

**Lee County Board Of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20020817

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve resolution supporting the initiative to repeal the High Speed Rail Amendment to the Florida Constitution.

**WHY ACTION IS NECESSARY:** Supports the Metropolitan Planning Organization's request to adopt a resolution regarding the High Speed Rail Amendment.

**WHAT ACTION ACCOMPLISHES:** Supports the initiative to repeal the High Speed Rail Amendment.

**2. DEPARTMENTAL CATEGORY:** County Commissioners  
**COMMISSION DISTRICT #1 Chairman Janes** C3A

**3. MEETING DATE:** 8-6-02

**4. AGENDA:**

**5. REQUIREMENT/PURPOSE:**  
(Specify)

**6. REQUESTOR OF INFORMATION:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

- A. COMMISSIONER Janes
- B. DEPARTMENT
- C. DIVISION

BY: Commissioner Janes  
SJC

**7. BACKGROUND:**

Attachment #1 Resolution request packet (Metropolitan Planning Organization sample resolution and Constitutional Amendment Petition Form).  
Attachment #2 Lee County Resolution endorsing the Initiative to Repeal the High Speed Rail Amendment to the Florida Constitution.

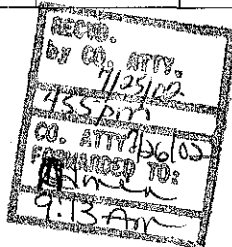
**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
	N/A	N/A	N/A	<u>Andrew</u> <u>Shuler</u>	OA <u>upm</u> 7/25	OM <u>upm</u> 7/25	Risk <u>upm</u> 7/25	GC <u>upm</u> 7/25	<u>[Signature]</u>

**10. COMMISSION ACTION:**

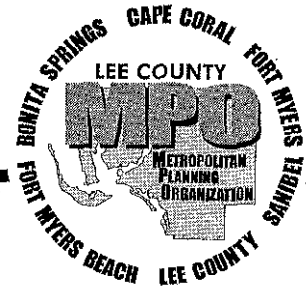
- APPROVED
- DENIED
- DEFERRED
- OTHER



POST OFFICE BOX 3455  
NORTH FORT MYERS, FL 33918-3455

Ph. (239) 656-7720 Suncom 749-7720  
Fax (239) 656-7724 Sunfax 749-7724  
E-Mail: mpo@swfipc.org

Lee County Electric Co-op Building, 4th floor, 4980 Bayline Drive, 33917



July 2, 2002

The Honorable Robert Janes  
Chairman  
Lee County Commission  
P.O. Box 398  
Fort Myers, FL 33902-0398

RE: Resolution Endorsing the Initiative to Repeal the High Speed Rail Amendment  
to the Florida Constitution

Dear Chairman Janes:

The attached resolution was passed by the Lee County Metropolitan Planning Organization (MPO) unanimously at the June 2002 meeting. A similar resolution, that originated with Palm Beach County and MPO, was sent to other MPO's in the State of Florida, asking for their support. It was also requested (after passage by Lee County MPO) that the MPO staff distribute the resolution to individual member jurisdictions and ask if they also wished to support the resolution and/or additionally endorse a voter initiative within your respective jurisdictions (see attachments).

It was felt by the MPO that the present configuration of the high speed rail initiative, as a constitutional provision, is not an appropriate location for such a program. Such a situation is outside the normal framework for decision-making on planning and transportation projects and could possibly lead to problems with funding allocations for transportation in general, at some future date.

Please advise as to the action of your governing body on this matter, whenever completed. Please contact me at your convenience if you require any additional information.

Sincerely,

LEE COUNTY METROPOLITAN PLANNING ORGANIZATION

David D. Hunt  
Senior Transportation Planner

ddh/dk

Enclosures

02 JUL -5 AM '02  
COUNTY ADMINISTRATOR  
RECEIVED  
JUL 03 '02

BOB JANES

**Burt Aaronson**

County Commissioner, District 5  
Board of County Commissioners

MAY 28 2002

S.W. FLORIDA REGIONAL  
PLANNING COUNCIL



**Agenda Item #11**  
**Attachment A**  
**MPO 6/21/2002**

May, 2002

As a County Commissioner and member of the Metropolitan Planning Organization (MPO), I am asking your assistance in helping to repeal the High-Speed Ground Transportation System provision of the Florida Constitution. A petition drive has been initiated to place a referendum on this November's ballot that proposes an amendment to the State Constitution to repeal the provision that requires the development and operation of a high-speed ground transportation system in the state. The repeal will enable the State Legislature to decide whether this makes sense for Florida after consideration of relevant data concerning costs, revenue and fiscal status of the State. We are not alone in our thinking that the people should have the right to vote again. The Florida Chamber of Commerce recently conducted an internet poll of its membership that asked if voters should have the chance to repeal the amendment. Nearly 400 responses were received. By a ratio of 4-1, the members voted yes.

This petition drive resulted in the Palm Beach County Commission and the MPO adopting resolutions supporting the repeal. I have enclosed copies of the resolutions and the petition for your information. I would urge you to adopt a similar resolution showing your County's support of the repeal.

It is no exaggeration to say that this is the biggest boondoggle in Florida history. This is a bad idea that will be a huge fiasco. Countless voters have told me that they didn't realize that this will cost billions - billions that are currently funding essential programs that affect the quality of life for all of us. The citizens of Florida deserve the right to vote again. Help me get them that chance.

Sincerely,

BURT AARONSON  
County Commissioner  
District 5

"An Equal Opportunity Affirmative Action Employer"

# RESOLUTION 02-16

## A RESOLUTION OF THE LEE COUNTY METROPOLITAN PLANNING ORGANIZATION ENDORING THE INITIATIVE TO REPEAL THE HIGH SPEED RAIL AMENDMENT TO THE FLORIDA CONSTITUTION

*Whereas*, an amendment to Article X, Section 19 of the Florida Constitution, approved by the voters in 2000, requires the State of Florida to finance, design, construct, and operate a high speed ground transportation system connecting the state's five largest urban areas; and

*Whereas*, the state constitution is intended to define the basic structure of government, the powers and duties of its officers and agencies, and to protect certain basic rights of the people of the State of Florida; and

*Whereas*, the state constitution is a fundamental document that should not address policy issues more appropriately decided by the state Legislature or to accommodate special interests; and

*Whereas*, the necessity and merits of the construction of a high speed rail system are issues that should be reviewed and determined by the state Legislature; and

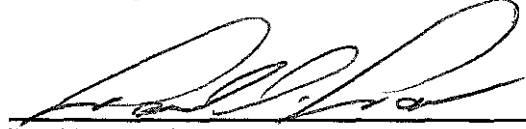
*Whereas*, the ballot title when the constitutional amendment was approved by the voters in 2000 did not address the cost of a high speed rail system or the source of funding for such a system;

*Therefore be it resolved* by the Lee County Metropolitan Planning Organization that it hereby endorses the initiative petition to place on the November 2002 general election ballot a proposal to amend the state constitution to repeal the provision that mandates the development and operation of a high-speed ground transportation system in the state, thus leaving decisions concerning state transportation systems to the state Legislature.

*Passed and duly adopted* this 21<sup>st</sup> day of June, 2002.

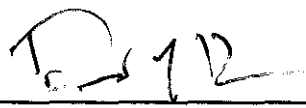
LEE COUNTY METROPOLITAN PLANNING ORGANIZATION

By:



Paul Pass, Chairman

Attest:



David Y. Burr, Interim Executive Director  
Southwest Florida Regional Planning Council (MPO staff agency)

**Constitutional Amendment Petition Form**

**Ballot Title:**

Florida's Amendment to Repeal the Provision That Requires High-Speed Ground Transportation

I am a registered voter of Florida and hereby petition the Secretary of State to place the following amendment to the Florida Constitution on the ballot in the general election:

Article 10, Section 19, Florida Constitution, is amended to read:

HIGH-SPEED GROUND TRANSPORTATION SYSTEM. - Proposing an amendment to the State Constitution to repeal the provision that requires the development and operation of a high-speed ground transportation system in the state.

**Ballot Summary**

Proposes an amendment to the State Constitution to repeal the provision that mandates the development and operation of a high-speed ground transportation system in the State. This will leave decisions concerning State transportation systems to the State Legislature.

**Name:** \_\_\_\_\_

Please print name as it appears on voter I.D. card

**Street Address:** \_\_\_\_\_

**City:** \_\_\_\_\_

Is this a change of address for voter registration? YES \_\_\_\_\_ NO \_\_\_\_\_

Voter Registration Number: \_\_\_\_\_ (Or) Date of Birth: \_\_\_\_\_

Date Signed: \_\_\_\_\_ X \_\_\_\_\_

Signature of Registered Voter

Paid Political Advertisement by

For Office Use Only

Derail The Bullet Train

Serial Number:

Date Approved:

A person who knowingly signs a petition for an issue more than one time commits a misdemeanor of the first degree, punishable as provided in s 775 083, Section 104 185. Fla Stat

Derail The Bullet Train, 18635 Sea Turtle Lane, Boca Raton, FL 33498

RESOLUTION # \_\_\_\_\_

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA  
TO ENDORSE THE INITIATIVE TO REPEAL THE HIGH SPEED RAIL AMENDMENT TO THE  
FLORIDA CONSTITUTION**

*Whereas*, an amendment to Article X Section 19 of the Florida Constitution, approved by the voters in 2000, requires the State of Florida to finance, design, construct and operate a high speed ground transportation system connection the state's five largest urban areas; and

*Whereas*, the state constitution is intended to define the basic structure of government, the powers and duties of its officers and agencies, and to protect certain basic rights of the people of the State of Florida; and

*Whereas*, the state constitution is a fundamental document that should not address policy issues more appropriately decided by the state Legislature or to accommodate special interests; and

*Whereas*, the necessity and merits of the construction of a high speed rail system are issues that should be reviewed and determined by the state Legislature; and

*Whereas*, the ballot title when the constitutional amendment was approved by the voters in 2000 did not address the cost of a high-speed rail system or the source of funding for such a system.

**NOW THEREFORE, BE IT RESOLVED THAT THE LEE COUNTY BOARD OF COUNTY  
COMMISSIONERS OF LEE COUNTY, FLORIDA HEREBY:**

1. **Endorses the initiative petition to place on the November 2002 general election ballot a proposal to amend the state constitution to repeal the provision that mandates the development and operation of a high speed ground transportation system in the state, thus leaving decisions concerning state transportation systems to the state Legislature.**
2. **Hereby directs County Administration to forward a copy of this Resolution to the Honorable Jeb Bush, and the Lee County Legislative Delegation and direct the County lobbyist to support any efforts that would aid this initiative.**

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, being put to a vote, the vote was as follows:

ROBERT JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
ANDREW COY	_____
JOHN E. ALBION	_____

**DULY PASSED AND ADOPTED THIS 6<sup>th</sup> DAY OF AUGUST 2002.**

**ATTEST:  
CHARLIE GREEN, CLERK**

**BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chairman

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
County Attorney