

**PINELLAS COUNTY METROPOLITAN PLANNING ORGANIZATION  
MINUTES - MEETING OF APRIL 12, 2006**

The Pinellas County Metropolitan Planning Organization, created by the State of Florida in accordance with Title 23 United States Code, Section 134 and Chapter 339.175 Florida Statutes, met in regular session on Wednesday, April 12, 2006 in the chambers of the Pinellas County Commission, 315 Court Street, Clearwater, Florida.

**MEMBERS PRESENT**

Karen Seel, *Chair* - Board of County Commissioners  
Richard Kriseman, *Vice Chair* - City of St. Petersburg Council  
Chris Arbutine - Mayor, City of Belleair Bluffs, representing Pinellas Suncoast Transit Authority  
John Bryan - City of St. Petersburg Council  
Ronnie Duncan - Board of County Commissioners  
David Eggers - City of Dunedin Commission  
Frank Hibbard - Mayor, City of Clearwater  
William Mischler - Mayor, City of Pinellas Park  
Jim Ronecker - City of Oldsmar Council, representing Oldsmar, Safety Harbor, Tarpon Springs  
Robert Stewart - Board of County Commissioners  
Don Skelton, *ex officio* - Secretary, Florida Department of Transportation, District 7

**MEMBERS ABSENT**

Harriet Crozier - City of Largo Commission

**OTHERS PRESENT**

Brian Smith - MPO Executive Director  
Sarah Ward - MPO Transportation Planning Administrator  
Al Bartolotta - MPO Staff  
Brian Beaty - Florida Department of Transportation, District 7  
Paul Bertels - City of Clearwater  
Bob Bowen - Dunedin  
Neil Brickfield - Brickfield & Associates  
Nick Cambas - Greater Pinellas Transportation Management Services  
Cindy Campione - Bay Area Commuter Services  
Bob Clifford - Florida Department of Transportation, District 7  
Rick Eggers - City of Pinellas Park  
Gina Harvey - MPO Staff  
Missy Holyfield - Greater Pinellas Transportation Management Services  
Susan Miller - Greater Pinellas Transportation Management Services  
Bill Peterson - Yellow Cab  
Joel Rey - Tindale-Oliver & Associates  
David Sadowsky - Pinellas County Attorney's Office  
Jerry Samberg - Clearwater  
Agnes Slade - Clearwater  
Ron Slade - Clearwater  
Heather Sobush - MPO Staff  
Roger Sweeney - Pinellas Suncoast Transit Authority  
Bud Williams - Greater Pinellas Transportation Management Services

Matt Wood - First Transit, Inc.  
Pete Yauch - Pinellas County Public Works  
Carolyn Kuntz - MPO Recorder  
Harriet McKay - MPO Staff Secretary

**I. CALL TO ORDER**

Chair Seel called the meeting to order at 1:07 p.m.

**II. INVOCATION AND PLEDGE**

Commissioner Ronecker gave the invocation and led the Pledge of Allegiance to the Flag.

**III. NEW MPO MEMBER**

Chair Seel announced that the City of Largo's new representative to the MPO is Vice Mayor Harriet Crozier, replacing Mayor Pat Gerard.

**IV. CITIZENS TO BE HEARD**

Cindy Campione, Marketing Manager for Bay Area Commuter Services (BACS), addressed the board. She said that BACS supports the three projects currently being considered for the \$3 million federal earmark. She asked that BACS' commuter assistance outreach projects be considered for any funds that might remain from the earmark.

Chair Seel responded that the three projects being considered for the earmark will probably consume all those funds. She expressed the MPO's appreciation of the good work that BACS is doing in Pinellas County.

**V. CONSENT AGENDA**

- A. Approval of Minutes - Meeting of March 8, 2006
- B. Approval of Invoices
  - 1. Renaissance Planning Group
  - 2. Tindale-Oliver & Associates
  - 3. American Consulting Engineers
  - 4. HNTB
- C. Acceptance of FY 2004/05 MPO Audit
- D. Endorsement of Joint Certification Statement
- E. Approval of Transportation Disadvantaged Trip/Equipment Grant for FY 2006/07
- F. Approval of Transportation Disadvantaged Planning Grant for FY 2006/07
- G. Approval of Travel to State Transportation Disadvantaged Conference
- H. Approval of Printing - MPO Road Maps
- I. Approval of Printing - Regional Newsletter of West Central Florida MPOs Chairs Coordinating Committee

ACTION: Councilmember Bryan moved to approve the consent agenda, Commissioner Duncan seconded the motion, and the motion carried.
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## VI. PUBLIC HEARING - BICYCLE/PEDESTRIAN MASTER PLAN

Al Bartolotta of MPO staff reviewed the "Pinellas County Bicycle and Pedestrian Master Plan." It has been in development since April 2005. The Plan revolves around the MPO's goals as stated in the Long Range Transportation Plan. A copy of the Plan was included with meeting materials.

A public workshop was held in March. The Plan will go to the advisory committees for a final review before returning to the MPO in May for final action.

Chair Seel opened the public hearing.

\*At 1:21 p.m., Mayor Arbutine arrived.

Roy Slade, a resident of Clearwater, addressed the board. He said that he was walking in Clearwater Beach when he was hit by a cyclist. He thanked Mayor Hibbard for his personal response at that time. Mr. Slade said that he was almost hit by cyclists two other times while walking on the new Clearwater Bridge. He urged the MPO to remain concerned about the safety of the county's citizens and to move forward with the Bicycle/Pedestrian Master Plan. Signage for instructing cyclists will be important.

Mayor Hibbard said that the City of Clearwater is working with the FDOT on a plan to stripe the bridge for pedestrians and cyclists. Signs will be posted instructing cyclists to give advance warning to pedestrians when they are approaching them.

There was no further public comment. The public hearing was closed.

Councilmember Kriseman asked if the Plan had any provision for a comprehensive review of State statutes to see if an amendment to them would be warranted. Mr. Smith responded that the Pedestrian Transportation Advisory Committee is doing this. Councilmember Kriseman noted that the City of St. Petersburg is examining safety in terms of changing peoples' behavior.

Mayor Hibbard said that the City of Clearwater had worked with State legislators two years ago in an effort to pass a bill that would increase the fines for speeding through neighborhoods. However, they could find no sponsor for the bill.

Commissioner Stewart asked why the public hearing was taking place at this month's MPO meeting when the Plan was still under review by the advisory committees. Mr. Smith responded that the public hearing had been announced before the Technical Coordinating Committee requested an opportunity to make a further review. Another public hearing could be scheduled if the MPO wishes to hold one.

<p><b>ACTION:</b> Councilmember Bryan moved to defer action on the Bicycle and Pedestrian Master Plan until the May MPO meeting. Mayor Hibbard seconded the motion, and the motion carried.</p>
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Chair Seel asked Mr. Bartolotta to send board members a copy of his presentation.

## VII. PINELLAS MOBILITY INITIATIVE STATUS REPORT

*(This item was originally published as Agenda Item VIII.)*

This agenda item was continued from last month's MPO meeting. Commissioner Duncan reviewed that at that time, the MPO allocated a \$3 million federal earmark. The City of St. Petersburg will receive \$2.3 million for its Bus Rapid Transit (BRT) Project from Downtown to the Beaches. This project is being planned with the Pinellas Suncoast Transit Authority (PSTA). The balance of the dollars was prioritized for a Countywide BRT study. Also as authorized at last month's meeting, the PMI Steering Committee, working with a consultant, has developed a scope and proposal for the Countywide study.

Mr. Smith said that the earmark is a "three-legged stool" and all the parts must be in place before the earmark funds are released. The Countywide BRT study would be a joint venture between the MPO and the Center for Urban Transportation Research (CUTR), with the assistance of their general planning consultants, to complete a set of tasks to identify the corridors with BRT potential. That work would cost \$275,000. There is a proposed option, at a cost of \$100,000, to prepare two detailed corridor plans. The PMI Steering Committee has recommended that the MPO fully fund this proposed joint venture, including the option, for \$375,000.

Joel Rey, Senior Project Manager with Tindale-Oliver and Associates, representing CUTR and Kittelson and Associates, gave a PowerPoint presentation that reviewed the scope of the proposal. He first gave a brief overview of BRT itself, explaining what it is and showing pictures of several systems in the U.S. and the world. The lowest levels of BRT are currently operating in Pinellas County as the 100X and 300X lines to Hillsborough County. Mr. Rey then explained the scope of services and its eight tasks. A copy of the "Scope of Services - Countywide Bus Rapid Transit Plan and Corridor Prioritization" was included with meeting materials along with a copy of Mr. Rey's PowerPoint presentation.

It is possible that the BRT implementation plan will meet criteria for funding through the Federal Small Starts Program. However, criteria for that program are still being developed and have not been published.

Commissioner Duncan noted that the PSTA had participated in the drafting of the scope and proposal. Information from the McMullen-Booth Road Study would be included in the BRT study.

The third "leg" of the earmark is the Clearwater guideway project from Downtown to Clearwater Beach. There is approximately \$600,000 left of the earmark that could be spent. The project hasn't been excluded. The question is how to move forward on this project when the board doesn't have enough information. At the PMI meeting, the Florida Department of Transportation (FDOT) offered to examine what has been done on the guideway and how it might meet criteria for funding.

At the MPO's May meeting, the board will finalize all three projects to permit the receipt of the earmark. Also, the names of the members of a steering committee will be submitted.

**ACTION:** Councilmember Bryan moved approval of the PMI Steering Committee's recommendation to spend \$375,000 to do the Countywide BRT study, including the option of the detailed plans for two corridors. Mayor Hibbard seconded the motion, and the motion carried.

### **VIII. LOCAL COORDINATING BOARD**

*(This item was originally published as Agenda Item VII.)*

#### **A. MPO Request for Proposal (RFP) Bid/Proposal Protest Procedure**

Staff reported that the MPO has not adopted a procedure for submitting protests during a Request for Proposal (RFP) process. County Attorney David Sadowsky was asked to draft a procedure, which was presented for the board's review and approval. The procedure was modeled after the County's procedure for protests

**ACTION:** Mayor Hibbard moved approval of the proposed MPO RFP bid/proposal protest procedure. Mayor Mischler seconded the motion, and the motion carried.

#### **B. Extension of GPTMS Contract**

Staff reported that Greater Pinellas Transportation Management Services had rejected the MPO's offer of a one-month extension of its current contract, due to expire on May 31, 2006. GPTMS had counter-offered with an extension of nine to twelve months.

No action was taken on this item.

\*At 1:59 p.m., Councilmember Bryan left.

#### **C. LCB Recommendation on Management Entity for TD Program**

\*At 2:00 p.m., Councilmember Bryan returned.

Through an RFP process, three proposals were received from firms seeking to become the management entity for the TD Program. On March 21, the RFP Evaluation Subcommittee met and ranked the firms in order of preference. That order was #1 First Transit, #2 GPTMS, and #3 MV Transit. The Local Coordinating Board met on March 28 and passed a motion to rank the firms #1 GPTMS, #2 First Transit, and #3 MV Transit. That vote was later declared invalid because the chairman's vote was incorrectly discounted. The LCB met again on April 10 in emergency session to vote to make a recommendation to the MPO regarding its first, second and third choices for the management entity. At that meeting, after two failed motions that ended in a 7-7 tie, the LCB found that it could not make a recommendation with regard to the ranking of the bidding firms.

All three firms were invited to make a presentation to the MPO regarding their firms and proposals. GPTMS and First Transit, Inc. accepted that invitation.

Nick Cambas of Greater Pinellas Transportation Management Services (GPTMS) addressed the board. He noted that for 15 years, GPTMS has served as the broker to the TD Program. The company is locally owned, with its principals living in Florida. The labor force lives in Pinellas County. They offer client choice. In 2005, there were 18 complaints out of 270,000 trips. Several transit programs are managed by GPTMS.

Mayor Hibbard asked why GPTMS was unwilling to extend the contract one month. Mr. Cambas responded that since last fall, the LCB had been talking about the contract. GPTMS felt that it was a rushed decision to hire a consulting firm to evaluate the process and that the evaluation itself was flawed. They felt that the process was being rushed.

Mayor Hibbard referred to a letter written by an attorney representing GPTMS. The letter contained allegations of violation of the sunshine laws. Mayor Hibbard asked what evidence there is to support them. Mr. Cambas responded that at the end of the meeting on March 28, there were conversations among the participants. He did not know what the conversations were about.

Matt Wood, a Vice President of First Transit, Inc. addressed the board. First Transit is a public-owned company with primary shareholders in the United Kingdom. Their U.S. headquarters is in Cincinnati. They have experience in this country serving ADA programs and non-emergency Medicaid programs. They manage the call in-take and scheduling for the largest ADA para-transit program in the world, which is in New York City. Their complaint factor is less than 1/2 of 1 percent of all the calls, and they handle 14,000 trips per day. They administer the non-emergency Medicaid programs for the State of Illinois and the State of Connecticut. They have developed best practices including the Mystery Rider Program. They propose to bring in a national software product to improve service and record keeping. If selected, they would serve at the behest of the MPO and its staff. If the MPO decides to keep client choice as a matter of policy, First Transit will offer client choice. They would not establish policy but would administer it. They believe they can provide better customer service at less cost.

Also, addressing allegations made by counsel for one of the competitors, Mr. Wood said that he is the sole representative of First Transit in this process. They have not engaged anyone else to represent them.

During board discussion, Mr. Wood supplied more information. First Transit's operation would be located in Pinellas County, and they would employ local people. All calls would be administered locally. The only time calls might be handled outside the County would be during the startup period. First Transit could start up over several days if needed. On that basis, they can forward calls to another location. There are 10 operations throughout the country including Denver, Portland, State of Illinois, State of Connecticut, New York City, and several locations in Upstate New York. First Transit has been in business over 20 years.

Staff noted that the value of the contract is approximately \$400,000 per year. This must be negotiated with the winning firm.

Councilmember Bryan asked how the firm could rent office space and employ 10 people for \$400,000 per year and make any money. Mr. Wood responded that they could provide a line item budget. First Transit has corporate purchasing agreements that provide discounts. Their Trapeze software can track and bill on a mileage-based system but has several other ways it can do this.

Members of the RFP Evaluation Subcommittee were Laurel Stees, Jim Green, and Bob Bowen of the LCB; Vanessa Michaels of the Citizens Advisory Committee; and Al Bartolotta of MPO staff.

LCB Chairman Bill Jonson commented on the meeting of March 28. He noted that the board members had given this matter careful thought. Some were concerned about a possible change and the time allowed for the change. Others thought that the RFP Evaluation Committee's recommendations should be accepted. Others thought that the performance measures were important. Some were concerned about the evaluation made by the County's Management and Budget Department that looked at the financial strengths of the vendors.

Mayor Hibbard noted that there were two tied votes, so there had to be some compelling information on both sides. He said that the letter about the sunshine violations bothered him because he knows no one more careful about following the sunshine laws than Chairman Jonson, and he couldn't believe that there was any violation.

Chairman Jonson said that he hadn't seen the letter. After the meeting of March 28, there was some brief discussion between some members because everyone thought that the vote was over. There was no expectation that discussions would continue. One provider commented to him that they would have to work harder. He didn't consider that comment a sunshine violation but just an observation of the process. He observed no extensive conversations after the meeting.

Mr. Sadowsky explained the controversy about the vote at the LCB meeting of March 28. A roll call was taken, and the result was a 7-7 tie. He immediately advised the board that the chairman votes only to break a tie. This is the procedure under Robert's Rules of Order. That resulted in a vote recommending GPTMS. However, after further investigation after the meeting, Mr. Sadowsky informed staff that under Florida law, everyone must vote unless they declare a conflict of interest beforehand. Mr. Jonson hadn't declared a conflict of interest at the meeting. Because the vote was inconsistent with Florida law and therefore defective, the LCB brought the matter back to the emergency meeting on April 10. That meeting started at the point just before voting on a recommendation. There were two more votes, both resulting in 7-7 ties. Therefore, nothing had changed.

Mayor Mischler said that he felt the letter from the attorney was heavy-handed. The meeting was over, the vote was over, and the LCB members were outside the sunshine law. He saw no violation of the sunshine law. No one expected the vote to come back.

Councilmember Kriseman asked about the scoring matrix and how the weight per category was determined. Heather Sobush responded that at the February meeting, the LCB decided on the weights that would be given to each criteria based on what they thought was important relative to the others. She noted that it was a lengthy discussion.

Commissioner Stewart noted that four of the five evaluators gave First Transit the #1 ranking, and that firm ranked #1 overall. He noted that the County relies heavily on the recommendations of the people "on the scene." He moved that the contract be awarded to First Transit, Inc. There was no second to the motion.

Mr. Sadowsky clarified that the firms must be ranked. If negotiations with the first firm are not successful, the next firm in ranking would be contacted.

MOTION: Mayor Mischler moved to rank the firms as follows: #1 GPTMS, #2 First Transit, Inc., and #3 MV Transit. Commissioner Ronecker seconded the motion. Discussion continued.
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Mayor Mischler said that the rankings were a wash. GPTMS is a known company with a track record and few complaints.

Commissioner Seel said that because the rankings were so close, the MPO could put the contract out for a Request for Price and Performance Measure and ask the top two firms what their fee per trip or flat fee would be and also set compliance measures. She liked using the most cost-effective measures to get people where they want to go without over-burdening the system. She noted that the funds have been declining every year and staff have had to track them to make sure that the County can continue to provide service to the clients. These issues could be addressed in a contract negotiation, but the board wouldn't know what the other firm would have countered or if the County had the best deal for cost and performance measures.

Mayor Mischler noted that the board was told that it had to move on this matter. He would have liked more information on First Transit.

Commissioner Stewart said that a close examination of the bidding firms was the function of the RFP Evaluation Subcommittee. They studied the information, asked the questions, and determined if the proposers were credible, reliable, and had the experience. The board doesn't have that information, and that's why it should rely on the evaluators' rankings.

Mayor Hibbard agreed with the Chair and would like to have gone through the process she suggested. However, time is running out. He said that funding is decreasing, and that is a great concern. He said he couldn't support the motion.

Mayor Arbutine noted that there was a 2.5% difference on the scoring between the locally owned and known company, which is already doing the job, versus an unknown company.

Secretary Skelton, noting that the TD Program has a large amount of State funds from the Transportation Disadvantaged Trust Fund, as well as federal funds, commented on the matter. He didn't think the scoring was as close as it appeared. The FDOT makes selections every month on things that are .3 points apart. When there are rankings like this—four #1's for one firm—it's not really as close as 2.5%. The evaluators would have taken all these things into account. The Secretary expressed his concern that the MPO was discarding part of the process.

Councilmember Bryan said that the County knows what it has had over the past. It doesn't know what it might have in the future. At this late date, it would be better to take the sure thing. If there were more time to examine the proposals, it would be a different situation.

Chair Seel said that she had made her proposal to see what the competitiveness would be in the end. She thinks that the company providing the service is excellent; but after 15 years with the same firm, the MPO wanted to seek competitive bids because that's the way the County should do things. She said that she would vote against the motion.

Commissioner Eggers asked why this wasn't part of the process from the start. The idea made sense, but it sounded like there wasn't enough time to follow through with it.

Mr. Smith responded that the contract ends in May. The procedure is to select the firm and then separately negotiate the fees, which is the way that the MPO has always done it.

VOTE ON MOTION: The motion carried, with Mayor Hibbard, Chair Seel, and Commissioner Stewart dissenting.

The contract will be brought to the MPO in May for approval.

#### **IX. REQUEST FROM CITY OF CLEARWATER FOR ENHANCEMENT FUNDS**

Staff reported that the City of Clearwater has a project, FPN 406058-1, to landscape the Clearwater Memorial Causeway. At its September 2005 meeting, the MPO allocated \$140,000 to this project. The City is now requesting an additional \$160,000 from the MPO, for a total requested amount of \$300,000. The City itself is allocating a total of \$300,000 to this project. The increase is due to construction costs.

The City has learned that the Florida Department of Transportation (FDOT) has available \$1.6 million in Enhancement funds. This is because an extensive Enhancement project approved for the City of Tarpon Springs for this fiscal year has been delayed until 2008. The Enhancement funds that were allocated to that project must be used this fiscal year, meaning that there is money available on a short-term basis for other projects.

Staff recommended that the MPO not act on the City of Clearwater's request until it is known what projects in other cities might use these funds. A full report will be brought back to the MPO next month.

Chair Seel said that the board should refer to the current project list and to projects that are underway. If a project hasn't been on the Transportation Enhancement or CMAQ lists, they should not be considered. New projects should not be sought. She also requested that the chart show what projects are programmed for the next five years rather than FY 04/05. Ms. Ward said that there are a number of projects remaining on the candidate lists. Staff has been working to confirm that they are still viable projects. Some agencies have resubmitted applications. There are probably enough projects on the lists now, but the board will still need to authorize any expenditures.

Secretary Skelton said that it is important to get viable projects that can use the money so that the process can start moving forward.

By consensus of the board, action was deferred on the request from the City of Clearwater.

#### **X. U.S. 19 PEDESTRIAN SAFETY TASK FORCE INITIATIVE**

\*At 2:50 p.m., Commissioner Stewart left.

Chair Seel reported that the U.S. 19 Pedestrian Safety Task Force will be a six-month task force and will be modeled after the original U.S. 19 Task Force of 2000. A list of suggested members was distributed to board members with their meeting materials. Many of the proposed members served on the original task force. Mayor Mischler suggested adding a representative of the local fire departments.

#### **XI. INTERSECTIONS WITH THE MOST INCIDENTS IN 2004 - FOLLOW-UP**

The "Pinellas County MPO Top 100 Crash Intersections" report for 2004 was distributed to board members with their meeting materials. The report is based on official police reports filed

with Tallahassee. It was noted that accidents that occur beyond the intersection are included in these data. This report will be placed on the MPO's web site.

\*At 2:54 p.m., Commissioner Stewart returned.

Chair Seel said that the County and municipalities should consider this report as they create plans for road and intersection improvements. The Work Programs should reflect the MPO's, County's and municipalities' policies and concerns about these locations.

## **XII. LEGISLATIVE UPDATE**

Ms. Ward gave an update on recent State legislative activity. A "2006 State Legislation Summary Report - March 31, 2006" was included with meeting materials.

- Legislation regarding Metropolitan Planning Organizations calls for a review of MPOs by the Florida Transportation Commission. This is of concern to the MPO because a Federal evaluation has been completed recently.
- Other legislation concerns outdoor advertising signs. If passed, it could have a negative effect on beautification projects and noise walls erected by FDOT.

By consensus, it was agreed that staff will prepare a letter from Chair Seel to Representative Glorioso expressing the MPO's concerns about these bills. Other MPOs will be asked to write letters also.

Regarding the County Transportation System Surtax legislation, Ms. Ward said that there is no longer a provision for splitting revenues 75/25. The focus is no longer on transit but on transportation.

## **XIII. COMMITTEE APPOINTMENT**

<p><b>ACTION:</b> Commissioner Eggers moved to appoint Robert Klute to the Technical Coordinating Committee as the representative of the Community Development Department of the City of Largo. Commissioner Duncan seconded the motion, and the motion carried.</p>
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## **XIV. PSTA ACTIVITIES**

The Pinellas Suncoast Transit Authority (PSTA) Board of Directors met on March 22. Minutes were included with meeting materials.

Councilmember Bryan reported that ridership has been increasing steadily, and it will soon reach over 11 million riders per year. At the PSTA's board meeting, he raised the question of how soon the system will reach capacity. As the system carries more riders, costs will rise also. Usually fares cover 1/3 of operating costs. In the future, there may be significant expenses to meet capacity.

**XV. OTHER BUSINESS**

**A. ITS Advisory Committee**

The Intelligent Transportation System Advisory Committee met on April 5. A copy of the agenda was included with meeting materials. A draft ITS plan should be presented to the MPO in May or June

**B. Medicaid NET Expenditures**

A chart showing expenditures for Medicaid Non-Emergency Transportation (NET) through the month of February 2006 was included with meeting materials.

**C. Joint CCC**

The Joint Chairs Coordinating Committee of the West Central Florida MPOs met on March 10. An agenda was included with meeting materials.

**D. Correspondence**

Several items of correspondence were included with meeting materials

**E. Other**

MPO Day will be held on Tuesday, April 27 in Tallahassee.

**XVI. ADJOURNMENT**

There was no further business. The meeting adjourned at 3:06 p.m.

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Karen Williams Seel, Chair