

RESOLUTION NO.: 709

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT FOR THE TREASURE COAST REGIONAL TRANSIT ORGANIZATION AND APPOINTING A REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO THE REGIONAL TRANSIT ORGANIZATION BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Sewall's Point, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Joint Martin Metropolitan Planning Organization (MPO)-St. Lucie Transportation Planning Organization (TPO) Policy Board completed a Regional Transit Development Plan (TDP) Major Update 2010-2019 in September, 2009; and

WHEREAS, part of that work effort included a Transit Authority Action Plan that recommends the formation of a regional transit organization (RTO) by the year 2010; and

WHEREAS, an RTO will serve as a working group that will provide a forum to address the operational, financial, planning, and organization issues related to the provision of public transit in Martin and St. Lucie counties; and

WHEREAS, at the February 18, 2010, Joint Martin MPO-St. Lucie TPO Meeting, the Joint Policy Board approved the composition of an RTO, made up of the following members: one representative from the Martin County Board of County Commissioners (BOCC); one representative from the St. Lucie County BOCC; one elected representative from each of the cities of Stuart, Port St. Lucie, and Fort Pierce; one elected representative from the Town of Sewall's Point; one representative from the Economic Council of Martin County, Inc.; one representative from the Economic Development Council of St. Lucie County, Inc.; and one representative from the Florida Department of Transportation (FDOT)-District IV; and

WHEREAS, Martin County and St. Lucie County will have equal representation on the RTO Board, and each member entity is to appoint one alternate member to serve in the absence of the regular voting member. If the regular voting member is an elected official, his/her alternate must also be an elected official; and

WHEREAS, the RTO approved the Interlocal Agreement for the Treasure Coast Regional Transit Organization (the "Interlocal Agreement") at its April 19, 2010 meeting and has requested Martin County and the participating municipalities to review and approve the same; and

WHEREAS, pursuant to Florida Statutes, section 163.01, the Interlocal Agreement establishes the Treasure Coast Regional Transit Organization and sets forth its organization, procedures, powers and duties; and

WHEREAS, the Town Commission wishes to approve the Interlocal Agreement and to appoint an elected representative and an elected alternate to the RTO Board; and

WHEREAS, the Town Commission finds that the Interlocal Agreement and the Town's participation as an RTO Board Member furthers the public health, safety and general welfare of the residents and citizens of the Town.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. The Mayor is authorized to execute the Interlocal Agreement in a form similar to the form attached hereto and incorporated herein as Exhibit "A."

Section 3. The Town Commission hereby appoints
Cmsr. Bausch as its elected representative and

V. Mayor Thurlow-Lippisch as its alternate elected representative for the RTO Board.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

	<u>AYE</u>	<u>NAY</u>
MARK KLINGENSMITH, MAYOR	<input checked="" type="checkbox"/>	___
JACQUI THURLOW-LIPPISCH, VICE MAYOR	<input checked="" type="checkbox"/>	___
PAUL SCHOPPE, Commissioner	<input checked="" type="checkbox"/>	___
TOM BAUSCH, Commissioner	<input checked="" type="checkbox"/>	___
PAM BUSHA, Commissioner	<input checked="" type="checkbox"/>	___

The Town Manager thereupon declared this Resolution No. 709 approved and adopted by the Town Commission of the Town of Sewall's Point on this 21st day of July, 2010.

TOWN OF SEWALL'S POINT, FLORIDA

Robert Kellogg
Robert Kellogg, Town Manager

ATTEST:

Ann-Marie S. Basler
Ann-Marie S. Basler, Town Clerk

(TOWN SEAL)

Glen J. Torcivia
Glen J. Torcivia, Town Attorney
Florida Bar No. 343374
Approved as to form and legal sufficiency

DRAFT

**INTERLOCAL AGREEMENT FOR THE
TREASURE COAST REGIONAL TRANSIT ORGANIZATION**

This Interlocal Agreement, entered into by the Martin County Board of County Commissioners, the St. Lucie County Board of County Commissioners, the City of Stuart, the City of Port St. Lucie, the City of Fort Pierce, the Town of Sewall's Point; the Economic Council of Martin County, Inc., the Economic Development Council of St. Lucie County, Inc., and the Florida Department of Transportation-District IV.

WITNESSETH

WHEREAS, the Joint Martin Metropolitan Planning Organization (MPO)-St. Lucie Transportation Planning Organization (TPO) Board completed a Regional Transit Development Plan (TDP) Major Update 2010-2019 in September, 2009; and

WHEREAS, this study, otherwise known as the "Regional TDP", includes a Transit Authority Action Plan that recommends the formation of a regional transit organization (RTO) by the year 2010; and

WHEREAS, a Regional Transit Summit was held on January 8, 2010, at the Tradition Town Hall in Port St. Lucie to facilitate the consensus-building process for creation of an RTO; and

WHEREAS, the RTO, as recommended, will provide a forum to address operational, financial, planning and organizational issues related to the provision of public transportation in Martin County, Florida, and St. Lucie County, Florida; and

WHEREAS, as recommended, this RTO will seek to promote the cost efficient and effective delivery of existing and improved transit services with existing resources; and

WHEREAS, this RTO has been charged with the development of a strategy for the creation of, and transition to, a regional transit authority (RTA).

NOW, THEREFORE, the parties, in consideration of the mutual promises and covenants hereinafter set forth, agree as follows:

Section 1. Purpose

Martin County Board of County Commissioners (BOCC), the St. Lucie County BOCC, the cities of Stuart, Port St. Lucie, and Fort Pierce, the Town of Sewall's Point, the Economic Council of Martin County, Inc., the Economic Development Council of St. Lucie County, Inc., and the Florida Department of Transportation (FDOT) – District IV recognize the need to create a regional forum to promote shared goals for improved public transportation. The reasons for a Treasure Coast RTO include the following:

- Develop a recommended strategy for the transition to, and creation of, an RTA;
- Provide for efficiencies in the delivery of existing regional transit service;

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- Provide improved services with existing resources;
- Provide public transit information to the public;
- Provide a regional forum for deliberation on public transportation issues of mutual interest;
- Provide a regional voice for agreed upon public transportation policies, plans, and programs;
- Review funding constraints and opportunities and provide recommendations on funding;
- Provide a forum to respond to commuter concerns and travel needs in a timely manner; and
- Promote and work toward a seamless regional public transportation system.

Section 2. Definitions

- a. "Board" shall mean the board of the Treasure Coast RTO.
- b. "Public transportation" shall mean surface transportation of people by means, without limitation, of motor bus, passenger rail, or any bus or other means of conveyance operating as a common carrier within the regional transportation area.
- c. "Public transportation system" shall mean, without limitation, a combination of vehicles, equipment, or facilities used or useful for the purposes of public transportation connections.
- d. "RTO" shall mean the Treasure Coast Regional Transit Organization.
- e. "Regional transportation area" shall mean that area identical to the boundaries of Martin and St. Lucie counties.
- f. "Regional bus routes" shall mean inter-county bus routes designated by the RTO Board.
- g. "Intermodal connections" shall mean the system-wide connection of public transportation modes, including the connection of bus service to ports, airports, and other public and private transportation systems.

Section 3. Creation of the Treasure Coast Regional Transit Organization (RTO)

There is hereby created and established pursuant to Section 163.01, Florida Interlocal Cooperation Act of 1969, Florida Statutes, a separate entity to be known as the Treasure Coast Regional Transit Organization (RTO).

Section 4. RTO Board

- a. The Board of the RTO shall be comprised of nine (9) members to include one (1) elected official from the Martin BOCC; one (1) elected official from the St. Lucie BOCC; one (1) elected official from the City of Stuart; one (1) elected official from the City of Port St. Lucie; one (1) elected official from the City of Fort Pierce; one (1) elected official from the town of Sewell's Point; one (1) representative from the Economic Council of Martin County, Inc.; one (1) representative from the Economic Development Council of St. Lucie County, Inc.; and one (1) representative from the Florida Department of Transportation (FDOT).

Member appointments shall be made at an official meeting of the governmental entity. The FDOT-District Four Secretary shall appoint the FDOT representative. Each member entity shall appoint one (1) alternate member to serve in the absence of the regular voting member. If the regular voting member is an elected official, his/her alternate must also be an elected official.

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Additional members may be added to the RTO through amendments to this Interlocal Agreement.

- b. A chairman and vice chairman shall be elected from the membership at the first scheduled meeting of each calendar year and shall hold office no more than two consecutive years. Any member may nominate or be nominated as an officer. All officers shall be elected by a majority vote at a meeting where a quorum is present.
- c. A majority of the membership shall constitute a quorum. A quorum must be present at all meetings.
- d. The RTO Board shall meet at least quarterly at a date, time, and place acceptable to a majority of the members. At the last scheduled meeting of a calendar year, the Board shall adopt a regular meeting schedule for the next calendar year.
- e. Special meetings of the RTO may be called by the chairman, or in the absence of the chairman, by the vice chairman upon at least 24 hours notice. Special meetings may also be called on the initiative of six (6) or more voting members petitioning the chairman.

Section 5. Advisory Committees

- a. At their first meeting, the RTO shall appoint a Transit Technical Advisory Committee (TTAC), consisting of technical staff from each of the participating jurisdictions. The TTAC shall provide technical recommendations to the RTO Board on public transportation issues related to the planning and implementation of a regional transit system.
- b. The RTO may establish and maintain subcommittees, as necessary, to address specific subject areas such as marketing and service planning. These subcommittees will report to either the TTAC or RTO Board, as directed by the Board.

Section 6. Staff Support

The Martin MPO and St. Lucie TPO staff shall provide administrative support to the RTO Board and TTAC to include the preparation and distribution of meeting packets and announcements and the documentation of RTO activities.

Section 7. Powers and Duties of the RTO

The RTO shall be a planning organization with those powers specifically granted to it by the parties as set forth herein. The RTO is to exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of the purposes for which it was created, including, but not limited to, the rights and powers set forth herein.

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The RTO:

- a. Shall develop a strategy for the creation of, and transition to, a regional transit authority to provide regional public transportation and coordinate with transit providers along the Treasure Coast and in areas of southeast Florida.
- b. Shall review the operational and capital expenditures for public transportation systems in Martin and St. Lucie counties and make recommendations to the respective service providers regarding the coordinated funding of such public transportation systems.
- c. Shall prioritize congressional earmark and appropriations requests for public transportation capital and operating projects and coordinate Federal Transit Administration (FTA) formula funds request.
- d. Shall develop recommendations on the coordinated service and funding of regional bus routes, including those routes crossing county lines into Palm Beach and Indian River counties.
- e. Shall develop a Common Service Plan for seamless public transportation to include elements related to marketing, fare policy, route modifications, and service development, coordinating with transit providers in Palm Beach and Indian River counties.
- f. Shall create a plan for a coordinated public information system for public transportation with an emphasis on "one stop shopping" for public transportation information along the Treasure Coast and in areas of southeast Florida. This effort will include the publication of a regional "Ride Guide".
- g. Shall be the regional forum for addressing and resolving regional public transportation issues as requested by one or more signatory agencies to the Interlocal Agreement.

The RTO may be given additional powers by amendment to this agreement as approved by the parties to this agreement.

Section 8. Duration of Agreement and Withdrawal Procedure

This Agreement shall remain in effect until terminated by the parties to this Agreement. Any party may withdraw from said Agreement after presenting in written form a notice of intent to withdraw to the other parties, at least 90 days prior to the intended date of withdrawal.

Section 9. Amendment of Agreement

Amendments to or modifications of this Agreement may only be made by written agreement signed by all parties hereto and shall not be effective until it is filed with the Clerk of the Circuit Court of each county where a party hereto is located pursuant to Section 163.01(11).

Section 10. Effective Date

This Agreement shall become effective upon execution by all parties hereto and filing with the Clerk of the Circuit Court of each county where a party to this Agreement is located.

DRAFT

IN WITNESS WHEREOF, the undersigned parties have caused this Interlocal Agreement to be duly executed in their behalf and hereby establish the above referenced RTO this _____ day of _____.

BOARD OF COUNTY COMMISSIONERS
OF MARTIN COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS
OF ST. LUCIE COUNTY, FLORIDA

BY: _____
Chairman

BY: _____
Chairman

Approved as to form and correctness:

Approved as to form and correctness:

BY: _____
County Attorney

BY: _____
County Attorney

ATTEST: _____
Clerk

ATTEST: _____
Clerk

CITY OF STUART

CITY OF FORT PIERCE

BY: _____
Mayor

BY: _____
Mayor

Approved as to form and correctness:

Approved as to form and correctness:

BY: _____
City Attorney

BY: _____
City Attorney

TOWN OF SEWALL'S POINT

CITY OF PORT ST. LUCIE

BY: _____
Mayor

BY: _____
Mayor

Approved as to form and correctness:

Approved as to form and correctness:

BY: _____
Town Attorney

BY: _____
City Attorney

DRAFT

ECONOMIC COUNCIL OF
MARTIN COUNTY, INC.

BY: _____
Chair

Approved as to form and correctness:

BY: _____
Attorney

ECONOMIC DEVELOPMENT COUNCIL OF
OF ST. LUCIE COUNTY, INC.

BY: _____
Chair

Approved as to form and correctness:

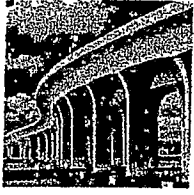
BY: _____
Attorney

FLORIDA DEPARTMENT OF TRANSPORTATION
DISTRICT IV

BY: _____
District Secretary

Approved as to form and correctness:

BY: _____
FDOT Legal Counsel



MARTIN MPO

METROPOLITAN PLANNING ORGANIZATION

2401 S.E. Monterey Rd.
Stuart, Florida 34996
<http://www.martinmpo.com>

May 20, 2010

MICHAEL MORTELL
Chairman
Mayor For
The City Of Stuart

DOUG SMITH
Vice-Chairman
Martin County Commissioner

EDWARD CIAMPI
Martin County Commissioner

PATRICK HAYES
Martin County Commissioner

SARAH HEARD
Martin County Commissioner

MARY L. HUTCHINSON
Commissioner For
The City Of Stuart

TOM BAUSCH
Commissioner For
The Town Of Sewall's Point

Mr. Peter Buchwald
Executive Director
St. Lucie TPO
2300 Virginia Avenue
Fort Pierce, FL 34982-5652

Re: **Regional Transit Organization (RTO) Interlocal Agreement**

Peter
Dear Mr. Buchwald:

The purpose of this letter is to update you on Martin's status of the RTO Interlocal Agreement review as directed by the Joint Martin MPO-St. Lucie TPO Policy Board at their February 18, 2010, meeting. On April 19, 2010, the Martin MPO approved the attached RTO Interlocal Agreement which was emailed to you on March 26th. This Interlocal Agreement is on the agenda for the May 24th City of Stuart Commission meeting and on the agenda for the May 25th Martin County Board of County Commissioners meeting. The Town of Sewall's Point Commission will discuss the Agreement during their June 8th Workshop.

Please let me know when you will be sending out the agenda package for the June 17th Joint Policy Board Meeting, so I can forward to you the results of the Boards' discussions before your deadline.

Thank you.

Sincerely,

Beth Beltran

Beth Beltran
MPO Administrator

Attachment

cc: Joint Martin MPO-St. Lucie TPO Policy Board Members
Taryn Kryzda, Martin County
Don Donaldson, Martin County
Dan Hudson, City of Stuart
Robert Kellogg, Town of Sewall's Point

TELEPHONE:
(772) 221-1498

FAX:
(772) 221-2389

DRAFT

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The Martin MPO and St. Lucie TPO staff shall provide administrative support to the RTO Board and TTAC to include the preparation and distribution of meeting packets and announcements and the documentation of RTO activities.

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DRAFT

The RTO:

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- g. Shall be the regional forum for addressing and resolving regional public transportation issues as requested by one or more signatory agencies to the Interlocal Agreement.

The RTO may be given additional powers by amendment to this agreement as approved by the parties to this agreement.

Section 8. Duration of Agreement and Withdrawal Procedure

This Agreement shall remain in effect until terminated by the parties to this Agreement. Any party may withdraw from said Agreement after presenting in written form a notice of intent to withdraw to the other parties, at least 90 days prior to the intended date of withdrawal.

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Section 10. Effective Date

This Agreement shall become effective upon execution by all parties hereto and filing with the Clerk of the Circuit Court of each county where a party to this Agreement is located.

DRAFT

IN WITNESS WHEREOF, the undersigned parties have caused this Interlocal Agreement to be duly executed in their behalf and hereby establish the above referenced RTO this _____ day of _____.

BOARD OF COUNTY COMMISSIONERS
OF MARTIN COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS
OF ST. LUCIE COUNTY, FLORIDA

BY: _____
Chairman

BY: _____
Chairman

Approved as to form and correctness:

Approved as to form and correctness:

BY: _____
County Attorney

BY: _____
County Attorney

ATTEST: _____
Clerk

ATTEST: _____
Clerk

CITY OF STUART

CITY OF FORT PIERCE

BY: _____
Mayor

BY: _____
Mayor

Approved as to form and correctness:

Approved as to form and correctness:

BY: _____
City Attorney

BY: _____
City Attorney

TOWN OF SEWALL'S POINT

CITY OF PORT ST. LUCIE

BY: _____
Mayor

BY: _____
Mayor

Approved as to form and correctness:

Approved as to form and correctness:

BY: _____
Town Attorney

BY: _____
City Attorney

DRAFT

ECONOMIC COUNCIL OF
MARTIN COUNTY, INC.

ECONOMIC DEVELOPMENT COUNCIL OF
OF ST. LUCIE COUNTY, INC.

BY: _____
Chair

BY: _____
Chair

Approved as to form and correctness:

Approved as to form and correctness:

BY: _____
Attorney

BY: _____
Attorney

FLORIDA DEPARTMENT OF TRANSPORTATION
DISTRICT IV

BY: _____
District Secretary

Approved as to form and correctness:

BY: _____
FDOT Legal Counsel