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Proposed Updated Local Bill by Waiving Delegation Rules

1 A bill to be entitled
 2 An act relating to Pinellas Suncoast Transit
 3 Authority, Pinellas County; amending chapter 2000-424,
 4 Laws of Florida, as amended; revising the definition
 5 of the term "public transit"; revising membership of
 6 the governing body of the authority; revising powers
 7 of the authority; establishing requirements for
 8 advertising placed on authority property; providing
 9 for best budget practices; establishing procedures for
 10 lane elimination; prohibiting certain offices, boards,
 11 employees, or other actors whose purpose is to
 12 eliminate or reallocate public lanes; requiring
 13 semiannual reporting of certain provisions to the
 14 Pinellas Board of County Commissioners; specifying
 15 severability; providing an effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:
 18

19 Section 1. Subsection (6) of section 2, subsection (2) of
 20 section 3, and section 4 of section 2 of chapter 2000-424, Laws
 21 of Florida, as amended by chapters 2002-341 and 2006-327, Laws
 22 of Florida, are amended, and sections 14 through 22 are added to
 23 section 2 of that chapter, to read:

24 Section 2. Definitions.—As used in this act, unless the
 25 content clearly indicates otherwise, the following terms shall

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26 | have the meanings set forth below:

27 | (6) "Public transit" means transportation of passengers
 28 | for hire by means, without limitation, of a ~~street railway,~~
 29 | ~~elevated railway, subway,~~ motor vehicle, bus, or other means of
 30 | conveyance operating as a common carrier within the public
 31 | transit area as provided, and charter service originating
 32 | therein.

33 | Section 3. Pinellas Suncoast Transit Authority; status and
 34 | governing body.—

35 | (2) (a) The governing body of the authority shall consist
 36 | of 11 ~~15~~ members, serving and selected as provided in this
 37 | paragraph.

38 | 1. Four members shall be appointed by the Pinellas County
 39 | Board of County Commissioners from their membership. This
 40 | appointee shall be an elected official.

41 | 2. One member shall be appointed by the City Council of
 42 | the City of St. Petersburg from their membership. This appointee
 43 | shall be an elected official.

44 | 3. One member shall be appointed by the City Council of
 45 | the City of Clearwater from their membership. This appointee
 46 | shall be an elected official.

47 | 4. One member shall be appointed by the combined municipal
 48 | governing bodies of Tarpon Springs, Safety Harbor, Oldsmar,
 49 | Dunedin, Belleair, and Belleair Bluffs. This appointee shall be
 50 | an elected official. The order of rotation shall be determined

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51 by population size in descending order.

52 5. One member shall be appointed by the combined municipal
 53 governing bodies of Largo, Seminole, South Pasadena, Gulfport,
 54 Kenneth City, and Pinellas Park. This appointee shall be an
 55 elected official. The order of rotation shall be determined by
 56 population size in descending order.

57 6. One member shall be appointed by the combined municipal
 58 governing bodies of Belleair Shore, Indian Rocks Beach, Indian
 59 Shores, North Redington Beach, Redington Beach, Redington
 60 Shores, Madeira Beach, Treasure Island, and St. Pete Beach. This
 61 appointee shall be an elected official. The order of rotation
 62 shall be determined by population size in descending order.

63 7. One member shall be appointed by the Senate President or
 64 the Speaker of the House of Representatives from the combined
 65 municipal governing bodies of Tarpon Springs, Safety Harbor,
 66 Oldsmar, Dunedin, Belleair, and Belleair Bluffs. This appointee
 67 shall be a citizen appointee. This appointment shall rotate
 68 between Senate President and Speaker of the House of
 69 Representatives.

70 8. One member shall be appointed by the Senate President or
 71 the Speaker of the House of Representatives from the combined
 72 municipal governing bodies of Largo, Seminole, South Pasadena,
 73 Gulfport, Kenneth City, and Pinellas Park. This appointee shall
 74 be a citizen appointee. This appointment shall rotate between
 75 Senate President and Speaker of the House of Representatives.

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- 76 ~~1. One member shall be appointed by the City Council of~~
77 ~~the City of Clearwater from its membership.~~
- 78 ~~2. One member shall be appointed by the City Commission of~~
79 ~~the City of Dunedin from its membership.~~
- 80 ~~3. One member shall be appointed by the City Commission of~~
81 ~~the City of Largo from its membership.~~
- 82 ~~4. One member shall be appointed by the City Council of~~
83 ~~the City of Pinellas Park from its membership.~~
- 84 ~~5. Two members shall be appointed by the City Council of~~
85 ~~the City of St. Petersburg from its membership.~~
- 86 ~~6. One member shall be appointed by the combined municipal~~
87 ~~governing bodies of the Cities of Oldsmar, Safety Harbor, and~~
88 ~~Tarpon Springs from their membership.~~
- 89 ~~7. One member shall be appointed by the combined municipal~~
90 ~~governing bodies of the Cities of Belleair, Belleair Bluffs,~~
91 ~~Gulfport, Kenneth City, Seminole, and South Pasadena from their~~
92 ~~membership.~~
- 93 ~~8. One member shall be appointed by the combined municipal~~
94 ~~governing bodies of the Cities of Belleair Beach, Belleair~~
95 ~~Shores, Indian Rocks Beach, Indian Shores, Madeira Beach, North~~
96 ~~Redington Beach, Redington Beach, Redington Shores, St. Pete~~
97 ~~Beach, and Treasure Island from their membership.~~
- 98 ~~9. Four members shall be appointed by the Pinellas County~~
99 ~~Commission from its membership.~~
- 100 ~~10. One member shall be appointed by the Pinellas County~~

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101 ~~Commission, and this member may not be an elected official.~~

102 ~~11. One member shall be appointed by the City Council of~~
 103 ~~the City of St. Petersburg, and this member may not be an~~
 104 ~~elected official.~~

105 Section 4. Purposes and powers.—

106 (1) The authority created and established by the
 107 provisions of this act is hereby granted and shall have the
 108 right and power to purchase, own, and/or operate transit
 109 facilities;7 to contract for transit services;7 to exercise
 110 power of eminent domain if approved by a two-thirds vote of the
 111 Pinellas Suncoast Transit Authority Board in a public meeting
 112 with a 30-day public notice and shall be reported to the
 113 Pinellas Board of County Commissioners semiannually in public
 114 meetings with a 30-day public notice;7 to conduct studies;7 and
 115 to contract with other governmental agencies, private companies,
 116 and individuals.

117 (2) The authority is hereby granted, and shall have and
 118 may exercise all powers necessary, appurtenant, convenient, or
 119 incidental to the carrying out of the aforesaid purposes,
 120 including, but not limited to, the following rights and powers:

121 (a) To sue and be sued, implead and be impleaded, and
 122 complain and defend in all courts.

123 (b) To adopt, use, and alter at will a corporate seal.

124 (c) To acquire, purchase, hold, lease as a lessee, and use
 125 any franchise, property, real, personal, or mixed, tangible or

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126 intangible, or any interest therein, necessary or desirable for
 127 carrying out the purposes of the authority, and to sell, lease
 128 as lessor, transfer, and dispose of any property or interest
 129 therein at any time acquired by it. Any sale, lease, or transfer
 130 of any property or interest shall be upon competitive bid except
 131 that the authority may sell, lease, or transfer any real
 132 property or interest therein to another governmental entity
 133 without competitive bid and may sell, lease, or transfer surplus
 134 personal property, tangible or intangible, in accordance with
 135 chapter 274, Florida Statutes.

136 (d) To fix, alter, charge, and establish rates, fares, and
 137 other charges for the services and facilities of the Pinellas
 138 Suncoast Transit System, which rates, fees, and charges shall be
 139 equitable and just and sufficient to meet the operating
 140 requirements of the system along with other revenue that may be
 141 available.

142 ~~(c) To regulate other operators of public transit in the~~
 143 ~~Pinellas Suncoast Transit Area as to franchises, permits, fares,~~
 144 ~~and other charges to establish rules and regulations pertaining~~
 145 ~~to these matters for distribution to the operators and public~~
 146 ~~transit facilities in said area.~~

147 (e) ~~(f)~~ To make contracts of every name and nature and
 148 to execute all instruments necessary or convenient for the
 149 carrying on of its business.

150 (f) ~~(g)~~ To enter into management contracts with any person

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151 or persons for the management of a transit system owned or
 152 controlled by the authority for such period or periods of time,
 153 and under such compensation and other terms and conditions as
 154 shall be deemed advisable by the authority.

155 (g)~~(h)~~ Without limitation, to borrow money and accept gifts
 156 or grants or loans of money or other property and to enter into
 157 contracts, leases, or other transactions with any federal
 158 agency, the state, any agency of the state, the County of
 159 Pinellas, or with any other public body of the state.

160 (h)~~(i)~~ To do all acts and things necessary or convenient
 161 for the conduct of its business and the general welfare of the
 162 authority in order to carry out the powers granted to it by this
 163 part or any other law.

164 (i)~~(j)~~ To prescribe and promulgate rules and regulations
 165 as it deems necessary for the purposes of this act.

166 Section 15. Window Coverings and Advertisements.—

167 (1) Any new window covering or advertisement must adhere
 168 to requirements provided in section 316.2954, Florida Statutes.

169 (2) The authority shall not engage in any non-paid
 170 advertising, promotion, or messaging on their assets.

171 Section 16. Best budget practices.—The authority must
 172 abide by the best budgetary guidelines as outlined by, but not
 173 limited to, the Florida Government Finance Officers Association
 174 and the Government Finance Officers Association.

175 Section 18. Lane elimination, lane repurposing, lane diet,

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176 | or bus lane allocation requests, recommendations, or
 177 | applications.-

178 | (1) Any lane elimination, lane repurposing, lane diet, or
 179 | bus lane allocation request, recommendation, or application must
 180 | be approved by a two-thirds vote of the Pinellas Suncoast
 181 | Transit Authority Board in a public meeting with a 30-day public
 182 | notice and then presented to the Pinellas Board of County
 183 | Commissioners prior to a final two-thirds vote of the Pinellas
 184 | Suncoast Transit Authority.

185 | (2) The authority shall not have a lane elimination, lane
 186 | repurposing, lane diet, or bus lane allocation office, board,
 187 | employee, or any other actor whose purpose is to eliminate,
 188 | reallocate, or repurpose public lanes for the usage of the
 189 | authority.

190 | (3) This section does not apply to any local or municipally
 191 | owned roadway.

192 | (4) This section shall include any new service of any
 193 | design or name that would include plans for lane elimination,
 194 | lane repurposing, lane diet, or bus lane allocation calling for
 195 | the loss of an existing lane of a vehicular roadway to bus only
 196 | use or Business Access and Transit (BAT) lanes.

197 | Section 21. Semiannual Reporting.-

198 | (1) The Pinellas Suncoast Transit Authority shall
 199 | semiannually report the following to the Pinellas Board of
 200 | County Commissioners:

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201 (a) Any gifts accepted in exchange for contracts.

202 (b) Any contract over \$500,000.

203 (c) Any sale, lease, or transfer of any property or
 204 interest over \$500,000.

205 (d) Ridership performance and metrics.

206 (2) The Pinellas Board of County Commissioners may call for
 207 in-person presentations of these reports at a minimum of once a
 208 year.

209 Section 22. Severability Clause.-

210 (1) This act is not intended, nor may it be construed, to
 211 conflict with existing, relevant state or federal law.

212 (2) If any provision of this act or its application to any
 213 person or circumstances is held invalid, the invalidity does not
 214 affect other provisions or applications of this act which can be
 215 given effect without the invalid provision or application, and
 216 to this end the provisions of this act are severable.

217 Section 2. This act shall take effect July 1, 2023.