

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 503 Tampa Bay Area Regional Transit Authority

SPONSOR(S): Transportation & Infrastructure Subcommittee, Diamond

TIED BILLS: **IDEN./SIM. BILLS:** SB 368

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	13 Y, 0 N, As CS	Johnson	Vickers
2) State Affairs Committee			

SUMMARY ANALYSIS

The Tampa Bay Area Regional Transit Authority (TBARTA) is an agency of the state, covering Hernando, Hillsborough, Manatee, Pasco, and Pinellas counties, whose purpose is to plan, develop, fund, implement, and operate a regional transit system in the Tampa Bay area.

TBARTA's governing board consists of 13 voting members and two non-voting advisors. The 13 voting board members include:

- One county commissioner from each of its five member counties;
- The mayors of the largest municipalities, by population, within the service area of each of the following independent transit agencies: Pinellas Suncoast Transit Authority (St. Petersburg) and Hillsborough Area Regional Transit Authority (Tampa);
- Two members appointed from the governing boards of the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority; and
- Four members from the regional business community.

The bill authorizes mayors who are members of the governing board to designate an alternate who must be a member of the municipality's city council to attend board meetings and to act in their place with full voting rights. The bill provides that a simple majority of board members constitutes a quorum and a simple majority of the voting members present will be necessary for any action to be taken by the governing board. The bill renames the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee as the Chairs Coordinating Committee and deletes the requirement that TBARTA provide administrative support and direction to the committee. Finally, the bill deletes an obsolete provision related to the TBARTA committees.

The bill does not appear to have a fiscal impact on state or local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Tampa Bay Area Regional Transit Authority

Part V of Ch. 343, F.S., creates the Tampa Bay Area Regional Transit Authority (TBARTA),¹ as a body politic and corporate and agency of the state, covering Hernando, Hillsborough, Manatee, Pasco, and Pinellas counties and any other contiguous county that is party to an agreement of participation.²

TBARTA's purpose is to plan, develop, fund, implement, and operate a regional transit system in the Tampa Bay area.³ Under current law, TBARTA is required to produce a regional transit development plan, integrating the transit development plans of participant counties, with priority assigned to regionally significant transit projects and facilities.⁴ This plan is currently under development.⁵

TBARTA's governing board consists of 13 voting members and two non-voting advisors. The secretary of the Department of Transportation (DOT) appoints two non-voting advisors to the board who are the district secretaries for the two DOT districts within TBARTA's designated area. The 13 voting members of the board are as follows:

- The county commissions of Hernando, Hillsborough, Manatee, Pasco, and Pinellas counties each appoint one county commissioner to the board;
- Two members of the board are the mayors of the municipalities with the largest populations⁶ within the service area of each of the following independent transit agencies: Pinellas Suncoast Transit Authority (St. Petersburg) and Hillsborough Area Regional Transit Authority (Tampa);
- The following independent transit agencies each appoint from the membership of their governing bodies one member to the board: Pinellas Suncoast Transit Authority and Hillsborough Area Regional Transit Authority; and
- The Governor appoints four members from the regional business community, each of whom must reside in one of the counties governed by the authority and may not be an elected official.⁷

Seven members of the board constitutes a quorum, and the vote of seven members is necessary for the authority to take any action, which has been interpreted as to require seven members to vote in the affirmative for the board to take any action. The authority may meet upon the constitution of a quorum. A vacancy does not impair the right of a quorum of the board to exercise all rights and the ability to perform all duties of the authority.⁸

Beginning July 1, 2017, TBARTA's Board was required to evaluate the abolishment, continuance, modification, or establishment of the following committees:

- Planning committee;
- Policy committee;
- Finance committee;
- Citizens advisory committee;
- TBARTA Metropolitan Planning Organization Chairs Coordinating Committee;
- Transit management committee; and
- Technical advisory committee.

¹ Prior to 2017, TBARTA was named the Tampa Bay Area Regional Transportation Authority.

² Sections 343.90 and 343.91(1)(a), F.S.

³ Section 343.922(1), F.S.

⁴ Section 343.922(3), F.S.

⁵ Tampa Bay Area Regional Transit Authority Website, <https://www.tbarta.com/en/about/about-tbarta/> (last visited Jan. 30, 2020).

⁶ The municipality with the largest population is determined by the most recent decennial census.

⁷ Section 343.92(2), F.S.

⁸ Section 343.82(8), F.S.

After the Board completed its evaluation, it was required to submit its recommendations for abolishment, continuance, modification, or establishment of the committees to the President of the Senate and the Speaker of the House of Representatives before the beginning of the 2018 Regular Legislative Session.⁹

TBARTA Metropolitan Planning Organization Chairs Coordinating Committee

The TBARTA Metropolitan Planning Organization Chairs Coordinating Committee (committee) is created within TBARTA, and is composed of the metropolitan planning organizations (MPO's)¹⁰ serving Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk, and Sarasota counties. TBARTA is required to provide administrative support and direction to the committee. The committee must, at a minimum:

- Coordinate transportation projects deemed to be regionally significant by the committee;
- Review the impact of regionally significant land use decisions on the region;
- Review all proposed regionally significant transportation projects in the respective transportation improvement programs which affect more than one of the MPO's represented on the committee; and
- Institute a conflict resolution process to address any conflict that may arise in the planning and programming of such regionally significant projects.¹¹

The committee conducts two meetings a year, one in the summer and one in the fall. Every year, the committee receives public comment and adopts the West Central Florida Regional Roadway Network, Transportation Regional Incentive Program Priority Projects, and Regional Multi-Use Trail Priority Projects. The committee transmits these priorities to the District 1 and 7 offices of DOT. The committee also makes a yearly recommendation to TBARTA's Board for the TBARTA Regional Priority Projects.¹²

Effect of the Bill

The bill authorizes the mayors of the largest municipalities within the service areas of the Pinellas Suncoast Transit Authority (St. Petersburg) and the Hillsborough Regional Transit Authority (Tampa) to designate alternates who must be elected members of the municipality's city council. In the event that the mayor is unable to attend a TBARTA board meeting, the mayor's designated alternate must attend the meeting on the mayor's behalf and has the full right to vote. Each mayor's designee must be an elected member of the municipality's city council and be approved as the mayor's designated alternate by the municipality's city council.

The bill revises the quorum requirements for TBARTA's board meeting, allowing for a simple majority of the TBARTA board to constitute a quorum, and a simple majority of the voting members present to be necessary for any action to be taken by the board.

The bill removes obsolete language requiring TBARTA to evaluate the abolishment, continuance, modification, or establishment of select TBARTA committees and submit those recommendations to the President of the Senate and the Speaker of the House of Representatives before the beginning of the 2018 Regular Session.

The bill renames the TBARTA Metropolitan Planning Organization Chairs Coordinating Committee as the Chairs Coordinating Committee, modifies its organization so it is no longer created within TBARTA, and deletes the requirement that TBARTA provide administrative support and direction to the committee. The bill does not change the committee's membership.

The bill also removes requirements that TBARTA present regional transit development plans to the committee and coordinate plans and projects with the committee.

⁹ Section 343.92(9), F.S.

¹⁰ Metropolitan Planning Organizations are federally-required transportation planning entities in urbanized areas with populations of 50,000 or more.

¹¹ Section 339.175(6)(i), F.S.

¹² Tampa Bay Area Regional Transit Authority, *MPOs Chairs Coordinating Committee*, available at <https://tbarta.com/en/boards-committees/mpos-chairs-coordinating-committee/> (last visited Feb. 4, 2020).

B. SECTION DIRECTORY:

Section 1 amends s. 339.175, F.S., relating to metropolitan planning organizations.

Section 2 amends s. 343.92, F.S., relating to the Tampa Bay Area Regional Transit Authority.

Section 3 amends s. 343.922, F.S., providing TBARTA's powers and duties.

Section 4 provides an effective date of July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill does not appear to impact state revenues.

2. Expenditures:

The bill does not appear to impact state expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not appear to impact local government revenues.

2. Expenditures:

The bill does not appear to impact local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

This bill does not provide a grant of rulemaking authority, nor does it require rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On February 4, 2020, the Transportation & Infrastructure Subcommittee adopted a strike-all amendment and reported the bill favorably as a committee substitute. The strike-all amendment:

- Renamed the TBARTA Metropolitan Planning Organization's Chairs Coordinating Committee as the Chairs Coordinating Committee and deletes the requirement that TBARTA provide administrative support and direction to the committee;
- Required the mayor's designee to be an elected official of the city council of the mayor's municipality and be approved by such body;
- Provided that a simple majority of board members constitutes a quorum and a simple majority of the voting members present will be necessary for any action to be taken by the board;
- Deleted an obsolete provision related to TBARTA committees; and
- Removed provisions from the bill authorizing members to attend meetings telephonically or electronically.

This analysis is drafted to the committee substitute as reported favorably by the Transportation & Infrastructure Subcommittee.