

RESOLUTION NUMBER R2013-49

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA AMENDING RESOLUTION R2009-202 TO PROVIDE A TERM FOR COMMITTEE MEMBERS APPOINTED TO THE ESCAMBIA COUNTY MASS TRANSIT ADVISORY COMMITTEE BY THE CITY COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Escambia County Board of County Commissioners previously adopted Resolution Number R2009-202 establishing the Escambia County Mass Transit Advisory Committee; and

WHEREAS, by Board action on April 18, 2013, this Board previously approved R2013-44, amending Section 4 of Resolution 2009-202 to authorize the Pensacola City Council to appoint a representative to the Escambia County Mass Transit Advisory Committee; and

WHEREAS, the Board now wishes to amend Section 5 of Resolution R2009-202 to provide a term of office for committee members appointed by the Pensacola City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. Recitals. That the above recitals are true and correct and incorporated herein by reference.

Section 2. Amendment. That Section 5 of Resolution 2009-202 is hereby amended to read as follows:

SECTION 5. TERMS OF COMMITTEE MEMBERS.

a. **Terms.** Committee members appointed by County Commissioners shall serve a term that runs concurrently with the term of the County Commissioner or Mayor who appointed them. The Committee members appointed by the County Administrator and City Council shall each serve a term of four (4) years.

b. **Removal.** Should any Committee member cease to be an elector of the County, he or she shall cease to be a Committee member. The official who nominated the Committee member shall replace him or her, subject to confirmation by the Board of County Commissioners. Committee members may also be removed by the Board of County Commissioners at the recommendation of the official who nominated him or her. Additionally, the Committee shall recommend to the Board of County Commissioners the removal of a Committee member who accrues

Verified By: Otavia
Date: 5/7/2013

three unexcused absences from regularly-scheduled meetings of the Committee during the calendar year. Absences may be excused by a vote of the members present at any meeting.

Section 3. Severability. That if any section, sentence, clause or phrase of this Resolution is held invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 4. Effective Date. That this Resolution shall take effect immediately upon adoption by the Board of County Commissioners.

ADOPTED this 2nd day of May 2013.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: [Signature]
Gene M. Valentino, Chairman

ATTEST: Pam Childers
Clerk of the Circuit Court



By: [Signature]
Deputy Clerk

Date Executed
May 2, 2013

This document approved as to form and legal sufficiency.

By: [Signature]
Title: [Signature]
Date: 4/30/13

4/18/2013/CAR I-13

RESOLUTION NUMBER R2013-44

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA AMENDING RESOLUTION R2009-202 BY AUTHORIZING THE PENSACOLA CITY COUNCIL TO APPOINT A MEMBER TO THE ESCAMBIA COUNTY MASS TRANSIT ADVISORY COMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Escambia County Board of County Commissioners previously adopted Resolution Number R2009-202 establishing the Escambia County Mass Transit Advisory Committee (attached hereto as Exhibit A); and

WHEREAS, the Pensacola City Council has requested that the Board of County Commissioners authorize the City Council to appoint a representative to the Escambia County Mass Transit Advisory Committee in addition to the Mayoral appointment; and

WHEREAS, the Board now wishes to amend Section 4 of Resolution R2009-202 to authorize the Pensacola City Council to appoint a representative to the Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. Recitals. That the above recitals are true and correct and incorporated herein by reference.

Section 2. Amendment. That Section 4 of Resolution 2009-202 is hereby amended to read as follows:

SECTION 4. COMPOSITION AND SELECTION OF THE COMMITTEE.

The Committee shall consist of ~~thirteen (13)~~ fourteen (14) members and shall be selected as follows:

- a. Each County Commissioner shall appoint two members.
- b. The Escambia County Administrator shall appoint one member.
- c. The Mayor of the City of Pensacola shall appoint one member.
- d. The Mayor of the Town of Century shall appoint one member.
- e. The City Council shall appoint one member.

Date: 4/22/2013 Verified By: D. Harris

All appointments shall be subject to confirmation by a majority vote of the Board of County Commissioners. All committee members shall be electors of Escambia County.

Section 3. Severability. That if any section, sentence, clause or phrase of this Resolution is held invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 4. Effective Date. That this Resolution shall take effect immediately upon adoption by the Board of County Commissioners.

ADOPTED this 18th day of April 2013.

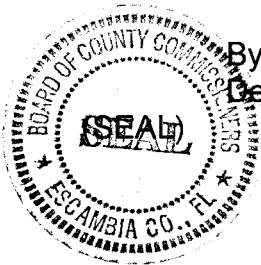
BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: *Gene M. Valentino*
Gene M. Valentino, Chairman

ATTEST: Pam Childers
Clerk of the Circuit Court

Date Executed

April 18, 2013



By: *Doris Harris*
Deputy Clerk

This document approved as to form
and legal sufficiency

By: *Austin Reed*
Title: ACF
Date: 4/4/13

Escambia County
Clerk's Original
10/1/2009 CAR F-17

RESOLUTION NUMBER R2009- 202

A RESOLUTION ESTABLISHING THE ESCAMBIA COUNTY MASS TRANSIT ADVISORY COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 125.01(1)(l), Florida Statutes, the Escambia County Board of County Commissioners has the authority to provide and operate public transportation systems in Escambia County, Florida; and

WHEREAS, the Board of County Commissioners has exercised this authority by creating Escambia County Area Transit (ECAT), a mass transit entity that provides public transportation to the citizens of Escambia County; and

WHEREAS, the Board of County Commissioners has previously established a temporary ECAT Citizens Advisory Committee to review and report on ECAT performance; and

WHEREAS, in its final report, the ECAT Citizens Advisory Committee recommended the creation of a permanent Escambia County Mass Transit Advisory Committee that would advise the Board of County Commissioners on mass transit issues in Escambia County and that would help facilitate a community vision for mass transit in Escambia County; and

WHEREAS, the Board of County Commissioners accordingly finds that an Escambia County Mass Transit Advisory Committee would serve a public purpose by assisting the Board in developing and maintaining effective and efficient mass transit systems in Escambia County.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS.

The aforementioned recital clauses are hereby incorporated into this Resolution.



Date: 10/16/2009 Verified By: J. Carver

SECTION 2. ESTABLISHMENT.

The Escambia County Board of County Commissioners hereby establishes the Escambia County Mass Transit Advisory Committee (“the Committee”).

SECTION 3. DUTIES OF THE MASS TRANSIT ADVISORY COMMITTEE.

The Committee shall have the following duties and responsibilities:

- a. Establish a set of benchmarks to periodically evaluate the service and management of existing public mass transit systems operating in Escambia County.
- b. Set short range and long range goals for increasing ridership, expanding routes, and instituting new mass transit services.
- c. Assist the Board of County Commissioners, the County Administrator, and ECAT Management in developing partnerships with industry groups and employers to foster economic development.
- d. Identify opportunities for inter-governmental or regional transportation alliances with entities both within Escambia County and outside of Escambia County.

SECTION 4. COMPOSITION AND SELECTION OF THE COMMITTEE.

The Committee shall consist of thirteen (13) members and shall be selected as follows:

- a. Each County Commissioner shall appoint two members.
- b. The Escambia County Administrator shall appoint one member.
- c. The Mayor of the City of Pensacola shall appoint one member.
- d. The Mayor of the Town of Century shall appoint one member.

All appointments shall be subject to confirmation by a majority vote of the Board of County Commissioners. All Committee members shall be electors of Escambia County.

SECTION 5. **TERMS OF COMMITTEE MEMBERS.**

a. **Terms.** Committee members appointed by County Commissioners shall serve a term that runs concurrently with the term of the County Commissioner or Mayor who appointed them. The Committee members appointed by the County Administrator shall each serve a term of four (4) years.

b. **Removal.** Should any Committee member cease to be an elector of the County, he or she shall cease to be a Committee member. The official who nominated the Committee member shall replace him or her, subject to confirmation by the Board of County Commissioners. Committee members may also be removed by the Board of County Commissioners at the recommendation of the official who nominated him or her. Additionally, the Committee shall recommend to the Board of County Commissioners the removal of a Committee member who accrues three unexcused absences from regularly-scheduled meetings of the Committee during the calendar year. Absences may be excused by a vote of the members present at any meeting.

SECTION 6. **OFFICERS.**

a. **Chairperson.** The Committee shall elect a Chairperson to preside at all meetings. The Chairperson shall be elected at the first meeting in January of each year and shall serve until the first meeting in January of the following year. There shall be no term limits for a member to serve as Chairperson.

b. **Vice-Chairperson.** The Committee shall elect a Vice-Chairperson to preside and act on behalf of the Chairperson during his or her absence. The term of office and method of election for the Vice-Chairperson shall be the same as the Chairperson.

SECTION 7. REGULAR MEETINGS.

The Committee shall establish a schedule of regular meetings, which shall be held quarterly during the calendar year. A schedule of each year's regular meetings shall be distributed to all Committee members in December of the preceding calendar year.

SECTION 8. QUORUM AND VOTING.

Seven (7) Committee members shall constitute a quorum for the purpose of conducting business. Each member shall exercise one vote on all matters subject to a vote of the Committee. All matters shall be decided by a majority vote of the members present. No member shall abstain from voting unless the member has a conflict of interest.

SECTION 9. SPECIAL MEETINGS.

The Chairperson may call a special meeting of the Committee on his or her initiative and shall call a special meeting at the request of any four members.

SECTION 10. LOCATION OF MEETING.

Committee meetings shall be held in a public facility of sufficient size to accommodate those present and at such locations as the Committee may determine from time to time.

SECTION 11. RULES OF PROCEDURE.

The Committee shall conduct its meeting in accordance with the current edition of Robert's Rules of Order, except to the extent that the provision thereof is inconsistent with this Resolution.

SECTION 12. SUNSHINE LAW.

The Committee shall be subject to and each member shall be responsible for compliance with the Florida Sunshine Law and the Florida Public Records Act.

SECTION 13. AGENDA.

The Chairperson shall prepare an agenda for all meetings. Any Committee member may request that a matter be placed on the agenda. The agenda and related materials shall be distributed at least one day prior to the meeting date.

SECTION 14. MINUTES.

Minutes shall be kept at each Committee meeting. The written summary of each meeting shall be submitted for approval of the members at the next regular meeting. Each written summary shall reflect the persons in attendance, items discussed, each action taken at the meeting, and the vote of the members on each item presented at the meeting.

SECTION 15. NOTICE OF PUBLIC MEETING.

Notice of regular or special meetings of the Committee and the time and location of each meeting shall be published to the public.

SECTION 16. EFFECTIVE DATE.

That this Resolution shall become effective immediately upon adoption by the Board of County Commissioners.

ADOPTED this 1st day of October, 2009.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Marie Young
By: Marie Young, Chairman

Date Executed

10/2/2009

ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court

By: Liebeth Crew
Deputy Clerk



This document approved as to form and legal sufficiency

By: [Signature]

Title: ASST. COUNTY ATTORNEY

Date: JULY 27, 2009



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-4145 County Administrator's Report 12. 13.
BCC Regular Meeting Technical/Public Service Consent

Meeting Date: 04/18/2013

Issue: Authorize City Council to Appoint a Member to the Escambia County Mass Transit Advisory Committee

From: Joy D. Blackmon, P.E., Department Director

Organization: Public Works

CAO Approval:

A handwritten signature in black ink, appearing to read "Joy D. Blackmon", is written over the "CAO Approval:" label and extends across the line.

RECOMMENDATION:

Recommendation Concerning the Authorization for the City Council to Appoint a Member to the Escambia County Mass Transit Advisory Committee - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the authorization for the Pensacola City Council to appoint a member to the Escambia County Mass Transit Advisory Committee:

- A. Adopt the Resolution amending Resolution R2009-202 and thereby authorizing the Pensacola City Council to appoint a member to the Escambia County Mass Transit Advisory Committee; and
- B. Authorize the Chairman to sign the Resolution.

During the City of Pensacola's Committee of the Whole meeting on March 25, 2013, the Committee requested that the Escambia County Board of County Commissioners authorize the Pensacola City Council to appoint a representative to the Escambia County Mass Transit Advisory Committee in addition to the Mayoral appointment.

Resolution R2009-202, establishing the Escambia County Mass Transit Advisory Committee, was approved by the Board on October 1, 2009. Section 4 of the Resolution defines the composition and selection of the Committee. Presently, each Commissioner appoints two members and the County Administrator, Mayor of the City of Pensacola, and Mayor of the Town of Century each appoint one member, for a total of 13 members.

If this request is granted, each Commissioner will appoint two members, the County Administrator, Mayor of the City of Pensacola, Mayor of the Town of Century, and the Pensacola City Council will each appoint one member, for a total of 14 members.

BACKGROUND:

During the City of Pensacola's Committee of the Whole meeting on March 25, 2013, the Committee requested that the Escambia County Board of County Commissioners authorize the Pensacola City Council to appoint a representative to the Escambia County Mass Transit Advisory Committee (MTAC) in addition to the Mayoral appointment.

Resolution R2009-202, establishing the Escambia County MTAC, was approved by the Board on October 1, 2009. Section 4 of the Resolution defines the composition and selection of the Committee. Presently, each Commissioner appoints two members and the County Administrator, Mayor of the City of Pensacola and Mayor of the Town of Century each appoint one member, for a total of 13 members.

If this request is granted, each Commissioner will appoint two members, the County Administrator, Mayor of the City of Pensacola, Mayor of the Town of Century, and the Pensacola City Council will each appoint one member, for a total of 14 members.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

Kristin Hual, Assistant County Attorney, reviewed and approved the resolution as to form and legal sufficiency on April 4, 2013.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

The City Council will provide the name of an appointee to Transportation and Traffic Operations staff, who will then submit the appropriate documents to the BCC for final approval.

Attachments

Resolution

Exhibit A

City Council CW Minutes
