



**MARTIN METROPOLITAN PLANNING ORGANIZATION (MPO)
ST. LUCIE TRANSPORTATION PLANNING ORGANIZATION (TPO)
JOINT POLICY BOARD MEETING**

MINUTES

Thursday, February 18, 2010

Indian River State College (IRSC) Chastain Campus
Wolf High-Technology Center, Bldg. C, Susan H. Johnson Auditorium
2400 S.E. Salerno Road
Stuart, Florida 349967
(772) 288-5484
www.martinmpo.com

1. CALL TO ORDER – 2:00 PM

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Members in Attendance for Martin MPO:

Mayor Michael Mortell, MPO Chairman
Commissioner Doug Smith, MPO Vice-Chairman
Commissioner Patrick Hayes (2:20pm arrival)
Commissioner Sarah Heard
Commissioner Mary Hutchinson

Members in Attendance for St. Lucie TPO:

Mr. Darrell Drummond, TPO Chairman
Commissioner Paula Lewis
Commissioner Chris Dzadovsky
Commissioner Charles Grande (2:02pm arrival)
Commissioner Chris Craft
Mayor Patricia Christensen
Vice Mayor Jack Kelly
Councilman Christopher Cooper

Members Excused:

Commissioner Don Osteen
Commissioner Edward Ciampi
Mr. Brian Powers, Indiantown CRA Ex-Officio
Ms. Kathryn Hensley, TPO Vice-Chair
Commissioner Reginald Sessions
Commissioner Edward Becht

Members not in Attendance:

Councilwoman Michelle Berger

MPO/TPO Staff in Attendance:

Beth Beltran, Martin Acting MPO/Transit Planner Manager
Boyd Lawrence, Martin MPO Planner II
Lisa Sanders, Martin MPO Associate Planner
Lisandra Bonet, Martin MPO Administrative Specialist II
Peter Buchwald, St. Lucie TPO Director
Neelam Fatima, St. Lucie TPO Sr. Transportation Engineer
Marceia Lathou, St. Lucie TPO Senior Planner
Edward DeFini, St. Lucie TPO Senior Planner

Others in Attendance:

Gerry O'Reilly, FDOT
Lois Bush, FDOT
Arlene Tanis, FDOT
Mike Busha, Executive Director of the Treasure Coast Regional Planning Council
Dana Little, TCRPC Project Manager
Terry Hess, TCRPC
Heather Young, St. Lucie County Assistant Attorney
Kim Graham, City of Port St. Lucie Engineering
Beth Ryder, St. Lucie County Community Services
Corine Williams, St. Lucie County Community Services
Bill Ball, Tindale-Oliver and Associates, Inc.
Rob Gregg, University of South Florida's Center for Urban Transportation Research
Nick Mora, Kimley-Horn
Barbara Timmerman, Community Coach
John Fanticola, Community Coach
Marianne Arbore, COASL

Each Policy Board had its respective quorum. Martin MPO Chairman Michael Mortell conducted the meeting.

4. APPROVE AGENDA

Commissioner Mayor Patricia Christensen made the motion to approve the agenda. Seconded by Commissioner Smith. The motion carried unanimously.

5. APPROVE MINUTES

Commissioner Doug Smith made the motion to approve the minutes from January 21, 2010. Seconded by Commissioner Paula Lewis. The motion carried unanimously.

6. COMMENTS FROM THE PUBLIC (NON-AGENDA ITEMS)

None

7. AGENDA ITEMS

A. Regional Transit Action Plan

Memo: temp10JMPOa04.01

Ms. Beth Beltran provided background on this Item. She stated that during the past several years, the Martin MPO and the St. Lucie TPO have explored alternatives for the administration and delivery of public transportation services in Martin and St. Lucie Counties. Building on these efforts, Tindale-Oliver & Associates (TOA) presented an outline of a Draft Transit Authority Action Plan for the Port St. Lucie Urbanized Area at the Joint Martin MPO/St. Lucie TPO Board Meeting on October 22, 2009.

Ms. Beltran introduced Mr. Bill Ball from TOA who provided a PowerPoint presentation (copy on file) with an update of the Action Plan. Mr. Ball stated the overview of the presentation, which would include: 1) the discussion of the transit governance in Florida, 2) the presentation of an example of the process, 3) mentioning some of the highlights of the Action Plan, and 4) the request for action from the Joint Board.

Mr. Ball explained that the Action Plan proposes a course of action for establishing regional transit governance in St. Lucie and Martin Counties for the administration and delivery of public transportation services for both counties. Some of the Florida Transit Authorities mentioned by Mr. Ball were the Jacksonville-JTA, the Hillsborough-HART, the Pinellas-PSTA, the Orlando-LINX, and the SE Florida-Tri-Rail. The most recent ones were the Polk-PTA and the Tampa Region-TBARTA.

The Action Plan structure presented was organized into the following three major phases and durations:

- Near-Term Phase (7 months)
- Mid-Term Phase (2 years)
- Long-Term Phase (3-5 years)

Mr. Ball stated that the major milestones and timeline in the Action Plan for the Port St. Lucie UZA shown in Figure 3-1 on page 3-3 were modeled after the efforts of Polk County to create the Polk Transit Authority (PTA).

Mr. Ball informed that the Polk Transit Authority was a successful example and could serve as a model for Martin/St. Lucie area. He discussed the 4-Step process of the Polk Model: 1) Transit Vision and Action Plan in the year 2003, 2) Polk Regional Transit Organization (RTO) in 2004, 3) Polk Transit Authority (RTA) in 2007, and 4) Sales Tax Referendum in 2010. The Near-Term Phase for the Port St. Lucie UZA, which is underway, consists of the development and adoption of the Action Plan in the form of the Regional Transit Development Plan (Regional TDP). The Mid-Term Phase of the Port St. Lucie UZA would consist of the formation of an RTO to discuss and resolve policy issues related to the formation of an RTA.

TOA was proposing either of the compositions shown on Tables 5-2 and 5-3 on page 5-3 for the formation of an RTO:

Table 5-2
Proposed St. Lucie/Martin RTO
Composition (Polk County Model)

Jurisdiction/Agency	Number of Representatives
Martin County	2
St. Lucie County	2
Martin MPO	1
St. Lucie TPO	1
Port St. Lucie	2
Fort Pierce	1
Stuart	1
Town of Sewall's Point	1
FDOT District 4	1
Total	12

Table 5-3
Proposed St. Lucie/Martin RTO
Composition (Lee County Model)

Jurisdiction/Agency	Number of Representatives
Martin County	1
St. Lucie County	1
Port St. Lucie	1
Fort Pierce	1
Stuart	1
Town of Sewalls Point	1
FDOT District 4	1
Total	7

Mr. Ball spoke about the Regional Transit Summit that took place on January 8, 2010, at Tradition Town Hall in Port St. Lucie as part of the efforts to facilitate the consensus-building process for the creation of a regional transit governance structure. Over 150 individuals attended. Mr. Ball stated that among those present were representatives from various levels of government: local, regional, State and Federal, representatives from public and private agencies, and members of the general public.

Mr. Ball stated that among the summit conclusions were the general support for the Regional Transit approach and the support of the Action Plan with modifications. Among the key comments were the involvement of adjacent counties such as Palm Beach and Indian River, and the composition of the interim RTO.

Mr. Ball discussed key elements of the RTO process such as drafting an Interlocal Agreement, and provided the following RTO composition options, with the outstanding issue of whether any of the adjacent Counties would like to participate:

Option 1: Polk County Model (Table 5-2 above)

Option 2: Lee County Model (Table 5-3 above)

Mr. Ball also proposed a model for the composition of a Transit Technical Advisory Committee (TTAC) to assist the RTO. On page 5-4, the Action Plan describes the formation of a TTAC, comprised of technical staff from each of the affected jurisdictions/agencies, to support the administrative and technical needs of the RTO.

A discussion ensued among the Members regarding the costs associated with moving the RTO process forward, which would lead to the RTA formation in the future.

Mr. Drummond requested to see some figures in terms of the cost associated with each step of the process and how the cost would be absorbed in the process. Mr. Ball replied that the cost of the RTO would be the time served by the Board and of the Staff involved, perhaps also the cost of hiring Consultants, should it be necessary. Mr. Rob Gregg from CUTR added that Urbanized Planning funding and requests to FDOT for support of the planning activities, may also be used for the RTO creation; later on in the process, for the period of the establishment of an RTA, the local government would have to determine a budget for this transition.

Commissioner Heard recapped the concepts presented by saying, "It looks to me that the establishment of the Regional Transit Organization is the mid-term Action Plan that facilitates the long-term Action Plan which is to draft legislation and establish a Regional Transit Authority which would have fund raising abilities, I assume through imposition of a fee or through sales tax...I am correct?". Mr. Ball replied in the affirmative. Commissioner Heard expressed concern of additional revenues, fees, and taxes in Martin County. Mr. Ball responded that there was no commitment of the RTO for a specific timeframe for the establishment of an RTA, that it would be when the time is right. Commissioner Dzadovsky said, "...this is probably *the* time to move together with the regionalization simply because funds from the Federal and State level are going to be hard fought for." Commissioner Dzadovsky said that when looking at funding, regional efforts are being recognized. He mentioned the TIGER grants as an example.

Mayor Christensen had a question regarding the composition of the RTO. She asked if the FDOT-District 4 Representative listed in the proposed models was a voting member and why. Mr. Gregg replied in the affirmative. Mr. Gregg added that, in the case of Polk's interim Transit Organization, the FDOT member "was a big player and a big funding partner in the planning stages". Mr. Gregg said that FDOT was not a voting member in Polk's RTA however.

Vice Mayor Kelly said that he was very disappointed with the results of the Martin MPO Policy Board meeting earlier in the week, when the Board decided not to merge the Martin MPO and the St. Lucie TPO.

Chairman Mortell stated that concerning the creation of an RTO he supported the idea of moving forward with it. The RTO was an organization that would allow the Counties to terminate their participation, should the RTO not work as expected.

Commissioner Smith concurred with Chairman Mortell's comment and he added that it was very important to show a balanced makeup of the RTO Board. He also suggested rotating the two St. Lucie major cities (Port St. Lucie and Fort Pierce) instead of assigning a seat to each on the Board. Commissioner Smith stated that the Members should also consider having an Indian River County and a Palm Beach County member on the Board, as well as business representatives.

Ms. Beltran said that, "at the Transit Summit, the representative from TBARTA and the representative from SFRTA, both emphasized the importance of having business representatives on their RTA Boards".

Vice Mayor Kelly expressed preference for the Board composition shown in the Polk County Model (Table 5-2) by saying that the representation of members was proportionate. Chairman Mortell stated that Martin County was looking for *equal* representation. Chairman Mortell presented the analogy of the US Senate where there are two representatives from each State, no matter the size

difference of the States. Chairman Mortell mentioned that “as an example of a Transit Authority, Broward and Dade County have in excess of a million people difference but have the *same* representation on their Transit Authority...they were able to make it work with equal representation because they do not look at it based upon a particular population but they look at it instead as a Transportation Network that goes through both areas”. He added that Martin County would be hesitant to start out a regional organization with minority representation.

Vice Mayor Kelly said, “...Port St. Lucie is part of St. Lucie County but it is a separate entity...we have different outlooks and different plans than the rest of the County does...Because those two votes are there (referring to the two seats for the City of Port St. Lucie on the Polk County Model) it doesn’t mean they are always going to go the opposite way from you guys (Martin County), and I just wish you realize that”.

Commissioner Craft suggested not focusing so much on the Board’s composition at this point and rather moving on the dialogue towards the creation of the RTO. He said that the RTO would be the organization that would lead the way and keep the process moving forward. Chairman Mortell concurred that we should work toward getting a consensus for the creation of the RTO Board composition; however, he insisted in *starting out equal*, and then, analyzing whether this composition would work out for both Counties.

Mayor Christensen said that she initially liked the model presented on Table 5-2 (Polk County); however, after hearing Commissioner Smith she wondered whether the Joint Board should come up with a third option different from the two options presented by TOA/CUTR. She welcomed the idea of having business representatives and having an independent voice from the elected officials; therefore, Table 5-3 could work by adding a Business Leader, perhaps from the Economic Development Council. She was concerned that the FDOT Representative would be included and be considered the “tie breaker”. Mayor Christensen said that she could see why FDOT presence would be needed on the Board; however, decisions should be made by local officials.

Commissioner Grande was hoping to arrive at an RTO formation decision and asked what the “weight” of the votes of an RTO was. Mr. Gregg replied that the RTO was an organization that would bring consensus, education, awareness, research, etc. to the process. Mr. Gregg also said that considering the neighborhood Counties as members that would provide support at the technical level, as members of the TTAC, was a good idea. Mr. Gregg pointed out that in the Polk County model shown on Table 5-5 (copy on file), the RTO composition and their final RTA composition ended up being different. Mr. Ball added that the RTO could be set up to have its members present *all* discussion points to the MPO Boards. Commissioner Grande’s main concern was that if the RTO Board had *the power* of not presenting certain issues/discussions to the Commissions, then he would sympathize with Martin MPO’s request of having *equal* representation on the RTO Board. Commissioner Hayes concurred.

Mr. Darrell Drummond stated that the discussion should be focusing on which agency would be drafting the Interlocal Agreement that would provide the power and direction to the RTO Board. Mr. Gregg replied that in Polk County, the Interlocal Agreement was developed by the Polk MPO.

A discussion ensued among the Members regarding the Board composition of the third model proposed by Mayor Christensen. Commissioner Dzadovsky concurred with Commissioner Smith’s idea of including Business/Economic Development Representatives as Board Members. Vice Mayor

Kelly dissented, he said that the Business Representatives should be included on the TTAC and not on the Board. Vice Mayor Kelly stated that, “every member of this Board (RTO Board) should be an elected official”.

Commissioner Smith stated that Polk County had only *one* MPO and not two MPO’s trying to obtain a consensus. This is why agreeing on the RTO Board composition for the Martin/St. Lucie area is a more complex task.

Commissioner Lewis said she had come weighted to the concept presented on Table 5-2; however, after “listening to the discussion and also recollecting the problems we had on our Board (St. Lucie TPO)...trying to determine the makeup of our County TPO, I am willing, and actually I would like ...the addition of the Economic Development folks as it has been suggested. Looking at the fact that the RTA does not need to mirror the RTO gives me a great deal of hope...” Commissioner Lewis said that she would like to try the nine-member Board and see how it works, and if we feel that we are not being properly represented, we can change it as we move forward.

Commissioner Smith moved to adopt the framework of the RTO model presented on Table 5-3 with the addition of an Economic Development Council member from St. Lucie County and from Martin County for a total of nine members on the RTO Board. Commissioner Craft seconded the motion. The motion was opened for discussion.

Under discussion, Commissioner Dzadovsky said that agreeing to the Board composition was great but they needed to come back with a second motion: to direct Staff to work on the Interlocal Agreement, to take strong action steps to ensure that the Joint Board would continue to move forward with the RTO process. Commissioner Smith made it a subsidiary motion.

Under discussion, Mayor Christensen supported the motion and requested that alternates be allowed to be appointed in addition to the members, in order to ensure representation. Commissioner Smith amended the main motion to allow alternate selection for County and City representatives. Commissioner Craft seconded the amended motion.

Vice Mayor Kelly stated that even though he did not agree with the selected Board composition he would agree in the spirit of moving the process forward. Chairman Mortell requested that the record reflect that Vice Mayor Kelly was a team player.

There being no further discussion from the members nor from the public, the matter passed unanimously.

Commissioner Smith made a motion to direct Staff to formulate an Interlocal Agreement.

A discussion ensued in trying to determine the timeframe when a draft Agreement should be presented to the Board Members. Mayor Christensen proposed presenting the draft to the individual MPO and TPO Boards first, and then present it to their respective governmental jurisdictions.

Commissioner Smith amended his motion and moved to direct Staff to present a draft Interlocal Agreement to the individual MPO and TPO Boards for review on their next meeting, that a draft copy also be sent to the respective Counties at the same time, and to bring

the Interlocal Agreement back to the Joint Board for approval in May. Commissioner Lewis seconded the motion with a minor addition: that both the Counties and the pertinent Municipalities be copied. Commissioner Smith adopted Commissioner Lewis' suggestion into his motion. The motion passed unanimously.

B. Regional 2035 Long Range Transportation Plan (2035 RL RTP) Update
Memo: temp10JMPOa04.02

Ms. Beltran provided background for this Item. She said that at the October 22, 2009 Joint MPO/TPO Board meeting, the Treasure Coast Regional Planning Council (TCRPC) provided an overview of the process and schedule for completing the 2035 RL RTP Update. In addition, this presentation highlighted the initial and ongoing public participation and outreach efforts associated with the LRTP process.

Ms. Beltran stated that TCRPC will provide a status report on the 2035 RL RTP Update, including the results of the online public survey, the Public Process and Vision Plan, and a revised work schedule. Ms. Beltran introduced Mr. Dana Little, TCRPC Project Manager.

Mr. Little presented an update to the Joint Board on their activities and implementation schedule via PowerPoint presentation. He provided some background by saying that the RL RTP: 1) is the MPO/TPO guide for roadway expenditures into the next 25 years, 2) it sets roadway improvement priorities, 3) its update is required every 5 years by FHWA, 4) it offers the opportunity to adjust future growth patterns, and 5) they were at the beginning of the 2035 process and it would continue through January or February of 2011.

Mr. Little said that the approach taken was that "future land use patterns and how we grow are directly related to how much the Counties and the MPO/TPO will spend on their transportation systems; and so we are hoping to find a balanced list of priorities that improves not only mobility but also the quality of life for each of the Counties and their Municipalities".

Mr. Little reiterated that the 2030 RL RTP was being used as the foundation for all of the recommendations made. He also mentioned that Tasks 3 through 10 of the Plan acknowledged the financial aspects of the Vision Plan.

Mr. Little said that the online survey is live, ongoing, and will run throughout the 18 months of the process.

Mr. Little discussed the Infill Alternative Plans for both Counties, including specific Districts and Corridors in each County. He stated that, in conclusion, the Infill Alternative Plan was the result of public input and community visioning. Mr. Little said that the selection of the Infill Alternative Plan (as the preferred Land Use Plan for the RL RTP) would not automatically change the Comprehensive Plan or Land Development Regulations for the Counties or the Municipalities, and that some amendments may be necessary to realize the full benefits of these models.

Mr. Little requested the following:

- 1) Concurrence between the Boards that the Infill Alternative Development Plan represents a land use approach that may be desirable to each County and should be further developed and modeled as part of the RL RTP process.
- 2) Special Joint Board meeting in June to review socio-economic data and initial modeling results.

In regards to the June special meeting request, Chairman Mortell proposed moving the scheduled May meeting to the month of June. Commissioner Smith concurred, but stated that the change would impact the deadline for the RTO Interlocal Agreement discussed in the previous Agenda Item. **Commissioner Smith moved to merge the June and May meetings into one that is the most appropriate, in order to provide time to obtain and include the most accurate and relevant modeling data needed. Seconded by Commissioner Dzadovsky.**

Commissioner Dzadovsky commented that moving the Joint meeting to June should not interfere with drafting the Interlocal Agreement promptly and forwarding it for its review as discussed. Mr. Peter Buchwald, TPO Director, stated that the proposed meeting date change would not interfere with the overall result of drafting and having the Agreement ready for review. He also suggested considering June 17th for the next Joint Board meeting date, as this was the third Thursday in the month.

Chairman Mortell recapped the motion on the floor: to consolidate the upcoming Joint Board meetings to the month of June to accommodate TCRPC's request. He acknowledged Mr. Buchwald's date suggestion. **The motion carried unanimously.** Chairman Mortell mentioned that the meeting could be on June 17th at 2:00pm, and that it will be hosted by St. Lucie County. Commissioner Smith suggested obtaining quorum for June 17th via email notification.

Various Members provided suggestions for the Vision Plan presented. Commissioner Hutchinson made several comments: 1) to include the Palm City Road area with the downtown Publix, as one of the Neighborhood Infills, because this area was used by many pedestrians, specifically pedestrians coming from the new downtown marina down US1 to the downtown Publix, and it should be made safer, 2) the section of US1 from the base of the Roosevelt Bridge down towards the Publix plaza area should also be more pedestrian friendly; FDOT placed the streetlights in the middle of the sidewalks. She stated that FDOT must do their share of the work if we want the final result to be pedestrian friendly environments, 3) the Central Parkway area, across from the Stuart News building between Kanner Highway and US1, has some vacant land that could be re-considered as an economic development/workplace area, and 4) to include in the Plan the ongoing discussions about bringing the constitutional offices back into the downtown area.

Commissioner Sarah Heard wanted to ensure that the Bureau of Economic and Business Research (BEBR) numbers used in the presentation were the most recent ones, and those would be the numbers from July 2009. Mr. Little assented.

Commissioner Grande said that although he supported the Infill he "would also like to see an Infill Alternative Model with no net change in the residential entitlements...I would rather see a model that shows the corresponding *decrease* in the areas that we would rather not see developed. I would suggest to you that virtually all of the growth related problems that we've had today... relates to this concept of just giving away intensification; because it truly does seem like a good idea at the time, but I think we would be far more responsible if we look at the total entitlements in the current existing Comprehensive Plans for each of the Counties and Municipalities, and work within those, and rather than add units to the areas where it make sense to intensify, to move units so that we don't wind up with the net increase...".

Commissioner Grande also mentioned that, in a general view, he preferred using transit to support the development plans and not having the development plans support transit. He was not interested

in intensifying an area to support the transit plan, although he was interested in increasing transit in areas where the development nature would make sense to do so.

Mayor Christensen commented that she would not support bullet point no. 3 under **Growth** on page 32 (• stop growth at CR 609 / Rangeline Road with no more growth into western areas). She requested that the wording be modified to: *limited to industrial or commercial development*; perhaps, *limited growth to job creation development*, or some other wording along that nature. Mr. Little took note of the comment. She spoke specifically about the Inland Port projects.

Councilman Cooper wondered why he did not get a copy of the first presentation offered by Mr. Little. Councilman Cooper stated that the presentation contained good data with statistics on the population growth and he did not see a copy in his agenda package. Mr. Little offered to forward a copy, and added that his presentation was a synopsis of a full report that would have been included in the package.

Vice Mayor Kelly responded to Commissioner Grande's comment regarding growth by saying, "...95% of Port St. Lucie was residential from the beginning... we constantly change residential property to commercial or industrial". Commissioner Grande stated that he was talking about the limited *modeling alternatives presented*.

Upon Mr. Little's request, Chairman Mortell reaffirmed that TCRPC would present modeling at the June Joint Board meeting.

Mr. Little clarified that TCRPC would continue to use the most current BEBR mid-range population projections on their modeling. Mr. Michael Busha, Executive Director of TCRPC, said, "I'm a little concerned about St. Lucie County...Between 1980 and 2010, St. Lucie County, and that is thirty years of growth, you guys grew about 190,000 people. Between 2010 and 2035, which is just twenty-five years of growth, you are looking at putting on more than you did on the last thirty years. I...want to check with you, do you want us to use those numbers or some blend of that...?" A discussion ensued among the St. Lucie County Members expressing their concerns about whether the BEBR numbers used by TCRPC represented the real growth projection of St. Lucie County. Mr. Busha wanted to ensure there was an agreement among the Members of St. Lucie regarding the numbers being used in the modeling. Mayor Christensen suggested allowing time for Staff review and getting back with to TCRPC regarding the BEBR number issue at a later time. Chairman Mortell stated that the Plan was reviewed every five years and provided for data adjustments. Commissioner Heard stated that, in terms of maintaining consistency, both Counties should continue to use BEBR numbers.

C. MPO Merger

Memo: temp10JMPOa04.03

Chairman Mortell introduced this Item and stated that at its February 15, 2010 Martin MPO Policy Board meeting, Members voted not to merge with the St. Lucie TPO.

Commissioner Smith stated that among the reasons for this decision were that no other existing MPOs have merged under similar circumstances. Additionally, the merger examples previously presented have been from MPOs merged from inception and not of mergers of *existing* MPOs. He said that no one could provide a good reason to merge the two agencies. Commissioner Smith said that he was the only member to vote in favor of the merger, however.

Chairman Mortell said that in doing the research, members of other MPOs and members of the MPOAC commented that the merger should not be rushed in, and that two other factors should be taken into consideration: the first one would be the results of the 2010 Census and the second would be the new Transportation Authorization Bill which was still pending. These two factors could significantly impact the merger issue. Chairman Mortell stated that several other factors influenced the Martin MPO Board's decision to not merge. Factors such as, the two Counties are currently working well together, the two are working toward an RTO, the Counties have two different land use priorities and philosophies; and, by not merging, it would let the residents of both Counties feel more assured that their philosophies are being continued.

Mayor Christensen expressed that, "...I respect your opinion (to Chairman Mortell) I absolutely do, and at this point I'm not unhappy with what has turned out. My frustration is when I think back two, three or four years ago, when it was presented to us by a representative from District 4 (FDOT) that we *had* to merge and it seemed like...it was being jammed down our throats, but we were given the option to come up with a compromise which this was the compromise (meeting jointly). I won't disagree that it works, I think probably one of the reasons why I was favoring merger was just, I'm feeling, and granted I only have eight and a half months to go, but I'm feeling meeting TPO and MPO meetings to death, where I thought the merged group would relieve many of us from having to attend duplicate meetings, and hearing and seeing stuff twice in a month".

Chairman Mortell stated that a mandated merge would only occur if there was a Legislative Act in the State of Florida, and that currently, there were no requirements in the Statutes to merge.

Chairman Mortell made reference to the letter of compromise that was sent over seven years ago to Governor Bush, and said that FDOT continues to use this initial letter as their basis for continuing to bring the merger subject up. Mayor Christensen concurred that this letter was drafted because FDOT told both MPOs that they *had* to merge, and the MPOs decided that they would rather compromise to work jointly. Chairman Mortell assented and continued to say that at their last Martin MPO Board meeting the Members decided to draft a *new* letter saying that Martin MPO voted not to merge, that they will continue to work on the RTO, that they will stay cooperative with the neighboring MPOs, but that it was *not* their intention to merge; therefore, to relieve them from the pressure they were receiving to merge.

Councilman Cooper suggested keeping the merging idea open, and that merging the four counties (Martin, St. Lucie, Indian River and Okeechobee) would be a historical moment. Chairman Mortell replied that Martin MPO and St. Lucie TPO already received Indian River MPO's response opting to remain autonomous. Chairman Mortell said that there was no need to merge the MPOs in order to work together.

Commissioner Craft left to attend a previous engagement.

A discussion ensued among the Members. Commissioner Hutchinson opposed the merger stating, "The reason why I don't support the merger is because as a representative of the City of Stuart, having an organization that is based on population, the City needs would become very small in this big pot that we have here. Commissioner Kelly (Vice Mayor Jack Kelly) earlier talked about how large his organization is and why they should have a better representation and that is the *exact* reason why I don't support merging the two MPOs, because I would lose representation of the needs of my

City... we would lose our voice and we would lose our voice to get the dollars for our city residents and the projects that we need”.

Commissioner Dzadovsky supported the merger idea stating that this was the time to take leadership and change the paradigm. He said, “...this group I think is probably one of the most progressive governmental bodies that I’ve seen in Florida and in the Nation...Going back to the TIGER grants, and, what’s coming from the Feds in the future? What’s coming from the State in the future?...Those dollars are going to be very limited and if we take a regional approach I think we will be viewed upon most favorably than those who do not. No one else has done it but I think that by being the leader we will get great deal of credit from the State and Federal level for thinking outside the box”.

Vice Mayor Kelly asked Commissioner Hutchinson, “...Would you rather have 10% of a hundred million dollars or 10% of a hundred and fifty million dollars? Because that is what it comes down to. If we merge, you are going to have the bigger percentage of the bigger pie”. Vice Mayor Kelly went on saying, “...If we are the first ones (first merger of existing MPOs) if we are going to be the template, do you think that State and FDOT isn’t going to do everything they can to make us look good. We are going to get more money and do better than we ever would because they (FDOT) want us to”.

Chairman Mortell said that the Martin MPO Board did not say that they would never listen to the Committee to explore an MPO merger, but that there were many other factors to be considered. This subject was first brought up over seven years ago, and the experimental phase was to work jointly with St. Lucie TPO as they have, but at the end, there has not been any type of reward.

Commissioner Dzadovsky said, “...We’ve been meeting as MPOs jointly, and we’ve gotten no benefit, and, to continue to meet jointly without any benefit at the end of the day, what’s the use of having another meeting over and over? If we do merge and we do have an opportunity to show the Nation and the State that we can make it change and do something that’s better for our communities, then, we can see if there was a change...I’m willing to go forward and try and see if we can actually get more dollars, and make a change, make a difference”.

Chairman Mortell stated that merging was a legislative function; therefore, once the Counties merged they might not be able to “unmerge”. The opposite was true in the case of an RTO, where either County could walk away from the organization should it did not prove beneficial to them.

Commissioner Smith reiterated that the State Statutes did not require merging. He said that the 2025 and the 2030 Plan were done as two independent (Counties) with the same consultants. Now, we have a *single* Plan being done with *a* consultant. We have made a tremendous, I think, personally, stride and all the stuff that we saw today (Mr. Little’s presentation on the 2035 RLRTP) came out of the reality of us meeting jointly over the last five or seven years, so something good has come of it all”.

Commissioner Smith said, “We are somewhat of a unique State in terms of how our MPOs structure, correct me if I’m wrong, is formed, it’s State Legislation. Ms. Beltran clarified, “It’s a Federal Law but Florida, unlike a lot of States, has laws about MPOs, where a lot of States do not”.

Mr. Buchwald quoted the Florida Statutes 339.175 Chairman Mortell was referring to earlier. He said, "It's a combination of agreement between the Governor and I quote...(see highlighted area below):

The 2009 Florida Statutes
Title XXVI: PUBLIC TRANSPORTATION
Chapter 339: TRANSPORTATION FINANCE AND PLANNING

339.175 Metropolitan planning organization.--

2) DESIGNATION.--

(a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area. Such designation shall be accomplished by agreement between the Governor and units of general-purpose local government representing at least 75 percent of the population of the urbanized area; however, the unit of general-purpose local government that represents the central city or cities within the M.P.O. jurisdiction, as defined by the United States Bureau of the Census, must be a party to such agreement.

Mr. Buchwald continued to say, " So, while it would be the first time in progressive for, in Florida, for two organizations to merge nothing precludes that at a later date from unmerging, 'cause I quote sub part two (see highlighted area below)":

2. More than one M.P.O. may be designated within an existing metropolitan planning area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing metropolitan planning area makes the designation of more than one M.P.O. for the area appropriate.

"So by the very same reason you can/agree to remain separate you could agree by demonstrating the size and complexity to, again, be separate at a later day, and it allows you to re-designate every ten years".

Chairman Mortell replied, "No Peter, in all due respect, if I'm on the RTO and I'm the minority on the RTO and I don't feel like I'm getting my fair share on the RTO, I can simply walk away. If I'm on the minority of the MPO and I don't feel like I'm getting my share on the MPO and the majority of the MPO votes that we are not going to split, I don't get to split, I don't get to walk away".

Commissioner Smith said, "We (Martin MPO) have no choice of the makeup of that Board", as it relates to the State Statutes. Commissioner Smith stated that the three main factors that lead the Martin MPO Board not to merge were: 1) there have been no other *existing* MPOs that have merged before, 2) there was no mandate instructing MPOs to merge, and 3) the makeup of the board was in State Statutes. He said that he was still hopeful that the merger could take place in the future but before that, some legislative changes needed to take place in terms of how MPO mergers are determined. Commissioner Dzadovsky concurred with the need of changing the State Statutes as it relates to the Board composition, and proposed going to the Legislature and have them look at existing the language, perhaps create an out-clause.

Councilman Cooper was glad to hear that Martin MPO did not "kill" the merger concept. He suggested continuing with the conversations and to keep moving in that direction.

Mr. Gerry O'Reilly, Director of Transportation Development of FDOT District Four, stated, "I have been in the District twenty something years and I've been in my current position probably about nine or ten, so I lived through this process over the last eight, nine, ten years. My recollection of the history is not exactly the same as some of the things that have been said here. There is no doubt the

Department (FDOT) thinks you, as a region, can plan for transportation infrastructure much more successfully, and that, would lead you to the opportunity for more funds, if you are one body. There's no doubt we've always thought that, we've always thought you would operate better as one body. I do take a little bit of exception to us saying you *had* to merge. The law was very clear to us that we could not force you to; size and complexity is a part of the law...we probably felt size and complexity was not a big issue" Mr. O'Reilly recalled the fact that it was on April of 2004 when the Governor designated the Counties' respective MPOs as independent agencies.

Mr. O'Reilly advised that there will be a letter sent by FDOT around year 2012 regarding the redesignation of the MPOs after the 2010 Census. Mr. O'Reilly said, "I don't believe that DOT has been asking you to merge since 2004, the Governor made it pretty clear you will be an MPO". Mr. O'Reilly stated that FDOT would be happy to provide the Counties financial assistance through their consultants, and that they would be standing by to provide assistance for exploring the merger.

Commissioner Hayes asked Mr. O'Reilly, "Are there any other areas in the State that you (FDOT) are encouraging to merge?" Mr. O'Reilly replied, "Everybody who, in the last CENSUS, who had an individual MPO and then became one urbanized area, for instance Miami-Dade County, Broward County, and Palm Beach County all got the same letter you did then, that said: you have now become one urbanized area we would like you to examine merging, we'd like you to look into it". Ms. Lois Bush from FDOT said that many combinations of MPOs got that letter. Chairman Mortell then asked, "How many of them are working together right now to merge?" Mr. O'Reilly replied, "To merge no, that all finished in 2004. They were either re-designated as an MPO, and I believe everybody who requested it, based on their size and complexity and what they agreed to do, was left the way they were... We are not asking to merge, not yet". Vice Mayor Kelly said, "...so what I said earlier...10 years and you just said it, 2013, they are probably at that time mandate it". Mr. O'Reilly replied, "I don't know the way the Law reads we can mandate anything...I don't believe that the way the Law it's been set up that we can force it on you". Vice Mayor Kelly continued, "...they said we gave you 10 years to put this thing together yourself, that's what I thought". Chairman Mortell to Vice Mayor Kelly, "...that's what Gerry (O'Reilly) just said to you, that they didn't give us 10 years, that that never occurred, that they never gave us that ultimatum. And that's what's amazing to me too because my perception in 2004 was that we were given this mandate to merge, that we had to vote, both St. Lucie and Martin voted they didn't want to merge, and then we were told, OK well, you need to work together as this joint body cooperative with each other understanding to merge because you are going to have to in 10 years". Mr. O'Reilly replied that he was foreseeing that the results of the upcoming census might be similar to the previous Census, when Martin became part of the Port St. Lucie Urbanized Area; therefore, the Counties involved will receive similar letter as those sent by FDOT in 2004 asking them to *examine* merging. Mr. O'Reilly said that then, the Counties will have to explain again, why their size and complexity is such that they should remain separate MPOs.

Commissioner Heard stated that the Martin MPO Policy Board did research, examined the facts that were available to them and also new facts that were brought to their attention. She said that Martin MPO made their decision based upon all those facts, not to merge.

Mayor Patricia Christensen left to attend a previous engagement.

Commissioner Smith moved that Martin MPO would continue to participate in the discussion and have a role in the committee and use the FDOT consultant to continue exploring merger possibilities.

Ms. Beltran stated, “Just to clarify, I had spoken to Jeff Cramer who was one of the instructors for the MPOAC class that was here in St. Lucie County back in June or July, he works for CUTR. I asked him about the MPO Law, he said it is a Federal Law. The Federal Law states that an urbanized area must be covered by an MPO process; and now the Port St. Lucie Urbanized Area is covered by the St. Lucie TPO and the Martin MPO. In Florida, that’s why you have things like... Miami Urbanized Area that actually has three MPOs, there is also actually an MPO on the west coast: Pasco MPO has the same boundaries as Pasco County but it includes part of three urbanized areas. So, what Jeff has told me was that the Federal Law states an urbanized area must be covered by an MPO process and once an MPO is there, the reason why MPOs haven’t merge is because, until they change that Federal Law then...an MPO does not *have* to merge if an urbanized area is covered by an MPO process”.

Chairman Mortell restated the motion to move that Martin MPO would continue to participate in the discussion and have a role in the committee and use the FDOT consultants to continue exploring the merging possibilities and the benefits and detriments of it.

Commissioner Smith asked Mr. O’Reilly if FDOT would provide financial support for exploring the merging idea if the *Joint Board* agrees to move forward with it. Mr. O’Reilly replied in the affirmative.

Commissioner Smith amended his motion to continue to move forward with a subcommittee of the Joint Board that would review the merging of Martin MPO with St. Lucie TPO. The motion was seconded by Vice Mayor Kelly.

Commissioner Dzadoovsky asked if there was a quorum present. Mr. Buchwald replied, “Mr. Chair, St. Lucie TPO does not have a quorum at this point, but I think what is necessary, the St. Lucie TPO has already appointed its representatives to the merger sub-committee, I think the St. Lucie TPO would look forward to the representatives for the Martin to the merger sub-committee, is that simple, if you want to go forward”.

Commissioner Heard asked if the Martin MPO Board voted not to merge four days ago, why was there a motion to continue the discussion and the expending of money on the merger issue. Mr. Buchwald replied that St. Lucie TPO would not be able to vote on a motion because they did not have a quorum.

Commissioner Smith clarified that this motion was just to sent a message to FDOT that the Joint Board was still interested in studying the merger and that the motion “does not hold Martin County accountable whatsoever to merge. All it does is to form a working group out of this body represented by both sides of the border”.

Commissioner Lewis stated that it was clear to her that Martin MPO did not want to move forward with the merger, therefore, it would be pointless to continue and expend State funds on it. She said, “As someone who volunteered to be part of the process (as a member of the merger sub-committee)... but I don’t really see the point of it if you’ve opted out”.

Commissioner Hayes stated that even though he voted not to merge four days ago, it did not mean that he would not be willing to explore new perspectives and the idea in the future.

Commissioner Hutchinson stated that until the Legislation was changed she was not going to support the motion. Commissioner Dzadoovsky suggested crafting the language that would change the existing Legislation to meet the needs of Martin County as it pertains to the Board composition. Chairman Mortell stated that there was no need to create a Committee to put the language together because what Martin County wanted was just *equal* representation and they just needed to have a Legislator to sponsor it to see if it would pass.

Councilman Cooper thought it would be premature to vote not to move forward when there was still so much to work out, like the Board composition. Chairman Mortell replied that the Board composition of a merged MPO was already set to be based on geography and population. Councilman Cooper responded that he was not aware that this fact was so definite. He added that, in supporting the merger, he would be in accordance of having *equal* representation for both Counties.

Commissioner Smith reiterated that there had to be consensus between Martin and St. Lucie in order to have a Legislator bring the idea forward.

Commissioner Lewis said, "Before I can vote on this, I need to know what Committee? Are we just talking about the three members from St. Lucie (Martin did not appointed any members yet). That still makes no sense to me".

Mr. Buchwald mentioned that the Apportionment Plans that both Counties agreed upon in 2004 should be taken into consideration, and not only considering geography and population as the determinant factors for the Board composition. He said that the Committee could explore this suggestion. Commissioner Hutchinson stated that there were more issues to consider other than just the Board composition.

Chairman Mortell requested voting for the motion on the floor. There were five votes in favor (Chairman Mortell, Commissioner Hayes, Commissioner Dzadoovsky, Vice Mayor Kelly and Councilman Cooper) and five votes opposed (Commissioner Heard, Commissioner Hutchinson, Mr. Drummond, Commissioner Lewis and Commissioner Grande). The motion failed for lack of majority.

Commissioner Dzadoovsky said he would like to make a motion "that we have this discussion during the upcoming June meeting". Chairman Mortell replied that he could put anything he wanted on the agenda. Commissioner Dzadoovsky then motioned to adjourn.

8. COMMENTS FROM FDOT

None.

9. NOTES

None.

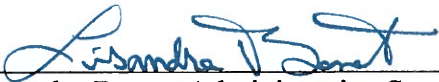
10. NEXT MEETING

- The proposed date is June 17, 2010; subject to Board Members' confirmation. Meeting will be hosted by the St. Lucie TPO at the St. Lucie County BOCC Chambers, 2300 Virginia Avenue, Fort Pierce.

11. ADJOURN

The Commissioner Dzadoovsky moved to adjourn, seconded by Commissioner Heard. The motion carried unanimously. The meeting was adjourned at 5:05.

Recorded and Prepared by:



Lisandra Bonet, Administrative Specialist II

Date: August 12, 2010

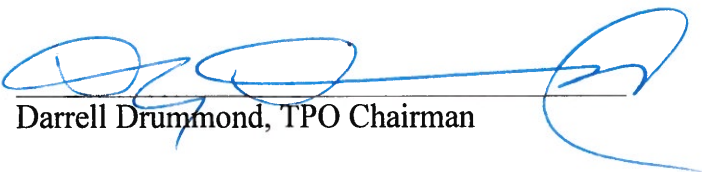
Approved by:



Mayor Michael Mortell, MPO Chairman

Date: 8/12/2010

and



Darrell Drummond, TPO Chairman

Date: 8/12/10