

For Discussion Only

**INTERLOCAL AGREEMENT FOR THE CREATION OF
THE BAY COUNTY GOVERNANCE TRANSIT COMMITTEE**

This Interlocal Agreement, entered into by and among, the Bay County Transportation Planning Organization (TPO) and the Bay County Board of County Commissioners (BOCC),

WITNESSETH

WHEREAS, the parties to this agreement operate, fund, or plan public transportation in Bay County, Florida; and

WHEREAS, the TPO conducts long-range and short-range transportation planning and has initiated a transit governance study; and

WHEREAS, this transit governance study, otherwise known as the “Bay County Comprehensive Transit Governance Analysis” includes a situational analysis of transit services and management, funding, development, and implementation strategies for the creation of a county-wide Transit Authority; and

WHEREAS, the Bay County TPO has established a Transit Subcommittee consisting of county-wide representatives, that assisted in the preparation of the 2022 Bay County Transit Development Plan (TDP) Update, that included interest in pursuing the creation of a Transit Authority to consolidate services, provide effective and efficient use of resources to improve and expand mobility services, and

WHEREAS, the TPO Transit Subcommittee members will serve as the Bay County “Governance Transit Committee” (GTC) to oversee the preparation and evaluation of the Governance Analysis and provide a forum to discuss the Governance Analysis; and

WHEREAS, this transit policy committee is charged with the development of the Governance Analysis.

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

Section 1. Purpose

The TPO and BOCC currently operate, fund, or plan public transportation in Bay County. These parties recognize the need to create a county-wide forum to consider the advisability and structure of a county-wide transit authority. The GTC will oversee the preparation and evaluation of a situational analysis of transit services and management, funding, development, and implementation strategies for the creation of a county-wide Transit Authority.

Section 2. Definitions

- (a) “TPO” shall mean the Bay County Transportation Planning Organization

For Discussion Only

- (b) "BOCC" shall mean the Bay County Board of County Commissioners
- (c) "GTC" shall mean the Bay County Governance Transit Committee

Section 3. Creation of Bay County Governance Transit Committee

There is hereby created and established pursuant to Section 163.01, Florida Statutes, a separate entity to be known as the Bay County Governance Transit Committee (GTC).

Section 4. GTC Committee

- (a) The GTC shall be comprised of the membership of the TPO Transit Subcommittee, which include:

Mayor Pamela Henderson City of Callaway, Chair

Commissioner Tommy Hamm Bay County Board of County Commissioners

Commissioner Pat Perno City of Lynn Haven

Commissioner Josh Street, City of Panama City

Council Member Michael Jarman, City of Panama City Beach

- (b) The chairman and vice chairman of the GTC shall be the same as for the TPO Transit Subcommittee.
- (c) A majority of the membership shall constitute a quorum. A quorum must be present at all meetings. Virtual attendees may be considered eligible toward a quorum.
- (d) The GTC Committee shall meet as needed to complete its work. Special meetings of the GTC may be called by the chair, or in the absence of the chair, by the vice chair upon at least 24 hours' notice.

Section 5. Advisory Committees

- (a) The GTC may establish and maintain subcommittees, as necessary, to address specific subject areas such as financing, organizational structure, marketing, and service planning. These subcommittees will report to the GTC Committee.

Section 6. Powers and Duties of the GTC

The GTC is an advisory committee and shall have only the authority granted to it by the TPO or by this Agreement. The GTC:

- (a) Shall provide policy recommendations for the Bay County Comprehensive Transit Governance Analysis which will address the basis, development, and implementation strategies for a county-wide transit authority.

For Discussion Only

- (b) Shall develop a strategy for the creation of, and transition to, a transit authority within Bay County to provide county-wide public transportation service and coordinate with other regional public transportation providers in Northwest Florida. This strategy will address the allocation and transition of staff, equipment, and facility resources from existing public transportation providers to the new transportation authority.
- (c) Shall provide recommendations to the full Bay County TPO Board at key milestones during the progress of the Bay County Comprehensive Transit Governance Analysis.
- (d) The GTC may be given additional powers by amendment to this agreement as approved by the parties to this agreement.

Section 7. Staff Support

The TPO and Bay County Public Transportation staff, as well as consultant support shall provide administrative support to the GTC to include the preparation and distribution of meeting packets and public announcements and the documentation of GTC activities.

Section 8. Duration of Agreement and Withdrawal Procedure

This Agreement shall terminate on the date the 2024 Florida legislature adjourns sine die. 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 Bay 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 Bay County where a party to this Agreement is located.

Remainder of page intentionally left blank, signature page to follow.

Draft Under Development

For Discussion Only

IN WITNESS WHEREOF, the undersigned parties have caused this Interlocal Agreement to be duly executed in their behalf and hereby establish the above referenced GTC this _____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS OF BAY COUNTY, FLORIDA

BY: _____
Tommy Hamm, BOCC Board Chairman

Attest: _____

Approved
As to Form: _____
Brian D. Leebrick, Deputy County Attorney

BAY COUNTY TRANSPORTATION PLANNING ORGANIZATION

BY: _____
Pamn Henderson, TPO Board Chair

Attest: _____

Approved
As to Form: _____
William C. Henry, TPO Attorney