



The Florida Metropolitan Planning Organization Advisory Council

Mayor Richard J. Kaplan
Chairman

Staff Directors' Advisory Committee

Date: Thursday, January 23, 2014

Time: 12:00 p.m. – 3:00 p.m.

Location: DoubleTree by Hilton Hotel, 5555 Hazeltine National Drive, Orlando, Florida

Mary Bo Robinson, Chair, Presiding

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1. **Call to Order**
 2. **Approval of Minutes: October 30, 2013**
 3. **Public Comments**
 4. **Executive Director's Report**
 5. **Election of Officers**
 6. **Agency Reports**
 - a. **Florida Department of Transportation**
 - b. **Federal Highway Administration**
 7. **Florida Space Transportation Infrastructure Planning**
 8. **Florida Survey Data**
 9. **Communications**
 10. **Member Comments**
 11. **Adjourn**

Howard Glassman, Executive Director

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Any person who desires or decides to appeal any decision made by this Council with respect to any matter considered at this meeting will need a record of the proceedings. For such purposes, such person may need to ensure that a verbatim record of the proceedings is made which record includes testimony and evidence upon which appeal is to be based.

The needs of hearing or visually impaired persons shall be met by contacting the Council sponsoring such meeting at least 48 hours prior to the meeting. Please contact Brigitte Messina at (850) 414-4037 or by email to brigitte.messina@mpoac.org.

**Draft Minutes of the Florida MPO Advisory Council
Staff Directors' Advisory Committee Meeting
October 30, 2013**

Staff Directors' Advisory Committee Members in Attendance:

Mary Bo Robinson, Chair, Florida-Alabama, Okaloosa-Walton and Bay County TPOs
Peter Buchwald, Vice-Chair, St. Lucie TPO
Lucie Ayer, Collier MPO
Harold Barley, MetroPlan Orlando
Lois Bollenback, Volusia TPO
Ray Chiaramonte, Hillsborough County MPO
Tom Deardorff, Polk TPO
James Edwards, Pasco County MPO
Michael Escalante, Gainesville MTPO
T.J. Fish, Lake-Sumter MPO
Bob Herrington, Charlotte County-Punta Gorda MPO
Michael Howe, Sarasota/Manatee MPO
Bob Kamm, Space Coast TPO
Bonny Landry, Martin MPO
Johnny Limbaugh, Lee County MPO
Harry Reed, Capital Region TPA
Carlos Roa, Miami-Dade MPO
Gregory Stuart, Broward MPO
Nick Uhren, Palm Beach MPO
Sarah Ward, Pinellas County MPO

Others in Attendance:

Howard Glassman, MPOAC Executive Director
Brigitte Messina, MPOAC Assistant
Paul Gougelman, MPOAC General Counsel
Jeff Kramer, USF/CUTR
Karen Seggerman, USF/CUTR
Karen Brunelle, FHWA
Lee Ann Jacobs, FHWA
Bob Romig, FDOT
Jim Wood, FDOT
Doug McCloud FDOT
Yvonne Arens, FDOT
Ali Atefi, Pasco MPO
Luke Lambert, Martin MPO
Lois D. Lopez, FHWA
Shundreka R. Givan, FHWA
Bob Wallace, Tindale-Oliver & Associates
Bob O'Malley, CSX Transportation
Fred Wise, FDOT Rail
Wiley Page, Atkins
Erika Young, Transportation for America
Pamela Richmond, Lake-Sumter MPO
Jennifer Stults, FDOT D1
Mayor Richard J. Kaplan, Broward MPO
Eric Hill, MetroPlan Orlando
Mike Spain, LANE

Others in Attendance continued:

Charley Williams, GEI

Mayor Rocky Randels, Space Coast TPO

1. Call to Order

Mary Bo Robinson, Chair, Florida-Alabama, Okaloosa-Walton and Bay County TPOs called the meeting to order at 12:01 p.m.

2. Approval of Minutes

Mr. Bob Herrington, Charlotte County-Punta Gorda MPO made a motion to approve the minutes of the July 25, 2013 meeting of the Staff Director's Advisory Committee. Mr. Johnny Limbaugh, Lee County MPO seconded the motion. The motion was approved unanimously.

3. Executive Director's Report

Mr. Howard Glassman, MPOAC Executive Director, provided a status report on the MPOAC budget (Attachment 1 of the MPOAC agenda package under the Executive Director's Report). He noted that the MPOAC spent about 19% of the budget in the first quarter. He also reminded members that the NARC and AMPO dues are being paid outside of the MPOAC budget this year.

Mr. Glassman introduced Mr. Paul Gougelman, MPOAC General Counsel, who presented MPOAC Rules of Procedure for Public Comments (Implementation of SB 50) (Attachment 2 Memorandum from Paul Gougelman by Chairman Kaplan on Rules of Procedure, dated September 8, 2013, and (Attachment 3 of the MPOAC Resolution 2013-1 Rules of Procedures for Public Comments).

Mr. Peter Buchwald, Vice-Chair, St. Lucie TPO moved approval of MPOAC Resolution 2013-1 Rules of Procedures for Public Comments. Mr. Nick Uhren, Palm Beach MPO seconded. The motion carried unanimously.

Mr. Gougelman explained that the MPOAC is not subject to Florida's Administrative Procedures Act as confirmed by the Joint Administrative Procedures Committee representative. Yet there are existing rules in the Florida Administrative Code (F.A.C.) that are out of date. Mr. Gougelman recommended that the existing rules in the F.A.C. be prepared for repeal; that the existing rules be revised and prepared for re-adoption by a much simpler and more expeditious process of adoption of a resolution and posting of the rules on the MPOAC website.

Mr. Uhren moved to make the recommendation of Mr. Gougelman to the MPOAC Governing Board. It was seconded by Mr. Harry Reed, Capital Region TPA and carried unanimously.

Mr. Glassman presented the 2014 MPOAC State Legislative Policy Positions (Attachment 4 of the 2014 State Legislative Policy Positions).

Mr. Glassman presented the 2014 MPOAC State Legislative Policy Positions (Attachment 4 of the 2014 State Legislative Policy Positions). He explained that the Policy Committee met in

August to formulate the positions with input from all of the staff directors. Policy Positions have been reformatted to reinforce the important positions in response to Policy Committee concerns that policy positions were being diluted due to the sheer number of them. Therefore, three priority policy positions along with background are presented including the most feasible recommendations from the Revenue Study, restoring funding to the TRIP program, and provide more flexibility in how the Department allocates SIS funds. He further reviewed the remaining policy positions He noted a technical change in Number 6 to read "...smart card technology and other innovative technologies." Number 7 deals with not having the car-rental surcharge apply to hourly car rentals.

Discussion ensued on the policy recommendations. One comment included a desire for the ability to spend transportation trust fund revenue to be spent on regional multi-use trails. Another comment included the desire to address MPO board membership to bring about more flexibility for varying situations throughout the state. A comment noted that one members' MPO is at a nonconcensus with mileage-based user fee.

Discussion continued on the MPO Board membership cap including the concept of percentage votes, the position of the current Legislature, and removal of the cap.

Mr. Reed moved to include a policy to allow the use of State Transportation Trust Funds for regional multiuse trail improvements. Mr. Harold Barley, MetroPlan Orlando seconded. It was clarified that the Trust Fund dollars would be limited to capital improvements. Management is currently with local government. The item would become Number 4 in the Priority Policy Positions. The motion carried unanimously.

Discussion returned to the MPO membership cap.

Mr. Buchwald moved to add language to increase the cap on MPO membership to accommodate the needs of the MPO which may include the consolidation of two or more MPOs or expansion of the existing MPO boundary to include an additional urbanized area. Mr. Barley seconded. Discussion ensued with several members concurring that the cap should be removed and each MPO should be able to choose reflecting the evolution of thinking among members. Mr. Barley rescinded his second followed by Mr. Buchwald withdrawing the initial motion.

Discussion continued regarding the concern regarding the percentage of county commission needs to be addressed.

Mr. Greg Stuart, Broward MPO moved that the policy should recommend removal all references to the cap on the number of MPO Governing Board members and instead rely on federal law to dictate the membership. Mr. T.J. Fish, Lake-Sumter MPO seconded. One member stated that their MPO has recently completed a year of this discussion and now has weighted voting and cannot support the motion. Another member believed such a move would be a step backward. Others believed that removal of requirement should solve many issues. Mr. Buchwald requested that the chair call the vote. The motion carried with Ms. Lois Bollenback, Volusia TPO and Ms. Lucie Ayer, Collier MPO voting against the motion.

Mr. Stuart moved to recommend the Draft 2014 Legislative Policy Positions as amended to the Governing Board. Mr. Ray Chiaramonte, Hillsborough County MPO seconded. The motion carried with Ms. Ayer opposing.

Mr. Glassman presented MPOAC Institute Recruitment Strategies (Attachment 5 of the MPOAC Institute Recruitment Strategies for 2014). The new strategy is to encourage participation in the MPOAC Institute. Mr. Chiaramonte moved to recommend approval of the strategy to the Governing Board. Vice-Chair Buchwald seconded. It was noted that there may be funding concerns if several Board members desire to attend. A member requested clarification of the marketing components. The motion carried unanimously.

Mr. Glassman noted that the 2014 MPOAC Meeting Schedule is in the packet.

He also announced dates and locations for the 2014 MPOAC Institute – March 28 – 30th at the Rosen Centre Hotel in Orlando and May 30-June 1 at the Renaissance Hotel International Plaza in Tampa.

4. Agency Reports

a. FDOT Agency Report

The Chair introduced Jim Wood, Director of Policy Planning at FDOT, who provided an update of Department efforts. He noted that the Future Corridors Concept Studies are complete for Tampa Bay-Central Florida and Tampa Bay-Northeast Florida. The studies are available on the website. The Department is working on a pilot area east of Orlando to establish a process for moving from evaluation to completion. The TampaBay-Northeast Florida Area focuses on I-75 and connectivity gaps. He reminded everyone that this is the Department's long range plan for multimodal corridors with a 50 year horizon.

Mr. Wood noted that the Department will be ramping up on the Florida Transportation Plan and the Strategic Intermodal System Strategic Plan which will both be updated by the end of 2015. The outreach processes will be combined. He noted that the Department is working on long range transportation plan needs guidance and the draft report is expected in April 2014. The Statewide Freight Database has been slightly delayed and is now expected to be available in April 2014.

Mr. Wood noted the MPO status regarding reaffirmation plans based on the 2010 U. S. Census. Only six MPOs have yet to complete their plans. The new urbanized area in Citrus County will likely be joining the Hernando MPO. The Sebring/Avon Park Urbanized Area will not be joining the Polk TPO but will be joining with five other counties to form a new regional MPO in accordance with federal guidelines.

He noted that the Recreational Trails Program Opt Out allows the funding to be used in a more flexible manner.

In regard to performance measures (MAP-21 and Florida Transportation Plan Scorecard), the Department is developing Statewide Mobility Performance Measures that will be presented at the MPOAC meeting by Mr. Doug McLeod. Mr. Wood noted that the Florida Transportation Plan Scorecard is available on the FDOT website.

Mr. Wood explained the Metropolitan Planning (PL) Funds Formula Change (Attachment 3 of the Metropolitan Planning (PL) Funds Formula Change). He requested action to approve the Metropolitan Planning (PL) Funds Formula Change regarding the off-the-top allocations. Mr. Glassman clarified that the MPOAC annual budget is closer to \$290,000.

Discussion ensued regarding the allocations and any new MPOs. There was general concern in regard to how individual MPO budgets would be affected. In addition, members were concerned about the formation of an additional MPO. Mr. Bob Romig, FDOT indicated that Highlands County made a compelling case for a 6-county regional MPO.

A member read the FDOT policy that constrains the use of SU funds for planning studies if PL funds have not been spent down. There seems to be inconsistent application of this policy and members look forward to working with the Department on the policy.

Concerns over the potential budget implications of allocation changes caused some members to request a delay in acting on the Department's request to approve the formula.

Mr. Bob Kamm, Space Coast TPO moved to recommend to the MPOAC to accept the changes to the off-the-top allocations as indicated in the red box. Ms. Bonny Landry, Martin MPO seconded. Concern regarding impacts to individual budgets continued. Mr. Glassman clarified that the first 4 bullets really endorses the increase in NARC and AMPO dues. Concerns raised regarding the letter title - PL funding formula. There was a suggestion to change the title to address only the MPOAC Planning Funds Formula. Mr. Romig clarified that the adjustment is being made only to the off-the-top portion and the remaining formula stay in effect. The Chair called the question. The motion carried with Ms. Ayer voting against the motion.

Members requested that the Mr. Glassman work in advance with the Department next year so that the remaining portion of the PL Formula can be presented and discussed with options including the impact on individual MPO budgets.

Mr. Wood also briefly touched on performance measures and rulemaking. He mentioned the Florida Automated Vehicle Summit on November 15th by FDOT and CUTR. He thanked all of the MPOs for their support for the Coast to Coast Connector.

b. FHWA Agency Report

Ms. Karen Brunelle, Director, Federal Highway Administration (FHWA) Office of Project Development, and Ms. Lee Ann Jacobs, Planning and Programs Coordinator at the FHWA Florida Division Office, provided updates regarding FHWA activities.

Ms. Jacobs introduced Ms. Shundreka Givan, District 2 Planner (Attachment 2 of the Florida Department of Transportation Districts) housed in the new Orlando office serving Puerto Rico and District 2.

She noted that each MPO should have received an email regarding the MPO freight program assessment annual update. Responses are requested by December 13th. Finally, Ms. Jacobs noted the letter in the agenda packet – "Approval of FY 2014-2017 STIP and Statewide

Planning Finding.” The federal planning finding statewide assessment report is prepared annually and contains best practices and suggestions.

Ms. Brunelle introduced Mr. Luis Lopez, the Environmental Specialist in the Orlando office and for District 4. Ms. Brunelle noted that Mr. James Christian, the new Florida Division Administrator is now in place. She referenced Attachments 1 and 2 in the agenda packet.

Ms. Brunelle reported on the TIGER V Grants. In September, \$474 million was awarded for 52 grants, three in Florida. A total of 585 applications totaling \$9 billion were received. Florida projects included the Florida International University (FIU) City Prosperity for ITS and Complete Streets, Lee County MPO for Complete Streets, and FDOT for Freight Logistics.

Ms. Brunelle gave the MAP-21 Update, which was comprised of the following:

- Continuing resolution. Will expire in mid-January 2014.
- Result of Sequestration on NHPP funds. In FY 2013, Florida lost \$2 million in National Highway Performance Program funds and, in FY 2014, about \$2.3 million will also be lost due to sequestration.
- Notice of Proposed Rule Making for Categorical Exclusions. Regarding projects that are likely to have fewer environmental impacts. Comment period closes on November 18th.
- Proposed Rule Making for Planning Process regarding Performance Measures. Should begin in the 4th quarter. Sign up for email alerts on the FHWA performance management page.
- Proposed FHWA/FTA Policy Guidance on Transit Representation on MPOs serving TMAs (Attachment 3 of the Proposed Policy Guidance on MPO Transit Representation on MPOs serving TMAs, dated September 30, 2013). Comment period closes today. Mr. Gougelman sent comments to the MPOAC (see agenda attachment). This is only proposed guidance at this point; there will be an additional opportunity to comment during rule-making.

5. Florida’s Rail Initiatives

Mr. Fred Wise, Executive Director of the Florida Rail Enterprise, presented Florida’s Rail Initiatives and discussed Safety and Quiet Zone Issues.

- Florida East Coast (FEC) – Direct connection to the Port of Miami via a tunnel to ease congestion in Downtown Miami and become a competitive gateway for international trade.
- South Florida Regional Transportation Association (SFRTA) – Commuter rail for south Florida since January 1989. Tri-Rail up to Jupiter. TIGER V Grant will fund two major connectors: the Northwood Connector and the Iris Connector. These will maximize the use of lines for freight, and future transit/intercity rail service.
- CFRFC – Commuter rail for Central Florida – SunRail anticipated in April 2014.

- CSX Intermodal Logistics Center being constructed in Winter Haven. Development of this facility is occurring due to the opening of SunRail.
- CSX S-Line Capacity Improvements Freight will be diverted from the A-line to the S-line due to SunRail.
- FECI – All Aboard Florida. Line from Miami to Orlando with 3-hour travel time. Service may be initiated by late 2015.

Mr. Wise also reviewed the Crossing Safety Improvement Program and the Locomotive Horn Rule (Quiet Zones). While normally quiet zone improvements are funded by the local government requesting the zone, Florida East Coast Industries has stated they would pay for the quiet zones associated with All Aboard Florida.

In response to a question regarding what projects are candidates for next year's funding, Mr. Wise indicated the terminal at Orlando airport, a CSX study for alternatives to mitigate the impact of increased freight on the S-line including rerouting freight traffic around Lakeland, and the South Florida rail enhancement through the TIGER grant. Mr. Wise indicated that suggestions for the next round of funding can be made through your FDOT District contacts. He also indicated that the rail study for the Tampa area has not yet been initiated. The PowerPoint presentation will be sent to members. Safety improvements have not been defined because a diagnostic review has not yet been performed.

6. Mobility Performance Measures

Mr. Doug McLeod, FDOT Planning Manager for Mobility Performance Measures, presented an overview of Mobility Performance Measures and MAP-21 (Attachment 1 of the Mobility Performance Measures and MAP-21, dated October 30, 2013).

Mr. McLeod provided an overview of FDOT's Multimodal Performance Measures Program, an Overview of MAP-21 Performance Measure Requirements and outlined FDOT and MPO roles and responsibilities.

In January of 2013, a statewide team was established to look at mobility performance measures. It was agreed that MPOs would serve on the team, one from each of the seven FDOT Districts. Broward County was the lead on the team. FDOT must comply with MAP 21 requirements. Because they must collect the data necessary to do so, it is FDOT's intent to also provide the MPOs with the MAP 21 performance requirement information for their area, thereby, relieving MPOs of that financial burden. The FDOT and each MPO will need to develop their individual reports, performance measures, targets, and plans. FDOT will work with MPOs through each FDOT District to develop their targets and provide training and technical support. Mr. Stuart described their workshops regarding performance measures.

7. Transportation for America

Ms. Erika Young, Director of Strategic Partnerships for Transportation for America (T4America), presented an overview of Transportation for America and federal transportation issues of interest to the MPOs. Transportation for America is an alliance of elected, business and civic leaders from communities across the country, united to ensure that states and the federal government step up to invest in smart, homegrown, locally-

driven transportation solutions. These are the investments that hold the key to our future economic prosperity.

She noted a Transportation for America event in Washington D.C. on November 19th.

8. Communications

The following communications were included in the agenda packet.

- Letter from FDOT Secretary Ananth Prasad to FHWA Division Administrator David Hawk certifying the state's transportation planning process and approving the MPOs Transportation Improvement Programs, dated September 4, 2014.
- Letter from MPOAC General Counsel Paul R. Gougelman to Howard Glassman, MPOAC Executive Director regarding Central Cities in MPO reapportionment plans, dated September 7, 2013.
- Letter from AMPO, NARC and NADO to USDOT Secretary Anthony Foxx regarding representation of public transit providers on MPOs, dated September 19, 2013.

9. Member Comments

Mr. Stuart reported on the activities of the MPOAC Freight Committee. He thanked Mr. Barley for the use of MetroPlan Orlando's space. He noted a report from the TMI committee. The next Freight Committee Meeting will be held before the next MPOAC meeting and will include a customs presentation.

Mr. Reed summarized the Interactive TIP meeting.

10. Public Comments

There were no public comments.

The meeting was adjourned at 3:13 pm.

**Item Number 3
Public Comments**

DISCUSSION:

Comments or recommendations by the public.

REQUESTED ACTION:

As may be desired

ATTACHMENTS:

None

Item Number 4
Executive Director's Report

DISCUSSION:

Mr. Howard Glassman, MPOAC Executive Director will be presenting the following items for discussion:

1. Quarterly Budget Report: October 1 – December 30, 2013
2. MPOAC legislation for the 2014 state legislative session
3. School Board Membership on MPO Governing Boards
4. MPOAC Weekend Institute trainings for 2014
5. MPO Planning Funds (PL) Formula

REQUESTED ACTION:

As may be desired

ATTACHMENTS:

1. Quarterly Budget Report: October 1 – December 30, 2013
2. Memorandum on draft legislation to MPOAC Staff Directors, November 21, 2013
3. MPOAC Draft Legislation - Section 339.175, Florida Statutes
4. Letter to Greg Stuart, Broward MPO from Paul R. Gougelman, MPOAC General Counsel, on School Boards and MPOs, December 9, 2013
5. Memorandum on MPOAC Weekend Institute, December 12, 2013
6. MPO Planning Funds (PL) Formula

Florida Metropolitan Planning Organization Advisory Council
FY 2013/2014 Budget
July 1, 2013 to June 30, 2014

Category	Annual Allocation	1st Qtr Expenditures 7/1/13-9/30/13	2nd Qtr Expenditures 10/1/13-12/31/13	3rd Qtr Expenditures 1/1/14-3/31/14	4th Quarter Expenditures 4/1/14-6/30/14	Expenditures to Date	Remaining Balance
Salaries/Benefits	\$ 200,000	\$ 45,727	\$ 51,447			\$ 97,174	\$ 102,826
Expense	\$ 85,000						
Travel	\$ 45,000	\$ 5,501	\$ 6,700			\$ 12,201	\$ 32,799
Meetings	\$ 27,000	\$ 5,979	\$ 5,749			\$ 11,728	\$ 15,272
Administrative	\$ 15,080	\$ 622	\$ 5,199			\$ 5,821	\$ 9,259
Membership Dues *	\$ 1,920	\$ -				\$ -	\$ 1,920
Contracted Services	\$ 18,000						
General Counsel	\$ 18,000	\$ 4,826	\$ 3,572			\$ 8,398	\$ 14,428
Transp.Planning	\$ 165,000						
Univ. South FL (CUTR)	\$ 80,000	\$ 20,000	\$ 20,000			\$ 40,000	\$ 40,000
MPOAC Institute	\$ 85,000	\$ 5,950	\$ 11,050			\$ 17,000	\$ 68,000
Total Federal Funds	\$ 468,000	\$ 88,605	\$ 103,717			\$ 192,322	\$ 275,678
Advocacy Activities Local Funds	\$ 7,500	\$ 850	\$ 1,600			\$ 2,450	\$ 5,050
Total Budget	\$ 475,500	\$ 89,455	\$ 105,317			\$ 194,772	\$ 280,728

* FBT, FPTA, ITSFL

Glassman, Howard

From: Glassman, Howard
Sent: Thursday, November 21, 2013 12:28 PM
To: 'Ali Atefi'; 'Angela Morlok'; 'Beth Alden'; 'Beth Beltran'; 'Bob Herrington'; 'Bob Kamm'; 'Carlos Roa'; 'Denise Bunnewith'; 'Dennis Dix'; 'Donald Scott'; 'Fish, TJ'; 'Gary Huttman'; 'Greg Slay'; 'Greg Stuart'; 'Harold Barley'; 'Harry Reed'; 'Hugh Pascoe'; 'Irma San Roman'; 'James H. Edwards'; 'Jeff Sheffield'; 'Johnny Limbaugh'; 'Lois Bollenback'; 'Lorraine Lantz'; 'Lucie Ayer'; 'Marlie Sanderson'; 'Mary Bo Robinson'; 'Michael Howe'; 'Nick Uhren'; 'Peter Buchwald'; 'Phil Matson'; 'Ray Chiaramonte'; 'Ron Gogoi'; 'Ryan Kordek'; 'Sarah Ward'; 'Sheila Martin'; 'Sue Faulkner'; 'Sue Goldfuss'; 'Terry Joseph'; 'Thomas Deardorff'
Cc: 'Richard Kaplan'; 'Haynie, Susan'; 'Paul Gougelman'; 'Kramer, Jeff'; 'Seggerman, Karen'; Romig, Robert; Wood, Jim M. (CO); Arens, Yvonne
Subject: MPOAC Draft 2014 State Legislation
Attachments: Legislation11-13.docx

To: MPOAC Staff Directors

Attached for your review and comment is draft MPOAC legislation for the 2014 legislative session. It contains language from the FDOT transportation bill that did not pass last session, new language from some of our members, and other provisions drafted Mr. Paul Gougelman, MPOAC General Counsel. In summary it provides for the following:

- Increases the MPO governing board membership cap from 19 to 25. There is legislative support to moderately increase in the cap but not eliminate the cap.
- Clarifies the one-third county commission membership requirement in multi-county MPOs and single-county MPOs.
- Allows general-purpose local governments serving on an MPO to include one who represents a group of general-purpose local governments through an entity created by an MPO.
- Changes "shall" to "may" on providing voting membership to authorities or other agencies that perform transportation functions which are not under jurisdiction of general-purpose local government.
- Corrects provisions in Florida law to be consistent with federal law regarding MPO reapportionment done in conjunction with the decennial census.
- Allows the MPOAC Governing Board to establish bylaws (existing law) or procedural rules to guide its proceedings and consideration of matters.

Please call me should you have any questions.



Howard Glassman
Executive Director
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MPOAC Draft Legislation – November 21, 2013

Section 339.175 F.S. is amended to read:

(3) VOTING MEMBERSHIP.-

(a) The voting membership of an M.P.O. shall consist of not fewer than 5 or more than ~~19-25~~ apportioned members, the exact number to be determined on an equitable geographic-population ratio ~~basis by the Governor~~, based on an agreement among the affected units of general-purpose local government and the Governor as required by federal rules and regulations. The Governor, in accordance with 23 U.S.C. s. 134, may also provide for M.P.O. members who represent municipalities to alternate with representatives from other municipalities within the metropolitan area that do not have members on the M.P.O. Except as provided elsewhere within this section, County Commission members shall compose no less than one-third of the M.P.O. governing board membership. With regard to multi-county M.P.O.s, the requirement of having one-third of the M.P.O. board constituting county commissioners may be satisfied by any combination of different numbers of county commissioners from any of the counties constituting the M.P.O. Notwithstanding the foregoing, except for an M.P.O. with more than 15 members located in a county with a 5 member county commission or an M.P.O. with 19 members located in a county with no more than 6 county commissioners, in which case county commission members may compose less than one-third percent of the M.P.O. governing board membership, when ~~but~~ all of the county commissioners in a single county M.P.O. are ~~must be~~ members of the M.P.O. governing board. All voting members shall be elected officials of general-purpose local governments, one of whom may represent a group of general-purpose local governments through an entity created by an M.P.O. for that purpose. ~~except that an~~ An M.P.O. may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida. As used in this section, term, "elected officials of a general-purpose local government" ~~excludes shall exclude~~ constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials. County commissioners shall compose not less than 20 percent of the M.P.O. membership if an agency that operates or administers a major mode of transportation has been appointed to an M.P.O.

(b) In metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions and are performing transportation functions that are not under the jurisdiction of a general-purpose local government represented on the M.P.O., they ~~shall~~ may be provided voting membership on the M.P.O. In all other M.P.O.s where transportation authorities or agencies are to be represented by elected officials from general-purpose local governments, the M.P.O. shall establish a process by which the collective interests of such authorities or other agencies are expressed and conveyed.

(4) APPORTIONMENT.-

(a) Each metropolitan planning organization shall review the composition of its membership in conjunction with the decennial census, as prepared by the United States Department of Commerce, Bureau of the Census, and, with the agreement of the affected units of general-purpose local

~~government constituting the existing M.P.O. and the Governor, reapportion the membership as necessary to comply with subsection (3) The Governor shall, with the agreement of the affected units of general purpose local government as required by federal rules and regulations, apportion the membership on the applicable M.P.O. among the various governmental entities within the area. At the request of a majority of the affected units of general-purpose local government serving on the M.P.O., the Governor and a majority of units of general-purpose local government serving on an M.P.O. shall cooperatively agree upon and prescribe who may serve as an alternate member and prescribe a method for appointing alternate members who may vote at any M.P.O. meeting that an alternate member attends in place of a regular member. The method must shall be set forth as part of the interlocal agreement describing the M.P.O.'s membership or in the M.P.O.'s operating procedures and bylaws. The government entity so designated shall appoint the appropriate number of members to the M.P.O. from eligible officials. Representatives of the department shall serve as nonvoting advisors to the M.P.O. governing board. Additional nonvoting advisors may be appointed to the M.P.O. as deemed necessary; however, to the maximum extent feasible, each M.P.O. shall seek to appoint non-voting representatives of various multimodal forms of transportation not otherwise represented by voting members of the M.P.O. An M.P.O. shall appoint nonvoting advisors representing major military installations located within the jurisdictional boundaries of the M.P.O. upon the request of aforesaid major military installations and subject to the agreement of the M.P.O. All nonvoting advisors may attend and participate fully in governing board meetings but shall not have a vote and shall not be members of the governing board. The Governor shall review the composition of the M.P.O. membership in conjunction with the decennial census as prepared by the United States Department of Commerce, Bureau of the Census, and reapportion it as necessary to comply with subsection (3).~~

(11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.-

(c) The powers and duties of the Metropolitan Planning Organization Advisory Council are to:

1. Enter into contracts with individuals, private corporations, and public agencies.
2. Acquire, own, operate, maintain, sell, or lease personal property essential for the conduct of business.
3. Accept funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources.
4. Establish bylaws by action of its governing board providing procedural rules to guide its proceedings and consideration of matters before the Metropolitan Planning Organization Advisory Council, or, alternatively, and adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law conferring powers or duties upon it.
5. Assist M.P.O.'s in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law.
6. Serve as a clearinghouse for review and comment by M.P.O.'s on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes instituted pursuant to s.339.155.

7. Employ an executive director and such other staff as necessary to perform adequately the functions of the council, within budgetary limitations. The executive director and staff are exempt from part II of Chapter 100 and serve at the discretion and control of the council. The council is assigned to the Office of the Secretary of the Department of Transportation for fiscal and accountability purposes, but it shall otherwise function independently of the control and direction of the department.

8. Adopt an agency strategic plan that provides the priority directions the agency will take to carry out its mission within the context of the state comprehensive plan and any other statutory mandates and directions given to the agency.

LAW OFFICES

PAUL R. GOUGELMAN, III

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December 9, 2013

Mr. Gregory Stuart, Executive Director
Broward MPO
Trade Centre South Building
100 West Cypress Creek Road, Suite 850
Fort Lauderdale, FL 33309-2112

Re: Broward Metropolitan Planning Organization ("MPO");
School Board Voting Membership on a MPO Governing Board

Dear Mr. Stuart:

I serve as General Counsel for the Florida Metropolitan Planning Organization Advisory Council ("MPOAC"). Through the Broward MPO's Deputy Director, Michael Ronskavitz, the MPO has asked the MPOAC two (2) questions.¹ MPOAC Executive Director Howard Glassman has asked that I respond to the issues presented.

QUESTIONS PRESENTED: Unless and until legislatively or judicially determined to the contrary, it is my opinion that more likely than not a court of law would respond to the following questions presented as set forth in this letter:

1) Can School Board voting membership status be left up to each MPO, or must a School Board be excluded from MPO Governing Board membership, because a School Board Member is a constitutional officer?
ANSWER: School Board membership on a MPO Governing Board appears to be permitted. School Board members are not Art. VIII, Section 1(d), Florida Constitutional Officers, and thus the preclusion in Section 339.175(3)(a), Florida Statutes, against constitutional officers serving on MPO Governing Boards does not apply.

¹ Mr. Ronskavitz's e-mail identified a third question, asking whether there are any conflicts or issues created by School Board Member on a MPO Governing Board. None have been identified with specificity. Consequently, until a specific potential conflict is identified, I will defer a response to this issue.

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2) Do other MPOs in Florida have school board officials as voting members? ANSWER: Yes, there are five (5) MPOs within Florida having School Board Members as voting members on their Governing Boards.

BACKGROUND: On November 26, 2013, Broward County School Board Deputy General Counsel Robert Vignola wrote Gregory Stuart. Specifically, Mr. Vignola advised that the School Board was inquiring whether the Broward MPO saw any concern with regard to a School Board Member serving on the MPO's Governing Board. The School Board appointed Broward School Board Member Patricia Good to serve on the MPO Governing Board pursuant to the Interlocal Agreement Creating the Broward MPO. Deputy General Counsel Vignola's letter advises that the School Board's question is based on a reading of Section 339.175 (3)(a), Florida Statutes, which states:

(3) VOTING MEMBERSHIP.-
(a) . . . All voting members shall be elected officials of general-purpose local governments, except that an M.P.O. may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida. As used in this section, the term "elected officials of a general-purpose local government" shall exclude constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials.

Mr. Vignola further notes that School Board Members are constitutional officers pursuant to Article IX, Section (4)(b) of the Florida Constitution.² In light of Section 339.175(3)(a), Florida Statutes, the Broward School Board asks whether the Broward MPO sees any impediment to Ms. Good's service as a Member of the Broward MPO Governing Board.

ANALYSIS: Let me begin by noting that it is not within the MPOAC's purview to interpret a local MPO interlocal agreements involving specific, individual MPOs, unless specifically requested to do so by the individual MPO. Thus, this letter should not be interpreted as rendering an opinion with regard to the Broward MPO's interlocal

² Article IX, Section 3 of the Florida Constitution provides in pertinent part:

SECTION 4. School districts; school boards.-

* * *
(b) The school board shall operate, control and supervise all free public schools within the school district and determine the rate of school district taxes within the limits prescribed herein. Two or more school districts may operate and finance joint educational programs.

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agreement which creates the MPO and provides for School Board membership on the Governing Board. Such an issue is better left for your MPO's General Counsel. However, I can render an opinion with regard to the interplay of Section 339.175(3)(a), Florida Statutes, and Article IX, Section (4)(b) of the Florida Constitution, with regard to MPO membership as it affects all MPOs across the State of Florida.

Issue 1: Can School Board voting membership status be left up to each MPO, or must a School Board be excluded from MPO Governing Board membership, because a School Board Member is a constitutional officer? Section 339.175(3)(a), Florida Statutes, provides that "[a]ll voting members [of a MPO] shall be elected officials of general-purpose local governments," That statutory provision also states that the use of the term "elected officials of general-purpose local governments" excludes "constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials."

While it is true that school board members are mentioned in the Florida Constitution, they are not "constitutional officers" as that term is used in Section 339.175(3)(a). Section 339.175(3)(a) discusses local governmental officials such as county commissioners and city council members being required to sit as voting members on a MPO Governing Board. The list of county officers or as the statute states "constitutional officers" to be excluded includes sheriffs, tax collectors, supervisors of elections, property appraisers, and clerks of court.³ The common thread with regard to all of these "constitutional officers" is that they are all constitutional officers as provided for in Article VIII, Section 1(d), Florida Constitution.⁴

³ This language was added by Chap. 2007-196, Section 40, Laws of Florida, which in turn was adopted by the Committee Substitute for the Committee Substitute for HB-985. A review of the legislative committee analysis of this legislation does not reveal anything with regard to this language. The staff reports are silent. See House of Representative Staff Analysis, Policy & Budget Council, House Bill 985, p.2,3 (2007).

⁴ Article VIII, Section 1(d) of the Florida Constitution, list specific offices and provides:

SECTION 1. Counties.-

* * *

(d) COUNTY OFFICERS. There shall be elected by the electors of each county, for terms of four years, a sheriff, a tax collector, a property appraiser, a supervisor of elections, and a clerk of the circuit court; except, when provided by county charter or special law approved by vote of the electors of the county, any county officer may be chosen in another manner therein specified, or any county office may be abolished when all the duties of the office prescribed by general law are

The language with which the Broward County School Board is concerned is the phrase "and similar types of officials." In determining the legislature's intent in using a particular phrase in a statute, a court would resort to the rules of statutory interpretation. Two related doctrines of statutory construction would more likely than not be applied, including the doctrine of *ejusdem generis*⁵ and *noscitur a sociis*.⁶

"[I]t is familiar policy in the construction of the terms of a statute to take into consideration the meaning naturally attaching to a term from the context of the particular statute."⁷ From this concept, the doctrine of *noscitur a sociis* has been derived, meaning that a word is known by the company it keeps.⁸ Thus, when one encounters a string or series of words with a more general term at the end, the more general term at the end of the string of words takes its meaning from the context in which it is used. General words may be restricted to a narrower sense or less general meaning by the context in which they are used.⁹

The doctrine of *ejusdem generis* is actually an application of the broader maxim *noscitur a sociis*,¹⁰ which means that general and specific words capable of analogous meaning when associated together take color from each other so that the general words are restricted to a sense analogous to the specific words.¹¹ The doctrine of *ejusdem generis*

transferred to another office. When not otherwise provided by county charter or special law approved by vote of the electors, the clerk of the circuit court shall be *ex officio* clerk of the board of county commissioners, auditor, recorder and custodian of all county funds.

5 "Ejusdem generis" is Latin, meaning "of the same kind." See *Ecoff v. Danson*, 896 So.2d 795 (Fla. 5th DCA 2005).

6 "Noscitur a sociis" is Latin meaning "it is known by its associates." See *Black's Law Dictionary* (9th ed. 2009).

7 *Stratton v. Sarasota County*, 983 So.2d 51 (Fla. 2d DCA 2008); 48A Fla. Jur.2d *Statutes* §125 (2013).

8 *Nehme v. Smith Kline Beecham Clinical Laboratories, Inc.*, 863 So.2d 201 (Fla. 2003).

9 *State ex rel. Wedgeworth Farms, Inc. v. Thompson*, 101 So.2d 381 (Fla. 1958).

10 *State v. Hobbs*, 974 So.2d 1119 (Fla. 5th DCA), *approved*, 999 So.2d 1025 (Fla. 2008).

11 *Quarantello v. Leroy*, 977 So.2d 648 (Fla. 5th DCA), *rev. denied*, 987 So.2d 1210 (Fla. 2008).

provides that, where the enumeration of specific things is followed by a more general word or phrase, the general phrase is construed to refer to a thing of the same nature as the preceding specific things.¹²

Thus, pursuant to the statutory rule of interpretation of *ejusdem generis*, when a general phrase, such as "and similar types of officials," follows a list of specifics, such as sheriffs, tax collectors, supervisors of elections, property appraisers, and clerks of court, the general phrase will be interpreted to include only items of the same type as those listed.¹³ Thus, the term "and similar types of officials" would more likely than not be interpreted by a court of law to be an Article VIII, Section 1(d), Florida constitutional officer.¹⁴ School Board Members are not Article VIII constitutional officers. They are provided for in Article IX of the Florida Constitution.

School Board members have apparently gained MPO Governing Board voting membership through application of another part of Section 339.175(3)(a), Florida Statutes. As noted in the above-quoted portion of Section 339.175(3)(a), ". . . [a]ll voting members shall be elected officials of general-purpose local governments, except that an M.P.O. may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida. . . ." (emphasis supplied). Usually, the foregoing emphasized language is interpreted as being applicable to seaports, airports, and public transit systems.

School Boards routinely operate large transportation systems to transport literally thousands of school children each day. This is a specifically authorized power of school boards¹⁵ and school superintendents.¹⁶ Consequently, it is reasonable to conclude that a

12 Tiny Treasures Academy & Get Well Center, Inc. v. Stirling Place, Inc., 916 So.2d 991 (Fla. 3th DCA 2005); see also 48A Fla.Jur.2d Statutes §126 n.2 (2013).

13 General Dynamics Corp. v. Brottem, 53 So.2d 334 (Fla. 5th DCA 2010), rev. dismissed, 75 So.3d 1243 (Fla. 2011).

14 One might ask what "similar types" of constitutional officers there are. Article VIII, Section 1(d) of the Florida Constitution permits other offices to be created through a county charter or by special act of the Legislature. Examples of "similar types of constitutional officers" that have been created by special act of the Legislature can be found in both Escambia County and Orange County, that have created the elected office of County Comptroller. See Chaps. 72-460, §2,72-461, §3, and 73-455, Laws of Florida, and §2-67, Orange County Code of Ordinances.

15 §§1001.42(10), 1002.28(3)(b), and 1006.21, Fla.Stat.

16 §§1001.51(9) and 1006.21, Fla.Stat.

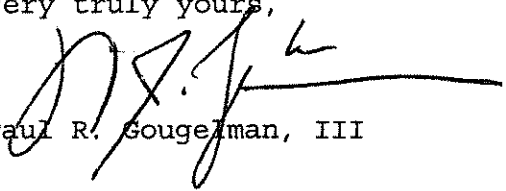
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school board could fit within the category of "an agency that operates or administers a major mode of transportation" as envisioned by Section 339.175(3)(a).¹⁷ In fact, several Florida Governors, the Florida Department of Transportation, and at least five (5) MPOs have reached this conclusion.

Issue 2: Do other MPOs in Florida have school board officials as voting members? There are five (5) MPOs within Florida having School Board Members as voting members on their Governing Boards. The MPOs which provide for a school board member to be a *voting* member of a MPO include the Miami-Dade MPO,¹⁸ the Broward MPO, the Capital Region Transportation Planning Agency, the St. Lucie TPO, and the Indian River County MPO.¹⁹

I trust that this letter will provide you with the assistance that you seek.

Very truly yours,



Paul R. Gougeon, III

PRG/-

pc: Michael Ronskavitz, Deputy Director
Broward Metropolitan
Planning Organization
Alan Gabriel, Esq., General Counsel
Broward Metropolitan

17 In AGO 2003-31, the Attorney General concluded that the University of Florida was not entitled to appoint a delegate to sit on the MPO serving the Gainesville Urbanized Area. This was based on the fact that any involvement in transportation functions was "merely tangential" to its function as defined by law. The U of F was not created by law to perform transportation functions. While not confronted by the Attorney General in AGO 2003-31, school district bus and transportation systems may not be the primary function of a School District, clearly when one considers the numbers of students transported, the size of bus and transit operations, and the costs involved, school transportation systems are more than tangential to the operation of a school system. School boards are required by law to furnish transportation on a large scale.

18 The Miami-Dade MPO is statutorily required to include a school board member as a voting delegate on its governing board. See §339.175(3)(d), Fla.Stat.

19 The Lake-Sumter MPO and the Volusia TPO both have school board members serving in a non-voting or *ex officio* capacity on their governing boards.

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Planning Organization
Howard Glassman, Executive Director
Florida Metropolitan Planning
Organization Advisory Council
MPOAC/School Board MPO Membership Broward MPO.Lt1

Memo

To: MPO Staff Directors
From: Jeff Kramer, AICP (for the MPOAC Institute Team)
CC: Howard Glassman, MPOAC
Date: 12/10/2013
Re: MPOAC Weekend Institute



The MPOAC Weekend Institute for Elected Officials, hosted by the Florida Metropolitan Planning Organization Advisory Council (MPOAC), will be held at the Rosen Centre Hotel in Orlando from March 28 through 30, 2014 and again at the Renaissance Tampa Hotel International Plaza from May 30 through June 1, 2014.

The MPOAC Weekend Institute will focus on:

- Critical funding issues
- Origins of MPOs
- Laws and regulations affecting MPOs
- MPO Board responsibilities & authority
- Transportation jargon and acronyms
- Basic concepts in transportation planning
- MPO products and processes
- Sources of transportation funding

Registration priority will be given to one designated Board member from each Florida MPO for each of the Weekend Institutes (2 total seats, one at each Institute). We will maintain a waiting list for MPOs that want to send more than one elected official to either Institute. If there are any spaces still available after each respective registration deadline, we will make them available on a first-come, first-served basis.

We encourage you to develop an appropriate mechanism for your MPO to select an elected official to attend each of the MPOAC Weekend Institutes. We have enclosed save-the-date postcards for your Board members. We hope these postcards spark interest among your members and help to facilitate your selection process.

Also enclosed, please find five copies of the 2014 MPOAC Weekend Institute for Elected Officials brochure and registration form. Please pass one of the brochures along to the elected official(s) who will represent your MPO at either Weekend Institute and keep the remaining brochures for your waiting list applicants or your files.

MPOAC
institute

Jeff Kramer, AICP
MPOAC Institute
813.974.1397
kramer@cutr.usf.edu

Please return the completed registration form prior to the respective registration deadline. Note that the brochure and registration form is valid for either Weekend Institute. A check-box is provided to indicate for which Weekend Institute the registration form is intended.

The registration form can also be completed electronically at <http://www.mpoac.cutr.usf.edu/>. The completed electronic registration form can be submitted by e-mail (click the "submit by e-mail" button to forward the form electronically) or by regular mail (click the print button to print a hard copy of the completed registration form). To register by mail, send the form to:

MPOAC Weekend Institute
c/o Brigitte Messina
605 Suwannee St., MS 28B
Tallahassee, FL 32399-0450

A registration fee of \$300 is required to attend either MPOAC Weekend Institute. The registration fee may be paid by check (please enclose with the mailed registration form) made payable to the MPOAC, or electronically through Pay Pal. If the "pay by Pay Pal" option is selected on the registration form, instructions will be sent via e-mail.

Please notify Jeff Kramer at (813) 974-1397 or kramer@cutr.usf.edu at least three weeks prior to each event date if you need to cancel. Cancellations after that time will not be refunded.

If your MPO would like to reserve a spot on the waiting list for either Weekend Institute, please e-mail Jeff Kramer at kramer@cutr.usf.edu. We will notify MPOs if a space is available for an additional elected official from their MPO once the respective registration deadline has passed. In the event a space opens for an additional elected official from your MPO, they will need to complete a registration form and submit it to the MPOAC with the registration fee as quickly as possible thereafter.

Discounted hotel room rates have been secured for Weekend Institute attendees who make reservations by the respective registration deadline. A special rate of \$109 per night is available at the Rosen Centre Orlando, and a special rate of \$125 per night is available at the Renaissance Tampa Hotel. Please see the brochure for more details on making room reservations at either Institute hotel.

Thanks again for your help and support. If you have any questions, please feel free to get in touch with me at kramer@cutr.usf.edu or at (813) 974-1397. We look forward to meeting your MPO Board members.

MPOAC
institute

MPO Planning Funds (PL) Formula

Current Off-the-top Allocations

- \$332,626 base to MPOAC, not to exceed approved operating budget
- \$55,000 for consultant fees
- \$85,000 for MPOAC Institute
- \$134,826 AMPO and NARC annual dues for MPOAC and MPOs

Portion approved at the MPOAC meeting on October 30, 2013 and subsequently approved by FHWA on December 18, 2013.

Portion of the Formula for Discussion

- \$350,000 base for each MPO
- Remaining funds disturbed to each MPO proportionate to their urbanized area population as compared to total statewide urbanized area population
- \$600,000 statewide for regional planning by MPOs (distributed same as remaining funds above)
- \$350,000 one-time allocation for MPOs extending existing boundaries to include new urbanized area(s)
- MPOs that merge, retain base allocation
- Provisions related to unused PL funds are contained in Work Program Instructions Chapter 23 (attached)

2) Work Program Planning Grants

- Transportation System: Use appropriate system number.
- Work Mix: Use 0040 – Transportation Planning work mix.
- Contract Class: Use contract class 2 – Externally Managed (Not LAP).
- Phase: Use phase 14 – Planning Grant.
- Program Number: Use program number 00 – Regular Program.
- Fund Code: Only D and HP funds will count toward Schedule B target levels; however, any applicable district allocated fund may be used.

Example: To program a planning grant, use transportation system 13, work mix 0040, contract class 2, phase 14, program number 00 and the D fund code with an allocation type 1.

<u>PHASE</u>	<u>SEQUENCE</u>	<u>PROGRAM NO.</u>	<u>FUND</u>	<u>AMOUNT</u>	<u>ALLOC TYPE</u>	<u>FISCAL YEAR</u>
14	01	00	D	\$200,000	1	20XX

If STP urban funds (SU) are to be used for planning consultant and grant activities, the requirements will be as follows:

- If the PL carryover balances plus de-obligations at the end of the two-year unified planning work program (UPWP) cycle exceed 20% of a MPO's annual PL approved UPWP allocations, then SU funds cannot be programmed for planning activities.
- If SU funds are being programmed for a model validation project, the project may be programmed at 100% of the project cost regardless of the status of PL funds.

As indicated in the above paragraphs, the intent is to ensure most PL funds are consumed before STP funds are used for planning purposes.

2. IN-HOUSE PLANNING, INCLUDING OPERATING CONSULTANTS

a. Overview

The districts are responsible for programming their in-house planning support, (salaries, expenses, OPS, OCO, contracted services overtime, HRD, etc.) as identified in Schedules A and B. In-house planning is not limited to the funds allocated for planning and may be programmed using other central office or district allocated funds. Funding levels provided for federally funded "HP" in-house planning should only be used for planning activities in the planning and environmental management program component to the maximum extent possible (exceptions can be authorized by the applicable budget entity).

In-house planning targets and funding levels have been developed based on the district planning cost centers' and the central Planning and Environmental Management offices' approved operating budget.

**Item Number 5
Election of Officers**

DISCUSSION:

As provided by the MPOAC bylaws, at the first meeting of the calendar year the MPOAC Staff Directors Advisory Committee shall elect a Chairperson and a Vice-Chairperson to take office at their meeting in July and serve until the beginning of the meeting in July of the next succeeding year.

The current Staff Directors' Advisory Committee Chairperson is Ms. Mary Bo Robinson from the Bay County, Florida-Alabama and Okaloosa-Walton TPOs. The Vice-Chairperson is Mr. Peter Buchwald from the St. Lucie TPO.

REQUESTED ACTION:

1. Elect a Chairperson and a Vice-Chairperson for a term beginning July 24, 2014

ATTACHMENTS:

None

Item Number 6A
Florida Department of Transportation Report

DISCUSSION:

Mr. Jim Wood, Director, Office of Policy Planning and Mr. Bob Romig, State Transportation Development Administrator at FDOT will be in attendance to present the following:

1. Statewide Planning Update
2. Legislative Update
3. MPO Census Update
4. Upcoming meetings:
 - Statewide FHWA/FTA/FDOT/MPO Videoconference, February 18 (9:30 am – 12:00 pm)
 - Statewide FHWA/FTA/FDOT/MPO Meeting, April 2 & 3 in Jacksonville

REQUESTED ACTION:

As may be desired

ATTACHMENT:

To be distributed

Item Number 6B
Federal Highway Administration Report

DISCUSSION:

Ms. Karen Brunelle, Director, Office of Project Development and Ms. Lee Ann Jacobs, Planning and Programs Coordinator at the FHWA Florida Division Office will be presenting items of interest.

REQUESTED ACTION:

As may be desired

ATTACHMENTS:

None

Item Number 7
Florida Space Transportation Infrastructure Planning

DISCUSSION:

Mr. Mark Bontrager, Vice President, Spaceport Operations at Space Florida will be in attendance to present an overview of Transportation Infrastructure Planning at Space Florida.

REQUESTED ACTION:

As may be desired

ATTACHMENT:

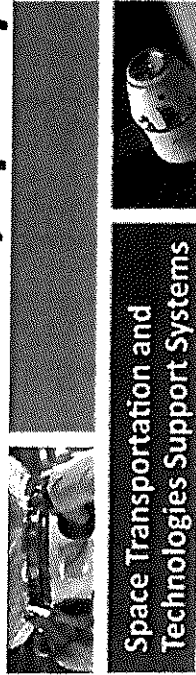
1. Florida Space Transportation Infrastructure Planning, Mark Bontrager, Space Florida

Florida Space Transportation Infrastructure Planning

Mark Bontrager

Vice President, Spaceport Operations

23 JAN 2014

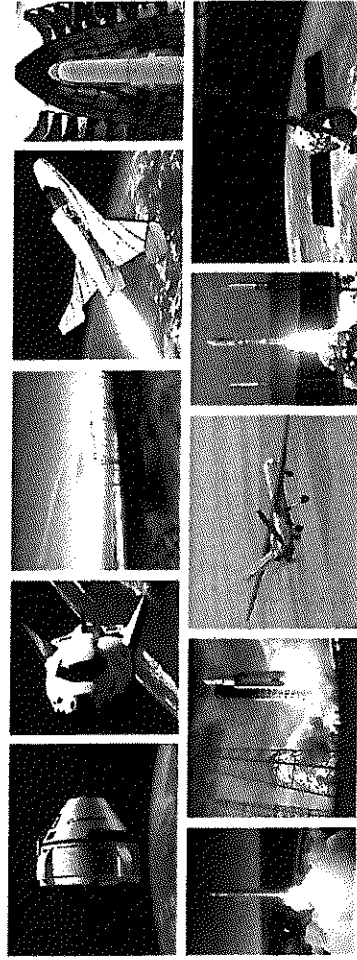
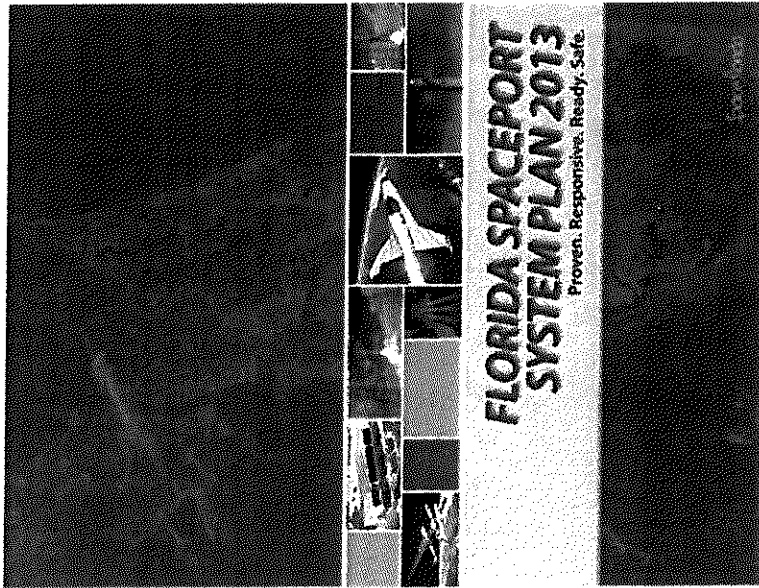


**Space Transportation and
Technologies Support Systems**



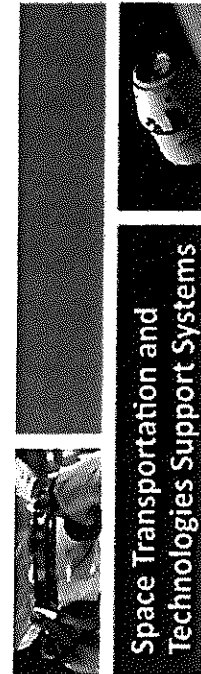
Statewide Spaceport System Plan

Cape Canaveral Spaceport Complex Master Plan

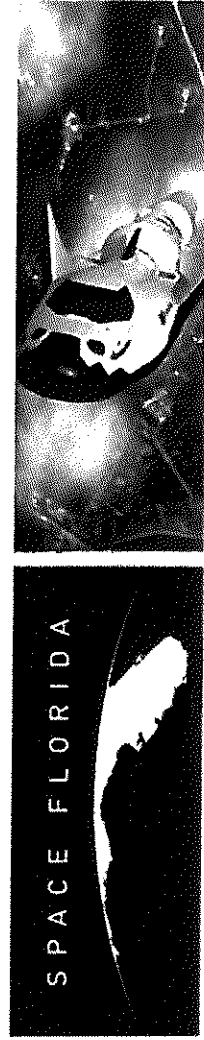


Cape Canaveral Spaceport Complex Master Plan
2013

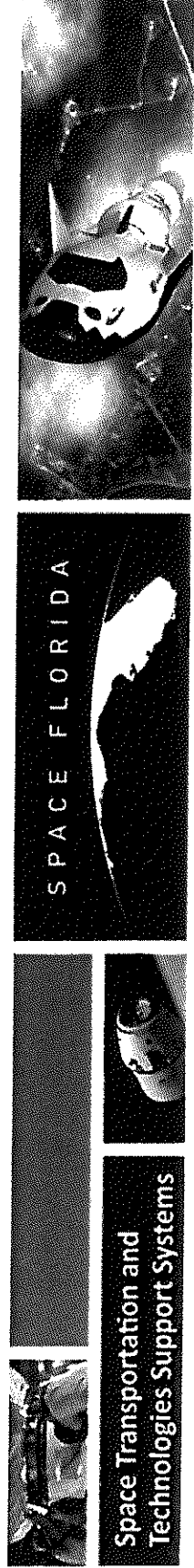
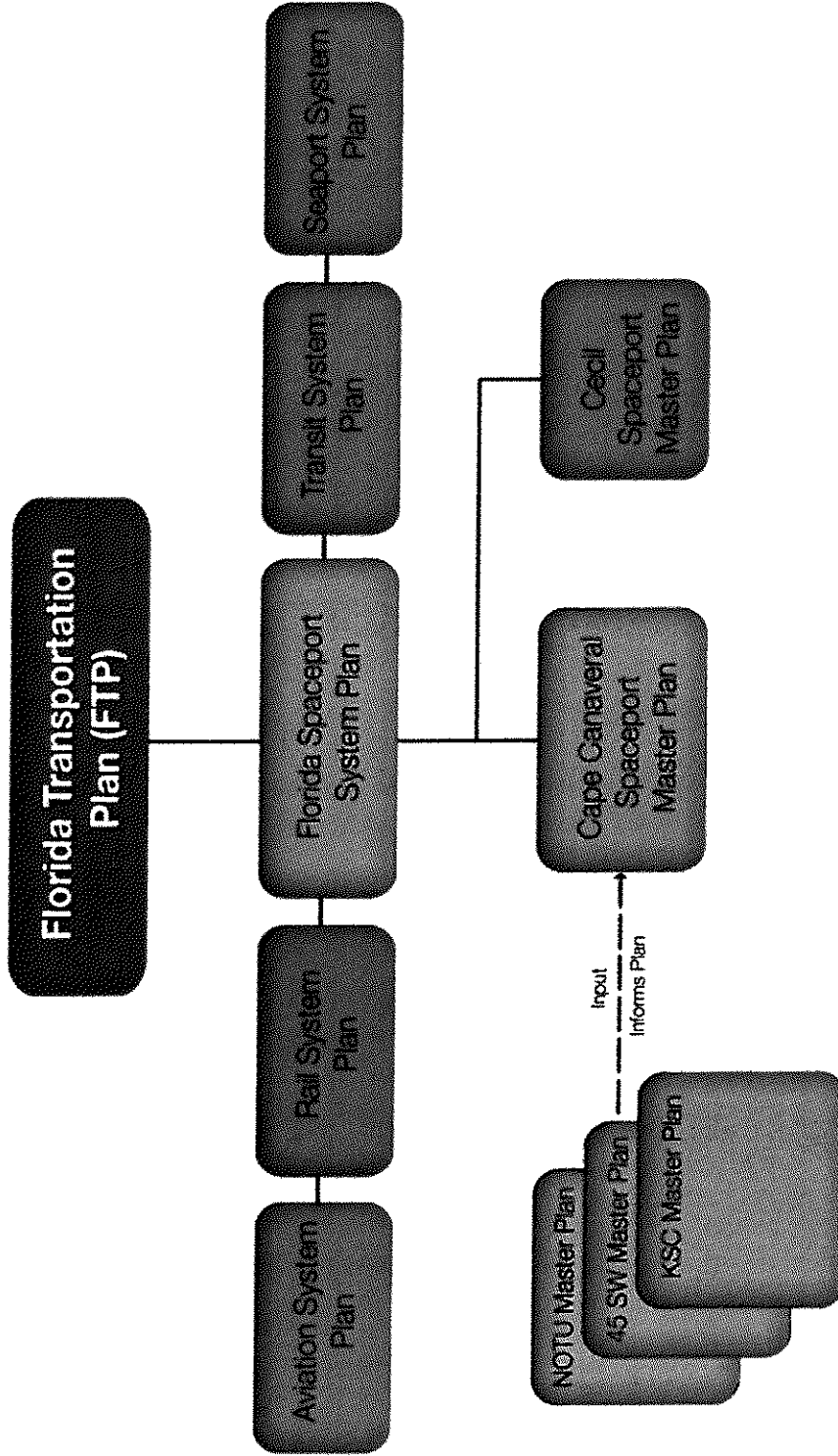
Space Florida Board Approved
May 2013



Space Florida Board Approved
October 2013

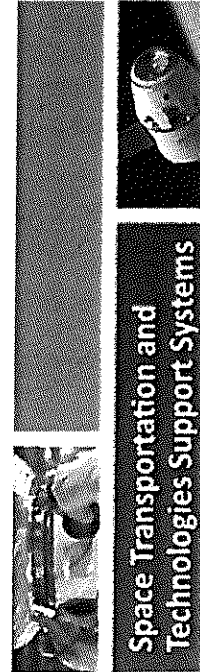


Space Florida System and Master Planning

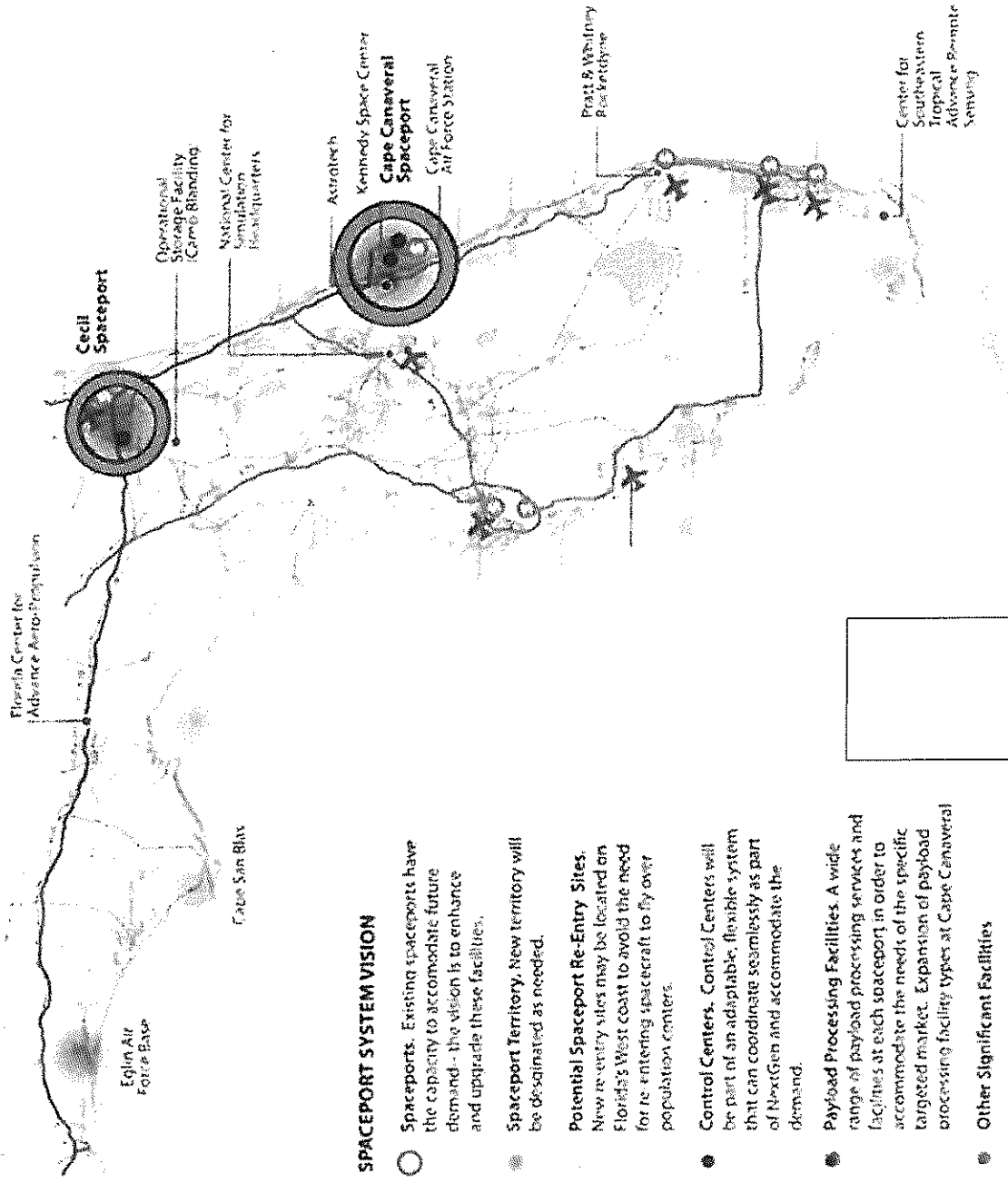


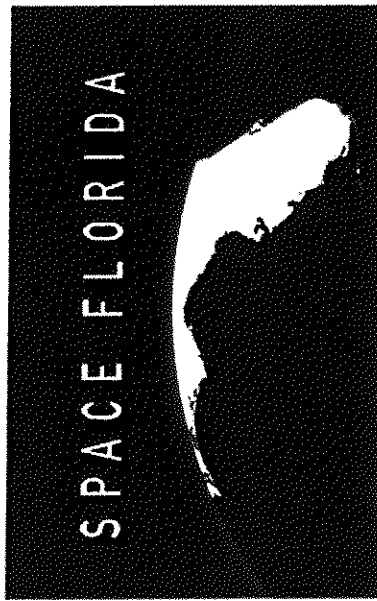
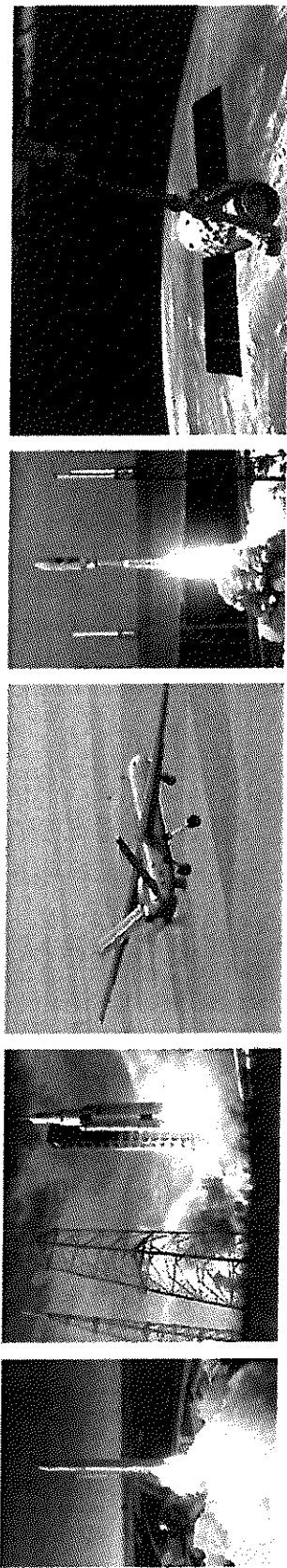
Florida Spaceport System Plan Goals

- Create a stronger economy where Florida's spaceports and aerospace businesses can thrive
- Guide public and private investment into emerging and growing aerospace enterprises and maximize the use of existing aerospace resources
- Enrich our quality of life while providing responsible environmental stewardship
- Advance a safer and secure spaceport transportation system for residents, businesses, and others



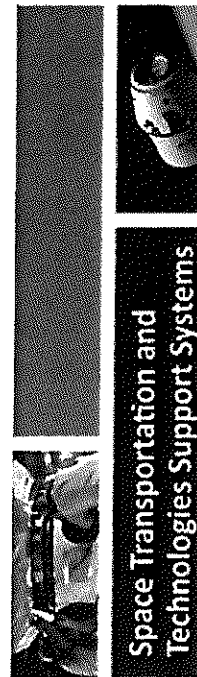
Statewide Spaceport System Vision 2013-2023





Cape Canaveral Spaceport Complex Master Plan 2013

Cape Canaveral Spaceport Complex Master Plan
SPACE FLORIDA

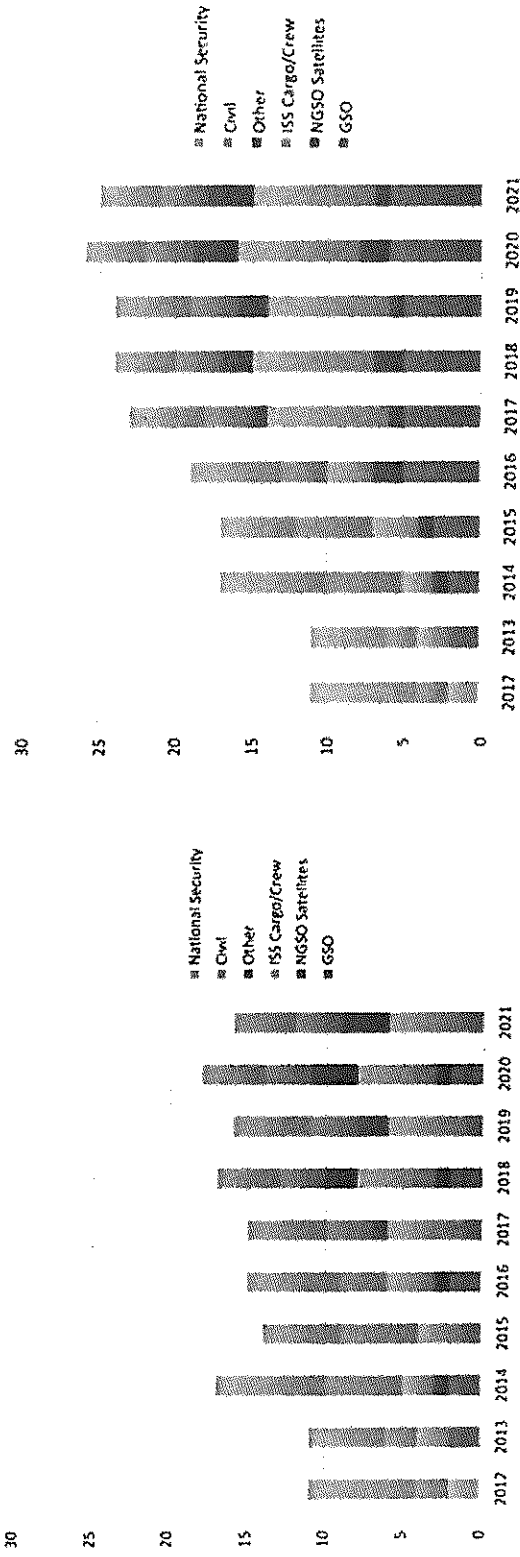


Space Transportation and
Technologies Support Systems

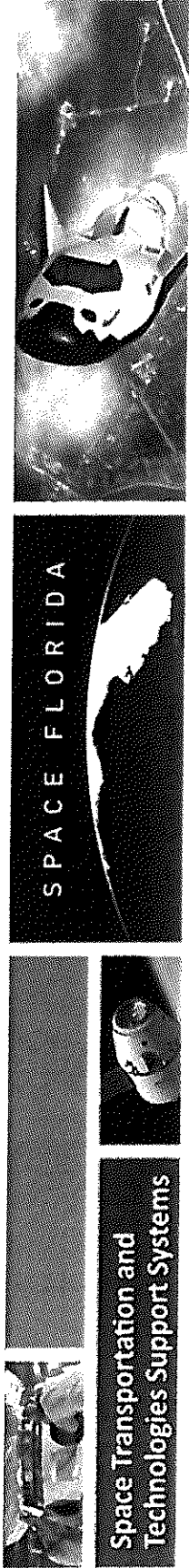


ORBITAL LAUNCH FORECAST

BASELINE SCENARIO GROWTH SCENARIO

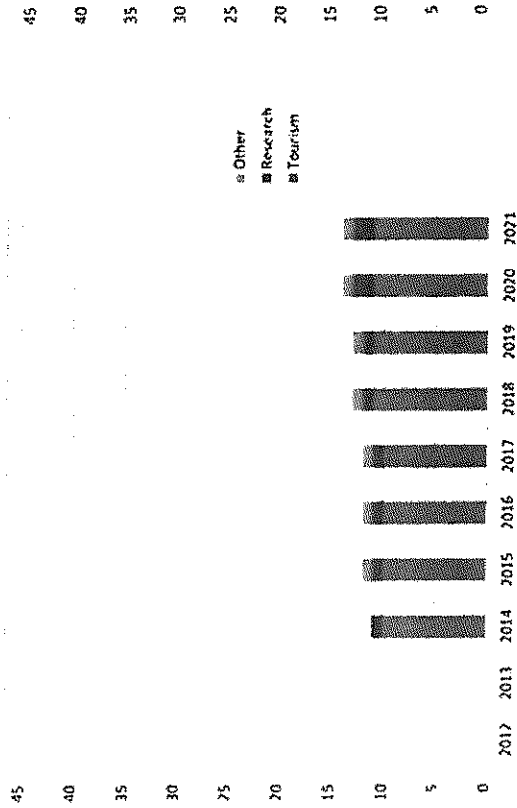


The growth scenario represents an increase of 8 to 10 launches per year

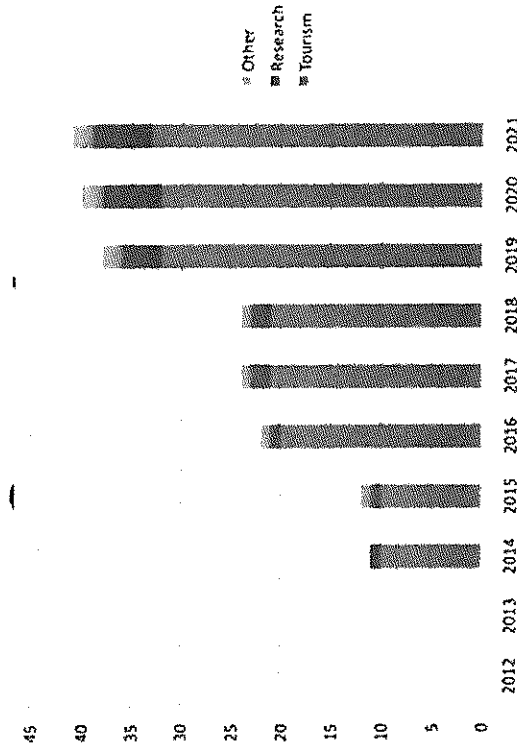


SUBORBITAL LAUNCH FORECAST

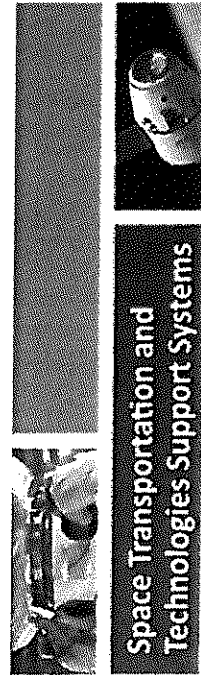
BASELINE



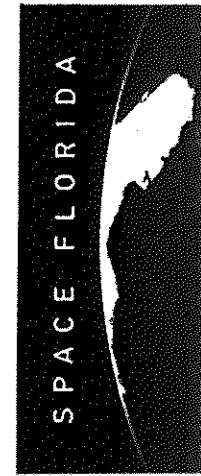
GROWTH



The growth scenario represents an increase from 10 to 40 launches per year.

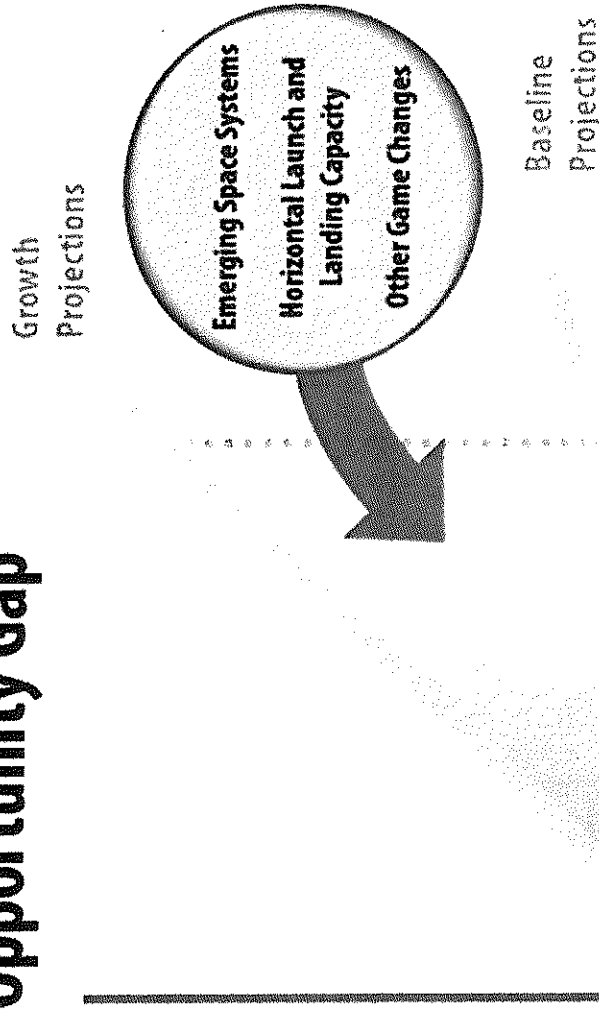


Space Transportation and Technologies Support Systems

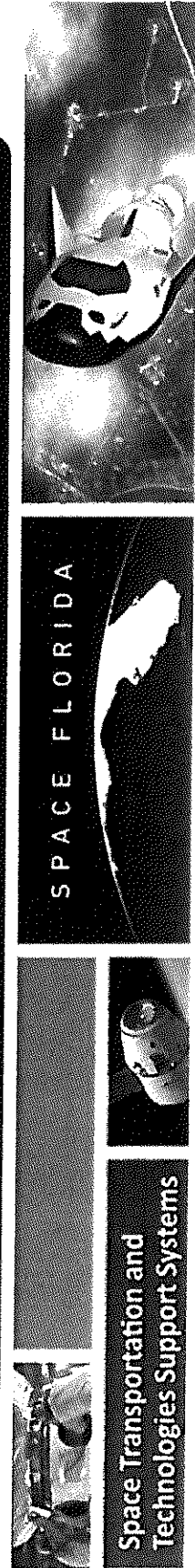


The Opportunity

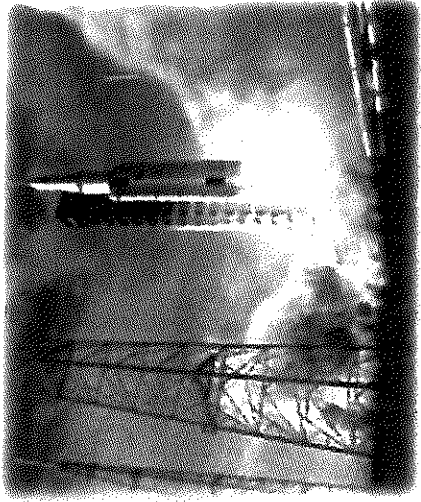
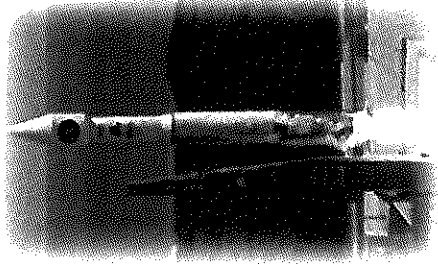
Opportunity Gap



Positioning Florida as the most attractive place for public and private investment



Cape Canaveral Spaceport Complex Master Plan Goals



GOAL ONE

Create a Spaceport that provides a positive economic benefit to the People of Florida.

Objective 1.1: Advance Commercial Heavy Lift

Objective 1.2: Support Commercial Crew and Cargo

Objective 1.3: Attract New Emerging Space Systems

Objective 1.4: Expand Horizontal Launch and Landing Capacity

Objective 1.5: Expand Statewide Capacity



Space Transportation and Technologies Support Systems



SPACE FLORIDA



GOAL TWO

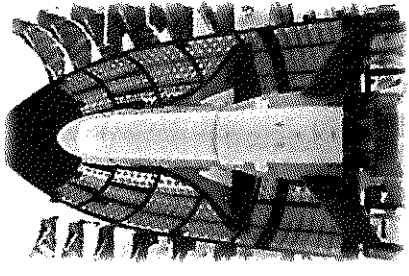
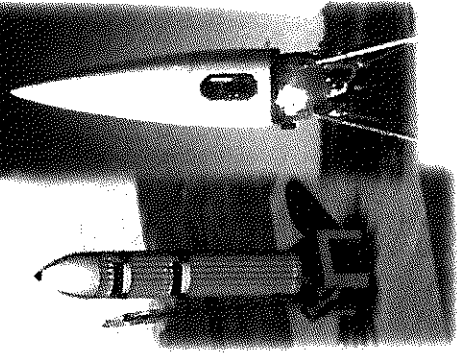
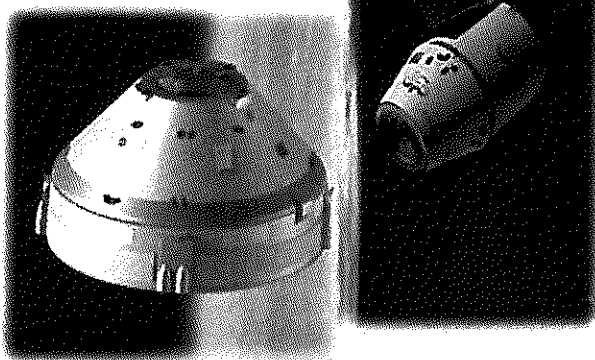
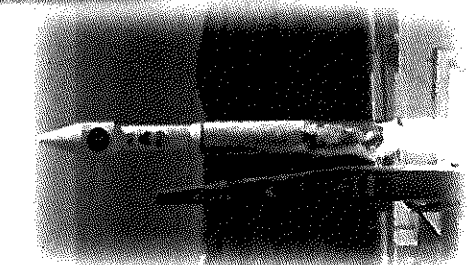
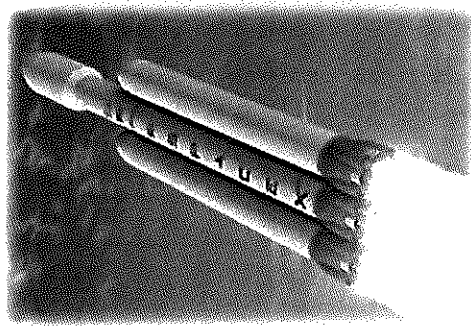
Ensure responsible environmental stewardship and an efficient, safe, and secure transportation system at the Spaceport.

Objective 2.1: Utilize the Unique Market Position of the CCS to Promote Space Tourism

Objective 2.2: Develop an Efficient and Competitive Organization Structure to Market and Promote the Cape Canaveral Spaceport

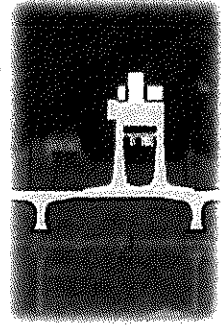
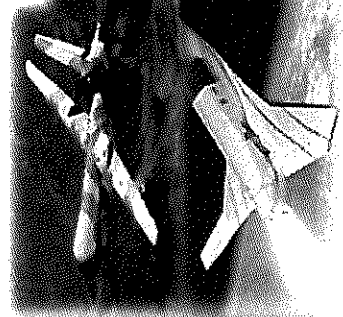
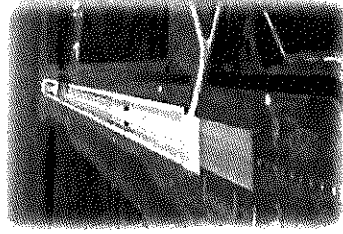
Objective 2.3: Environmental Stewardship

Spaceport Master Plan Objectives/Goals



Advance Commercial Heavy Lift

Support Commercial Crew and Cargo



Expand Horizontal Launch and Landing

Expand Statewide Space Capacity

Attract New Emerging Space Systems



Space Transportation and Technologies Support Systems



SPACE FLORIDA



FY14/15 ELIGIBLE PROJECTS

Project Site	Identified Projects
Advance Commercial Heavy Lift Capability	
SLC-40	Commercial Heavy Lift Launch Pad Modifications
SLC-40	Commercial Heavy Lift Hangar/Processing Facility
SLC-40	Heavy Lift Transporter Erector
SLC-40	Commercial Payload Processing Facility
SLC-40	Commercial Heavy Lift Flame Duct
SLC-40	Commercial General Purpose Storage Facility
LC-39A/B	LC-39B Launch Infrastructure
LC-39A/B	LCC to LC 39 A/B Infrastructure
LC-39A/B	LC-39A Launch Infrastructure
Support Commercial Crew & Cargo	
CJPF	Commercial Crew & Cargo Processing Facility
PCC	Processing & Control Center
Ex Park	Spacecraft Processing Facility
VAB	High Bay 1 Vehicle Processing
SLC-41	Commercial Crew Infrastructure
Attract New Emerging Space Systems	
OPF-1	Project Coyote
SLC-36	Small Launch Vehicle Infrastructure
SLC-46	Small Launch Vehicle Infrastructure
CLC	Shiloh - Commercial Launch Complex (CLC)
Ex Park	Exploration Park Phase II
Expand Horizontal Launch and Landing Capacity	
SLF	XCOR Launch OPS Hangar (LOPHT) Infrastructure
SLF	Project Olympic

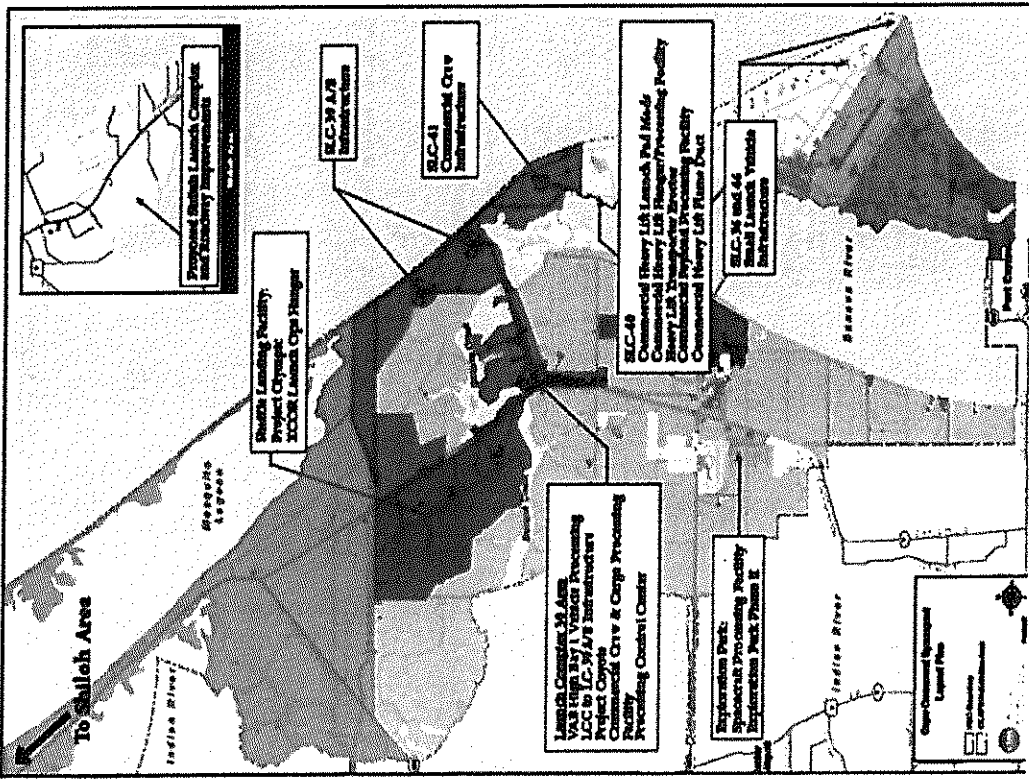
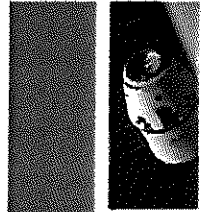
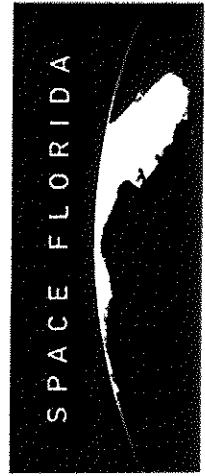
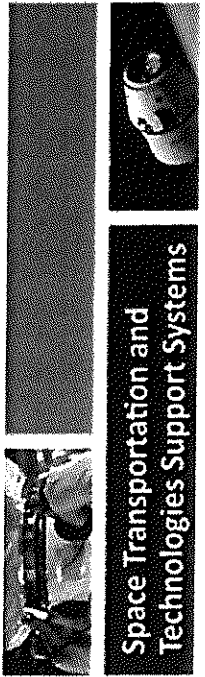
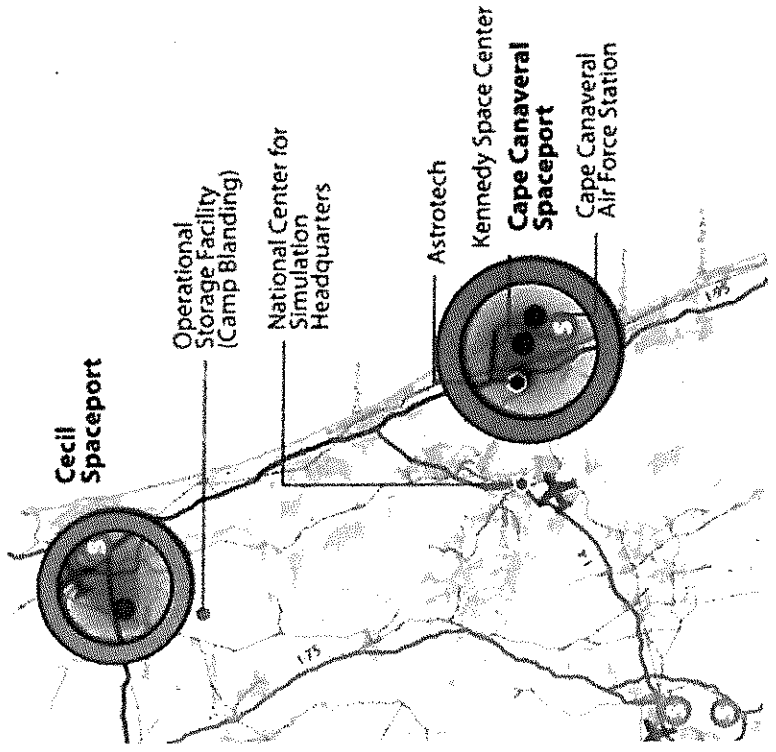
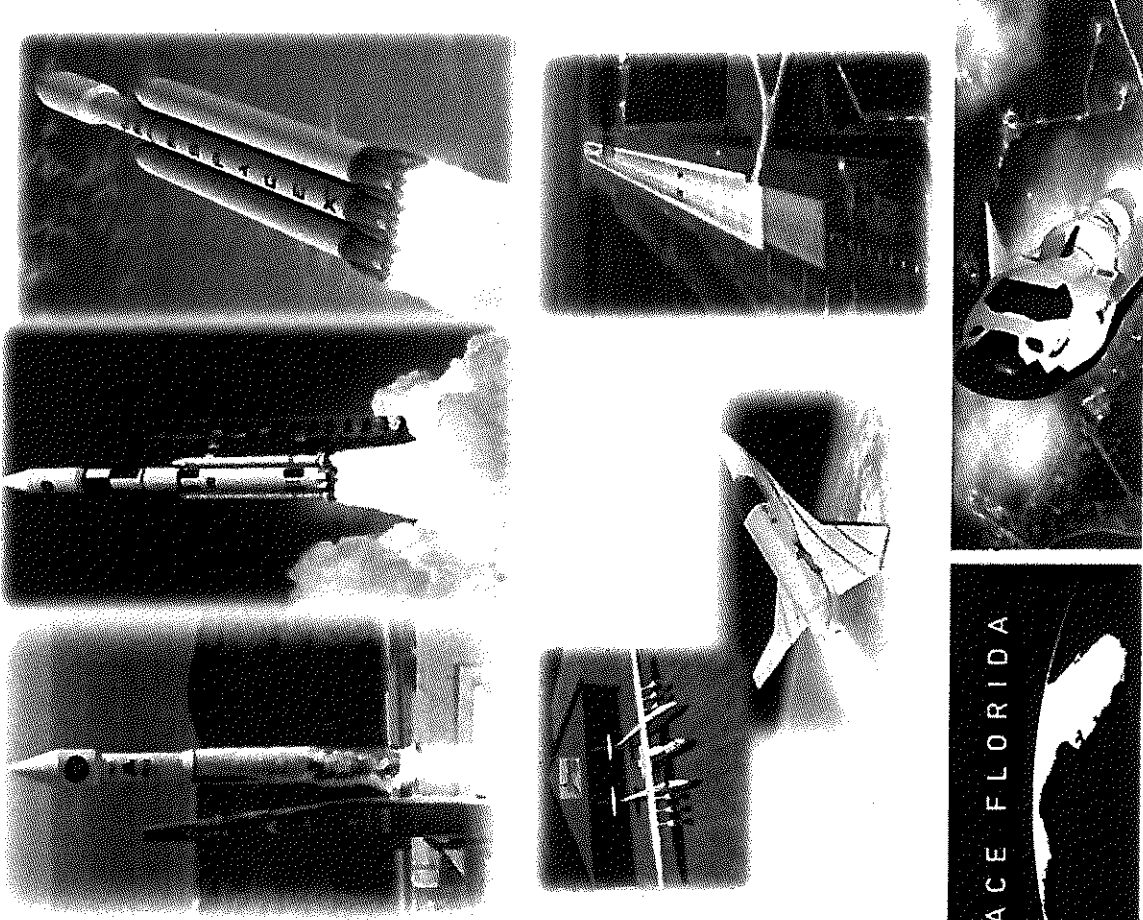


Figure E.VIII-2: FY 14/15 Submitted Projects Updated Annually

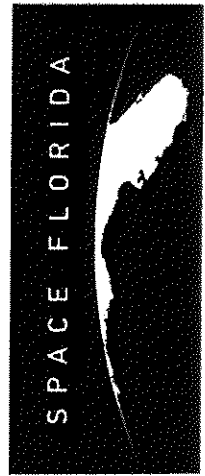


Space Transportation and Technologies Support Systems

FAA Licensed Spaceports in Florida



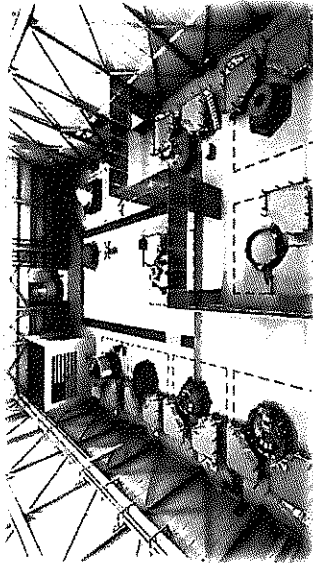
Space Transportation and Technologies Support Systems



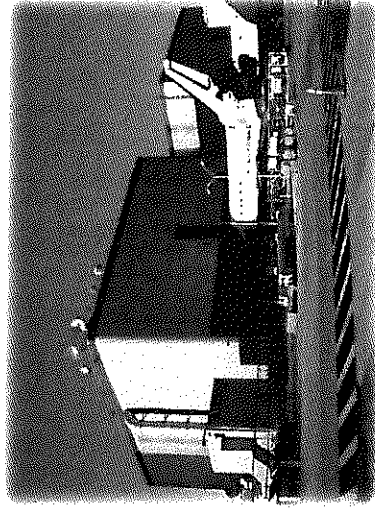
ONGOING / COMPLETED PROJECTS

FDOT Grant Projects Funded: \$30M (FY12 /13)

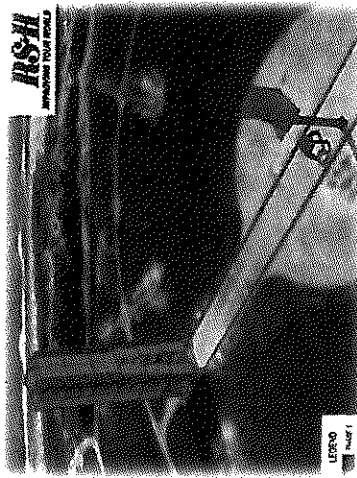
750 Direct Jobs and \$100+M Total Capital Investment



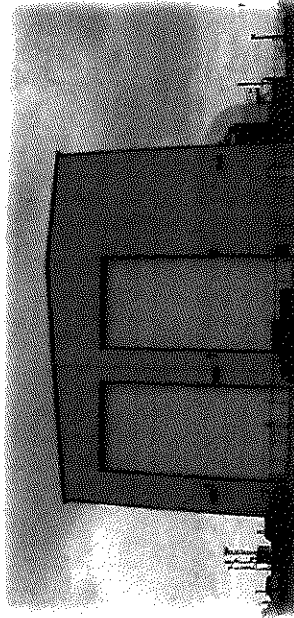
Orbiter Processing Facility 3



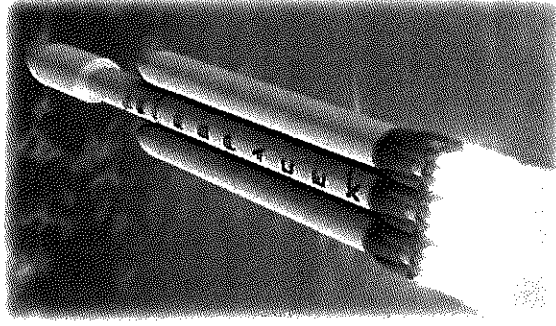
Orbiter Processing Facility 1



Launch Complex 46



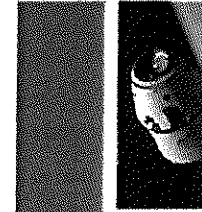
Payload Integration Facility



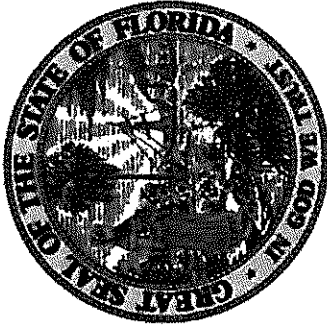
**Commercial
Heavy Lift**



**Space Transportation and
Technologies Support Systems**



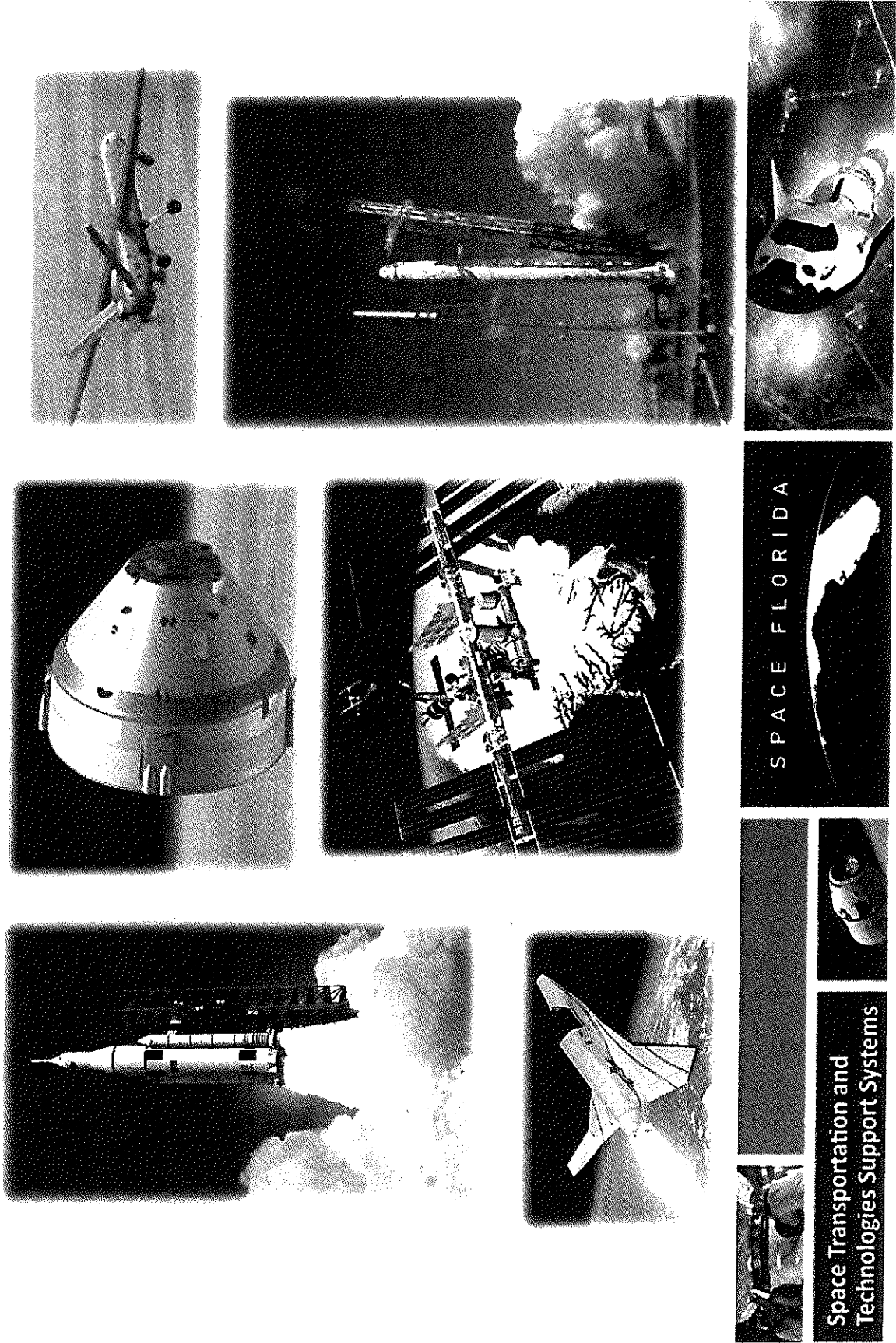
FLORIDA TEAM APPROACH



Governor Rick Scott



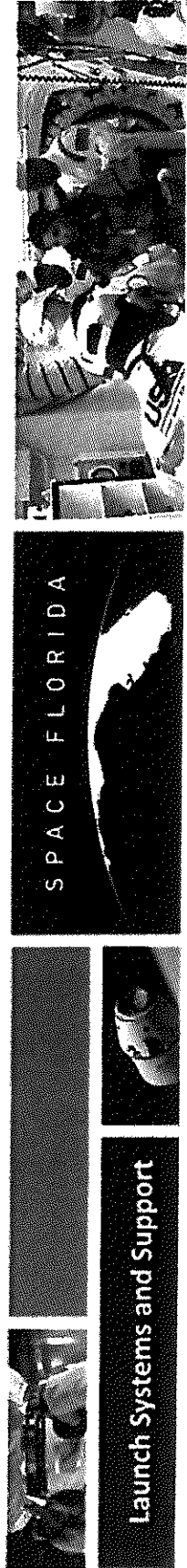
What's The Future?



SPACE FLORIDA

Space Transportation and
Technologies Support Systems

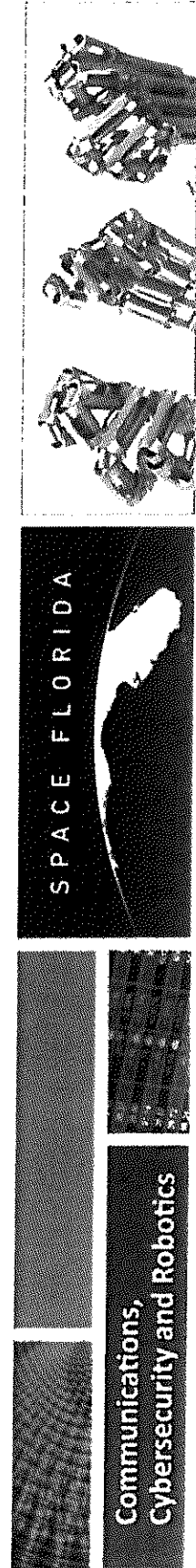
Questions



Space Florida Contacts

Jim Kuzma, Chief Operating Officer
321-730-5301 ext 243
jkuzma@spaceflorida.gov

Mark Bontrager, VP Spaceport Operations
321-730-5301 Ext. 235
mbontrager@spaceflorida.gov



Item Number 8
Florida Survey Data

DISCUSSION:

Mr. Thomas Hill, State Model Manager at FDOT will be presenting travel survey data information.

REQUESTED ACTION:

As may be desired

ATTACHMENT:

1. Florida Survey Data, Thomas Hill, State Model Manager at FDOT

Florida Survey Data

Thomas Hill
State Model Manager
Florida Department of Transportation
January 23, 2014

Introduction

- Purpose of Survey Data
- NHTS Add-On 2009
 - Activities
 - Limitations
- Florida Specific Data Survey
 - FDOT Interest

Purpose of Survey Data

- Data used to:
 - Quantify travel behavior
 - Analyze changes in travel characteristics over time
 - Relate travel behavior to the demographics of the traveler
 - Study the relationship of demographics and travel over time
- Data items not included:
 - Travel costs
 - Information on specific routes
 - Longitudinal information
 - Reasons for specific mode

Purpose of Survey Data

- Data enhances both the Statewide and MPO transportation planning efforts.
- Provides a consistent set of high quality household travel survey data.
 - Unique to the local area
 - Creates a profile and awareness of travel patterns at different levels – local and state.
- Baseline data needs.
 - Regardless of demand model format.

NHTS Add-On 2009

- MPOAC approved funding the 2009 NHTS
 - via PL Funds
 - Total cost for 12,000 urban samples - \$2,100,000
 - Data analysis & tabulation - \$500,000
 - FDOT allocated \$350,000 for 2,000 rural samples
- Data results were less than ideal
- MTF contends that a Florida driven survey will provide better results.

Florida Specific Survey

- Daily data collected includes:
 - Purpose of the trip (work, shopping, etc.)
 - Means of transportation used (car, bus, walk, etc.)
 - How long the trip took (i.e., travel time)
 - Time of day when the trip took place
 - Day of week when the trip took place
 - Private vehicle trip details
 - number of people in the vehicle (i.e., vehicle occupancy)
 - driver characteristics (age, sex, worker status, education level, etc.)
 - vehicle attributes (make, model, model year, amount of miles driven in a year)

Florida Specific Survey

- Can collect data more efficiently
- Control over survey approach
 - When
 - How long
 - Who
 - Where
- Data needs are consistent among models
 - Statewide
 - ABM
 - Traditional four step

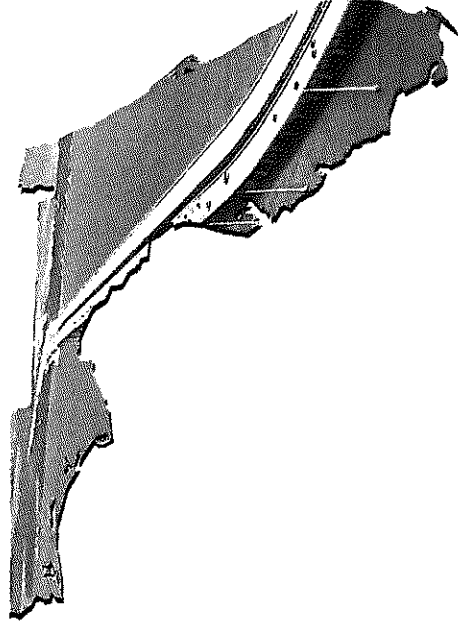
Survey Resources

- MPOAC
- Collective approach ensures consistency
- Economies of scale
- Improves travel demand modeling results

Questions

Thomas Hill
State Model Manager
Systems Planning Office
Florida Department of Transportation

thomas.hill@dot.state.fl.us
(850) 414-4924



**Item Number 9
Communications**

1. Letter to Secretary Ananth Prasad, FDOT from James Christian, FHWA Division Administrator approving portion of MPO planning funds (PL) formula, dated December 18, 2013.
2. Letter to Howard Glassman, MPOAC from Jesse Panuccio, Florida Department of Economic Opportunity regarding the Florida Strategic Plan for Economic Development, dated November 25, 2013.
3. Letter to Howard Glassman, MPOAC from Fred Abousleman, National Association of Regional Councils regarding NARC Executive Directors Conference, dated October 11, 2013.
4. Resolution #2013-01 from the Central Florida MPO Alliance and West Central Florida MPOs Chairs Coordinating Committee regarding Florida's Coast-to-Coast Connector Project, dated July 12, 2013.

Received 12-18-13
BM



U.S. Department
of Transportation
Federal Highway
Administration

Florida Division
December 18, 2013

545 John Knox Road, Suite 200
Tallahassee, Florida 32303
Phone: (850) 553-2200
Fax: (850) 942-9691 / 942-8308
www.fhwa.dot.gov/fldiv

In Reply Refer To:
HDA-FL

Mr. Ananth Prasad
Secretary
Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399-0450

Dear Secretary Prasad:

We are in receipt of the Department's December 2, 2013 request to revise Florida's formula for distributing metropolitan planning funds. We acknowledge the Department's efforts to consult with the Metropolitan Planning Organization Advisory Council (MPOAC) about the needed changes to the formula to ensure the funds are distributed in the most efficient and effective manner to carry out the requirements of 23 U.S.C. 134 and other applicable requirements of Federal Law. The formula change is being requested to reflect the current base allocation to the MPOAC and to clarify this amount will not be adjusted for inflation in the future. The MPOAC voted to approve the MPOAC portion of the formula on October 30, 2013.

We hereby approve the Department's recommendation to revise the planning (PL) formula to provide the following:

- The MPOAC with a base amount of \$332,626 (with no inflation adjustment), but not to exceed the approved operating budget; an additional \$55,000 for consultant fees; \$85,000 for the MPOAC Institute; and \$134,826 to pay the annual dues to the Association of Metropolitan Planning Organizations (AMPO) and National Association of Regional Councils (NARC) for each of the Metropolitan Planning Organizations (MPOs) and the MPOAC. The dues for AMPO and NARC will be used to support non-lobbying transportation activities;
- The base amount of \$350,000 for each of the MPOs (remains unchanged);
- The remaining funds to be distributed among the MPOs on a proportionate basis of the population of the urbanized area relative to the total urbanized area population in the state (remains unchanged); and
- The total statewide base amount for regional planning allocated to the MPOs at \$600,000 minimum (remains unchanged).

We also recognize the Department's plans and the MPOAC's desire to revisit the PL formula allocation as it relates to the non-MPOAC portion during future MPOAC meetings in 2014. If you have questions, or need more information, please contact Ms. Lee Ann Jacobs at (850) 553-2219.

Sincerely,

A handwritten signature in black ink that reads "Lee Ann Jacobs". The signature is written in a cursive, flowing style.

For: James Christian, P.E.
Division Administrator

cc: Mr. Robert Romig, FDOT (MS-57)
Mr. Jim Wood, FDOT (MS-28)
Ms. Lisa Saliba, FDOT (MS-21)
Mr. Howard Glassman, FDOT (MS-28B)

Rick Scott
GOVERNOR



Received 12-2-13
BM

Jesse Panuccio
EXECUTIVE DIRECTOR

November 25, 2013

Howard Glassman, Executive Director
Metropolitan Planning Organization Advisory Council
605 Suwannee Street, MS 28B
Tallahassee, FL 32399-0450

Dear Executive Director Glassman:

Consistent with Florida Statute 20.60, the *Florida Strategic Plan for Economic Development* was developed by the Florida Department of Economic Opportunity in partnership with Enterprise Florida, Inc., Workforce Florida, Inc., and the Executive Office of the Governor, along with input from nearly 3,000 Floridians. The *Strategic Plan* was formally delivered to the Governor, the Senate President, and the Speaker of the House on July 18, 2013. It reflects Florida's vision that the state will have the nation's top performing economy and be recognized as the world's best place to live, learn, play, work, and do business. You were with us at the beginning to develop the *Strategic Plan*; specifically as a participant in the 2011 Collaborative Labs workshop held at St. Petersburg College. We thank you for the input you provided to us during the early development of the *Strategic Plan*, and we hope you are pleased with the finished product.

The *Strategic Plan* establishes the framework for coordinated action by statewide agencies and organizations to improve Florida's economic competitiveness and create jobs for Floridians. The aspirational goals of the *Strategic Plan* include leading the nation in:

- Global competitiveness as a location for business, investment, talent, innovation, and visitors.
- Economic growth and prosperity.
- Quality of life.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax
www.floridaajobs.org | www.twitter.com/FLDEO | www.facebook.com/FLDEO

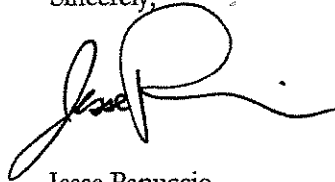
An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711.

The *Strategic Plan* builds on a strong partnership of public, private, and civic organizations. It defines goals, objectives, and strategies to move Florida toward its economic vision. This plan emphasizes:

- Aligning state, regional, and local plans and programs around the state's economic vision.
- Developing a portfolio of strong talent and innovation clusters that bring together skilled labor and innovation-oriented businesses in expanding and emerging markets.
- Strengthening and connecting Florida's economic regions to create a "megaregion" able to compete on a global scale.
- Positioning Florida to be a global hub for trade, visitors, talent, innovation, and investment.

We hope you will review the accompanying copy of the *Strategic Plan*, and that you will share resource documents found on DEO's website at: www.floridajobs.org/FL5yrPlan. If you have any questions, or need additional information, please contact Dr. Barbara Foster, Chief of DEO's Bureau of Planning and Partnerships, at 850-717-8966 or via email at barbara.foster@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jesse Panuccio', with a large, stylized 'P' and a long horizontal flourish extending to the right.

Jesse Panuccio

Enclosure: The *Florida Strategic Plan for Economic Development*



NARC

Building Regional Communities

Received 11-4-13 BM
National Association of Regional Councils

777 North Capitol Street NE, Suite 205

Washington, DC 20002

202.986.1032 (tel) 202.986.1038 (fax)

www.NARC.org

October 11, 2013

Howard Glassman
Executive Director
Florida MPO Advisory Council
605 Suwannee Street, MS 28B
Tallahassee, FL 32399-0450

Dear Mr. Glassman,

On behalf of the Board, members and staff of the National Association of Regional Councils (NARC) and the Southern California Association of Governments (SCAG), please accept our sincere thank you and appreciation for your participation in the 2013 Executive Directors' Conference in Santa Monica, CA. The success of a conference is directly tied to the quality presenters who provide valuable and new information, share expertise and experiences, discuss best practices or approaches, and promote audience participation through their exchanges with session attendees. Often placed in the position of fielding tough questions from our attendees, speakers are the people who make conferences a memorable learning experience. Your valuable and unique perspective helped yield one of the best NARC events to date.

Thank you again for your participation. We look forward to your involvement in future NARC events and activities. Just around the corner is our 2014 National Conference of Regions held in Washington, DC, February 9-11, 2014. We will keep you informed of information about this event, as it becomes available. We look forward to continuing and building upon this relationship and offer the services of NARC staff for additional information and assistance at any time.

Warm regards,

Fred Abousleman
Executive Director
National Association of Regional Councils



**JOINT RESOLUTION #2013-01
of the**

Central Florida MPO Alliance (CFMPOA) and the West Central Florida MPOs Chairs Coordinating Committee (CCC) supporting the implementation of Florida's Coast-to-Coast Connector Project, requesting the allocation of funds by the Florida Department of Transportation and pledging the assistance of member MPOs and TPOs to close the existing gaps in the Connector

WHEREAS, the Central Florida MPO Alliance and the West Central Florida MPOs Chairs Coordinating Committee collectively comprise 12 metropolitan planning organizations and transportation planning organizations encompassing 17 counties in the Central Florida mega-region; and

WHEREAS, the goal of the annual joint meeting of the CFMPOA and the CCC is to promote and coordinate regionally-significant, multi-modal transportation improvements across the mega-region; and

WHEREAS, the 275-mile Coast-to-Coast Connector (Connector), identified as having statewide economic benefit, would create a safe and continuous multi-use path from the Atlantic Ocean, through the heart of the Tampa-Orlando mega-region, to the Gulf of Mexico, and

WHEREAS, 200 miles of the Connector, or 75 percent, is already open to the public or funded for completion, and

WHEREAS, trails are the number one community amenity sought by American homebuyers; and

WHEREAS, information about cycling is among the most requested from tourists contacting Visit Florida, and

WHEREAS, the annual economic impact of cyclists is estimated to be nine times the one-time cost to build bicycle facilities, and

WHEREAS, three existing Central Florida trails produce \$42 million of economic benefit annually and support 516 jobs, and

WHEREAS, trails have rejuvenated local communities and added to Florida's growing eco-tourism industry, and

WHEREAS, the Coast-to-Coast Connector project received the support of the House and Senate in the form of a \$50 million special appropriation in the 2013 Budget, which was later vetoed by the Governor, and

WHEREAS, letters of support were received from metropolitan planning organizations, transportation planning organizations, county governments and civic and community organizations; and

WHEREAS, closing the 72 miles of gaps between existing trails, from Canaveral National Seashore on the east coast to St. Petersburg on the west, will produce the longest continuous multi-use trail in the state and one of the longest in the country.

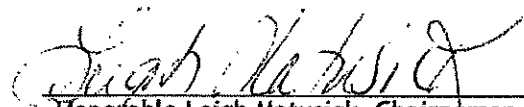
NOW THEREFORE, BE IT RESOLVED by the Central Florida MPO Alliance and the West Central Florida MPOs Chairs Coordinating Committee that, we, jointly:

1. Support the timely completion of the Coast-to-Coast Connector Project.
2. Request the Florida Department of Transportation include \$50 million in the Five-Year Work Program to complete the Coast-to-Coast Connector Project.
3. Pledge the cooperation and assistance of our member MPOs and TPOs to aid the Florida Department of Transportation, the Florida Department of Environmental Protection Office of Greenways and Trails and other stakeholders in prioritizing, planning and implementing the Coast-to-Coast Connector Project.

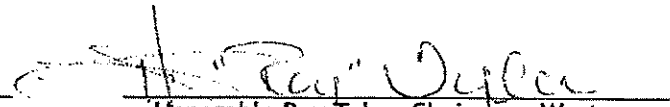
Passed and duly adopted at a joint meeting of the Central Florida MPO Alliance and the West Central Florida MPOs Chairs Coordinating Committee on the 12th day of July, 2013.

Certificate


The undersigned duly qualified and acting Chairpersons certify that the foregoing is a true and correct copy of a Resolution adopted at a legally convened joint meeting of the Central Florida MPO Alliance and the West Central Florida MPOs Chairs Coordinating Committee.



Honorable Leigh Matusick, Chairperson,
Central Florida MPO Alliance



Honorable Roy Tyler, Chairman, West
Central Florida MPOs Chairs Coordinating
Committee

Attest:


Cathy Goldfarb
Recording Secretary

Item Number 10
Member Comments

DISCUSSION:

Comments or recommendations by MPOAC members.

REQUESTED ACTION:

As may be desired

ATTACHMENTS:

None

Item Number 11
Adjournment

The next meeting of the MPOAC Staff Directors' Advisory Committee and Governing Board will be held on Thursday, April 24, 2014 at the FDOT Auditorium, 605 Suwannee Street, Tallahassee, Florida, 32301.