transit, accommodating rail and freight movement and any needs that might be in that type of corridor. Separating out truck movements from vehicle movements - all of those things that help move the freight in the economy. Those things are happening along the same time and concurrently this study balanced a lot of that.
- Councilwoman Mulhern: I have 2 questions. One is from a state level. When I look at the map I am

wondering if the DOT did something like this previously for the Miami or Fort Lauderdale area. Is there any kind of model for us? I know we are unique because we are spread out. Secondly, I am wondering if there is perhaps another large metropolitan area in another state, maybe Dallas or Houston, that has light rail that has done this type of regional planning for transit.

Secretary Skelton:

As far as a statewide model system, I'm not aware of anywhere else in southeast Florida or the Orlando area which had a study that looked out 50 years. We felt it was important to do that. We feel it is important to have that blueprint from which you base all of your subsequent plans. Certainly there are aspects from this type of system that you will turn to development as it comes on line and that development will actually build or provide the accommodations to get this system going. There are developers ready to do that. They see the need to move people as well. As far as having something to base this study on, we did not do that. As far as looking nationally at other metropolitan areas, as we progress through this study we had discussions with Denver, Dallas, Chicago and other major metropolitan areas that have the same system because we also started dealing with the issue of governance. There is no set way - what works for one doesn't work for another. We needed to find out what worked, what didn't work, what were the positives and negatives. In talking to these other areas we also wanted to find out what was important to be successful. With the Denver folks it was to build something that was successful from the start. If you get the first 4-6 mile line successful then the rest will come on. If you build the first thing out of the shoe and it's not successful you can pretty much throw this out. We also learned it took a lot of leadership from the business community to bring that forward, it just couldn't be governmental. The business community in this region has done that. They have made it very clear that transportation is important and regional transit is important.

Mayor Bustle:

I'm a member of the Sarasota/Manatee MPO and I have a worry. It bothers me that unless you have a very strong sponsor in the legislature the money you are talking about is going to come out of the MPOs.

Secretary Skelton:

That is a consistent concern. Anytime you are trying to pull several entities together that's going to be a concern. The reason to try to start out with as big an area as you can in setting up the Authority is so folks are at the table from the outset. They can be a part of those decisions at the outset. They know what is coming down the path. That was consistent with the discussion we had nationally. Certainly as with any financing and building opportunities that come along and whether it's the Authority or anybody else starting to talk about funding of implementation, I think to be successful you have to be able to engage all areas. We should not be segregating out of Hernando County because maybe they don't get the system for 20 years. But maybe there are things you can implement along the way. A piece of the finance package that can enhance the existing bus service, or maybe provide some express bus service or bus rapid transit in the interim. Those have to be discussions that such an authority must debate.

Mr. Kersteen:

Has there been any discussion about staggered start times? If I'm correct, the level out of the Howard Franklin bridge is 7-9 a.m. and 3-6 p.m. so if you could stagger those start times it would help somewhat.

Mr. Skelton:

That is an option that exists today. As you get into the transportation policy discussion more and more and you start talking about how you are going to fund the future of transportation, a lot of it tends to lead itself towards congestion.

Generally, until there is a dollar impact on people, there isn't a whole lot of shifting of time. Certainly the employers have that flexibility today and if they want to shift their working hours to be 9 a.m. to 6 p.m. instead of 8 a.m. to 5 p.m., they can do that. Until there is some kind of financial benefit generally we don't see a lot of that. Certainly as you look at the transportation infrastructure, when I say there isn't a lot of capacity out there - let me qualify that statement. There is a lot of capacity on our existing road system, it just isn't used because it is at certain "times of the day." People want to talk about what's the capacity of a lane of highway and you say it is 2200 vehicles per hour and so you ask what is the daily capacity and then you go through a formula and say that's 10% of the peak hours of the day and it's about 22000. No it's not, it's 24 x 2200. You can never figure out how to use 24 hours of that capacity.

Commissioner Mariano: Just to address Mayor Bustle's question, which was a very good question as far as the funding and where it will come from. I was talking with an Osceola commissioner over the past week and when they started their Orlando spine they were offered by the federal government a billion dollars to build it. They turned it down. The money went to Charlotte instead. It wasn't that long ago that they actually ended up getting \$500 million, but they could have had the whole thing. I think if we are looking at this we're going to position ourselves to get more federal money than we've gotten before to try to go this transit route.

Secretary Skelton: There will certainly be opportunities for federal money, certainly when we are talking about the regional systems and statewide. But it will also require some local funds such as matching and that is where you get into a lot of discussion. As long as it is someone else's money, that's fine. Those are tough decisions and each county commission will have to struggle with it.

Commissioner Mariano: I think the matching fund prospect leads to a lot of leverage to make our funds work even better for us.

Secretary Skelton: The other aspect as you get into implementation is trying to make decisions of, do you try to get as much federal money as you can up front, knowing the strings that get attached to that? It takes time. You have to make those decisions. Maybe you use local and state funds up front for the first piece and then build on top of that. The federal process can be cumbersome and have a lot of strings attached.

7. **Council Members' Comments** - Chairman Black
None

8. **Program Reports**

A. **Agency on Bay Management (ABM)** - Chair, Mr. Robert Kersteen

Ms. Cooper stated there will be a Habitat Restoration Subcommittee meeting on Thursday, April 12, 2007 and on the agenda will be a report on Piney Point, hopefully the last one since they have now ceased discharging treated water into Bishop Harbor. Another item will be about law enforcement on Tampa Bay. We have very few law enforcement officers on the bay to enforce the rules about sea grasses, manatees, and for public safety and environmental protection. We will hear about that and the efforts to raise the salaries. That is a part of the problem in losing officers, they train but they cannot maintain themselves in those jobs so they go into local law enforcement. There will be a discussion regarding Clam Bayou and the problems. The City of Gulfport and the City of St. Petersburg are having some conflicts and it went to the level of Senator Nelson and he came back that it be dealt with at a local level. Through various channels it came to the Agency on Bay Management, which is a very appropriate body to discuss the environmental resources there and the impacts to resources and what could be done to help things out there. I would encourage anyone who is interested to attend this meeting and see firsthand how the ABM deals with

situations like this.

- B. Clearinghouse Review Committee (CRC)** - Chair, Commissioner Deborah Kynes
No Report. The Committee conducted a DRI pre-application conference for SunWest Harbourtowne in Pasco County.
- C. Local Emergency Planning Committee (LEPC)**
No Report
- D. Emergency Management**
No Report.
- E. Legislative Committee** - Commissioner Jane von Hahmann, Chair

In your agenda packet you received a copy of the Regional Concept Paper which was put together by the Florida Regional Councils Association and was sent to both of the Gubernatorial candidates prior to the election asking each of the candidates to take a look at some of the things that the governor should be focusing on during his administrative. In this concept paper we suggested the following:

- ✓ Re-evaluation of the State Plan
- ✓ A recommendation for a Regional Visioning to plan and direct future population growth
- ✓ Provide for a new process that enhances the coordination and integration of transportation and land use planning
- ✓ New Regional Policy Plans should be the new vehicle for those regions that undertake integration of planning issues
- ✓ Performance standards and benchmarks should be regularly monitored through a system of indicators or scorecards

The funding for our 11 Regional Planning Councils is currently at \$3.3 million in the Senate and \$3.55 million in the House. The \$250K difference is for additional tasks relating to SB360 implementation and school concurrency.

SB432 proposes revising the distribution of License Tax monies deposited in the State Transportation Fund for the funding of the Florida Seaport Transportation and Economic Development Program and Seaport intermodal access projects.

HB957 provides mechanisms for utilizing state general permits or regional general permits to eliminate overlapping of federal and state requirements that seek to protect the same resources and to avoid duplication of permitting. In order to avoid duplication and inefficiency, no local government shall enact or enforce a wetland regulatory program except through delegation of the State Environmental Resource Permit Program. Commissioner von Hahmann suggested everybody watch this in their local government that in some way has any kind of environmental protection for your wetland systems. This bill is set up to remove any and all local jurisdiction over wetlands. Manatee County has a policy and it is the only thing we have left since the state took away our mitigation plan and forced us to use the state mandated plan (UNAM). Ours was much more stringent than theirs, but we accepted that and now they want to take away the only thing we have which is avoidance.

Another bill to pay attention to, especially in our area because of the phosphate industry, is the aggregate bill that southeast Florida is dealing with. They are dealing with it from a road building perspective and saying they need to be able to get to the lime rock to build road systems. The way they are defining the lime rock as a resource for economic development, I believe they can come back and use the exact same definition. That bill is to provide for the phosphate industry where they don't have to do any kind of mitigation or protection of wetlands.

HB251 regarding the creation of a Tampa Bay Area Regional Transportation Authority received approval by the Policy and Budget Council and now is headed to the House floor. The companion bill, SB506 is now in the Transportation and Economic Development Appropriations Committee. One million dollars in funding has been identified by the Senate from the State Transportation Transit fund. No appropriations have been identified in the House. We have a recommendation that came from this Council that they provide for funding at the state level for that entity through the development of the plan. Once the plan is developed, there needs to be another source of funding outside the state dollars. To my knowledge I don't know if they have taken us up on that.

A proposed committee bill (PCB) was introduced by the House Economic Expansion and Infrastructure Council. This PCB has already been revised this past Friday. This bill relates to growth management and glitch revisions to SB360 that passed legislation in 2005. Some of the proposed language includes:

- ✓ Inclusion of transportation facilities deemed financially feasible throughout the planning period addressed by the Capital Improvements schedule.
- ✓ At the discretion of the local government, a comprehensive plan as revised by an amendment to its future land use map shall be deemed to be financially feasible and to have achieved and maintain transportation level of service standards for purposes of S.163.3177 provided that the amendment to the future land use map is supported by a binding agreement addressing proportionate fair-share consistent with:
 - Proportionate fair-share mitigation may be directed toward one or more specific transportation improvements reasonably related to the mobility demands created by the development and such improvements may address one or more modes of travel.
 - Proportionate fair-share mitigation shall be limited to ensure that a development meeting the requirements of this section mitigates its impact on the transportation system but is not responsible for the additional cost of eliminating backlogs.

Our proportionate fair-share ordinance in Manatee County is that we provide the ability to give proportionate fair-share to - i.e. an intersection improvement that might improve the capacity for the entire area. The reason we looked at doing that, and now the state is looking at that, is that you may not have the funds to do an entire system from one project coming forward for development. However, what you can do is take their dollars and put them to an improvement that would provide for capacity in the area. That is what one section of this committee bill would do.

Another item that was discussed at the Executive/Budget Committee to be brought to the full Council is the Taxation and Budget Reform Committee. Things are moving fast on the property tax in Tallahassee and we know we will be forced into a reactionary mode. The majority of Republicans have no plans to come out with their plan until next week.

Ms. Krahl passed out an informative sheet on the Taxation and Budget Reform Commission to the Council members. Article 11 of the Constitution of the State of Florida, in 1988 and again in 1998,

provided for the Taxation and Budget Reform Commission to be established. It was established by voter referendum and is part of the constitution. Section 6 deals with this commission.

Commissioner von Hahmann read *(a) Beginning in 2007 and each twentieth year thereafter ...* Their first meeting is this year. What was discussed at the Executive/Budget Committee meeting was their powers, as stated in (3)(d), which outlines and states what they are supposed to do. We discussed the Council possibly sending a letter to our legislators and to the Governor's office asking that they allow this constitutionally established body to do its job before they make any major changes to the tax system. We recognize that we will probably receive some kind of rollback and expenditure cap this year. I don't know if it will happen in the general session or if it will go to a special session, but that is something they can do legislatively. That's not anything that will take a constitutional amendment. Everything else they are looking at such as double homestead, affordability, increase Save Our Homes percentage - all those things would have to go to the voter. The request to Council is that we be allowed to draft a letter supporting the Taxation and Budget Reform Commission that was constitutionally established.

Chairman Black: We have a motion that this letter will be sent to the Governor and the legislative delegation of the Tampa Bay Region. (Bustle/von Hahmann)

Discussion:

Reverend Golden: As I read Section (e) I have a greater concern since it reads "*the commission shall hold public hearings as it deems necessary to carry out its responsibilities under this section. The commission shall issue a report of the results of the review carried out, and propose to the legislature any recommended statutory changes related to the taxation or budgetary laws of the state.*" I have some concerns that even the stop gap folks that they are proposing are beyond the authority of the legislature, at this point, given the fact that the constitution says "*beginning 2007 . . . there shall be established a . . . commission* of the following members with the following responsibilities. We have had 20 years to get ready for this. I'm not quite so sure that the letter that we are proposing ought not be even stronger than recommended. Everybody has conceded that the legislature can do what its doing and I have a real issue as to whether or not they can do what they're doing.

Commissioner von Hahmann: I agree with you Reverend and I believe that whatever they do there will be challenges. I think we just want something that speaks to the issue without getting deep into the elements that are being discussed at the legislative level right now.

Mayor Bustle: I agree. I think Reverend Golden is right on. But the problem is that it is such a moving target that you don't know what to shoot at. What I think our letter should say is that in reviewing the responsibilities of this commission it brings in question some of the activities that are going on in Tallahassee, and that we would like for this commission to have an opportunity to do what it is constituted to do.

Reverend Golden: This is really an issue that is going to affect all of our citizens and counties. I'm just hopeful that we can get a little more confrontational about the crisis that is being created by the state legislature with respect to it not following its own constitution. We are all governed by the state constitution, the legislature as

well as our cities and counties.

Commissioner von Hahmann: Possibly what we can do is to quote those duties that have been delegated to the commission.

Councilman Matthews: The letter needs to go. There are a lot of new people in Tallahassee that have never seen or heard of this.

Commissioner Mariano: In the committee meeting this morning I seconded Commissioner von Hahmann's motion to go forward with this. I'm very comfortable with bringing out the fact that it is in our constitution and they should let the committee meet. To try to tell the legislature what to do might be a little strong. I firmly believe that showing them that this committee should meet and it is in the constitution - I back that 1,000%.

Motion carried unanimously.

Reverend Golden suggested the Council General Counsel review the letter and get attorney language involved.

F. Regional Planning Advisory Committee (RPAC)

No Report.

G. Telework Tampa Bay

No Report. A flyer for two Telework workshops coming up was in Council folders. Registration is required.

H. Economic Development

No Report.

I. Regional Domestic Security Task Force (RDSTF)

No Report.

9. Other Council Reports

None.

10. Executive/Budget Committee Report - Chairman Black

The Committee met this morning and discussed the 2007 Mid Year Budget Amendment, which was approved by the full Council under the Consent Agenda. We also discussed the Taxation and Budget Reform Commission, which was fully discussed under the Legislative Committee report.

11. Chairman's Report - Chairman Black

Tarpon Springs will be presenting *Celebrating Tampa Bay* at the May Council meeting and am hopeful Pinellas County will present some of their efforts in Palm Harbor with the CRA and Main Street program at the June meeting. As most of us know, CRA and Main Street are more often products of a municipal

government, but Pinellas County has been really successful working with the Palm Harbor community.

12. **Executive Director's Report** - Manny Pumariega

We just completed an in-house Council video highlighting staff, myself, and Chairman Black. We will be presenting this video to Chambers of Commerce in Pinellas County and Pasco County. If you have any association or you would like to present the video, please call either Brady Smith or Wren Krahl.

Next meeting: May 14, 2007 @ 10:00 a.m.

Commissioner von Hahmann stated Dr. Gerber made an interesting point regarding the letter. We are the only Council, to her knowledge, that has chosen to do this and she recommended that we at least copy the other Councils.

Adjournment 11:28 a.m.

Lori Denman, Recording Secretary

Commissioner Scott Black, Chairman