

Summary of Discussion
Broward County Charter Review Commission
Transportation Subcommittee Meeting
Monday, December 10, 2007
Governmental Center - Room 430
1:00 p.m. – 2:30 p.m.

Members Present:

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

Members Absent:

Mr. Bruce Rogow, Esq.

Others Attending:

Cheryl Clark Naft, Project Manager, SFRTA
Roger Del Rio, Executive Director, Broward County MPO
Chedley Etienne, Administrative Assistant, CRC
Dan Glickman, Deerfield Beach resident, Public
Joseph Giulietti, Executive Director, SFRTA
Yolanda Grooms, Administrative Specialist, CRC
Maria Gross, Assistant Director, CRC
Phyllis A. King, Transcriber, PKING Consulting
Daniel Stermer, Chair, Broward County MPO
David Tolces, Assistant General Counsel
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 1:00 p.m. on Monday, December 10, 2007 at the Governmental Center Room 430, Fort Lauderdale, Florida.

I. Call to Order/Roll Call

The Chair Michael Buckner, Esq. called the meeting to order at 1:03 p.m. and requested the roll call by Phyllis A. King, of PKING Consulting, Inc. Upon completion of the roll, the Chair acknowledged the presence of a quorum.

II. Approval of Summary of Discussion of November 20th, 2007 Subcommittee Meeting

Mr. Mena MOTIONED to approve the Transportation Subcommittee Summary of Discussion dated November 20, 2007, with the revision to delete Mr. Richard Weiss, Esq. from the members absent list; Ms. Tanner SECONDED and the motion PASSED unanimously.

III. Review/Discuss Revised Metropolitan Transit Authority Proposed Resolution 2008-001

The Chair provided an update of the status of the revised proposed Resolution 2008-001, he then asked Mr. Tolces to explain the revisions and additions.

Mr. Tolces: Thank you Mr. Chair. The primary revisions since your last meeting, are dealing with the membership of the MTA and that is in Section 12.03. In that section you now have the County Commission appointing individuals that are going to be known as professional members and consumer representatives, and that's the same for the School Board, the League of Cities, and the Broward County Legislative Delegation. This language was developed with the assistance of the Chair based upon discussions from the last meeting concerning the membership of the MTA. If you look into 12.03 B-3, there is a definition for professional member; and that's any person who's an elector of the County and has been active in his/her representative profession, craft, or trade for not less than 10 years.

If you look in 12.03 A-1, the County Commission will appoint (1) professional member from the transportation/public transit profession; (1) professional member from the legal profession; (1) professional member from the engineering profession; (1) professional member from the construction profession, and then an additional (1) professional member from the transportation/public transit, legal engineering, public management, public administration, or construction profession, and then (1) consumer representative. So, that still has the County Commission appointing 6-members to the MTA. The definition for consumer representative is in

12.03 B-4; they're an elector of the County, they use Broward County Transit a minimum of 20 occasions each month during the calendar year prior to appointment, and they currently use Broward County Transit on a minimum of 20 occasions each month.

Then in 12.03 A-2, we have the Broward County School Board appointing (1) professional member from the education profession or (1) consumer representative, The League of Cities appointing (1) professional member from public management, or public administration, or (1) consumer representative, The Legislative Delegation appointing (1) professional member from public management, or public administration, or (1) consumer representative.

The Chair pointed out that the Citizens' Advisory Board has been added back into the proposal.

Mr. Tolces: Yes, with the respect to the powers and duties I guess we will go to **Section 12.05 D**. We included work with transportation and public transit, County, State, and Federal agencies and entities including but not limited to the Broward MPO and the South Florida Regional Transportation Authority. I know that was a request from the last meeting. On the last page in Section 12.07 we reinserted the Metropolitan Transit Authority Citizens Advisory Council, which had been inadvertently deleted prior to the last meeting, and you directed that our office put that language back in. Those are the changes that were made to this proposal. As a result, to the additional members that we added; there's now a 9-member Board as opposed to a 7-member Board.

The Chair explained that the membership was increased to 9-members in order to make the membership an odd number.

The Chair asked if there were any questions or comments regarding the proposed resolution draft.

Ms. Tanner stated that she is pleased with the proposed language. She then advised that she would like to ask Mr. Glickman, if he had anything to say concerning public input regarding the Citizens and Advisory Council.

Ms. Kaletta asked if there were numbers for the Advisory Council.

The Chair explained that the TSC decided not to have numbers in order to give the Board more flexibility to provide for citizen input.

Ms. Kaletta advised that it looks like, on the main MTA Board, there will be at least (1) consumer representative with the possibility of (4).

The Chair explained that it would be up to the Citizens Advisory Council to decide the parameters of the membership. He added that he's looking forward to Mr. Glickman comments regarding the Citizens Advisory Council additions.

The Chair reminded the subcommittee that members of the full CRC felt that the only knowledge to be obtained with regard to Transportation would be gained from Elected Officials.

Ms. Kaletta asked if the School Board could nominate a student that uses public transportation.

Mr. Tolces: The appointee has to be an elector, so to the extent that the student is a registered voter then they could be, because that would be the only limitation.

Mr. Mena asked how a person is to know that they are invited to be on the Council.

The Chair advised that would be up to each elected body to attain and conduct outreach to the common citizen. He added that this lends to the lack of outreach and lack of public education.

Mr. Mena suggested that appropriate funding for outreach and the appropriate steps be taken. He expressed concern that it may turn out to be politics as usual. He suggested making a recommendation to the Council, once established, that some sort of program be instituted. Mr. Mena explained that he is concerned that the proper people are not going to be on the Council as a member.

The Chair asked Mr. Mena what are the specific types of proper people.

Mr. Mena explained that he is interested in members who ride the bus and have knowledge of Transportation.

The Chair referred Mr. Mena to Section 12.03 B-4, and explained that the members would have to demonstrate that they use Broward County Transit at the minimum number of times listed.

Mr. Esack advised that it seems to be ticky-tacky for the minimum of 20 rides per month, he asked where the estimate of 20 bus rides per month came from.

The Chair explained that he came up with the 20 rides requirement; based on the average rider using the bus on two trips, in the morning and the afternoon. The Chair suggested changing the word “occasion” to “trip.”

Mr. Esack expressed concern and agreed with Mr. Mena. He stated regarding the Advisory Board, each Commissioner has two appointments to each Advisory Board, which has 18 members. Mr. Esack suggested staff confirm this with Ms. Christine Lorber.

Ms. West advised that Christine Lorber is the Board Coordinator and oversees all Boards in Broward County.

Mr. Esack advised that he is in favor of the proposed Resolution, and thanked the Chair for his compromise. He asked if the Board of Trustees would be viewed as an Advisory Board.

Mr. Tolces: Yes, under this proposal.

Mr. Esack inquired about the role and relevance of the Citizens Advisory Council.

Mr. Tolces: As it is set up right now, the Advisory Council would be set up to advise the Board of Trustees on these matters. The concept is that the Board of Trustees would set up the membership requirements, the number of members, and whatever they want the Advisory Council to do – so in essence they would report to the Board of Trustees.

Mr. Esack asked Mr. Tolces if the Advisory Council would be a part of the meeting of the Board of Trustees.

Mr. Tolces: That’s how I pictured it. The Resource Recovery Board has a Technical Advisory Council or Committee that’s made up of people from all over the County who advise the Research Recovery Board on technical issues. So it’s kind of the same thing here. Where they would have their own group – they might have their own secretary, and their own agendas. They also might have their own meetings and then forward things on to the Board of Trustees on issues that they think are important.

Mr. Esack suggested contacting Ms. Christine Lorber before the full CRC to confirm the makeup of similar Boards.

Ms. West advised that such information is provided on the County’s Office of Public and Governmental Relations website.

Ms. Kaletta stated that her initial question was; “Would getting the Advisory Council going be the first job of the MTA?”

Mr. Tolces: There’s a provision in the current proposal that discusses that the MTA will establish – it’s on page 4 Section 12.03 H-6. That the Board of Trustees shall need to – and then B is adopt such internal procedures and rules as may be necessary to carry out its duties. So, in the process of adopting their internal procedures and rules; I would think that one of those would be the function and operation of the Advisory Council.

Mr. Mena asked the Chair if it would be appropriate to recommend a timeframe. He then referred to page 5, Section 12.05 D and stated that the subcommittee should suggest a frequency of meetings between the Transit Organizations. Mr. Mena suggested that the organizations should meet quarterly.

Ms. Tanner advised that the MPO and SFRTA were inserted because there was an issue with these agencies believing that they would not be included. She stated that she does not want to micromanage the Council by adding specific meeting intervals to the language.

Mr. Esack advised that he is in favor of having a minimum number of meetings.

Ms. Tanner stated that most Boards set their own calendars.

Mr. Tolces: It is my understanding that you are proposing that there be a minimum number of meetings between the MTA Board of Trustees and either the Regional Transportation Authority or the MPO. They have their own Legislative rules that they have to follow, so while you can put in here that this Board should meet with them for X number of times a year, they may not have this same requirement. So you could end up with one party showing up at the meeting.

Ms. Tanner advised that both the MPO and SFRTA were mentioned because of a thought of them thinking the MTA was usurping the system and not being inclusive. She advised that the Board is being mentioned out of courtesy and she believes putting a requirement for the agencies to meet is going too far.

Ms. Kaletta suggested with regards to meetings that the Citizens' Advisory Council should be the required venue.

Mr. Esack agreed with Ms. Kaletta. He explained that he has sat on multiple Boards and they met monthly.

Ms. West pointed out that the schedule for meetings are generally decided at the organizational meeting of the Board.

The Chair asked if the subcommittee would be interested in changing the name of the MTA from MTA to MTC (Metropolitan Transit Commission.) He explained that this would be more indicative of the duties and responsibilities of the proposed body.

Ms. Tanner and Ms. Kaletta advised that they would not be in favor of the name change.

Mr. Esack advised it is all about the TSC putting forth the best product at the full CRC meeting on Wednesday. He asked if the change from an Authority to a Commission would improve those chances.

Ms. Tanner advised that once you become something and people know who you are it is less confusing to keep your same name.

The Chair acknowledge non-consensus of the subcommittee.

The Chair referred to Section 12.03 B-4 and suggested to change the word “occasions” to “trips.”

Consensus received from the subcommittee to make the change.

The Chair opened the floor for public comment.

IV. Public Comment

Dan Glickman – Deerfield Beach, FL

Mr. Glickman: I wrote down a number of comments, and I will go over them from the beginning. However regarding the meetings – on page 1 Exhibit A, 12.02 (A, B, C, and D), I would like to see something that states that they should meet at least bi-monthly. When you folks were talking about having not only authority, but forgive the word, *power* to do something as opposed to advisory. To go from what it was to now maybe they will meet quarterly, but the idea of a Board which has substantial responsibility to achieve both insight and oversight; and then not to meet at least bi-monthly – is not satisfactory to me. I would strongly suggest that they should meet bi-monthly and that is for the Board of Trustees. The word trust means something – I really don't like the word trustee, I may be a stickler for words whether it is authority or trustees, but I think that's important. On that same page 2 12.03 B-4 which Mr.

Buckner was talking about changing the word *occasions* to *trips* which I think is fine, but just be aware that the word trip means getting on something and then off something. I have no problem with leaving the number 20 in there and changing the word to trips.

The Chair asked Mr. Glickman for a recommendation.

Mr. Glickman: I think what you have there is fine. Mr. Buckner's comments before – which I wrote down in quotes “any type of mass transit.” I believe it should not be limited strictly to Broward County Transit, it should also include, from my point of view, both tri-rail and also Para transit. Some people may consider BCT to be both functional and Para transit. Delineating BCT, Tri-Rail, and Para transit I would suggest using my viewpoint.

One other comment was made about qualified citizen riders. BCT knows a lot of qualified citizen riders. That if anybody whether it is the Broward County League of Cities or any other entity wants to ask the BCT; they do know that they could get a list of people to be interviewed as far as the designee or a possible appointee is concerned. There are people of all kinds of demographics who use public transit.

My last comment has to do with B-4 (I, II, III, and IV.) The IV I would propose that the two representatives continue to use. You talk about the past calendar year, you talked about this year, but you didn't talk about the future. I think it is important to put in there in number IV, “and continues to use 20 trips per month.”

The Chair asked if there were any questions of Mr. Glickman.

Ms. Tanner advised Mr. Glickman that each Board generally governs themselves, and each appointee must go through the County Attorney's office before they are appointed ultimately by the Commission, and if they miss a certain number of meetings they are removed from the Board.

Mr. Glickman: I think the voters should know to meet bi-monthly.

Ms. Tanner reminded Mr. Glickman that the proposed Council has requirements; she added that she does not want to put too many requirements in the Resolution.

Ms. Kaletta advised that she has no problem saying that the Councils should meet bi-monthly. She stated that her concern is requiring that the member should “continue to use” public transit; she added that the key is that they have current and past experience in ridership.

The Chair advised that having a consumer category is unique. He explained that if they do not continue to use public transit they loose out on the nuance that the Board will need in order to keep its advisory functions.

Mr. Esack asked Mr. Glickman if he had another word to use instead of "Commission."

Mr. Glickman: As it was discussed at the last meeting, since it is turning advisory I think it should be an Advisory Board. If you were an Advisory Board, you wouldn't say anything other than being an Advisory Board. It's just that the word authority would not be discussed in the definition and the word trustee won't be discussed in the definition, whereas the voters will rely upon this and their trust is something to be responsible for and is an authority for which they have. They are an Advisory Board and that is what I would prefer, in my opinion.

Mr. Esack advised that he asked that question, just in case the full CRC would like to hear alternative verbiage, the TSC could rapidly respond and change it.

The Chair stated that this was the reason he proposed the changing it to Commission, he is trying to forestall any type of objections.

Mr. Mena suggested renaming it to an Advisory Board.

The Chair suggested finishing the discussion after public comment.

Daniel Stermer – Chair, Broward County MPO

Mr. Stermer: Good afternoon Chair and members of the Commission. My name is Daniel Stermer I am the Chair of the Broward MPO, and a Commissioner for the City of Weston. I am an elector in Broward County so you decide which one of my three roles is standing here before you today. Mr. Glickman's point – you are creating an Advisory Board, let's not make it more than it is. The issue is important, we all agree the issue is important; but giving a title to an Advisory Board on whether its trustees, governors, commissioners -- it's an Advisory Board. Don't create a false impression that the people who get selected have more authority because of their title than they will, as an elector I give you that.

As the Chair of the MPO I give you – the MPO wasn't upset about what you were doing, the MPO was upset that we weren't consulted on how we can do this together. As I stand here today – Mr. Tolces if you roll this out Wednesday to the full Commission what happens when the MPO has comments and concerns? Who do they get addressed to?

Ms. West: The Full Commission.

Mr. Tolces: Are you talking about comments and concerns regarding this proposal?

Mr. Stermer: Correct, once it gets voted out of this commission, however it gets amended today, and it gets voted out of your committee on Wednesday – it's now the property of the Broward County Commission, correct?

Mr. Tolces: No, they have to have two public hearings prior to that.

Mr. Stermer: Okay so if the Broward County MPO, which has yet to be given the opportunity to provide official comment on this, and our meeting isn't until Thursday of this week – who would you like us to give our comments to?

Ms. West: You can send them to me and I could share them with the subcommittee.

The Chair: Commissioner I am confused, why does the MPO feel threatened? I don't understand.

Mr. Stermer: Mr. Chair with all due respect, we don't feel threatened at all. We just want to make sure that we are not creating duplicate processes that create a false impression. I as the Chair, my Executive Director, and the former Mayor of Broward County (Mayor Eggelation) had a workshop, which you attended, in an effort to make this issue paramount. But what we don't want to do is create so many places for people to go that they think nothing happens. By creating more and more agencies that fix transportation instead of creating one centralized one. People aren't going to know where to go. Mr. Glickman knows – and to say that the MPO doesn't do outreach to the public, I am sorry but I take great exception to that; because we spend a lot of money communicating with the public about mass transit, and mass transportation and the opportunities in this County. So to suggest that the public is unaware in what we do – I am sorry, then maybe you might not be aware of everything we do.

We are not here to fight with you, it's been portrayed that we are. We don't – please understand that. In an effort to convince the County Commission, we spent many meetings with the Mayor, to say what our dual roles are in this process. Mr. Glickman knows, I can buy a fleet of buses tomorrow – excuse me the MPO can buy a fleet of buses tomorrow, but the County can't operate them. We can drop capital tomorrow, but it can't get operated. To create more and more diverse organizations; where is the community going to go?

The former Mayor set up process of taking it out to the community, to create the vision. We at the MPO have visions that are 1 year, 5 years, and 25 years, so it is not like this is something new. What we need to do is energize the public to participate – Dan knows, because Dan is one of the few members of our public that not only comes to our meetings, not only your meetings, but makes his way too many meetings. But we are now here afraid – please, of what you are creating.

The question becomes, how do we do it in tandem? Because I believe we have now gotten the County Commission – who funds the operating dollars on board with the MPO who does the planning. Part of what is in here it appears is more planning, and understand we are mandated by Federal and State Statute to do the planning. To say somebody else is going to do it is a violation of our Charter and our mandate. So I am not sure how we make all of that work together – we'd love to do it together. So I stand here and ask you that.

If you want to start getting specific about the proposal – if you look at page 2 under 12.03 A-1 “The County Commission shall appoint” and if you go to page 3 under H it keeps talking about the Mayor, the Mayor, the Mayor – the last I looked the Mayor is one person and the County Commission is 9! So I am not sure how you swear the County Commission had six appointments and yet throughout the rest of the document the Mayor has the appointment power. Mr. Del Rio the Executive Director of the Broward MPO, has a variety of other comments and suggestions; but please understand that we are not here to fight with you, any belief that we are is misplaced, please understand that.

Mr. Esack: Mr. Stermer I apologize that I was not at the last meeting, so I don't know if you came forth at that meeting with these concerns. I know that Mr. Del Rio has been at several of our meetings, but that was prior to the proposal of the MTA. Since the proposal of the MTA, I am sure that prior to today you have been aware of this proposal and I am curious as to why you are just now coming forth?

Mr. Stermer: I believe if you ask your Commission member, at last month's MPO meeting he and I had a rather lengthy exchange about this. So, while I might be standing here today; Commissioner Mena can tell you that at the MPO meeting I raised concerns about the planning role and how you swear the two of them. So it has been raised before, and honestly, I am not here in effort to say we don't like getting in the same sandbox with you and the Commission and everybody else, we do. Because we all believe in an effort to make this County livable in the future, we need to do it together.

The Chair: Commissioner in regards to a comment regarding this proposal. I know staff provided Mr. Del Rio copies of the past revisions of this proposal and correct me if an wrong, but we didn't get any type of official comment from the MPO, because we were told and Pat you can tell him...

Ms. West: We were told that you do not support it and you weren't going to participate. I have asked for recommendations on who should be on as a part of this. I sent emails asking, and I called back because we were having a meeting in November and I said that I haven't received anything from you, and the response was we don't support this and until it is approved, we won't have any comment. We were trying to gain your input, and if that is not what happened then I think someone needs to say that to me. But that is what I was told, that you did not support it – so therefore they weren't going to be involved in helping us draft anything.

The Chair: So I think that with all due respect, for you to come here and insinuate that we're not trying to cooperate or seek input from the MPO is totally off-base. Because throughout this entire process – and correct me if I am wrong. We have tried to seek input from various Transit Authorities in this region. in giving the courtesy and providing our drafts of our proposals off to the MPO, to Broward County Transit in order to seek input. Because we know that you guys are involved in this.

In terms of your use of the word *planning* – Broward County Transit does planning, and so the use of the word planning is not to usurp the MPO's role. We know that the MPO is mandated to do the type of planning that you guys do very well. The use of the word planning is in terms of what Broward County Transit does, we have had discussions and conversations about trying to make sure that we do not usurp the role of the MPO.

This entity was designed to try to help you guys out, and help the County Commission out, and try to raise the level of discourse of Transit on a full time basis. You guys have had a hard time getting the County Commission to deal with Transit on a consistent basis, if I am wrong let me know. This entity was trying to make sure that this was to remain on a top level as the Airport, Seaport is now – Transit should also be up at that level as well.

Mr. Glickman: I just need to clarify the word planning for a second. My belief – and of course I do not speak for BCT, is when they talk about planning, I believe that they are talking about at least in name – what they call service development. So service development planning would of course by nature include where the route goes, how frequently it goes, and all those kinds of things. Service development, that's what I think that means in terms of planning. That's why I

think the word planning with respect to Transit is different from the term that is used by the MPO.

Ms. Kaletta: I have a couple of comments, one is Mr. Del Rio has been at almost every meeting I have been to, and we have questioned him about what you all can accomplish. We know that you all have funds for capital but our goal here was to help create the funds for the service and the actual operational funds that are needed to take advantage of the funds that you have. So it was never that we were trying to usurp or to do anything over and above what you have. Actually, we thought this would be a help to you, that the two could work together and therefore could create a better operational, capital funded, transportation system here. We also have said *pursue* if you look on page 5 12.05 E “pursue dedicated funding sources available on local, state, and federal law.” Apparently, you all can't do that, you get funds already but they are dedicated to a certain source. You're frowning.

Mr. Stermer: I am frowning because I get the impression from what you just said was that the MPO took no position on the last penny sales tax and that's inaccurate.

Ms. Kaletta: I didn't say you didn't have a position, but have you done anything on it? It was my impression that you all felt that you could not do anything as far as looking for the penny sales tax or any other dedicated funding for operational purposes.

Mr. Stermer: That's incorrect; we have worked with the delegation in an effort to deal with rental car sales tax and where that money goes, the doc stamps.

Ms. Kaletta: Did you help with educating the public on what was going to be done so it won't fail? I don't think we had any intention of usurping or taking advantage of the MPO. All we wanted to do was to compliment what you all do by helping with additional funds with a dedicated funding source. You brought up the former Mayor, and I know he had his big Summit on Transportation where is that going now that we have a new Mayor?

Mr. Stermer: My understanding is that the current Mayor Wexler is moving forth with the quarterly meeting.

Ms. Kaletta: I heard just yesterday that her emphasis is not on transportation.

Mr. Stermer: I can only tell you -- and the Chair attended the morning meeting, which was before the Mayors meeting. Is where we had a joint workshop between every member of the MPO and the Broward County Commission, and invited the public and professionals to say how

we as the two bodies in Broward County, that are suppose to deal with transportation, do it together. So we can achieve a result of actually seeing something that helps our residents.

Ms. Kaletta: What we want to do with this is to give a tool to the Commissioners so that it doesn't depend upon whoever the Mayor is, whatever the individual Commissioners feel like, but we provide a tool for you and for the County for this Commission to give some guidance on helping with the functions of transportation.

Mr. Stermer: I can appreciate that, but one of your fellow members early today said the language was put in there basically because the "*MPO stomped its feet*" in paraphrasing. That's not what we were stomping our feet about! It's that we weren't consulted. We have concerns about part of what's drafted, and its implications as to what we are federally and state mandated to do, that's our concern. It's not about whatever we want to call the new Advisory Board's title and function. We care about its function and ensuring that it does not crossover into something else that we are required and mandated to do. That's all we are concerned about.

Ms. Kaletta: I don't think it should be a concern; because that's not what we want to do. We know pretty much because Mr. Del Rio has been there to answer our questions and to tell us what he can and can't do. I am sorry I saw a soft spot there, I saw where – and you already addressed it, you said you could buy 100 buses, what good does it do to have 100 buses if you don't have 100 drivers and the gas to put in them. That's what I see us doing with this, is helping to provide that to you. I never thought of us as excluding the MPO, I missed the last meeting so I can't address that. I can only say that to me I always saw them working together.

Mr. Esack: Mr. Chair did we received a list of the MPO's concerns?

The Chair: No.

Mr. Esack: Each entity that has any concerns specific to any actions that the CRC is considering taking has sent them to us. We have received letters from several different groups expressing their concerns about whatever issue it is that they have concerns with.

Mr. Mena: Again as you know, I got two hats here and I am going to take my MPO hat off. I am really appalled at some of your comments and I don't mean any disrespect to you. In the fact that Mr. Del Rio has been to a lot of these meetings and we all have said this, and for you to come here today and blast us in the manner of speaking, that we are not being corporative with

you or what have you, I think it's incorrect to do so. Number 1 the MPO is a planning organization for the entire County! What we are talking about here has to do with Transit, now you are only part of that. I have sat for 15 or 18 months now on the MPO and we have talked about bridges and we have talked about roads and that kind of stuff, and quite frankly the I-595 Corridor, that encompass part of the Transit which is what we are talking about here. But on the same token, nothing has been done about that, and I am not blaming the MPO for that, we just haven't had the leadership in the County, it has nothing to do with the MPO!

When Commissioner (former Mayor) Eggleston came over here and sat down I asked him are you willing to be the leader and we argued a little bit because of the simple fact that he is an Elected Official, and the people in his district did not want the corridor on State Road 7. He was not going to cut his throat or hang himself by going forward when his own people, which by the way, would be the most people that use it and benefit from it; they didn't want it and I understand that!

We are trying to take BCT and make it an MTA, I think you understand that, now how is that conflicting with the MPO? Maybe you can explain that to me! Because quite frankly... What are your concerns? They want it in writing but now that you are here tell us what is it that the MPO is concerned about so that we all know?

Mr. Stermer: Despite the definition of the word planning means and how it is being used as it relates to those documents that the MPO must mandate and prepare. As you are aware Commissioner, BCT's plan is subsumed in the MPO's plan.

Mr. Mena: Some of it, yes.

Mr. Stermer: No, all of it! So in our plan whether its short term, medium term, or long term we do not only look at roads or bridges, we look at buses, and everything else. If you recall correctly when the Broward County Commission was making its first line of budget cuts they were cutting the Breeze Bus and my response to the Executive Director was, "go to the County Administrator and get my million dollars back!" Because we brought the capital. So, to insinuate in your last statement, that the MPO doesn't deal with Transit is – if we are going to make official comments, part of what we do in planning is specifically about Transit and Mass Transit and you know that! So to insinuate that it is not is I am sorry, but wrong! So, I can have Roger pull out every plan and the backup that goes with it, that shows his coordination with Chris Walton and everybody else in BCT as to what goes on. So to say that we don't do anything with regard to Mass Transit, I don't think is correct! If the Chair is upset, then I

apologize, Mr. Chairman. I attended another meeting to address the proposal. Mr. Tolces can tell you that he and I have had a couple of conversations about it, informally. Commissioner Mena can tell you that over the past few months, he and I have had conversations about, so whether I personally appear here and give you an official comment, there has been concern raised with members and your staff.

I will apologize on behalf of the Broward MPO if we have not sent you a formal letter with comments, I will take that hit. I will stand here as the Chair of that Board and take that hit, okay?

Ms. Kaletta: Who made the decision not to participate, did you make that decision, or did Mr. Del Rio?

Mr. Stermer: I can't tell you that the matter has been brought before the MPO Board to discuss an official position.

Ms. Kaletta: Well then who made the decision to tell Pat that you all didn't have a decision and you wouldn't give any input.

Mr. Stermer: I can't answer that question Commissioner, I apologize.

Mr. Roger Del Rio – Executive Director, Broward County MPO

Mr. Del Rio: I just want to clear up something here. A request was made to me to provide a list of organizations, civic organizations, or services organizations that could be included as far as the creation of your Board. But I wasn't asked to provide comments.

Ms. West: But your comment was that you did not support it so you weren't going to give anything! That was your comment!

Mr. Del Rio: Well because my Board did not support it, and I felt uncomfortable with providing a list of organizations!

Ms. West: But that's fine Mr. Del Rio you never said that until I had come back to you again. My point to you was – and I think in our talking from time to time was; we are looking for input from those who deal with this issue on a day-to-day basis. I mean the lady just said to me a few minutes ago, "You're a Director you're supposed to do something." I am going to say to you, just say to another Director, look this is what's happening and I can't get back to you, and you

never did that! I had to come back to you, so when my boss is asking me where's the input – and then I get from you, "Well the MPO doesn't support it so I won't be giving you anything." So that's like I've been sitting holding my hands and I wasn't! I was trying to work with you – that's all I am saying.

Mr. Del Rio: Both I and Mr. Stermer have been in front of this Board on several occasions, and we have provided you – in my opinion of what the MPO process is and what our mandated requirements are. I honestly don't want to make excuses but I was never asked to provide any comments!

Ms. West: I think what we need, whether it was asked for or not, if you know the answer – if you know or Mr. Stermer knows the answer, if there's nothing that this Board can do, if there's no need for it to exist, I think you should say that.

But if there's some way that, you can work together with this Board or whatever; I think you could say that now! The time to talk is now! Not 2 or 3 months from now! Is there something? Is there a bottom line as to what can happen? If there's nothing that can happen then I think you should say that!

Mr. Del Rio: There's language in here that talks about creating and planning for the future Transit and it doesn't refer to these plans to be consistent with the approved plans. It doesn't necessarily have to be the MPO plans. It could be "*any other agency's plan.*"

The Chair: I just want to get down to the bottom line in terms of what particular provisions of the current proposal the MPO has issues with. With regards to the Transportation Plans in 12.02 B, it says, "In accordance with appropriate transit and transportation plans."

Mr. Del Rio: Support the MPO outlet. That is what we would like to see in there.

The Chair: For the record could you go through this proposal and tell us exactly which issues? Which provisions of our current proposal does the MPO have issues with and why?

Mr. Del Rio: I have not taken this to my Board; I am giving you my take on what the language should be. I have not taken this and requested an official approval by my Board, and I don't think that I was ever instructed to do so!

The Chair: Mr. Del Rio, did you ever receive a copy of the latest proposal? My issue is and correct me if I am wrong; but you guys received the revisions of our proposal, you received the

agendas of the Transportation Subcommittee and the full CRC! So my problem is here you guys come to us and say that we didn't keep you in the loop! So now we are asking you, okay well tell us what problems you have with our current proposal and you can't tell us what problems you have!

I am not an elected official, so I am just going to break it down okay? The problem as I see in this entire system is no one is getting stuff done and I am tired of it! I am tired of politicians and everyone else trying to not do what needs to be done! What needs to be done is we need to actually have political leadership on this issue, and we need a dedicated funding source! That is what this is trying to get accomplished. If you have a problem with it – if you have problems with this proposal tell us! If not and you don't have any ideas then I suggest that you need to fall in line and tell us during the public comment period when we actually have to vote this out of the full CRC! So if you are going to come to this meeting and try to dictate or try to complain or criticize us, then you better have some comments! Does anyone else have anything thing else to say?

Mr. Esack: Has the MPO Board ever seen this, has it ever been discussed among the Board?

Del Rio: No.

Ms. Kaletta: How often do you all meet?

Mr. Del Rio: Once a month.

Ms. Kaletta: Why haven't you shown it to them, it impacts them?

Mr. Del Rio: I wish I had a good answer for you.

Ms. Kaletta: You have been to our meetings! You have had access to all of the paper work that I see, or anybody else sees. Now your Chairman of the Board is concerned about what's in here. Didn't you have some responsibility to share this with him going along so that it would not be what it is now?

The Chair asked Mr. Stermer if he had any other questions or comments.

Mr. Stermer: I am sorry Mr. Chair if you believe we even need to give you comment or get in line! I apologize; but leadership is not about getting in line! Leadership is about doing something! While you are making efforts too, so have we! We might have been doing it

differently, but please don't tell us to either agree or disagree and give you specifics! I agree with you, we should be or get in line! Please that's not what this conversation is about it; either just get on the bus and ride it! Because you know what, you first have to have a bus to get on! So please if you want to keep this focused on how do we make this productive then let's do that! But to sit and start going you either get in line or get out! I am sorry this is a public Board and the public can say whatever they want!

With regard to 12.05 A "Recommend to the County Commission plans!" what's the definition of plan – because only later in Section D does it say, "Work with all transportation authorities including the MTA, SRTA! Maybe that should be at the front as compared to being on D! It should be, "The MTA shall have the following powers and duties in coordination with other agencies and then list them!" With regard to 12.01 under A! I propose deleting, "for Broward County" at the end of line 3 under and replacing it with, "as provided by Broward County!" instead of for Broward County! With regard to B! Language should be added that, "the MTA will support the efforts of the MPO and other regional planning authorities!" Under C, language be added at the end of C, "Transportation planning and financing as provided by Florida Statute 339.175!" There are your specifics Mr. Chairman!

The Chair thanked Mr. Stermer for his comments, and asked if there were any other questions or comments.

Mr. Mena: Let me remind you that this piece of paper was sent to their offices to give to you or discuss with you.

Mr. Stermer: I can tell you that I received this on Friday afternoon and I am standing here on Monday!

Mena: What I am trying to tell you is that this came out a long time ago.

Mr. Stermer: Commissioner I can give you the best answer I can because I got this Friday afternoon at the end of the day and I am standing here at 1:00 p.m. on Monday, it's the best I can do.

Mr. Stermer: I apologize, Mr. Chairman, members, and staff. For those of you that know me I have sat on the MPO for a number of years, and I too believe this issue is a frustrating one, and I have been working my hardest to get this County moving forward as it relates to transportation and growth management. Because to me if we don't do that together as I explained to you

when I testified before, they go like this, and until we get on the proverbial bus together, the train together, as Commissioner Rogow suggested the hydrofoil together, we go nowhere when we do it separately. So I apologize for my passion this afternoon, Mr. Chairman you have been at my workshop, "our" workshop, to get this issue moving. As you say, yes really, we can set up 100 Boards, but until there is the political will to make it happen, we can set up 100 more, and we will accomplish nothing.

The MPO last time out was opposed to the penny sales tax Commissioner, because you know what, there are many pieces of it that just didn't add up. Would there be another plan that we could get behind; I would venture to say that the answer is yes. One that is thought out and takes everything into consideration, is done fairly across this County, and has something in it for everyone. Because we as the MPO have 19 members, 3 of them, who sit on behalf of the County Commission, 1 who sits on behalf of the RTA, elected officials from municipalities, and the School Board. So it's not about what do I bring home to Weston, what does Ted bring home to Coral Springs. How do we make this County of ours move forward?

Again I am not here to say don't create it, I am a New Yorker, my MTA use to not only run the trains but it ran the bridges, subways, the airports, and the seaports. If you really want to create an MTA maybe you should take away the enterprise zones from the County Commission and make them part of this, if you really want to create an MTA. I apologize for the volume, but it's about trying to get us to a place together. Ted you know we have Mr. Glickman sits on the CIR which is a part of the MPO, which is made up of folks from the community. You've seen the attendance sheet of how many people have vacancies on it. So please it's not for lack of trying to get this County engaged, it's almost they're not responding. Mr. Chair I apologize but you understand my passion.

Ms. Kaletta: I just think our frustration is the lateness of your concern being expressed to us, because we have tried very hard through the whole process to get as much input as we could. It is just frustrating to us that this time, after working as hard as we have to put together an amendment or proposal that we think would work, for you to come now – we would have welcomed you 6 months ago!

Mr. Stermer: And you did, the morning I testified across the street at the library and I thank you for that. Again I will take the responsibility for that and I apologize on behalf of the MPO, honestly as I stand here today that's the best I can do for you.

Ms. Kaletta: I just want you to understand our frustration.

Mr. Stermer: And I do, please, I do. But the best I can do for you this afternoon is apologize. This transportation issue has many different people wearing many hats. So it's a ticklish situation to say the least. So I will take the hit on behalf of the agency, of not providing a comment prior to today. Do I have to – I will because I believe it's the right thing to do.

The Chair called for any other public comments.

Lisa Vondrak – News-abstract

Hi, I am Lisa Vondrak. I use to be a resident of District 4 – now I am living out in District 7, so I am use to being a County resident. Commissioner Stermer really made a mistake here, because he should be here thanking you for really giving the MPO a pass. Because in their letter to the full Commission, he said that you thought they were doing a great job, and a wonderful job he didn't recommend any changes at all.

I am sorry Ms. Kaletta; Ms. Maria said that you weren't here last meeting on November 20th, that also was a wonderful dramatic moment – just like this wonderful moment of drama Commissioner Stermer gave us about the MPO. You're upset about the fact that this proposal came out of nowhere, which is hard for me to understand because Mr. Del Rio has been at all of our meetings. He's been like white on rice over the whole issue. So now, he comes here and says that you don't know what's going on – that is ridiculous. What we know now is that the MPO, just like Mr. Buckner said at the last meeting, must be regional, it's parochial right now.

Mr. Esack said Broward is Keystone – that when we have things on which the other Counties depend, we have to have West Palm, we have to have Broward, we have to have Dade County all working together. We can't because each of them has their own MPO, so what does that do – fragmented! And the most wonderful moment of all was written out of the discussion! This so-called Summary of Discussion! Because Commissioner Mena, who sits on the MPO not only Broward MPO but the Palm Beach, it was wonderfully phrased. He explained that the MPO is upset about this MTA proposals, the League of Cities is upset about this proposals why because the MPO is a sacred cow in this County. That was his exact quote "The MPO is a sacred cow – a very, very sacred cow that was your exact quote." Not in your discussion summary, because it's not a Summary of Discussion. It something that's just vanilla, pulverized, pasteurized, you call it a Summary? Fine call it what you want! But guess what – wonderful, the happiest Monday I can think of, not only did we prove that the MPO is a sacred cow; the sacred cow actually showed up today to stomp his tiny little feet! I think that's wonderful!

Something else we found out today, they talk about politicians and we say how we've got to take it out of the hands of the politicians! Well you see what happens when bureaucrats have their hands on it, like Mr. Del Rio! So you have an example of a bureaucrat, who doesn't pass information on to a politician like Mr. Stermer and you see what happens! Now nothing is getting done with transportation in this County! I don't really care if you pass this or not – it doesn't matter to me I think its just busy work! I think you really missed the boat by not going after the Airport that was what was important.

The other wonderful moment of drama that we had was on April 18th when the interim Director was here, Robert Bielek. Mr. Bielek – he was the Interim Director of the airport, and when he spoke his mind, he was kicked out. He's no longer the Interim, was just kicked out of his seat – Mr. Del Rio the Interim Director of the MPO, he did make permanent, he's right here. Now that Mr. Del Rio is here, he can answer the question that I wanted to have answered a couple of months ago. He said that he was a Federal employee. He said that he had worked for the Federal government for 24 years, but he's on the County's organizational chart as a County employee, so maybe he could tell us now. Were you a Federal employee for 24 years as an MPO employee or are you a County employee or are you both? We'd like to know and we'd like to know if Mr. Stermer would like to comment, are you a sacred cow or not?

Mr. Stermer: I would be shocked if Commissioner Mena said that the MPO is a sacred cow. I would be shocked that Commissioner Mena would say that. Up until a few years ago, as Commissioner Mena is well aware and other people in this room are well aware; nobody ever went to the MPO. It was a place where nobody wanted to be and over the past few years dealing with the transportation issues, we believe we started to move it into the forefront in the issue. With regard to the regionalism, there's a meeting held every quarter between the MPO Chairs' of Broward, Miami-Dade, and Palm Beach County to deal with regional issues – we are part of a strategic intermodal system. So everything we do here is related to regionalism at the end of the day, and how do we make an economic engine of South Florida, the tri-county area grow. In addition, I attended a meeting a couple of weeks ago that was chaired by Secretary Colleen from DCA. Secretary Kopelousos from the Department of Transportation, and Jim Wolfe, District 4 Secretary; and have, through our Executive Director, coordinated a meeting with the Palm Beach County MPO to deal with the State Road 7 issues and how we get our plans together; because their plan has 8 lanes. We have 6 lanes. Two of them dedicated to transit. How do we make the plan work better? So I am not sure what sacred cow we may be. We're here trying to plan for the future of this County in a way that would make this place a better place to live. So I would be shocked if Commissioner Mena said that, I know

Commissioner Mena better. But the MPO takes its task seriously, meets monthly to perform them. and internally, we have disagreements on how we do things – which is good, because if we all agreed on the same thing; you wouldn't need 19 of us, you would need one us. So just to let you know we do look more than the confines of this County.

Mr. Esack MOTIONED to extend the meeting, Ms. Kaletta SECONDED and the motion PASSED unanimously.

Mr. Glickman: I would like for the first time in my experience to try and ratchet down what has gone down or what has happened. I believe both on dais, people from the County Commission, citizen input is concerned, but as far as the MPO, there are people on it and staff serving it.

I think it is most constructive if we ratchet down and proceed constructively, and that includes not only the verbal comment but for the written comments that can be facilitated and discussed rationally, reasonably and calmly. Thank you.

The Chair asked if there were any other public comment concerning the proposal.

Being none, the Chair asked if there were any comments from the subcommittee in terms of proceeding with the proposal.

Mr. Tolces: Just based upon comments that were made, I have made some notes. And so what you should probably do is – we have a proposal here that's dated November 29, 2007, and these would be items that you should make motions to and have them seconded and voted on in order to come up with a final version. Then we can approve it as amended if you feel it's appropriate. The first item was with respect to the use of the word "trips" instead of "occasions" in Section 12.03 B-4.

Ms. Tanner MOTIONED to delete the word "occasions" and insert the word "trips" in Section 12.03 B-4, Mr. Mena SECONDED and the motion PASSED unanimously.

Mr. Tolces: There are references to the Mayor, which should have been revised to reflect the County Commission in 12.03 H-1, 2, 3 as well as in H-8. Because if the appointments are made by the County Commission as opposed to the Mayor, the references should also be in those sections to the County Commission.

Ms. Tanner MOTIONED to delete the word “Mayor” and insert “County Commission” in Sections 12.03 H- 1, 2, 3, 8 and 12.06 C line 2, Mr. Esack SECONDED, and the motion PASSED unanimously.

Mr. Tolces: Mr. Glickman suggested having a scheduled meeting for the MTA bi-monthly, no you never voted on that. But, I am just making this presentation based upon your comments.

Ms. Tanner suggested adding a minimum number of meetings per year for the MTA.

Ms. Kaletta MOTIONED to add that the Board of Trustees meet a minimum of 6 times per year, Mr. Mena SECONDED and the motion PASSED with a vote of 4:1.

Mr. Stermer: What Mr. Tolces just did with regard to the Mayor – in 12.06 C line 2, you still have reports to the Mayor, and after that, it follows the County Commission where the Mayor would receive it, so I suggest you delete it from there as well.

The Chair referred to one of Mr. Glickman’s suggestions regarding 12.03 B-4.

Mr. Esack MOTIONED to revise the language in 12.03 B-4 to reflect, “Use Broward County Transit a minimum of 20 trips each month during the 12 months prior to the date of appointment,”

Ms. Tanner AMENDED Mr. Esack’s MOTION to revise the language in Section 12.03 B- 4 number ii and number iii to reflect, “Any public transit provided by Broward County residents a minimum of 20 trips each month during the 12 months prior to their appointment.” and “who currently use Broward County Transit a minimum of 20 trips each month,” Mr. Esack SECONDED and the motion PASSED unanimously.

The Chair referred to another suggestion from Mr. Glickman regarding the language “Continues to use Public Transit.”

Mr. Tolces: Well that was in four and in the last motion I snuck in, the word “who,” but whenever you read the section it will always be currently. So I think we have it covered by including the word who and whenever you read it, it will always say currently.

Ms. Kaletta MOTIONED to move Section 12.05 D to 12.05 A and re-letter accordingly, Ms. Tanner SECONDED and the motion PASSED unanimously.

Mr. Stermer: At the end of 12.02 A modify “for Broward County” and insert “as provided by Broward County.”

Ms. Tanner MOTIONED to change Section 12.02 A, line 3 to read, “Transit system as provided by Broward County,” Mr. Mena SECONDED and the motion PASSED unanimously.

Mr. Stermer: With regard to B, and I am not exactly sure where Mr. Tolces would suggest inserting that the MTA must support the efforts of the MPO in assisting the County Commission in fulfilling the commitment to the Comprehensive Multi-modal Transportation System. As I stated earlier our plans subsume BCT’s plans.

Mr. Esack asked Mr. Stermer if his suggestion was voted on by the MPO.

Ms. West advised that it is okay, because he is the Chair of the MPO.

Mr. Tolces: The suggested amendment is to assist the County Commission and the Broward County Metropolitan Planning Organization in Section 12.02 B.

Mr. Mena MOTIONED to amend Section 12.02 B to have the first line read as follows, “To assist the County Commission and the Broward County Metropolitan Planning Organization in fulfilling Broward County’s commitment,” Ms. Kaletta SECONDED.

Mr. Glickman: If you could say “*the County Commission and all relevant bodies*” – I am saying that because other relevant bodies exist not the least of which is the South Florida Regional Transportation Authority. They have the body mandated by Florida State law to be a regional body, and to leave out by stating only the one and not the other -- I would make it all relevant bodies.

Mr. Tolces: The amendment would be to assist the County Commission and other relevant public bodies.

Mr. Mena AMENDED his motion.

Mr. Mena MOTIONED to amend Section 12.02 B to have the first line read as follows, “To assist the County Commission and other relevant public bodies in fulfilling Broward County’s commitment,” Ms. Kaletta SECONDED and the motion PASSED unanimously.

Mr. Stermer: The last comment I had was with regard to 12.02 C, and it is related to transportation and financing provided pursuant to Florida Statute 339.175.

Mr. Tolces: “Facilitate the adoption of local, state, and federal legislation, including dedicated funding sources, to meet the regional transit needs of Broward County residents throughout the County and the South Florida region, pursuant to Florida Statutes including but not limited to 339.175.” That’s regarding the MPO. So we would add “and the South Florida region pursuant to Florida Statutes including but not limited to FS 339.175 as may be amended from time to time.”

The Chair asked Mr. Stermer for clarification regarding his suggestion.

Mr. Del Rio: The Florida Statute 339.175 means the MPO process in the State of Florida and provides for the establishment of the Board itself and also the processes that the Board utilizes for establishment in the State of Florida. But basically, it creates the MPO Boards in the State of Florida.

Mr. Stermer: And as part of what we do is, we actually fund certain public transportation things that happen in the County. So like part of the community bus is coming out of the MPO funds. So there are specific operational things that the MPO does in addition to planning that might not be seen by the public, which flows through us as the MPO.

Mr. Esack asked Mr. Tolces if attaching the MTA to the MPO would affect the MTA negatively if the MPO were ever ruled against.

Mr. Tolces: I don’t think so, what I could suggest is to include at the end, “subject to review by legal counsel.” So the motion would be to add the term “pursuant to Florida Statutes including but not limited to Florida Statute 339.175 as may be amended from time to time (Subject to General Counsel Review.)

Mr. Del Rio: I just want to add that if any local, state, or federal funding goes through the MPO to the County to operate mass transit.

Ms. Tanner MOTIONED to add the language “pursuant to Florida Statutes including but not limited to Section 339.175 as may be amended from time to time. (Subject to general counsel’s review),” Mr. Esack SECONDED and the motion PASSED unanimously.

The Chair asked if there were any other revisions to the proposal.

Mr. Glickman: I know it is late, but Mr. Stermer recommended that this... you not assume more authority, and recommended that it be called an Advisory Board. I so to recommend – if there's no motion to make it, it will die. I just want to refresh the memory that this was one of the things that was said by two people from the public; that it be called differently from what it is currently, the MTA, thank you.

Mr. Esack asked if the TSC would be able to make any changes at the full CRC meeting.

Multiple members responded yes.

Ms. Tanner suggested leaving the issue open.

Mr. Stermer: I just wanted to thank you Mr. Chairman, the rest of the Committee, and staff. I appreciate it.

The Chair moved to the next order of business.

V. Subcommittee vote to approve recommendation of Resolution 2008-001 to the full Charter Review Commission

Mr. Esack MOTIONED to approve Resolution 2008-001 as amended and to forward same to the full Charter Review Commission for consideration, Mr. Mena SECONDED, and the motion PASSED unanimously.

VI. Adjournment

There being no further discussion and no additional comments the meeting was adjourned at 2:56 p.m. The minutes of this meeting are recorded on CRC-TSC CD # 12.10.07 (BCGV CTR)