

**Summary of Discussion
Broward County Charter Review Commission
Transportation Subcommittee Meeting
Tuesday, July 10, 2007
Governmental Center Room 430
Ft. Lauderdale, FL
10:00 AM – 2:00 PM**

Members Present:

Michael Buckner, Esq., Chair
Ted Mena, Vice Chair
David Esack
H.K. "Petey" Kaletta
Jodi Jeffreys-Tanner

Members Absent:

Bruce Rogow, Esq.

Others Attending:

Chedley Etienne, Administrative Assistant, CRC
Joseph Giuliatti, Executive Director of the SF Regional Transportation Authority
Yolanda Grooms, Administrative Specialist, CRC
Maria Gross, Assistant Director, CRC
Dan Glickman, Public
Phyllis A. King, Transcriber, PKING Consulting
David Tolces, Esq.
Ms. Lisa Vondrak, News-Abstracts.com
Patricia G. West, Executive Director, CRC

(A copy of the sign-in sheets identifying those present is filed with the supplemental papers to the summary of this Subcommittee Meeting.)

A meeting of the Broward County Charter Review Transportation Subcommittee "Committee, Subcommittee, or TSC," was held at 10:00 a.m. on Tuesday, July 10, 2007 at the Broward County Governmental Center – Room 430, Fort Lauderdale, FL.

I. Call to Order/Roll Call

The Chair Michael Buckner called the meeting to order at 10:02 a.m. and requested the roll call by Phyllis A. King, PKING Consulting, Inc. Upon completion of the roll call, the Chair acknowledged the presence of a quorum and opened the floor to discussion of the Approval of the Summary of Discussion.

II. Approval of Summaries of Discussion of June 7 & June 21, 2007 Subcommittee Meeting

Mr. Mena MOTIONED, Ms. Tanner SECONDED and the motion carried unanimously to approve the Transportation Subcommittee June 7th & 21 Summary of Discussion.

III. Presentation by Joseph Giulietti, Executive Director, South Florida Regional Transportation Authority

The Chair gave Mr. Giulietti the floor.

Mr. Giulietti: Thank you, first let me say that I appreciate the opportunity to come and talk to you. We are right at a – well, I will call it a legendary time in terms of what's going on with the Tri-Rail System. Let's quickly talk a little bit about what happened. In 1988 – and for those of you who this is repetitive, I apologize, okay. In 1988, when this system was formed, the State became the first State in 25 years to look to restart a Commuter Rail System. Commuter Rail had been in decline. Those of us that were in the industry were told to go over to the Airline Industry because Commuter Rail is dead. The Airline Industry has taken over and Florida starts the first new start in 25 years, which was purchasing the 72 miles that exist between Mangonia Park and down into Miami Airport. The idea behind it was at the time they were doing 95 reconstruction and they thought that – they actually had negotiated, because you are going to hear a lot of criticism going on about whether or not it should have been on the FEC from the beginning, or it should have been on CSX tracks. They had tried to negotiate with both FEC and CSX – CSX was willing to negotiate in 1988 and that's what led to the fact that they were able to purchase from CSX the main corridor that we are operating on between Mangonia Park and Miami.

The issue that came – that one of the main problems that we had in 1988, was that it was a single track main line with passing sidings. The service that you could run was extremely limited. We had trains approximately an hour and a half apart with one 40 minute apart train in the morning. The first thing we had done in 2000 was we went to hourly headways – which we

found gave us immediately a 15% boost in the ridership that was out there. The other thing that we found was that we had to – we had 3 partners; Broward County Transit who you are fully familiar with, Miami-Dade Transit and Palm Tran. The – kind of the issue of the day at that time was the fact that the Transit Agencies had gone towards taking their bus patterns and aligning the bus patterns so that they made a stop at the station, so therefore, instead of originating from a station and making it – instead, a stopping point at a station. If the train was late at all, then all the people that were riding the trains missed the bus and it would be an hour before the next bus was coming along. particularly here in Broward.

We also had an issue going on at the time that the three Transit properties were all running North-South service, duplicating the service on Tri-Rail. All we were anticipating, that originally the project went together as a 5 year Traffic Mitigation Plan. Everybody was waiting for it to go under and not to continue as a Commuter Rail Project going forward. Those issues started to go to the side when we started to see the resurgence of people that were willing to ride the system when the service got more reliable. I am going to use the words more reliable because I am not going to tell you that we are running a reliable service even now. Right now we have just gone to 50 trains a day, but we have issues and those issues have to do with the negotiations that are still going with CSX.

There was a – one of the things that happened right here in Fort Lauderdale was in 2000, the Tri-Rail sponsored a Transportation Summit. That Transportation Summit brought the Airports and the Seaports together to come and talk to the business community here in Broward. We truthfully had expected that we were only going to draw 50 or 60 people. We drew somewhere in the vicinity of 400 or 500 people, it was an overwhelming success and one of things that was unique to the industry. It was the first time that the Airports and the Seaports came to support the Mass Transit System, saying that if we don't do something to go and move the goods and services on 95, we are going to lose the competitive advantage in Florida, because the people that are shipping to the Airports and Seaports will look to other areas to ship to because we can't get the goods out of the Ports. So normally there's a lot of competition between what I will call my background in Commuter Rail and the Airports and Seaports because we are all going after Federal Funds. Instead, what we had here was the recognition of common goals that we had to come up with transportation solutions. When the business community heard this it caused an overwhelming reaction in terms of all 3 of – well, I shouldn't say all three, there's many business alliances down here. But alliances from all 3 Counties got together and formed a Regional Business Alliance and that Regional Business Alliance became extremely proactive in trying to take what was then called Tri-Rail, from being Tri-Rail to the South Florida Regional

Transportation Authority, and they went after Legislation in 2003 to create the South Florida Regional Transportation Authority. One of the things that we kept at that time was the name Tri-Rail. Under the Fictitious Names Act you can keep your old name. The thought process is – you change your name if the service has a bad connotation. What had started to happen though by this was that – when I came here in 1998, there was almost no recognition of the name Tri-Rail, everybody knew CSX, everybody knew Amtrak, everybody knew FEC, and nobody knew Tri-Rail. By the time this occurred in 2001, there was name recognition. It was positive recognition that we were getting back from Market Surveys. We kept the name Tri-Rail, and the only thing that the business community was unsuccessful in getting when they went after the Legislation in 2003, was a dedicated fund to support the Transit System. Everything else went through, but unfortunately, it was Connie Mack that led the charge against coming up with a dedicated fund. He stated that there would be no new taxes, so therefore, instead of coming up with a dedicated fund – they did come up with taking \$2 million of the gas tax money that was coming to each of the 3 Counties towards capital improvements which was not going to work. The other end is that they mandated that the budget which was at that time \$1.565 million, was a guaranteed minimum that had to be provided by the Counties, There were threats at the time that if the gas tax money was attached by the Legislature, that one of the Counties in particular made notice that they would pull out of Tri-Rail and Tri-Rail would cease to continue.

So there has been a little bit of a stormy relationship as we try to take it and solidify the growth that we were seeing and the patterns that we were seeing going on. We went after a Full-funding Grant Agreement. As a matter of fact, we are the only system in Florida that got a Full Funding Grant Agreement by the government. They actually were one of the last one's to be funded over 70%. No one can get a Full Funding Grant Agreement these days with more than a 50% commitment by the Federal Government. But I need you to understand that in order to go for a Full Funding Grant Agreement there's two basic requirements the federal government wants. They want to know (1) that you are going to match the local match, which whether it's 20% or 50%, you have to show your ability to throw that match. The second is you have to show them that you have the capacity to operate for 20 years. That one becomes critical, because without a dedicated funding source and the fact that you can live from year to year waiting for an appropriation from any one County, leaves you in a particularly perilous situation when you are trying to go after more Full Funding Grant Agreements. It's reflected in the fact that if you looked at our last year which was approximately a \$130 million, because we were still doing construction, and you looked at our federal budget for this year and saw that it was \$30 million, you'd see that here we were with a Full Funding Grant Agreement and an ability to go

after more money at the federal level. But unfortunately, not an ability to show that we had either the local funding to fund the other projects that were recognized in the 3 Counties or the dedicated funding to keep us going.

The commitment we made when we got the \$320 million from the federal government was that we would operate 20 minute service in the rush hours. Those of you who have been following the headlines which have not been the most flattering in the last 3 weeks; we went to the 50 trains. One of the things we did not get, is that at the same time that this was supposed to happen, the DOT was working with us to take the dispatching away from CSX. I've already told you that in 1989 they bought the corridor from CSX. Well, under the agreement they made in 1989, they left CSX as the dispatching entity for this corridor. The agreement that they had then, put in what they called a Phase B, that allowed that at sometime in the future either CSX or the State with 9 months notice, could go forward to Phase B and the State could take over the dispatch of this corridor. There are issues associated with that. The issues come down to the fact that if the State calls for the move to Phase B, they have to pay any of the possible labor exposure which right now is estimated at about \$7 million. If also, when that move is made, the State also picks up all the dispatching cost for the corridor that would no longer be borne by CSX and/or Amtrak; it would become a State obligation to pay for the dispatching. So there are some funding issues associated with going to Phase B. On the other side of it, the unfortunate part that's with the current arrangement is, CSX can at its will and does run freight trains right through the middle of rush hours, and even in the first 2 weeks that we had of the 50 train service, there were 3 nights alone that at 5:00 in the evening, in the middle of the rush CSX took up both tracks 1 and 2 and blocked all of our passenger trains and there is nothing in the agreement that causes any penalties for anyone else that's operating.

I am being very candid so we understand the issues, and this not to make an attack on CSX. I need to make it clear that when they made these moves they were for good business reasons for them. They had a freight train that they needed to get through there. The issue truly comes down to conflicting goals between a freight operator and passenger operator. I am saying this in case there is press out there. I am trying to not exacerbate a problem. I am trying to just deal factually with what's going on.

Last year we became the fastest by percentage, growing Commuter Rail line in the entire system. The FTA considers us a model for how it is to be done; they have modeled the project work that went on here. We had 30% ridership growth. When I came here in 1998, we were carrying approximately 5,700 in the summer months, and we were carrying about 7,200 in the

winter months. Right now we are carrying 10,500 in our summer months. We're carrying between 13,000 and 14,000. On the day of the Miami Heat Parade down in Miami, we had 19,000 people come over to use our system and we were able to handle that kind of capacity in the rush hours.

We are entirely a contracted out operation; I have already mentioned to you our 3 connectors, okay. One of the things that is going on right now when we talk about what's going on with the Counties, the Counties have been looking for opportunities to take where there are existing Rail lines, other Rail lines, and go and extend the service. For example, up in Palm Beach County there's a lot pressure right now, and there has been a lot of articles in the Newspapers about the Jupiter Study and the FEC Study. Particularly up in Palm Beach County, they would like to see a Jupiter Extension. Down in Miami, they are looking at a Kendall extension where you could go out to Metro Zoo and connect right into the Airport and our connector at the Airport.

Down here throughout Broward County, and I will tell you so that you are aware, that there are some issues with the other 2 Counties. They feel that Broward maximizes the utilization of Tri-Rail because we go through the entire County from the North end to the South end. That's not true in the other 2 Counties, so there's always an issue as to whether or not the relationship that exists between Broward and the agency is a better relationship because it actually encompasses more of the actual County layout. Now our issue has always been its no longer about Counties, its regional commuting; it's what the federal government says that they are accessing things on. I just want you to be aware that there is some sensitivity, and I am very appreciative of the fact that Broward in particular, has always been extremely supportive. We are at a unique time in our history, that right now the Chair for the RTA is the Chair of Miami-Dade, Bruno Barreiro. The Vice Chair for the RTA is Mayor Eggelletion. So for one of the first times in our history, we have two of the Chairs of the Commission sitting on the RTA Board, which again has made it that we have a much more cohesive relationship going on. Our issues right now are all 3 of the Counties have been extremely supportive of trying to make this into a dedicated revenue system and grow the regional aspects of making the system work.

We've been hit – I don't know – Jana Dorne when she was still in the FTA turned around – and they started saying as money was becoming tighter and tighter for agencies, that agencies have to be more creative and look at other opportunities to go and get funding. I just want to make it clear to you we have been exploring that we've got two projects; we have not been able to get them off the ground, yet we still have bids coming in. One of them is in Boca Raton and the other one is in Cypress Creek. We also have other areas along the way that we are looking at,

where we can go and do transit oriented development. Everything that we have done has been to support any of the Communities along the way in terms of the type of development that would lend itself to working with a transit system going back and forward.

In 2006, we were successful for the first time. I personally had gone to the Legislature for the past 6 years to try and get some sort of a dedicated revenue stream going all the way back to 2003 when we were created. We did have support, and as you can see it passed the House by 103 to 14, it passed the Senate by 34 to 4. The only problem was on the very last day that it was into law, Jed Bush vetoed the Bill, stating that he had to think beyond the people of Florida, he had to think about those people that were coming in from other States to go and rent cars, this was taxation without representation for them, so therefore, he vetoed the bill and we lost the \$2.

We went back in to try and get it passed this year, but unfortunately we could not get one member of the Legislature to put the Bill in, so there was no Bill to veto this year. As everyone knows the emphasis was not on Public Transportation; there were other issues that became much more prevalent this year. One thing we did get success for was that it did – one Bill that we did have in there, is if there is a dedicated revenue stream, that money can come straight to the SFRTA and that would in effect relieve the Counties of their current obligation to the RTA, because the money that would be generated is money that's generated here in the Counties to support the Transit system.

You need to also know that when Jeb Bush was asking if we got a dedicated fund would that mean that the money that the Counties are currently putting in they would no longer put into Transit. All three Commissions wrote letters stating that they would take that money and continue their support and put into transit in their Counties. So the support for transit is there at the County levels – I just want to make that part clear.

One of the things that when we looked at – We are trying as a Board, as an agency we sat down with the MPO's. We tried looking at what are the needs going out there? Even when I first came down here, there was \$6 billion of identified needs over the next 20 years. If we could have gotten just that \$2 through, we would have had \$30 million a year to bond. Conservatively speaking, it would give us \$300 million that the State under the SIS Plan has to match for federal projects. We could have funded \$1.2 billion in projects for the 3 Counties if the \$2 had gone through, and that was at a very conservative rate of return on bonds going forward.

The regional needs obviously – you would probably be more familiar with the Central Broward, the East-West Transit, we've got the Florida – the entire Florida system. There's been every plan on the books from what we can do here to connect the Airports and Seaport. I did go over, when Ilene Lieberman was Mayor, to the federal government to talk about whether or not we couldn't put in a plan – at that time that would connect the Airports and Seaports and there was actually a plan taking the FEC. Even right now, where there's a big demand with the ships coming in – couldn't we take our extra capacity with our equipment and run shuttles back and forth between the Seaport and the Airport? We almost had that in, but 2001 came along and there became a big issue on how do you secure the luggage going back. So that may be something that comes along in the future. But in the meantime, it's a corridor that all three Counties want the State to look into, because they see a tremendous opportunity for tying that corridor in and making it work with us; the Kendall Extension, Regional Bus and Rapid Transit Extensions.

Some of the other things we're working on – We've been working on a Regional Integrated Fare Collection System. This is not an easy thing to go and do. There've been a lot of issues. It's ended up being contentious everywhere in the Country. We've already had three protests as we've tried to go through with it. I am actually going back to the Board right now because one part of it, which is the actual procurement of the fare boxes, we're going to drop right now and stick with going towards the Regional Integrated Fare Card. There may be an opportunity to go with another system that was able to go and get these, and use that procurement for the three Counties here, to allow them to get them at a discounted rate for The Regional Transit Oriented Development Program and Tri-Rail Service Enhancements.

So, with that, I am sorry if I tried to rush through things a little bit, but I am trying to give you an overview of how I have been trying to respond to a need here. I will make it very clear, Jim Simpson has been down several times; he is the New FTA Administrator. He is in love with our system. He has a home up in Palm Beach County; his daughter has a house down in Miami-Dade and he rides the system all the time. The federal government is extremely interested and sees this as one of their success story in terms of investing public money and seeing ridership returns come forward. The issue for us right now is that without a dedicated fund – particularly right now, in light of many of the tax cuts that are being considered we truthfully don't know – this coming fiscal year, all three Counties commented that they weren't cutting our service. There's two reasons for that, one they have seen the growth, and two if they were to cut the service and we can't meet the 20 minute headways there is a possibility that the federal government can come back after the Counties and the State for the money that they gave

because there was a commitment that we would go to 20 minute service to get those hundreds of million dollars of federal money for this project.

For us, going forward our budget is very, very simple. I want you to know that this was an agency that began with 125 people it's at 102 right now; even though there was a lot of discussion as to whether or not we shouldn't just grow the agency. We contract out almost everything. The operation is contracted out to the successful bidder, which just transferred on July 1st for Connex, which goes under the name Veolia now. The equipment in the shop is being maintained by Bombardier, Wackenhut has the Security Contract, and we have contracts for the maintenance at all the stations. So we are running this public agency as efficiently as we believe we can, by going out with competitive bids for everything that's out there, and making the decisions as to when you bring those things in-house; when you have enough to justify putting on additional people to go and support that.

The Chair asked if there were any questions for Mr. Giulietti.

Ms. Tanner asked how far planning has gone in terms of the Downtown Corridor.

Mr. Giulietti: You know we have gone back and forth to be totally candid about it; we are very, very supportive of Downtown Corridor. We wanted it to tie into our stations, obviously there's an advantage in that – there's a couple of advantages if – One of the things the MPO came to agreement on – *I need to clarify here, we need a good relationship the MPO.* It became very controversial with our own Board because there had been a thought process that when they designated the three Counties, one urbanized area, most of the time when that happens you go to an Urbanized MPO that has regional perspective. We've been working with the MPO's, because one of the criticisms we get at the federal level is whether or not we are prioritizing the wish list. If you take a look at it from an agency perspective, how do I turn around and get more behind one MPO's list than other MPO list, when there are 3 MPO lists in the 3 Counties – how does the agency? I shouldn't say I. The MPO Chairs came together – and this is the first year that they agreed upon criteria for which they would identify projects of regional impact based on the funding that's already being appropriated for them, and their tie-in to a North-South spine such as the Tri-Rail. Rather, if you come up with a rapid transit bus that crosses the County lines – those would get the first priority from the MPO's in terms of a regional prioritized list.

Now I can actually turn to the Fort Lauderdale system and say, if you tie into the Tri-Rail system the MPO will now recognize your impacts in terms of the regional impact. It can also be sold to

the federal government for support from that end. So there's more work to do there, but obviously it's something that we are looking forward to having a better relationship with.

Mr. Mena commented on long freight trains during the rush hour.

Mr. Giulietti: I should play you the messages that are on – I am not kidding you, I have had everything; I wish you would die, and I am not exaggerating it because I actually have to keep a log of them.

Mr. Mena asked who the CSX answers to directly as an independent body.

Mr. Giulietti: They are publicly traded; they have a Board, stock exchange, shareholders.

Mr. Tolces: They're a public corporation. They built the train tracks and their argument is that "we were here before the roads" – in essence, if you want to cross them you have to go to them and go through their process and pay their fees for getting those crossings constructed. They express a lot of rights with respect to their railroads.

Mr. Giulietti: There's only one modification to that – in 1989, this was the first time and the State paid dearly. They paid \$280 million to purchase these track between Miami and Palm Beach. *CSX doesn't look at it – Let me qualify right now so that I am not quoted as stating that I see CSX's position.* But CSX said that in that agreement, even though it was a Purchase and Sale Agreement, they retained rights on this corridor including an exclusive easement for their freight trains to operate through. The other end is that because they are dispatching even though the original agreement, says that CSX would dispatch mostly at night and the passenger operation would be there during the day, there is no incentive or disincentive for them to operate their trains. They try – I am going to give them the credit. But they try to run most of their freights through at night and stay out of the passenger operating windows. But there are times that they just elect that they are going to operate their trains because they need to get a train through. That problem ends up with – there's been times that every one of my trains – My trains, I am sorry please – I take the negative. I use the "my" when it's a negative story, it's not an ownership to try and say, "Oh it's my rail roads". It's when things go wrong, I own it, okay. So when the trains are sitting there and every train sits there for an hour or an hour and a half, and the people are screaming because we can't move a train because CSX right now is controlling that dispatch; they'll leave our trains to the side so their freight train can go through. Now when that happens, we go after the State. We say to the state, you need to call CSX, this is what's going on. But until the day comes that we take care of that issue over who's doing the

dispatch, we are going to forever have – I won't call it a contentious relationship – conflicting goals as to what is the priority on this corridor.

Mr. Mena commented on publicly traded companies.

Mr. Giulietti: What I need to not have happen okay, is to paint off that CSX is totally the bad person in this picture, because they are not – they're doing a business and it is business that we need to have down here as well – I mean I would love to go in say, we should be operating passengers not trains over here, no we need goods brought down here – this is an area that's growing so tremendously we need the freight. There's an argument right now that out of Homestead. The only stone that is excepted for building for highway is coming out of Homestead Florida, so they need to run the stone trains up to get the stone out so we can increase road building, and the construction that's going on. So it's one of those situations that we truly need a good working relationship going forward. The most important part is whether or not – you do have another issue going on down here.

Florida is a donating State at the federal level; we don't get back an equitable share of the amount that's taken out of Florida at the federal level. The 3 Counties in South Florida – (and I got to – and again this is me candid, this not me looking to take on state issues) – have also become greater donor Counties than the rest of the State. Part of that even at the DOT level is because you can't build more roads here to take care of the problem. If Jim Wolf, the DOT Secretary came in here, he would make it very clear it's not that you couldn't build a road, what are you going to do with another highway coming through here? One, expense that will kill you is with the property values, and two, if the highways are already backing up at the exit ramps; if the infrastructure can't handle the load, then a road is not the solution. So what is more and more, they can't do the road building here – alright, so that road building is going to other areas of the state that can do road building. Now we don't have a DOT that has turned around and said that – that same amount of money can now be turned over to transit – In other areas of the Country, I will give an example, New York. The tolls that are collected on the bridge going into New York City, all that money goes into the Metropolitan Transportation Authority; it's a way of funding the transit Authority, because they know building another road isn't going to be the solution. They have to come up with transit solutions. The state has to be truly looking at whether or not the states are going to be investing more into transit; if they are not going to be investing into road, or do we continue down this road where – Right now you are going to hear both Districts, which is Jim Wolf, John Martinez for district 6, talk about the fact that from the stand point of investment in roads, it is not the future in these Counties here, so there fore what

is going to be the solution. Going forward – for me, and I don't want this to be self serving okay – because for me, obviously there's an advantage in getting the State to turn around and say we need to be investing in transit solutions. I believe we are one of the solutions going forward. But, it is one of those things, if you are talking about what do you do with a Commission – you get a Commission that recognizes the need, and right now we got the Mayor on Board; we have to come up with transit solutions and we have to come up with ways of funding these transit solutions.

Mr. Mena inquired about the White Paper that was written on June 28th of 2002, and asked for an update on what's been happening.

Mr. Giuliatti: Did Dan put you up to this? Because Dan walks in every time to my Board meeting and makes a statement as to how many of the issues we brought forward were regional issues or Tri-Rail issues, okay. And one of the – and I try to delicately say it, but you have hit me with a direct question, let me give you the direct answer. The straight answer is when you create an Authority and you give them the Authority but no funding to any of the things that you have put forward, then what you have created is paper network because the bottom line is no matter what plans we come up with, I have zero dollars going forward – again not I, this is the negative taken in – but the agency has nothing to go forward with alright, if don't have a dedicated fund. I can't even draw down SIS funds because I don't have a match to go and get the SIS, to go forward. I sit every single year, meeting with all of the County Commission to go over what the budget is going to be for the next year, so if you want to talk about honoring the vision that was there – the part of the vision that was not brought into, and was giving a dedicated fund that would have allowed that, why? I gave you an example of what the \$2 would have done; we would have had \$1.2 billion to invest in projects in the 3 Counties going forward. We would be dealing with regional impact projects instead of the situation we are in right now.

Mrs. King asked for clarification of SIS funds.

Mr. Giuliatti: State Infrastructure Funds.

Mr. Mena expressed that there is a need of leadership at the County level.

Mr. Giuliatti: One of the things that I use as an example all the time – I don't think there's anybody here that's dealing with transportation problems, that doesn't know that eventually we are going to have to take some these East-West roads and; we are going to have to dedicate a lane to a rapid transit bus the same way they do it in other major Urban areas. Where you take

a lane of traffic and that one there becomes the bus shooter – it's going over to the North-South spine. There isn't a local politician that can afford to support that, because even while they are putting it up, the people are going to scream about a lane of traffic coming out. That decision is the type of decision that belongs with a regional Authority that says, alright, this is something you have to do in order to make this thing function and we are going to do it. I don't want to say no politicians, because we – truthfully we live, because of the politicians. If I loose the political support there is no going forward, so I don't want to go that way, because I've had some great leaders from the County, I am sorry.

Mr. Esack asked how our SFRTA compares nationally with other authorities.

Mr. Giulietti: We were the first new start in 25 years. I am going to be very clear about that. Okay, when I talk about ridership we are talking a system here that has doubled in the 9 years that I have been here. This system has the capacity right now with what we have built to carry 64,000 a day on the 72 miles, if we were going to, and compare 72 miles in a New York area. ; That same 72 miles, New Haven to New York, right now is carrying 140,000 alright, but the New York system was built up around the rails, okay. Everybody was going into New York. They had a different problem than we had down here, we have a different opportunity here In New York, when I was Superintendent up there, everything that we were doing was how do you get the equipment into New York in the morning, get it back out to make a second run into New York. Everybody was going to a City Center and we were trying to develop what we called reverse commutes the Stanford, the Bridge Port, the Norwalk, the White Plains, the Corning Harman's. So that way, there you had – instead of just sending the trains back out, which you use to, deadheading with no one on it, get people riding in the opposite direction. You are making the most out of the Capital investment.

When I came here the ridership patterns here are doing the same thing that 95 is doing. We have almost as many people going South in the morning, that's going North in the morning, and the same thing with the evening rush hours. But we have a unique system here. that our average rider is riding four stations stops. We actually have a commuter rail system that's working like a subway system does, where people are getting on and off all the way along the system. So if you think about what happened when they did the Census in 2000 and they showed that there were 130,000 people I believe, a day, commuting into Miami-Dade County and 65,000 people a day coming out of Miami-Dade County crossing the County lines, it truly is reflective in the ridership patterns that we see going on here. This is acting like one giant urbanized area, one giant Center. So the other argument was, we were supposedly – out of

declaring this the one urbanized center which made us the 4th or 5th largest depending on what you looked at -the Census -at that time urbanized area in the Country. They do another thing that they call a MSA, where they compare the number of people to the land mass that's there. We have an unfair analysis on that, because when they throw in our land mass, it includes the Everglades. You take the Everglades out and we are the 3rd in density areas in the Country; it is New York, L.A, and South Florida in terms of density. So the opportunity, and also the crisis that's here, is if we don't start responding to the needs to be able to move people – I know – I moved within 8 miles of the office. I am in the Pompano Warehouse District, if I don't get on the road by 6:30 in the morning, once the snow birds are back down here, its an hour and 15 minutes to go 8 miles; that's not going to get better. There's nothing out there today that's going to relieve that unless we start coming up with transit solutions that are going to handle that.

Ms. Kaletta inquired about the trains that run at night; she asked if people complain about the noise along the rail corridor.

Mr. Giulietti: You know – its one of those issues that I have a lot of compassion with the Airlines with, because no matter what, if you are around an Airport, everybody is going to complain about the noise from an Airport. Every single day you get complaints from people that bought homes near the right of way, and on top of that, we are in a situation right now. We put 50 trains out there; I don't know how much longer its going to be that 50 trains isn't going to be enough. We are going to have more trains, because it's going to get more and more utilized. We are seeing ridership growth that was unprecedented – and we are not running a good service – we are running a fair service – I am not going to say we are running a good service, because we still have issues over how the dispatching is being handled. So you are right – one of the things that goes on is, first everybody does want to be – think about what happened here with Tri-Rail initially. Nobody wanted to be near the track, it's where all your industrial area is located. Now all of a sudden, we are getting developers that are coming in. They not only want to develop around here, they want to develop around the FEC because they are seeing, wait a minute, that you can actual market the fact the you can get on to Mass Transit systems. Miami-Dade is being very successful with it along their Metro Rail system. That will happen here and it is starting to happen here. So what starts as a complaint is a complaint until someone starts to realize that the value of their homes went up because of the proximity they were to the Mass Transit system. It's a transition we are going through right now as people are starting to recognize that and starting to believe. 9 years truthfully, even CSX did not believe the agency was going to exist, we were going to go under and the state was going to have to sell back the

property to them. Now all the way to the federal level, there is no doubt that this system will continue to grow, it's just how well that growth is managed going forward.

Ms. Kaletta informed Mr. Giulietti of presentations from the Airport and Seaport in which they both spoke on the Shuttle between them; she then asked if anything is happening.

Mr. Giulietti: There are a couple of reasons that I went through it – I was lightly touching on projects. There was a project at one time, only going back a short period of time, that what they wanted was this entire East/West making a loop through the Downtown Fort Lauderdale, so you would actually start out okay – whether you start out at the Sawgrass and came across the 595 with light rail – . What I tied it into, was before that concept even came along, there was an opportunity on the FEC – the County had some warehouse space that had gone back and forth with them and the FEC and they wanted to cut a deal with the FEC over the warehouse space and make a connector between the Airport and Seaport, until such time as the people mover was built. What you are going to hear about with these people movers and light rail connectors is, you're talking about solutions that are 6 to 8 years, 10 years, 12 years depending on the type of technology you're looking to put in. When you talk a commuter rail solution, if the rails are there, it's nothing more than throwing down a couple of concrete pads initially – Tri-Rail was put together with nothing more than concrete pads along the rail corridor at different spots and using park and ride lots. When you have rail that's there okay – then all you need is a negotiated agreement to go and operate a train back and forth between the two. So what we were looking at a while back, was whether or not we couldn't at a very minimum, grab all the luggage and shuttle back and forth with the luggage between the Airport and Seaport to free up the people that are coming in. In the morning, so that they're free to go out and spend – in the areas provide shuttles into Downtown Fort Lauderdale. We had issues from Hollywood; they wanted to offer shuttles into Hollywood and other Cities along the way that would have allowed for an opportunity that the people would now have 8 or 9 hours – not having to worry about their luggage, that they would be free. The Airport liked it, because you're right, the problem on Saturday and Sunday with the Airports was everybody getting off the Cruise Ship going over to the Airport, and the Airport won't let them check in until 3 hours before the flight – they are sitting there in the lobby with luggage and everything else. They can't do anything, locked in. they are looking at, that's revenue that is available to all the Cities down here, if we could find a way; making it move back and forth. So I am not taking away from the people mover plan, I am saying that we endorsed the people mover plan when I went with Ilene Lieberman. They actually changed the light rail connector that they were looking at, from calling it a Broward Light Rail Connector to the Tri-Rail Light Rail Connector. They realized if they could tie it in to the Tri-

Rail system or the RTA system you will have a better shot of making it a regional need, going after regional dollars to fund it. The whole issue right now isn't the need; it's what you are going to fund, and which type of technology you are going to choose because each one of them has a price tag associated with them.

Ms. Tanner suggested making the CSX line the people mover.

Mr. Giuliatti: When you say right here – right behind us is the FEC line, that's the one that... – when you say people mover, you're talking something that's got a dedicated line that's not using the same tracks, okay. They call that Heavy Rail in the industry – you are going to hear terms come out (Heavy Rail, Light Rail) where Miami runs its up in the air – their Metro Rail that's a Heavy Rail system; their 2 ½ mile extension came out at 250 million a mile, okay. Heavy Rail is very, very expensive because you are separating it; you are putting everything up in the air. It needs its own power systems in the industry. They say it comes out between \$100 and \$200 million a mile, but I gave you Miami's numbers because those are going to be the numbers going into the future. It's going to come out closer to \$200 million a mile when you go heavy rail. The rails that you see when you are in Dallas, where they put rails in right in the street and they follow the stop lines...

Ms. Tanner asked about the CSX lines near Las Olas.

Mr. Giuliatti: If you use those rails which are what Tri-Rail does – on CSX, when you use existing rail it cost about \$10 to \$20 million a mile to do it, if you use Heavy Rail \$200 million a mile, you use Light Rail it's coming in at about \$135 million a mile. That's why I am saying that the solution that you look at determines the overall cost to going in and implementing that solution. The federal government looks at it in terms of how much ridership is it going to generate. You need a tremendous amount of ridership to justify spending \$200 million a mile; you have to show that there are volumes of people that are going to jump on that system. I am always promoting the Tri-Rail type system because you spend \$10 to \$20 million a mile and you get a glimpse at whether or not it's going to be successful, and if you get the right of way you

then, in the future can take the ear-rights??? of that ride away and put in a heavy rail system. But it's like – I will give it to you as described within the industry. A lot of people don't consider buses to be sexy – we will use the term sexy; you are not going to get a lot of people that want to go and commute by buses until it becomes a New Jersey where everybody uses the buses to commute. But you turn to rapid transit bus, where it has its own corridor that it's going down, and then they start designing buses that look like a train or look like a trolley, and conceptionally you're not riding a bus, you're getting more into a train. There's another thing that goes on. If it's a train or a rail system, the developers believe there's expectance – you try to get a developer to develop around a bus stop that's going to be your main bus stop, unless it's in New York or New Jersey, they're not going to believe it's going to be there permanently, so there's not as much expectance to go and make that type of development occur around the stations. Being candid about it, the only way we are going to afford these systems into the future is you are going to have to come up with ways that when you turn around and choose your technology, you also are able to sell off and sustain the operation by leasing out rights at those station hubs that are going to pay for the system to go. There is a cross to doing all this business. I don't know if I answered your question.

The Chair asked what BCT should be doing now.

Mr. Giuliatti: I will tell you one of the things, you were the first – when the system was created, all 3 Counties had the ability to turn their transit systems over to the RTA Broward actually – *(And this is a candid discussion for this room)*. From the very beginning, even before we became an authority, RTA was looking at whether or not they shouldn't turn the transit over to the regional authorities, so the decisions could be made regionally. It was actually good that didn't happen because there was already a perception at the time that this Authority was being formed, Palm Beach was making statements that Broward was aligned with Miami-Dade, Miami-Dade was making statements that Broward was aligned with Palm Beach. There was so much distrust going on that if that had happened, I don't know that the Regional Authority would

have been formed, being candid. What Broward did right after we became the Regional Authority is they took the budget for all the buses that are connecting to the train system – move that budget over to the RTA so that we are actually putting out the contracts, so when we went to 20 minutes service, we didn't have to go back to the County, as we did in the other – well, at least one of the other County's, to make sure that buses were going to be there. We are controlling the buses that are meeting all the trains in Broward County. Broward has been very proactive in looking to go and support this – and I am not going to make the case in here as to whether or not the transit system should move under the regional Authority at this time. The regional Authority isn't in a position financially to except that at this time, but I will tell you that Broward has been on the lead looking at these opportunities, looking at the fact that they could take those buses and move it under a regional Authority . They also have been very, very proactive in terms of supporting the regional Authority – the fact that your Mayor has elected to put himself back on to this regional Authority for another term shows the commitment that Broward has high levels to being supportive of this. So I want to say that I've got tremendous kudos to Broward for where they are, the thing going forward is the same way. We talk about Fort Lauderdale, we talk about other areas in this County that want to go and make it work and even in Coral Springs and whether or not the rapid transit buses that need to go out to Coral Springs so that they have opportunities also. Those are the types of things that we have to be looking at in a regional perspective, and does it makes sense to link those in, provide those path ways and truly come up with comprehensive plans to go forward. The other thing Miami-Dade passed, the half cents sales tax, Broward did not. There are reasons that it didn't happen – I've got my personal belief on why it didn't happen, but the bottom line is – I said from the beginning, we have to cone up with ways of funding these, because the need is there. It's now a matter of putting a fund to the need that's there.

The Chair asked Mr. Giulietti what he sees in the future for the RTA, he also asked if he thinks the three Authorities should be merged.

Mr. Giulietti: I will say to you – *and again this is my being just open and candid with you.* If you look at New York, Chicago, L.A., that's exactly what, has to happen. You have to start taking the regional need and then coming up with a regional solution, everything else becomes political. Even in New York as they have gone through expansion – even recently they had Commissioners in other Counties comment on it. It was a big argument whether they should have a full vote or non vote, so they took 4 Counties in at once and the 4 Counties got 1 vote. It became a joke that they were the quarter pounders – because each of them put together, and got one vote. It's a constant issue as to what the representations should be, but the business community was the first one to turn around and say we should be moving the transit systems under the regional Authority so that transit systems instead of competing, are looking at ways to go and make it work. I will tell you, your transit directors are working intimately with the regional Authority to make it work, so it's not – the issues are not at the level of the people that are doing the work to make this thing happen, the issues truly are different types of issues when you talk about what has to happen, for that to happen. I will tell you right now, if the Commission said tomorrow – Tri-Rail take over Broward County transit and they don't put the money forward, that they are currently putting out to go and fund the transit, there is nothing I can do – I've already tried to make it as clear as I possibly could. My budget is open; I can go through a portion of the budget and we clearly come down to Federal funds, State funds, County funds, and \$7 million in fare box and that's it. There's nothing else. I can show you every expenditure because it's not – it's an agency that's been extremely frugal, so I can go through the entire budget of what's going on at the agency and you will see. I take a lot of pride in the fact that almost every department at the agency has won a State or National award, and that we are as open as we are. We have 3 Counties that are constantly going through budgets and everything else; because you need that kind of scrutiny to make sure there aren't problems that exist. So getting back to your specific point you look at other urbanized areas, we are now at that level of those types of urbanized areas. The solutions that they have put in were to go in and approach these things from a regional basis and I am not saying that, because I am looking for the head aches of what

goes into having bus systems, rail systems, rapid bus systems and a heavy rail system coming in, I am looking at this from – from a logistic standpoint that eventually, you got to get out of looking at it as Counties issues, and looking at it as a regional issue that needs regional solutions to be supported.

The Chair advised that Miami-Dade is creating the Orange line up to the Broward County line; he added that everyone should be thinking regionally. He asked what Broward County can do in terms of getting to regionalism.

Mr. Giulietti: I would turn and say that right now there's been a tremendous – the last years for me personally, there's been a tremendous change even in the MPO structure and the way that they are approaching it. It seems that you brought up the red line – you know one of the critical factors for them was when they crossed the County line to go to heavy density – more density areas. It allowed them to bring in more numbers, to go and justify the system from a federal level. So the federal government has gotten very clear on giving out a message that we need regional approaches coming in... Broward is uniquely poised to be in the middle of this region – even though I thought, so that you'd understand, that's there's always this criticism from the MPO they said we will – we want – when ever you look at a North-South spine we want it to not just come into a County but go all the way through the County so we can support it with the full County support. That's fine, in other words, let's understand the criteria so when we look at these things. You're right – when they look at a heavy rail, can we look at bringing that heavy rail all the way up to lets say a 595 crossroad, and if we do, get them to float the lanes on 595 so you can put in commuter rail below it. That way you are taking the least expensive way and make the connectors. Because all it is – it's a matter of coming up with the ways of connecting the dots so when you look at the regional map, everyone can see where they can go to get to where they need to be. I am going to say to you “you want me to go and say what Broward can do” Broward can turn around and reinforce the message that we need the regional solutions. We applaud what the MPO's are doing to try and take regional perspective on what's going on.

We need to have that go on, even more so that the momentum that started is continued. You say that you recognize that need, that we recognize the need that we have to come up with dedicated funding here into South Florida. The Commission took a vote to support it, they always have. I think you need to be reinforcing how strong that need is, that one way or another we have to come up with a way to go and not only set up a regional perspective, but fund those regional perspectives. Because we believe it is part of the future going forward, it's going to be critical for our Airports, Seaports, and it's critical to make this area be able to respond to moving people. Because the old concept that everybody came down to Florida to get in their cars and drive, it's gone down here; there is no getting in your cars and driving down here, there's no open roads to enjoy.

Ms. West asked Mr. Giulietti if there are plans to resubmit the \$2 Bill.

Mr. Giulietti: I will go back with anything – I've tried a \$100 registration fee, then there was this whole thing about that hits everybody, you should just go for the new cars. I tried \$50 for every \$100 all new car registrations, we went in with a license fee – we have the cheapest registrations in the nation. I came from Connecticut where not only did you pay \$100 or \$200 to register the car, but you also paid Capital Gains in State taxes on owning a car, and down here they turned around and they refused even a registration fee at the same that they put – they increased the hunting fees. They claim that a registration fee to support a transit system was a tax and they weren't going to support a tax. I mean, you got to understand that soon as the word fee is translated to tax, we lose tremendous support at that level although I wanted you to see what the votes were last year. It took 6 years to get there; we have the votes, but we had a Governor that vetoed. I think it is time – and I don't know who takes the lead on sitting down at the State level and saying we need to start looking at some solutions that allow for a funding mechanism instead of coming – I feel validated that no one can say we didn't try many different methods to get a funding system. Now what we need is someone to say what it is that they want to have come forward as a funding system so we get it. So getting back to your question

would we go for the \$2 again – in a heart beat – in a heart beat, I just could not get one person to offer the Bill under the existing system – nobody could get the Bill put forward.

Mr. Mena expressed concern about leaving without accomplishing anything. He asked Mr. Giulietti what is his wish for the RTA.

Mr. Giulietti: The very first thing I would sit down to – not me – the first thing the RTA would be sitting down to do – we have right now – Our next meeting when we are moving forward when you invite me back, I want to bring to you, not the RTA's list, but the planners that have dedicated their time in this region for the projects that they see coming forward and say to you which of these project can we start moving forward on now because we have the funds to go after. I can go immediately to the federal government and start drawing down funds; all we got to do is start putting these projects in motion and this motion takes time. ??? You missed federal cycles, we are in federal cycles right now which are on going after funds, but there's also been opportunities at the federal level because they have been disjointed; there's been opportunities to get other projects on there. We are in a state that needs to be funded and get federal funding in – I am going to tell you that one of the things that's going to help; Orlando is the fact that we have such a great reputation on this side, and it looks like commuter rail was a success over there, so it will help them going for their support for Central Florida. We should be encouraging; I am very, very, very encouraging of seeing other areas in Florida – Jacksonville is going to put in commuter rail, Orlando wants to put in commuter rail, Tampa wants to get regional rail Authority formulated, the only thing that is not happening yet, is that we still have not become successful yet at getting a way of funding that. Getting specifically to your question, I want to walk in here and lay out a few of the MPO plans so that you can turn around and say, "I didn't even know that they were this far along on the planning of it", and take some of those same plans that you say, were put up on the shelf and now put the funding to those plans going forward.

I will tell you right now, we saw at Fort Lauderdale Airport alone, when we moved the station adjacent to the Airport so its now just a loop for the buses, less than 5 minutes to get off – a 40% increase in rider-ship, that station alone, when we moved it there. Metro Rail- we gave up our right at the Miami Airport. They are going to bring the Metro Rail over us and the people mover under us, you are going to get off the train in Miami and go up the staircase into the Airport, that's the future – that's what is going to happen here at Fort Lauderdale eventually as well. Now, Bruno the Chair has already been talking to your Mayor about the fact that we have the FEC line. Even right now we can start running shuttles between the two Airports, even though we have a connector on the CSX line. Why not another connector between the other two with the density that's going on there? Because the sooner you could get that density tapped into as well, it's not – rather than I call a conflicting line, it's another opportunity; from urban centers and City centers to connect to major Airport hubs going back and forth. So what I want to say to you is that the wish list is already there – it's not like, oh gees if we got the money. Okay, what are we going to do with it; we got the money which one of these is the most important to each one of these communities going on? Here is what the regional Authority has looked at, here's what they feel is going to go on; we are dealing with regional issues. So I don't have Dan standing up there and saying you have 13 items, only one in the last 3 meetings was a regional issue, the rest of them were only issues for the agency.

Mr. Mena stated that he feels that the RTA needs not to be beholden to politics and parochialism.

Mr. Giulietti: Are you ready to take on the North end of University Drive where the people that are living there – where it drops down from the 3 lanes to the 2 lanes before it get up to the Sawgrass. It should be expanded out as well, because I've lived through that part as well. I want to make it clear that I am watching what's going on there. In other words, all of our plans even when we looked at the 595, we went in with the DOT because we recognized the need to have that East-West. So if you look at it, the DOT can get the money to either – they want to

build 3 lanes okay and the 3 lanes that they want to build – I don't know have you had this presentation for what they want to do – they want to build 3 lanes and make them go East in the morning and make them go West at night. It's what they do in other major urban areas where either they move barricades over but they want to build 3 lanes. It's much easier for them to get Highway money than it ever is to go and get transit money. So what we have been trying to push hard is take your 3 lanes and float them. If you put your 3 lanes up in the in air, the ground level then becomes available to go and put rail connectors. So that way you could cheaply put in a commuter rail solution. That's a tough sale, but it's much cheaper for them to put 3 lanes up in the air and then allow for growth and commuter rail, than it is for us to go back in there and say, okay they put 3 lanes in, now we want to go up in the air with a heavy rail system. I have already explained to you the difference in cost. It is almost 20 times the cost per mile to go and put in a heavy rail system.

I firmly believed in everything that they were doing and yet I could not take any funds and put it towards trying to make that happen, I even tried to get them to move down the Charlotte trolley car I know the person that was running the Charlotte system, and as they were bringing the new cars, we tried to work out a thing to bring the cars down and have them down here sitting there at the Florida Science Museum so people could see the type of cars that could be operating here and what the future could be, but even that became extremely controversial. So I just – I just want you to know we are looking at it – it's not that we, it's not that the MPO – you full well know as a MPO you are looking at East-West connectors to go and make it work.

Ms. King asked Mr. Giulietti for clarification of the location of the 3 lanes he is referring to.

Mr. Giulietti: I-595 between the Sawgrass and I-95.

Ms. Kaletta referred to the I-595 floaters; she asked if there would be other access points along the way.

Mr. Giulietti: Whether or not the DOT is looking for exit and entrance ramps, what we are looking to do is – for example, right by University, if you just go 2 miles to the South, there are 40,000 trips a day generated out of the Nova complex down there with all the college... – That has to tie in. We are missing critical tie ins – so we are looking at it from a standpoint that you can run either a trolley system or even if you wanted to loop it down there, bring it in down University, tie in to the University complex, come out Davie Road and connect back in –that has to happen because you already have a density that's there. You have 40,000 trips today waiting to be tapped in with a transit solution. So when you say to me, when we were looking at it; we're looking at it from the standpoint of where do we make the hubs that connect in all the way along there. So you make it into another feeder that comes along and brings people and connects them to the North-South spine and the Airport, that's the way we are looking at it.

I believe the DOT's thought process was similar in concept. Locally, they are still going to have the existing 3 lanes –they'll have the entrance and exit on. The floated lanes are to go and take the people and shoot them from one end to the other so it relieves the local connector, that there's more capacity on the local connector and you will have 3 express lanes on the other. I believe that's the way that they are approaching it, I did go to some of their meetings.

Ms. Tanner asked for clarification regarding the full funding grant and how the process works.

Mr. Giulietti: What it actually means is that one of the things that we were faulted on was a few years back one of the Counties had threatened that they weren't going to fund the system okay. Even the year that we were formed into a regional Authority, a different County threatened that they weren't going to fund the system. When they evaluate, it's the same as you would evaluate someone for a loan – well, the other end is that do they have dedicated funding. If they don't have dedicated funding and their funding is subjected to an annual appropriation that can be there or not be there on any given year, you don't have a fully committed 20 year capacity to go and operate. So, from a federal government's perspective – same way if you

were loaning money out. How do you know that, that system is going to have the money every year for the next 20 years to keep that system going? Now obviously, if it's in New York it's not even a question, if it's in L.A it's not a question, but down here in South Florida that has been a question.

There are 3 Counties that have to – and that's why going back to your point, this is self -serving and I want to be very clear its self- serving. But you got to get it out of point, where every year there's any one of 3 Counties that can decide the fate of this entire system. It's a regional system alright and that's the point that I am trying to make there as subtlety as I can, but you are drawing it into a more direct one.

Ms. West asked Mr. Giulietti for a more recent White-Paper.

Mr. Giulietti: The South Florida Regional Planning Council did another one with the RTA and with the RBA and it should be right on their website and if not contact me and I will get Carolyn Dekle – by the way we have a great relationship with the Planning Councils.

[Public Speaker] Mr. Dan Glickman – Deerfield Beach, FL

The good news is that one by one I have crossed off my comments and questions because you covered them. The SFRTA is mandated by law to Plan and implement Regional Projects. Mr. Mena questioned what happened in 2002. Mr. Giulietti's answer which was basically, no dedicated funds and we are a paper network is to the point. Mr. Mena further went on to say well there is no County leadership. I want to stress his words with all due respect to Mr. Giulietti and the Board of Governors of the SFRTA, there's been from my viewpoint a discernable lack of leadership having to do with regionalism. There are 6 months, 65 items and only 3 having to do with real regionalism. That's not enough, there are other things they could be doing they are not. However that being said, the only reason I say that is to give a slightly different perspective to the RTA and what can and should be done in addition to every thing Mr. Giulietti has so

appropriately said. Mr. Glickman asked, “Does the Public have the right to public transportation in the Charter?”

Mr. Giulietti: I’ll go down to Miami-Dade Commission and they made me appear 7 times last year over some funds that we are trying to get, and every meeting Dan is there. He’s a **contiguous** and I view it that way because sometimes what he puts in as criticism, I take it as challenge. Because he feels that there’s a lot of time we spend specifically focused on agency issues, but that focus has also led us to be one of those agencies where we changed auditors every 5 years, we followed every single rule, and we came out with tremendous response on it. When he hits you with something like this, it is what I love to see personally. Yes – from the standpoint he mentioned that I am on the Florida Public Transit Association, yes, I was shocked. Can you imagine a guy that’s had in this industry now 37 years? The bulk of my experience is been with commuter rail and all the bus providers through- out Florida. The 26 systems that are here voted me in as the Chair of the Florida Public Transportation Association. One of the things we have always worked on every time we went to the Legislature, it was not just to take care of this region; we looked on it that what ever dedicated funding we went for would be for any area in this state that formed a regional alliance to deal with transportation issues. So from that standpoint, we in this corner of the state have been proactive in trying to find solutions for funding for any area of the state that’s dealing with these types of transportation issues going forward. I can not take – Dan’s thing to go and throw it there as to whether or not there’s a right to transportation. You know that right now each of the three County’s have approached their response to the transportation needs in different venues and in different ways; you get different levels of what you are getting out of your tax payers dollar in one County versus another. So I am not going to weigh in on that – that’s kind of – I am going to leave that one with the transportation Commissions and the County Commissions that are there. I will say that obviously from the standpoint that I believe, there’s a need that has to be responded to. Whether or not it’s a right falls into another level. That I am coming here as the Executive

Director for the RTA and from that perspective I have to stay away from responding on that one, other than to say I love what he says, I appreciate what he says, and whether or not it's a right to transportation, I think that's an issue that will surface throughout the region and throughout the Country as people are looking at it.

Mr. Esack asked Mr. Giulietti if reinforcing needs and recommending need for dedicated funding help the SFRTA, he also asked how the CRC could help.

Mr. Giulietti: I would, that by recognizing the need for transit solutions that go beyond the County and into the region, and that you are trying to be proactive and encouraging this County to work under regional solutions going forward. Something along those lines that pushes the issue that you as a Commission also see the value in looking at regional solutions and that transportation is desperately needed to be looked at from that purview. So I don't know within your Charter how you go about doing something like that, but anything along those lines become something that's very supportive of what we are trying to do at a regional level. Thank you.

The Chair thanked Mr. Giulietti.

[End of Speaker]

Ms. Tanner MOTIONED, Ms. Kaletta SECONDED and the motion carried unanimously for the TSC to take a 15 minute break (11:25am).

The Chair called the meeting back to order at 11:46 am.

IV. Discussion of Proposed Charter Changes

The Chair asked if any dais members had additional comments or proposed changes to make on Items 1 or 2.

1. Airport Operations and Governance

2. Port Everglades Operations and Governance

The Chair: I just wanted to say on the record that – with regards to the Airport, I am very disappointed with how the current search for the Aviation Director has gone, as reported in the various media outlets in this region. I think that going back to what happened when we talked with Mr. Bielek. Mr. Bielek suggested that the Airport would be operated more efficiently and effectively under an Authority system and the resulting backlash from that, from the County Administration, and in line with the current hiring process with the permanent Director, I think it just goes to show that currently this County Government can not effectively manage that Airport. However and because of that – if it hadn't been for the situation with the Seaport, I would have proposed the creation of an Authority for the Airport. However, the Seaport is very successful – Port Everglades is very successful under good leadership. The County is administering Port Everglades effectively because of leadership and because we've had testimony from Mr. Allen that – we proposed a question to him that if the Airport was under an Authority how would that impact Port Everglades. Mr. Allen informed us that it would impact how Port Everglades interacts with the Airport and that is the only reason why he would not propose to this subcommittee that we consider an Airport Authority. Because of this, I do not want to damage the business operations of Port Everglades. So with that being said, and if anyone does not have any proposed Charter amendments for discussion concerning items number 1 and 2. we will continue with further discussion.

Mr. Mena expressed that he feels Mr. Allen's comments were his opinion and he was only trying to protect his own turf. He explained that he did not see how the Airport Authority could conflict with Mr. Allen if they worked together but independently.

A discussion ensued regarding Mr. Allen's position and Port Everglades' efficiency ,with comments made by: *The Chair, Mr. Mena, Ms. Tanner, and Ms. Kaletta.*

The Chair asked if the dais wished to go forth with suggesting that the two Departments cooperate where feasible.

Mr. Mena stated that the relationship between the Seaport and Airport should be defined in the Charter.

The Chair asked the dais if there were any other comments.

The Chair advised that items 3 and 4 are combined.

3. Right to Public Transportation

4. Mass Transit Operations and Governance

The Chair passed out a document entitled Michael L. Buckner's Outline on a proposed Metropolitan Transportation Authority FOR DISCUSSION PURPOSES ONLY dated July 10th, 2007.

The Chair: These are some of the things that I have been looking at; this outline is for discussion purposes, so we can begin talking about items 3 and 4. This is a follow up from our discussion from our last meeting. I would like this subcommittee to begin discussing the creation of a Metropolitan Transportation Authority for Broward County. This outline is a sketch for our discussion this morning in terms of what such an Authority would look like and the composition. I think that from the testimony from various persons before this subcommittee, we have learned that there is a lack of leadership in this County and throughout the region in terms of Mass Transit issues, but most importantly, there is a lack of a dedicated funding source for greater and innovative Mass Transit solutions.

My idea and we can discuss this, is to begin the move of Mass Transit and transportation issues out from underneath the County Commission and create a separate Authority that would not have elected officials on it; and to have the Authority seek the appropriate dedicated funding source at the next available opportunity, so that this County can have a comprehensive Mass Transit solution for all of the citizens. One of the things that struck me as we were listening to various people is the fact that over the course of the last two decades, that in various forms of government, this County has gone through various courses of government, having Commissioners elected County-wide moving out, having the Commissioners elected by Single-member districts, having chairpersons and to an appointed Mayor by the County Commission. There are various forms of government in the County, and I know some people would say, well why would you want to create another layer of government, but the other forms of government have not worked; there has been a lack of leadership.

I keep using Miami-Dade as an example, we always say that we don't want to become like Miami-Dade, well unfortunately Miami-Dade is now ahead of Broward County in terms of looking at transportation issues. As I mentioned before, they're now in the planning stages of securing funding for a new Metro Rail line; the Orange Line that's going to go from Florida National University to Calder Race Track touching the borders of Broward County. Where is Broward County in terms of integrating the Rail system, integrating the bus lines? We have heard from the Mass Transit Department here, testimony in fact, that not only do we have a lack of funding for light rail or heavy rail, or whatever type of other transit solutions are out there. But for our

bus lines, in terms of replacing buses, in terms of other capital needs, we currently do not have funding sources. In fact, Commissioner Mena brought it up with our previous speaker. We have had elected officials here indicating to us that the solutions that need to be made possible are not being addressed because elected officials want to maintain being elected, and that the hard decisions that need to be made are, not to be made by elected officials. They haven't been made before in the last 30 years, and they won't be. I don't think because there is not one person, perhaps – and I may be wrong

. I would hope that someone could stand up and take leadership on this issue, but right now there hasn't been – there's been elected officials here of course, who have pushed or been supportive,. However, because of the structure of this government – the structure of this government is prohibiting the fact of strong leadership going forth, because you have to have that collective sense on the County Commission.

In the past with 2 years ago, although I may disagree with the intent of some aspects of the plan of the penny sales tax, the County Commission did not support that for various reasons. I think that, and we can talk about this Authority going towards trying to get politics out and trying to create a solution to the needs of Broward County

The Chair asked if the dais had any comments.

Ms. Tanner suggested that the TSC take a few minutes to review the document.

The Chair advised that the information provided was only an outline to go over the major points. He added that he looked at several County transit authorities in order to come up with this entity; he stated that LA is more similar to Broward County.

Ms. Tanner motioned to take the proposed outline to the General Counsel for a draft.

Mr. Tolces: You can make a motion to have us draft it, subject to whatever comments you may have today, or you could just discuss it now and then once you are finished with your discussion make a motion to have us draft it based upon your comments.

The Chair suggested having a discussion before the outline is sent to General Counsel.

Ms. Tanner MOTIONED, Mr. Esack SECONDED and the motion carried unanimously to forward the proposal regarding the MTA to the full Charter Review Commission, subject to any revisions or additions that may come from the subcommittee's discussion.

The Chair opened the floor for discussion regarding the proposed MTA outline.

Ms. Kaletta asked if it can be worded to leave the door open, or a charge to include other Counties for regionalism.

Mr. Tolces: There is in the second bullet point under Roman Numeral 2, you could put as one of their purposes, to seek adoption of Legislation that would further the regional aspects.

Mr. Esack agreed with Ms. Kaletta and thanked Mr. Buckner, then asked if this entity would create another layer County-wide regionally.

The Chair stated that Miami-Dade County passed a ½ penny sale tax because they had the political leadership. He added that Palm Beach and Broward County do not have a dedicated funding and because of that, there are regional resistances due to funding.

Ms. Kaletta suggested Powers and Duties be worded into the Purpose.

Ms. Tanner agreed.

Ms. Gross suggested adding the word regional in a number of different places in the document.

The Chair advised that the 3 most important things that Broward County Government takes control of are the Airport, Seaport, and Mass Transit; he added that the Airport and Seaport reports to the Deputy County Administrator Berta Henry. He further stated that the New Transportation Department reports to Bud Bentley the Assistant County Commissioner.

Mr. Tolces: You already have provisions in the Charter that talk about how the personnel structure is in the County with respect to employees reporting to the County Administrator. So I am not sure if you want get into that much detail in the Charter. I will try to find the specific provision exactly.

Ms Kaletta asked who the MTA would report to.

The Chair advised that this is independent Charter Authority.

A brief discussion ensued regarding Broward County's Reporting Tier and the independence of the proposed MTA with comments made: *Mr. Mena, Ms. Kaletta, and the Chair.*

Ms. Kaletta suggested having something that would have assured an independent audit on a bi-annual basis.

Mr. Tolces: Because of the fact that they are using County funds, there's going to be a certain amount of auditing required through the County itself – because there are County funds you also have the County auditor that's established by the Charter that could provide the necessary oversight that you are looking for without necessarily establishing their own internal position. Because it does provide in the Charter, that the County Auditor shall serve as a resource for County government, so you do want that ability of the two.

The Chair suggested incorporating the current RTA.

Mr. Tolces: That's my question from a drafting perspective, are you looking just for an entity to one run the County-wide system with a view towards regionalism, as well as looking for

dedicated funding sources to fund County-wide and regional transit systems? But, also – you have the SFRTA that's already out there as a regional transportation Authority. As far as drafting do you want – we can leave it as Broward County and regional which includes them without specifically naming them.

Ms. West advised that the goal is to position the MTA for a dedicated funding source.

Mr. Esack explained his reason why the MTA should include the SFRTA; he added that Business Alliances have a lot of resources behind them already.

The Chair suggested to ask General Counsel to propose two alternative versions; one including SFTRA by name, and one without, as a working document.

Ms. Gross stated that if the SFRTA is included in the Charter language, it will be there for a long time.

Ms. West suggested putting in the penny.

Mr. Tolces: There are separate requirements for – are you going to have a referendum specifically on a tax, you can't do it through a Charter Amendment.

Ms. Gross asked if the State could do the same with a dedicated funding source as they did with the Sadowski Act.

Mr. Tolces: It depends how the Legislators drafted it. But in theory, you would in the Legislation, if you got to that point you would have a specific item that is being – specific revenue from a specific source being generated and that would be dedicated to the SFRTA or whatever entity it was. The only way that could be changed would be to change the Legislation, it can be done, but it's....

A discussion ensued regarding educating the public. With comments made by: *Mr. Mena, Ms. Kaletta, Ms. Tanner, and the Chair.*

Mr. Tolces: If they are going to hire a Chief Executive Officer to operate the MTA's business on a day to day basis, then that raises other issues with respect to the extent to which the MTA is going to have the right to the day to day operation of buses, and the Bus Drivers, are they still employees of the County or are they employees of the MTA?, You raise those issues, so is this MTA going to be an entity that is going to make recommendations?

Ms. Tanner advised that it is an all operations layer.

Ms. Kaletta asked how the MTA would interact with the MPO and if they could replace the MPO.

Mr. Tolces: I provided you with a review of the recent House Bill and it really doesn't change the status of the MPO as it relates to the agreement that currently exists. You would have to take steps through the MPO, the County, and the State in order to get that membership structure changed before you were to seek any amendment within the Charter itself. I don't see it as in your realm at this time to provide for such a Charter Amendment to – in fact you were just talking about it.

A brief discussion ensued relevant to layman language in the proposed MTA outline. With comments made by: *Ms. Kaletta, Mr. Esack, Ms. Tanner, and the Chair.*

Mr. Esack asked how Chris Walton would feel about the proposed recommendations.

A discussion ensued on Mr. Walton's position and the fact that he took no stance. The dais recognized that irrespective of changes, Mr. Walton would still fulfill his role and position in Mass Transit.

Mr. Esack inquired as to the proposed governance and size of the Board.

The Chair provided comparable locations, such as LA and New York and advised that Board sizes vary. A discussion ensued with comments made by Mr. Esack, Mr. Mena, The Chair and Ms. Tanner.

The dais agreed to create a sample document to begin circulating for review and comments.

Ms. Gross explained that Ms. King expressed concern with bullet 6 / under the Governance Section.

"Members of the MTA Board of Trustees shall not be interested financially in any contract work or service for Broward County"

The Chair explained that this is only for the Board of Trustee members as it is to avoid bribes, contracts and promises as this Board should be people who have no business with Broward County Government to avoid any appearance of impropriety.

Ms. King explained that her entire business operation is for Broward County and she has a background in Transportation so if she wanted to sit on the Board as a Trustee why couldn't she do so as a business owner and tax payer in Broward County.

The Chair explained that someone could say that there is a conflict of interest and it could appear that people have financially benefited through other contracts or service.

Ms. King asked if this could be the same for those people who are put in the position by the Mayor. She also inquired as to ethics.

Mr. Tolces: The concern would be that a member of the Board of Trustee would take a certain position on an issue that was in line with possible what a County Commissioner or the County Commission wanted to do and in return for that, they maybe got a contract with the County to do some type of work. So you vote for me this way and I will give you this contract kind of thing.

The Chair explained that this is to avoid any situations from the outset.

Ms. King asked if this would be the same for the Advisory Board.

The Chair advised that this has not yet been addressed but it is a good point to discuss.

Mr. Mena stated that the already established Sunshine Law and Code of Ethics will more than likely be utilized. He advised that family members should also be considered.

The Chair asked if they were any other questions or comments in terms of the Governance and Board of Trustees.

A discussion ensued regarding the make up of the proposed MTA Board, and the length of terms.

The Chair stated that the County would still need to fund this Authority as it would fund the Mass Transit Division.

Mr. Tolces: That's one thing that we are going to have to research with respect to the MTA in general is its legal relationship to County government. Because is it a – I don't want to get into Special Districts or anything like that. But that's kind of what its looking like, and if it is going to be able to go out and get its own funds, is it truly a public entity or is it the County Commission that has authorized this entity to do this and somehow the money has to come back to the County Commission to go back to the MTA? So we need to do a little research to make sure that's how you want this set up so it complies with the State Law, the Constitution, and the Charter as well. There is a difference if you just make it a Department, if it's a Department of County Government, you got the County Commission still overseeing it, but the intent here is to make it – take it out and make it on an equal basis to a certain extent, because its got its own governing body, and Executive Director. We will need to research that to see how that could work.

Mr. Esack asked if the CEO would be hired immediately or if there should be a defined period of time initially before the CEO is hired?

A discussion ensued with regard to the makeup of the MTA and what would happen to the functions of BCT. Would Mr. Walton simply take over? Comments were made by Ms. West, Ms. Tanner and The Chair.

Mr. Tolces: If this would be a Charter Amendment it would go on the November 08 Ballot, and if its adopted, then you are looking to potential establish the MTA as of whatever date. At that point in time, do you provide for a transition period for the Executive Director and for everyone to get up to speed, those are issues you need to look at.

A brief discussion ensued regarding submitting a MTA Capital Operating Budget, Fiscal Year and relocating Mr. Walton, which it was determined would be up to the Board of Trustees with comments made by The Chair, Ms. West, Mr. Esack and Ms. Tanner.

Mr. Tolces: If you are talking about submitting a budget then you are probably looking at submitting your budget to the County Commission in the March time-frame for the following fiscal year and letting the County look at it. You could in theory have the Board of Trustees in placed in the spring of 09, so that they could do whatever work they needed to do in order to get started with the beginning of the fiscal year of October 09.

The Chair stated that during that time they would be in the transitional phase; he advised that they would be meeting, but the Authority wouldn't actually carry out the duties and responsibilities until the beginning of the fiscal year.

Ms. Kaletta asked if timeframes and timelines should be written into the Charter.

Mr. Tolces: You could, but the option would be to have the County Commission draft an ordinance to establish X,Y and Z, but I don't know if that is something that – if it is in the Charter then its something they have to do. If you leave them to establish an ordinance you could give them a certain date to do it or whatever you want to do.

A general discussion ensued with regard to including timeframes etc. within the Charter. Comments were heard from Mr. Mena, Mr. Esack, and Ms. Kaletta. The dais agreed to keep it to a short timeframe.

The Chair asked if there were any other comments.

Ms. King asked if Ethics should be included.

The Chair explained that Ethics were left out because of discussions taking place in the Administrative Issues / Governance Subcommittee.

A discussion ensued relevant to Ethics and Conflicts of interest.

Mr. Tolces: They will be governed by those provisions, as well as the County Code of Conduct, that's been adopted, but we can include some reference to Ethics.

It was established that for Section 5, Inspector General and a County Auditor will be utilized.

Ms. Kaletta suggested a County Auditor with some independent audits. The Chair explained that the way the County Auditor is selected lends itself to the County Auditor being very independent. Ms. Tanner pointed out that safety and quality of operation was addressed.

The Chair asked if there were any questions for Section 6, the Citizens Advisory Council.

Ms. Tanner stated that she would want the Board or Council to be under the auspices of the County Commission.

Mr. Esack expressed his concern with the Advisory Board.

A brief discussion ensued relevant to who the proposed MTA will answer to. With comments made by: *Mr. Esack, Ms. Tanner, Ms. Kaletta, the Chair, and Mr. Mena.*

Mr. Esack provided the dais with an example of the Marine Advisory Board; he then asked who will determine the funding and how it is spent.

Mr. Tolces: That's one of things that I need to research with respect to – the discussion is leaning towards – sounding more like a Dependent Special District which is an entity that receives funds from the County. The County sets up a Board and basically here is your money and that's it – we're not going to manage your day to day operations. So I need to research whether or not we can do that through a Charter Amendment or is this just a department of County Government and it's going to have a management Board – A Board of Trustees to do that. Is that authorized under State Law and State Constitution? What say does the County Commission have aside from the budgetary issues which are a primary responsibility with respect to governing or managing? It's also going to hire its own Executive Director.

Mr. Mena expressed concern with the Citizen Advisory Council; he explained that he would like to ensure that **all** people are represented in the Citizen Advisory Council including seniors, African-Americans, Hispanics and the working class.

The Chair advised that he wanted to get legal directions on how the TSC can word the MTA outline so that it can reflect various areas and other types of diversity issues.

Mr. Tolces: You could have goals that mirror the demographics of the community. You could have specific requirements. With respect to individual members of the Advisory Council- have to – I know they sell the bus – the Annual Passes or something like that. Not saying that somebody could just go buy one to become a member of the Advisory Council. If you want to divide it up by regions in the County. But then, you are getting back to your parochial non-regionalism issues. You could ask for certain organizations to appoint members. There are many different ways to do it without looking to provide for certain designated races or cultures organizations so that you end up in some potential concept of discriminating against an organization.

The Chair suggested having a list of organizations that reflect various interests across the County and appointing a representative to the Advisory Council and some other form of appointments to ensure that the CAC reflects all aspects of the County.

A brief discussion ensued regarding the diversity of the Citizen's Advisory Council.

General Discussion in attempts to find information to ride the Broward County Transit

The Chair asked if the dais had any question or comments.

Mr. Tolces: So what our office will do is – if The Chair will be kind enough to email us a copy of this we will put it into proper format so that it could fit into the Charter. Everything will be underlined because it's all new, that's how we typically do when we draft, so if anything is new it will be underlined. If you start deleting things, you will start seeing a strike- through.

The Chair asked should the first draft also have a strike-through of the 3.08 section of the Charter.

Mr. Tolces: That would be a separate motion, because right now you have asked us to draft this. If you want to delete 3.08 or make modifications to that, then you should do that separately, a separate motion.

The Chair called for a motion

Mr. Tolces: I guess the motion would be to delete 3.08 and replace it with the proposed language.

The Chair asked would that be a proper place to place such an Authority within the Charter.

Mr. Tolces: That is one of the issues – I mean right now the Department of Transportation is under the Administrative Branch, so the question comes down to is it a Department? Is it a Division? Is it a separate Agency of County Government? But it makes sense to put it there and we can always move it around later.

The Chair stated that there is a motion on the floor to strike Section 3.08 of the County Charter and replace it with the new Section 3.08 creating the Broward County MTA.

Ms. Kaletta MOTIONED, Ms. Tanner SECONDED and the motion carried unanimously to delete section 3.08 and replace it with the proposed language.

The Chair requested that CRC General Counsel prepare a first draft of the proposed Charter language, which can be reviewed at the next TSC meeting for comments and revisions.

5. MPO Organization and Membership

The Chair asked if there were any questions or comments on Item 5.

Ms. Kaletta stated that there should be a link between the MPO and the MTA so that it has accountability to them; she added that she does not want two separate entities out there doing their own thing.

Mr. Mena advised that the MPO is Federal and all they can do is plan and make suggestions. He added that the MTA would be different and they would be able to do something at County level.

Mr. Tolces: The MTA will be able to possibly implement, accept and receive materials from the MPO in order to implement some of their planning concepts.

The Chair inquired about the MPO funding.

Mr. Tolces: I need to step back for a second – the Charter Review Commission has adopted specific rules regarding drafting Charter Amendments and it takes 10 members of the full Charter Review Commission to authorize the drafting – to discuss. And then 10 to draft, so what I'd like to do, is rather than specifically drafting a Charter Amendment, what I am going to do is, I will re-draft the language here – that once you agree upon final language, you will then be able to submit it to the full Charter Review Commission for them to decide; one whether they want to discuss, and two to draft. **So to clarify the MOTION is to draft language that could be put into the form of a Charter Amendment.** So I don't want anybody from the full Charter Review Commission being concerned that we're not following the rules.

Ms. Kaletta asked if something is being left disconnected between the MPO and MTA.

The Chair asked Ms. Kaletta if she would like for something to mandate coordination between the MTA and the MPO.

Ms. Kaletta replied yes, she stated that there should be something to direct that.

A brief discussion ensued and it was agreed as proposed by Mr. Tolces.

Mr. Tolces: You could put in some general language with respect to the fact that the MTA will work with all County, Federal, and State agencies and organizations to implement its goals and purposes.

The Chair asked if there were any other comments.

Ms. Tanner inquired to seat belts on school buses.

Mr. Tolces: Your second statement was key; School Board issue, the Charter governs County government and right now the School Board is not a part of the Charter.

The Chair pointed out that some MTA's also include roadways or certain aspects of roads. In terms of having authority of County roads; he then asked staff to research county roads and having Authority in terms of acquiring property and obtaining easements in order to not limit the Authority's ability to be able to carry through.

Mr. Tolces: I will research that, but that's maybe something that the County Commission itself cannot donate.

The Chair called for Public Comments.

V. Public Comment

Phyllis A. King – Plantation, Florida

For 12 years of my career I rode the City bus and I'm now a mother, a business owner and I do everything for my children, they're young so I have to drive a car. I can't ride public transportation. So with your Citizen's Advisory Council, if you limit that to only ridership, people who ride the bus, then that would exclude me and people in similar situations from being able to become a member on that Council as citizens of Broward County and I don't see that as fair.

[End Public Comment]

Ms. Tanner advised that she does not believe it would be limited to those who just rode the buses as it is also about educating the public to get them to ride buses.

Mr. Tolces: It was thrown out there but we can't limit it to one category.

Ms. Kaletta provided an example of public transportation in New York City and suggested that the idea should be pursued that kids are safe to ride the City buses.

The Chair stated that the average household spends over 6,000 per year on operating a vehicle; he advised that in this region has to get to a point where we are not relying on cars and relying on Mass Transit.

Ms. Kaletta suggested building an educational process into the proposed MTA outline.

Mr. Tolces: We will work with you to get some language in there.

Ms. Kaletta added that if this was in the Charter maybe the fund would be made available to fund Marketing, etc.

Ms. Tanner advised that she may not be in attendance at the next meeting for medical reasons.

The Chair suggested she attend via telephone.

VI. Adjournment

Mr. Mena MOTIONED, Ms. Tanner SECONDED and the motion passed unanimously to adjourn the meeting of the TSC.

There being no further discussion and no additional comment the meeting was adjourned at 1:56 pm.

The minutes of this meeting are recorded on CRC-TSC CD # 7.10.07 (BCGV CTR)