



*Mayor Susan Haynie
Chairperson*

Joint Meeting of the Governing Board and Staff Directors' Advisory Committee

Date: Thursday, April 2, 2015

Time: 12:00 p.m. – 3:30 p.m.

Location: DoubleTree by Hilton, 101 South Adams Street, Tallahassee, Florida 32301

Mayor Susan Haynie and Peter Buchwald, Presiding

- 1. Call to Order**
- 2. Approval of Minutes: January 22, 2015**
- 3. Public Comments**
- 4. Executive Director's Report**
- 5. Executive Director Position**
- 6. Allocation of Non-Recurring PL Funds**
- 7. Agency Reports**
 - A. Florida Department of Transportation with Secretary Jim Boxold**
 - B. Federal Highway Administration**
- 8. Florida Transportation Commission**
- 9. Transformation of Our State Pre-Construction Process**
- 10. Association of Metropolitan Planning Organizations**
- 11. Communications**
- 12. Member Comments**
- 13. Adjourn**

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
January 22, 2015**

Staff Directors:

Peter Buchwald, St. Lucie TPO, Chair
Paul Flavien, Broward MPO
Harry Reed, Capital Region TPA, Vice-Chair
Bob Herrington, Charlotte County-Punta Gorda MPO
Lucie Ayer, Collier MPO
Marlie Sanderson, Gainesville MTPO
Ray Chiaramonte, Hillsborough MPO
Phil Matson, Indian River MPO
T.J. Fish, Lake-Sumter MPO
Donald Scott, Lee County MPO
Harold W. Barley, MetroPlan Orlando
Carlos Roa, Miami-Dade MPO
Mary Bo Robinson, Florida-Alabama, Okaloosa-Walton and Bay County TPOs
John Voges, Ocala/Marion TPO
Nick Uhren, Palm Beach MPO
Sarah Ward, Pinellas County MPO
Tom Deardorff, Polk TPO
Lois Bollenback, River to Sea TPO
David Hutchinson, Sarasota/Manatee MPO
Bob Kamm, Space Coast TPO

Others in Attendance:

Howard Glassman, MPOAC Executive Director
Paul Gougelman, MPOAC General Counsel
Brigitte Messina, MPOAC
Jeff Kramer, USF/CUTR
Christen Miller, USF/CUTR
Mayor Susan Haynie, Palm Beach MPO
Councilmember Jim Burch, Lee County MPO
Councilmember Jim Wood, Okaloosa-Walton TPO
Karen Brunelle, FHWA
Lee Ann Jacobs, FHWA
Hal Beardall, FCRC Consensus Center
Richard Biter, FDOT Central Office
Jim Wood, FDOT Central Office
Yvonne Arens, FDOT Central Office
Vickie Wyche, FDOT, District 5
Mary Schoelzel, FDOT, District 5
Kellie Smith, FDOT, District 5
Matt Ubben, Floridians for Better Transportation
Bob Wallace, Tindale-Oliver & Associates
Ned Baier, Jacobs Engineering

Rich Clarendon, Hillsborough MPO
Pamela Richmond, Lake-Sumter MPO
Gary Huttman, MetroPlan Orlando
Eric Hill, MetroPlan Orlando

1. Call to Order

Peter Buchwald, Chair, St. Lucie TPO, called the meeting to order at 12:09 p.m. The Chair welcomed all in attendance and self-introductions were made.

2. Approval of Minutes

Lucie Ayer, Collier MPO, made a motion to approve the minutes of the October 30, 2014 meeting of the MPOAC Staff Directors' Advisory Committee. Ray Chiaramonte, Hillsborough MPO, seconded the motion. The motion was approved unanimously.

3. Public Comments

No public comments were made.

Peter Buchwald, Chair, St. Lucie TPO announced a change in the agenda, moving the FDOT Agency Report forward to before the MPOAC Executive Director's Summary.

4. Agency Report

a. FDOT Agency Report

Jim Wood, State Transportation Development Administrator, Florida Department of Transportation (FDOT), provided an update on statewide transportation planning activities. He mentioned that the Florida Transportation Plan (FTP) and Strategic Intermodal System (SIS) Plan will be updated this year, 2015. A flyer was distributed to members detailing opportunities for stakeholders and the public to become involved in the update processes at upcoming regional forums. Mr. Wood then summarized the output from the Vision Summit that took place in Orlando in December 2014. The summit focused on alternative futures, with a heavy emphasis on the technology that will change Florida's infrastructure. The output from the Vision Summit will be used to inform the updates of the FTP and SIS Plans.

Mr. Wood noted that the Steering Committee, overseeing the update of both the FTP and SIS Plans, will hold six meetings during 2015, starting on January 30. The MPOAC is represented on the Steering Committee by the Governing Board Chair, Susan Haynie, and Vice-Chair, Jim Wood. In addition to the Steering Committee, advisory groups will be appointed in March 2015 to provide additional guidance. Mr. Wood stated that the goal is to complete both plans by December 2015 and then provided a web address (www.floridatransporationplan.org) which will be updated regularly to provide current information as the plan updates move forward.

Mr. Wood continued by stating that the East Central Florida Corridor Task Force completed their work in November 2014 and presented it to Governor Scott in December 2014, including a Proposed Action Plan. FDOT will be working with the Space Coast TPO and MetroPlan Orlando on the Regional Transit System Plan for the East Central Florida Corridor (ECFC). FDOT will also be working with other regional transportation partners to identify needs on existing corridors and to conduct evaluation studies for newly identified corridors. FDOT will be looking to develop a variety of planning tools and legal instruments as models for creating a right-of-way reservation for recommended corridors in the Deseret Ranch area and elsewhere. Mr. Wood emphasized this particular area because it will help shape the FDOT's approach as it moves forward with work in other future corridors. Mr. Wood concluded by saying that the FDOT is interested in forming a coalition of interested parties to consider transportation and land use policies and decisions as the FDOT conducts similar processes in other parts of the state.

Mr. Wood addressed member questions concerning the new FDOT Secretary and his level of support for multimodal trails and other facilities that would accommodate non-motorized travel. Mr. Wood specified that the Coast to Coast connector and other multimodal trails remain an agency priority and a personal priority for Secretary Boxold.

Yvonne Arens, FDOT, provided information on approximately \$1.13 million in federal planning funds (PL) that had been held in reserve for new MPOs and which will now be made available for a one-time allocation to Florida's MPOs. Ms. Arens suggested that a decision did not need to be reached immediately and that there was time for the MPOAC membership to reach a consensus on how the funds should be allocated. For discussion purposes, she provided the members with a handout detailing how much each MPO would receive in non-recurring PL funds if the allocation were to be based on urbanized area population, as used in the statewide PL funding formula. Many comments were made on how the available funds could be used, including a suggestion by Mary Bo Robinson, Florida-Alabama, Okaloosa-Walton and Bay County TPOs, that a portion of the funds be made available for a study to benefit all MPOs in the state. The membership then discussed whether a decision needed to be made during the current meeting or if the decision should be delayed to a future meeting. Peter Buchwald, Chair, St. Lucie TPO, stated that 1.13 million does not become available very often and that it was worth taking time to consider the ultimate decision. The membership agreed to continue the discussion at a Policy and Technical Subcommittee meeting to be held in March 2015.

5. Executive Director's Report

Peter Buchwald, Chair, St. Lucie TPO, gave an update on the status of the MPOAC Executive Director search, stating that the position was posted January 16, 2015 on the PeopleFirst website, the MPOAC website, the National Association of Regional Council (NARC) website, and the Association of MPOs (AMPO) website. The position will be open for a month, until February 13, 2015.

Mr. Howard Glassman, MPOAC Executive Director, provided a status report on the MPOAC budget, referring to Attachment 1 of the MPOAC agenda package under the Executive Director's Report. During the period from October 1-December 31, 2014, a total of \$106,813 was spent, raising the total amount

spent from the beginning of the fiscal year to \$200,210, roughly 45% of the total \$446,500 annual budget.

Mr. Glassman then presented the legislative status report. Mr. Glassman distributed a list of 14 bills that have been filed with the Florida Legislature to date and provided a summary of their intent. None of the bills have yet been heard in committee or had a staff analysis conducted. These bills focus on such issues as texting, wireless communication, hazardous walking, and public-private partnerships. The agency bill filed on behalf of the FDOT is not included as part of this list. Peter Buchwald, Chair, St. Lucie TPO, asked if any of these bills stand out as ones to which the MPOAC should be paying attention. Mr. Glassman responded by saying that, at this point, these are legislative proposals that have been discussed during previous legislative sessions and that none of them stood out at this time.

Mr. Paul R. Gougelman, MPOAC Counsel, provided an overview of the MPOAC Bylaws and Rules and asked for two actions; adoption of the bylaws and approval of the repeal of the existing rules that are published in the Florida administrative code. These actions would complete the update of the rules. Peter Buchwald, Chair, St. Lucie TPO, requested a motion to adopt the new bylaws and repeal the existing rules. Lucie Ayer, Collier MPO, motioned. Bob Herrington, Charlotte County-Punta Gorda MPO, seconded. The motion carried unanimously.

Mr. Glassman, concluded his report by providing a summary of the MPOAC Freight Committee meeting held earlier in the day. He thanked all those who attended and summarized the presentation made by Dan Hardy, Renaissance Planning Group, which focused on design considerations in designing complete streets. He also thanked Statewide Freight Coordinator, Ricky Fitzgerald, for his attendance and for providing a summary of FDOT freight activities and Paul Flavien from the Broward MPO for organizing the meeting.

6. Election of Officers

Peter Buchwald, current chair of the Staff Directors' Advisory Committee, relinquished the Chair position to Mr. Gougelman, MPOAC Counsel, who introduced the election of officers – a Chairperson and Vice-Chairperson – for the MPOAC Staff Director's Advisory Committee. Mr. Gougelman noted for the record that the election was for a one-year term to begin at the MPOAC meeting to be held in July 2015.

Mr. Gougelman asked Mr. Buchwald if he would be willing to continue to serve if nominated. Mr. Buchwald responded that he serves at the will of the Staff Directors' Advisory Committee and would certainly do so again. Nick Uhren, Palm Beach MPO, nominated Peter Buchwald to continue to serve as Chairperson. T.J. Fish, Lake-Sumter MPO, moved to close the nominations and Lucie Ayer, Collier MPO, seconded. Mr. Gougelman closed the nominations and called the question by unanimous acclamation. The motion passed.

Sarah Ward, Pinellas County MPO, nominated Harry Reed, Capital Region TPA, to continue serving as Vice-Chairperson of the Staff Directors' Advisory Committee. Bob Herrington, Charlotte County-Punta

Gorda MPO, moved to close the nominations and Paul Flavien Broward MPO, seconded. Mr. Gougelman closed the nominations and called the question by unanimous acclimation. The motion passed.

7. Agency Report (Cont'd.)

b. FHWA Agency Report

Ms. Karen Brunelle, Director, Office of Project Development, and Ms. Lee Ann Jacobs, Planning and Programs Coordinator at the FHWA Florida Division Office, shared FHWA activities.

Ms. Brunelle provided an overview of the Federal funding rules currently in place in which Congress approved funding through September 2015, but contracting authority only through May 2015. Ms. Brunelle read a statement on the interim final rule for 2 CFR 200 that was published in the Federal Register on December 19, 2014. She announced that “this interim rule, effective for new awards made on or after December 26, 2014, implements for all Federal award-making agencies the final guidance Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards issued by the Office of Management and Budget in December 2013. This interim rule is necessary to incorporate into regulation and bring into effect the Uniform Guidance as required by OMB. The interim final rule includes a new Part 1201 to reflect the Department of Transportation’s adoption of 2 CFR 200, which supersedes and repeals the requirements of the Department of Transportation’s Common Rule (49 CFR parts 18 and 19).” She then added that there was a 60-day public comment period to allow for feedback on the interim rule that would end on February 17, 2015.

Ms. Brunelle announced that the application process for the fifth round of the SHRP 2 Implementation Assistance Program (IAP) is now open. Applications for implementation assistance are open to State Departments of Transportation, metropolitan planning organizations, local governments, tribal agencies, and Federal Lands Highway Divisions.

Ms. Brunelle then provided an overview of the Planning Process Bundle; a related group of SHRP2 products within the Capacity focus area that addresses elements of transportation planning, programming, and project development that require collaboration with entities outside the primary transportation agency in order to achieve success. The five products within the Planning Process Bundle are Performance Measures for Highway Capacity Decision-Making (C02), Transportation Visioning for Communities (C08), Incorporating Greenhouse Gas Emissions into the Collaborative Decision-Making Framework (C09), Guide to Public-Private Partnerships and Non-Standard Procurements (C12), and Integrating Freight Considerations into the Highway Capacity Planning Process (C15). Assistance is available at three participation levels: proof of concept pilots, lead adopter incentives, and user incentives. Applications are due February 13, 2015.

Ms. Brunelle concluded her remarks by stating that FHWA Order 5520, Transportation System Preparedness and Resilience to Climate Change and Extreme Weather Events, was published on December 15, 2014. The new order was issued to provide policy guidance on how to integrate the

consideration of climate change and extreme weather risks into planning and operations policies and programs.

Ms. Jacobs announced that the Pavement and Bridge Performance Measurement notice of proposed rulemaking (NPRM) came out on January 5, 2015 and that comments are due by April 6, 2015. The document can be viewed and comments can be made at www.regulations.gov. The Highway Asset Management Plan NPRM is expected to be released soon and will have a 60 day comment period. The remaining Performance Measurement NPRM addressing issues related to Congestion/System Performance Measures are expected to be released in April with a 90 day comment period. Final rules for the Safety and Planning NPRMs, which have closed, are expected to be published in the fall of 2015.

Ms. Jacobs then described the USDOT Every Day Counts (EDC) initiative. It is a state based model to identify and rapidly deploy proven, but under-utilized, innovations to shorten project delivery and improve environmental sustainability, enhance safety, and reduce congestion. Ms. Jacobs stated that the third cycle, EDC 3, is currently in effect and focusing on innovations and efficiencies through technology collaboration.

Ms. Jacobs thanked all the MPOs that expressed interest in the Bicycle & Pedestrian Count Technology Pilot Program. The focus is going to be on larger MPOs (those with over one million in population) that currently do not have a count program for bicycles and pedestrians. The funding decision should be made, and MPOs should be notified by, January 30, 2015.

8. Florida Automated Vehicles Initiative

Peter Buchwald, Chair, St. Lucie TPO, introduced this presentation by referring to the 2014 Florida Automated Vehicle Summit held in Orlando and some of the discussion at the Summit focused on how to incorporate this new technology into the MPO planning system.

Mr. Rich Biter, FDOT Assistant Secretary for Intermodal Systems Development, presented the Florida Automated Vehicles Initiative focusing on creating awareness of how Automated Vehicles technologies will impact the transportation system of the future. Mr. Biter explained that "Automated Vehicles" is an umbrella term that includes both autonomous and connected vehicle technologies. An autonomous vehicle (AV) is any vehicle equipped with advanced sensors (radar, LIDAR, cameras, etc.) and computing abilities to perceive its surroundings and activate steering, braking, and acceleration without operator input. Connected vehicles (CV) employ vehicle-to-vehicle (V2V) and vehicle-to-infrastructure (V2I) communication to provide real time warnings to a human driver to help them avoid crashes. Mr. Biter showed a video that demonstrated the different levels of automation and technologies being intergraded into vehicles, stating that AV will enhance safety and livability as the technology becomes more and more available.

AV technologies provide a method for FDOT to achieve its vision to serve the people of Florida by delivering a transportation system that is free of fatalities and congestion. FDOT is concentrating on

increasing Florida's transportation systems efficiency and safety by developing and planning for AV technology. FDOT aims to be a national leader by integrating AV into its infrastructure and encouraging more technology companies to relocate to Florida to utilize Florida's transportation system for AV testing. FDOT is considering policy development, land use impact, funding issues, regional planning, and applying AV technology to facility and infrastructure designs. He concluded his remarks by emphasizing the importance of the MPO role in considering the future of transportation as AV becomes more widely available and how the FDOT is looking to work with the MPOs to make that happen.

Peter Buchwald, St. Lucie TPO, opened the floor for questions. A discussion took place concerning how difficult it is to integrate AV into transportation planning if MPOs do not fully understand the new technologies or what impact they might reasonably have on the future pattern of transportation flows or the type of infrastructure that will be required to meet changing mobility needs. Mr. Biter replied to the concerns by saying that the focus of the FDOT initiative is on developing an understanding with planners on these very issues and encouraging planning and operating agencies to consider AV when making their plans and designing transportation infrastructure. Harry Reed, Capital Region TPA, mentioned that the AV working group hopes to have a white paper released on this subject by the end of 2015.

9. MetroPlan Orlando's Value Pricing Pilot Study

Mr. Eric Hill, MetroPlan Orlando, presented the Value Pricing Pilot Study. Mr. Hill informed the directors that the presentation found in the agenda packet is outdated and that he will be making a refreshed presentation which he could make available if desired. The proposed pilot study considers alternative transportation funding strategies such as a Fixed Mileage Based User Fee (where the price charged per mile would be fixed regardless of other variables such as time of day, route taken, traffic volume, etc.) Variable Mileage Based User Fee (where the price charged per mile would depend on a variety of external variables), Parking/Area Pricing, and Road Space Management. Mr. Hill discussed how value pricing (congestion pricing) uses economic incentives to change driving behavior and to reduce congestion. He concluded by stating that the study will build upon transportation funding policies adopted by Metroplan Orlando and the MPOAC.

Jim Wood, Okaloosa-Walton TPO, expressed concern about how the funding options being considered will deal with tourists and other visitors who would drive on the roads and not being charged fees in the same manner as Florida residents. Harold Barley, MetroPlan Orlando, replied to Mr. Wood by stating that they are aware that there may be issues with tourists not contributing in the same manner as Florida residents and that they will be considering this issue, but perhaps not within the scope of this current study. He added that the MetroPlan Orlando Governing Board will be talking about this again, in part, to discuss if this is a study better handled by the FDOT.

10. Hillsborough MPO: Vulnerability Assessment and Adaptation Pilot Project

Mr. Rich Clarendon, Hillsborough MPO, made a presentation focusing on their Vulnerability Assessment and Adaptation Pilot Project. The Hillsborough MPO was selected by the Federal Highway Administration (FHWA) for a pilot project to assess surface transportation resiliency to three climate-related hazards in Hillsborough County including sea level rise, storm surge and flooding.

The County's transportation infrastructure and operations have been severely impacted by extreme weather events in past years, causing damage, deterioration, and significant disruptions to the movement of people and goods and ultimately impacting the local economy.

The vulnerability assessment took a two-pronged approach: 1) to evaluate the impact of system-wide transportation disruption under a typical storm scenario, estimate the economic consequences of that disruption, and propose measures to mitigate the disruption; and 2) to look at up to six critical and vulnerable transportation facilities for a more detailed analysis. The goal was to develop investment levels for the Long Range Transportation Plan (LRTP) Safety and Security funding category in an effort to reduce Hillsborough County's vulnerability to extreme weather conditions. A second goal of the project was to integrate climate-related mitigation and adaptation measures into the planning process. The results of this pilot project will be shared as a national case study for the FHWA Climate Change Vulnerabilities Assessment Pilot program. The full report is available at <http://www.planhillsborough.org/hillsborough-transportation-vulnerability-assessment-pilot-project/>.

Mr. Clarendon described the specific segments of roadways assessed in the study, which included the Selmon Expressway (ramps), Gandy Boulevard, Memorial Highway, the Courtney Campbell Causeway and South 20th/22nd Streets (a segment of I-75 over the Alafia River was to be included in the analysis, but was not found to be vulnerable to the flooding scenarios considered). The assessments returned two summary variables that describe the relative cost-effectiveness of the illustrative adaptation strategy package proposed for each asset: 1) Estimated net benefits/avoided losses resulting from reductions in the duration of disruption (expressed in dollars), and 2) the "tipping point," the number of days of avoided disruption required for the strategy package to achieve cost neutrality. Notably, three of the five assessments were found to return a net loss (indicating a negative return on investment), while only the Memorial Highway and Gandy Boulevard segments were found to have a positive return on investment. However, the complementary regional-scale analysis illustrates the potential benefit of proactive adaptation countywide, returning positive potential net benefits in the tens of millions of dollars.

Mr. Clarendon was asked how much the study cost and how it was funded. He indicated that the overall study cost was \$144,000, \$131,000 of which was funded by the FHWA as part of the pilot program. Bob Kamm, Space Coast TPO, commented on the importance of looking at more than roadway damage costs when conducting a study like this, but to also consider the cost to replace other damaged infrastructure including cable lines, natural gas lines and more. He continued to say that the road may not be damaged, but that electrical poles could be down and cause the road to be inaccessible. Mr. Clarendon

concluded by replying that critical assets are being considered and that they understand and agreed that there is more involved than just the roads themselves.

11. Communications

Mr. Howard Glassman noted that the communications for the quarter were included in the agenda packet:

- Memo from Jeff Kramer, CUTR, announcing the dates of the 2015 MPOAC Institutes, dated November 3, 2014.
- Letter to MPOAC from Tony Carvajal, Florida Chamber Foundation regarding the 2015 Transportation Summit, dated December 14, 2014.
- Letter to MPOAC from Joanna Turner, National Association of Regional Councils (NARC) regarding the 2014 Executive Directors Conference, dated October 24, 2014.

Member comments

Bob Kamm, Space Coast TPO, asked to whom he should send agenda item ideas for the Joint Governing Board/Staff Directors' Advisory Committee meeting to be held in April 2015. Mr. Buchwald indicated that ideas should be sent to the MPOAC Executive Director.

Ray Chairamonte, Hillsborough MPO, said his goodbyes to the members as he will be retiring at the end of January 2015.

Peter Buchwald, Chair, St. Lucie TPO, called to adjourn the meeting. Lucie Ayer, Collier MPO, motioned and Bob Harrington, Charlotte County-Punta Gorda MPO, seconded.

The meeting was adjourned at 3:07 pm.

**Draft Minutes of the Florida MPO Advisory Council
Governing Board
January 22, 2015**

Governing Board Members in Attendance:

Mayor Susan Haynie, Palm Beach MPO, Chairperson
Mayor Walter T. Kelley, Bay County TPO
Councilmember Delores Madison, Capital Region TPA
Commissioner James W. Herston, Charlotte County-Punta Gorda MPO
Councilman Sam Saad, III, Collier MPO
Councilmember Charles Bare, Florida-Alabama TPO
Commissioner Helen K. Warren, Gainesville MTPO
Nicholas Nicholson, Hernando/Citrus MPO
Mayor Ray Goodman, Lake-Sumter MPO
Councilman Jim Burch, Lee County MPO
Councilman Jim Wood, Okaloosa-Walton TPO
Vice-Mayor Doreen Hock-DiPolito, Pinellas County MPO
Councilman Jim Bennett, Sarasota/Manatee MPO
Mayor Kathy Meehan, Space Coast TPO
Mr. Darrell Drummond, St. Lucie TPO

Others in Attendance:

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Tom Deardorff, Polk TPO
David Hutchinson, Sarasota/Manatee MPO
Peter Buchwald, St. Lucie TPO
Bob Kamm, Space Coast TPO

Rocky Randels, Space Coast TPO
Hope Abbott, Public

1. Approval of Minutes

Councilmember Ray Goodgame, Lake-Sumter MPO, made a motion to approve the minutes of the October 30, 2014 meeting of the MPOAC Governing Board. Mayor Walter T. Kelley, Bay County TPO, seconded the motion. The motion was approved unanimously.

2. Public Comments

No public comments were made.

3. Executive Director's Report

Mr. Howard Glassman, MPOAC Executive Director, provided a status report on the MPOAC budget, referring to Attachment 1 of the MPOAC agenda package under the Executive Director's Report. During the period from October 1-December 31, 2014, a total of \$106,813 was spent, raising the total amount spent from the beginning of the fiscal year to \$200,210, roughly 45% of the total \$446,500 annual budget.

Mr. Glassman then presented the legislative status report. Mr. Glassman distributed a list of 14 bills that have been filed with the Florida Legislature to date and provided a summary of their intent. None of the bills have yet been heard in committee or had a staff analysis conducted. These bills focus on such issues as texting, wireless communication, hazardous walking, and public-private partnerships. The agency bill filed on behalf of the FDOT is not included as part of this list.

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Mayor Susan Haynie, Chair, Palm Beach MPO, gave an update on the status of the MPOAC Executive Director search, stating that the position was posted January 16, 2015 on the PeopleFirst website, the MPOAC website, the National Association of Regional Council (NARC) website, and the Association of MPOs (AMPO) website. The position will be open for a month, until February 13, 2015.

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Mr. Gougelman asked Mayor Haynie, Palm Beach MPO, if she would be willing to continue to serve if nominated. Mayor Haynie responded that she would. Councilmember Sam Saad, III, Collier MPO, nominated Mayor Susan Haynie to continue to serve as Chairperson. Sam Saad, III, Collier MPO, moved to close the nominations and Councilmember Delores Madison, Capital Region TPA, seconded. Mr. Gougelman closed the nominations and called the question by unanimous acclamation. The motion passed.

Councilmember Jim Burch, Lee County MPO, nominated Councilmember James Wood, Okaloosa-Walton TPO, to continue serving as Vice-Chairperson of the MPOAC Governing Board. Mayor Kathy Meehan, Space Coast TPO, moved to close the nominations and Councilmember Sam Saad, III, Collier MPO, seconded. Mr. Gougelman closed the nominations and called the question by unanimous acclamation. The motion passed.

Mayor Susan Haynie, Palm Beach MPO, nominated Councilmember Jim Burch, Lee County MPO, to serve as the at-large member of the MPOAC Executive Committee. Councilmember Sam Saad, III, Collier MPO, moved to close the nominations and Mayor Susan Haynie, Palm Beach MPO, seconded. Mr. Gougelman closed the nominations and called the question by unanimous acclamation. The motion passed.

5. Agency Report

a. FDOT Agency Report

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b. FHWA Agency Report

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Ms. Brunelle provided an overview of the Federal funding rules currently in place in which Congress approved funding through September 2015, but contracting authority only through May 2015. Ms. Brunelle read a statement on the interim final rule for 2 CFR 200 that was published in the Federal Register on December 19, 2014. She announced that "this interim rule, effective for new awards made on or after December 26, 2014, implements for all Federal award-making agencies the final guidance Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards issued by the Office of Management and Budget in December 2013. This interim rule is necessary to incorporate into regulation and bring into effect the Uniform Guidance as required by OMB. The interim final rule includes a new Part 1201 to reflect the Department of Transportation's adoption of 2 CFR 200, which supersedes and repeals the requirements of the Department of Transportation's Common Rule (49 CFR parts 18 and 19)." She then added that there was a 60-day public comment period to allow for feedback on the interim rule that would end on February 17, 2015.

Ms. Brunelle announced that the application process for the fifth round of the SHRP 2 Implementation Assistance Program (IAP) is now open. Applications for implementation assistance are open to State Departments of Transportation, metropolitan planning organizations, local governments, tribal agencies, and Federal Lands Highway Divisions.

Ms. Brunelle then provided an overview of the Planning Process Bundle; a related group of SHRP2 products within the Capacity focus area that addresses elements of transportation planning, programming, and project development that require collaboration with entities outside the primary transportation agency in order to achieve success. The five products within the Planning Process Bundle are Performance Measures for Highway Capacity Decision-Making (C02), Transportation Visioning for

Communities (C08), Incorporating Greenhouse Gas Emissions into the Collaborative Decision-Making Framework (C09), Guide to Public-Private Partnerships and Non-Standard Procurements (C12), and Integrating Freight Considerations into the Highway Capacity Planning Process (C15). Assistance is available at three participation levels: proof of concept pilots, lead adopter incentives, and user incentives. Applications are due February 13, 2015.

Ms. Brunelle concluded her remarks by stating that FHWA Order 5520, Transportation System Preparedness and Resilience to Climate Change and Extreme Weather Events, was published on December 15, 2014. The new order was issued to provide policy guidance on how to integrate the consideration of climate change and extreme weather risks into planning and operations policies and programs.

Ms. Jacobs announced that the Pavement and Bridge Performance Measurement notice of proposed rulemaking (NPRM) came out on January 5, 2015 and that comments are due by April 6, 2015. The document can be viewed and comments can be made at www.regulations.gov. The Highway Asset Management Plan NPRM is expected to be released soon and will have a 60 day comment period. The remaining Performance Measurement NPRM addressing issues related to Congestion/System Performance Measures are expected to be released in April with a 90 day comment period. Final rules for the Safety and Planning NPRMs, which have closed, are expected to be published in the fall of 2015.

Ms. Jacobs then described the USDOT Every Day Counts (EDC) initiative. It is a state based model to identify and rapidly deploy proven, but under-utilized, innovations to shorten project delivery and improve environmental sustainability, enhance safety, and reduce congestion. Ms. Jacobs stated that the third cycle, EDC 3, is currently in effect and focusing on innovations and efficiencies through technology collaboration.

Ms. Jacobs thanked all the MPOs that expressed interest in the Bicycle & Pedestrian Count Technology Pilot Program. The focus is going to be on larger MPOs (those with over one million in population) that currently do not have a count program for bicycles and pedestrians. The funding decision should be made, and MPOs should be notified by, January 30, 2015.

6. Florida Automated Vehicles Initiative

Mr. Rich Biter, FDOT Assistant Secretary for Intermodal Systems Development, presented the Florida Automated Vehicles Initiative focusing on creating awareness of how Automated Vehicles technologies will impact the transportation system of the future. Mr. Biter explained that "Automated Vehicles" is an umbrella term that includes both autonomous and connected vehicle technologies. An autonomous vehicle (AV) is any vehicle equipped with advanced sensors (radar, LIDAR, cameras, etc.) and computing abilities to perceive its surroundings and activate steering, braking, and acceleration without operator input. Connected vehicles (CV) employ vehicle-to-vehicle (V2V) and vehicle-to-infrastructure (V2I) communication to provide real time warnings to a human driver to help them avoid crashes. Mr. Biter showed a video that demonstrated the different levels of automation and technologies being

intergraded into vehicles, stating that AV will enhance safety and livability as the technology becomes more and more available.

AV technologies provide a method for FDOT to achieve its vision to serve the people of Florida by delivering a transportation system that is free of fatalities and congestion. FDOT is concentrating on increasing Florida's transportation systems efficiency and safety by developing and planning for AV technology. FDOT aims to be a national leader by integrating AV into its infrastructure and encouraging more technology companies to relocate to Florida to utilize Florida's transportation system for AV testing. FDOT is considering policy development, land use impact, funding issues, regional planning, and applying AV technology to facility and infrastructure designs. He concluded his remarks by emphasizing the importance of the MPO role in considering the future of transportation as AV becomes more widely available and how the FDOT is looking to work with the MPOs to make that happen.

Mayor Susan Haynie, Palm Beach MPO, opened the floor for questions. A discussion took place concerning how the new technology will impact policies and the public's current perspective on driving. Mr. Biter replied to the concerns by explaining that this is an example of when technology out paces policies. He explained that once vehicles become fully autonomous, policies will drastically change, providing an example that it may not be necessary in the future for people to have a driver's license to use a car since the vehicles will not actually be "driven" by human beings anymore.

7. MetroPlan Orlando's Value Pricing Pilot Study

Mr. Eric Hill, MetroPlan Orlando, presented the Value Pricing Pilot Study. Mr. Hill informed the directors that the presentation found in the agenda packet is outdated and that he will be making a refreshed presentation which he could make available if desired. The proposed pilot study considers alternative transportation funding strategies such as a Fixed Mileage Based User Fee (where the price charged per mile would be fixed regardless of other variables such as time of day, route taken, traffic volume, etc.) , Variable Mileage Based User Fee (where the price charged per mile would depend on a variety of external variables), Parking/Area Pricing, and Road Space Management. Mr. Hill discussed how value pricing (congestion pricing) uses economic incentives to change driving behavior and to reduce congestion. He concluded by stating that the study will build upon transportation funding policies adopted by MetroPlan Orlando and the MPOAC.

Councilmember Charles Bare, Florida-Alabama TPO, expressed concern about the use of variables such as time of day, levels of congestions, and location as the basis for pricing the use of roadways. Councilmember Bare stated that he believed that the public will have a hard time accepting the concept of being tracked to obtain the data necessary to implement variable pricing strategies and how the public will likely view this as an invasion of their privacy. Mr. Hill replied by explaining that the idea behind variable pricing is to encourage people to change their travel behaviors (time of day of travel or route of travel, for example) through the cost of travel and that the issue of privacy was one of concern that needed to be considered before attempting to implement a value pricing strategy.

8. Hillsborough County MPO: Vulnerability Assessment and Adaptation Pilot Project

Mr. Rich Clarendon, Hillsborough MPO, made a presentation focusing on their Vulnerability Assessment and Adaptation Pilot Project. The Hillsborough MPO was selected by the Federal Highway Administration (FHWA) for a pilot project to assess surface transportation resiliency to three climate-related hazards in Hillsborough County including sea level rise, storm surge and flooding.

The County's transportation infrastructure and operations have been severely impacted by extreme weather events in past years, causing damage, deterioration, and significant disruptions to the movement of people and goods and ultimately impacting the local economy.

The vulnerability assessment took a two-pronged approach: 1) to evaluate the impact of system-wide transportation disruption under a typical storm scenario, estimate the economic consequences of that disruption, and propose measures to mitigate the disruption; and 2) to look at up to six critical and vulnerable transportation facilities for a more detailed analysis. The goal was to develop investment levels for the Long Range Transportation Plan (LRTP) Safety and Security funding category in an effort to reduce Hillsborough County's vulnerability to extreme weather conditions. A second goal of the project was to integrate climate-related mitigation and adaptation measures into the planning process. The results of this pilot project will be shared as a national case study for the FHWA Climate Change Vulnerabilities Assessment Pilot program. The full report is available at <http://www.planhillsborough.org/hillsborough-transportation-vulnerability-assessment-pilot-project/>.

Mr. Clarendon described the specific segments of roadways assessed in the study, which included the Selmon Expressway (ramps), Gandy Boulevard, Memorial Highway, the Courtney Campbell Causeway and South 20th/22nd Streets (a segment of I-75 over the Alafia River was to be included in the analysis, but was not found to be vulnerable to the flooding scenarios considered). The assessments returned two summary variables that describe the relative cost-effectiveness of the illustrative adaptation strategy package proposed for each asset: 1) Estimated net benefits/avoided losses resulting from reductions in the duration of disruption (expressed in dollars), and 2) the "tipping point," the number of days of avoided disruption required for the strategy package to achieve cost neutrality. Notably, three of the five assessments were found to return a net loss (indicating a negative return on investment), while only the Memorial Highway and Gandy Boulevard segments were found to have a positive return on investment. However, the complementary regional-scale analysis illustrates the potential benefit of proactive adaptation countywide, returning positive potential net benefits in the tens of millions of dollars.

Mary Bo Robinson, Florida-Alabama, Okaloosa-Walton and Bay County TPOs, asked how an MPO can integrate adaptation mitigation strategies fit into an MPO Long Range Transportation Plan (LRTP). Mr. Clarendon answered by saying that the focus would be for an MPO to consider the long-term strategic needs of roadway network relative to vulnerability and to take opportunities to make improvements when funds can be made available.

9. Communications

Mr. Howard Glassman noted that the communications for the quarter were included in the agenda packet:

- Memo from Jeff Kramer, CUTR, announcing the dates of the 2015 MPOAC Institutes, dated November 3, 2014.
- Letter to MPOAC from Tony Carvajal, Florida Chamber Foundation regarding the 2015 Transportation Summit, dated December 14, 2014.
- Letter to MPOAC from Joanna Turner, National Association of Regional Councils (NARC) regarding the 2014 Executive Directors Conference, dated October 24, 2014.

10. Member Comments

There were no member comments.

The meeting was adjourned at 5:39 pm.

**Item Number 3
Public Comments**

DISCUSSION:

Recommendations or comments by the public.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None

Item Number 4
Executive Director's Report

DISCUSSION:

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

1. MPOAC 3rd Quarter Budget Report for January 1 – March 31, 2015
2. General Counsel Agreement for Legal Services for FY 2015-2016
3. Status Report of 2015 State Legislative Activity
4. Report on filing of rule repeal – Paul Gougelman, General Counsel

REQUESTED ACTION:

1. Approval of MPOAC General Counsel Agreement for Legal Services for FY 2015-2016

ATTACHMENTS:

1. 3rd Quarter Budget Report: January 1 – March 31, 2015
2. General Counsel Agreement for Legal Services for FY 2015-2016
3. Status Report on 2015 State Legislative Activity (to be distributed)

Florida Metropolitan Planning Organization Advisory Council
FY 2014/2015 Budget
July 1, 2014 to June 30, 2015

Category	Annual Allocation	1st Qtr Expenditures 7/1/14-9/30/14	2nd Qtr Expenditures 10/1/14-12/31/14	3rd Qtr Expenditures 1/1/15-3/31/15	4th Quarter Expenditures 4/1/15-6/30/15	Expenditures to Date	Remaining Balance
Salaries/Benefits	\$ 200,000	\$ 46,324	\$ 47,634	\$ 38,617		\$ 132,575	\$ 67,425
Expense	\$ 56,000						
Travel	\$ 25,000	\$ 3,028	\$ 9,641	\$ 2,873		\$ 15,542	\$ 9,458
Meetings	\$ 20,000	\$ 5,542	\$ 6,703	\$ 5,937		\$ 18,182	\$ 1,818
Administrative	\$ 9,080	\$ 1,659	\$ 1,945	\$ 4,826		\$ 8,430	\$ 650
Membership Dues *	\$ 1,920	\$ 1,920	\$ -	\$ -		\$ 1,920	\$ -
Contracted Services	\$ 18,000						
General Counsel	\$ 18,000	\$ 8,125	\$ 4,089	\$ 4,312		\$ 16,526	\$ 1,474
Transp.Planning	\$ 165,000						
Univ. South FL (CUTR)	\$ 80,000	\$ 20,000	\$ 20,000	\$ 20,000		\$ 60,000	\$ 20,000
MPOAC Institute	\$ 85,000	\$ 5,950	\$ 15,300	\$ 32,500		\$ 53,750	\$ 31,250
Total Federal Funds	\$ 439,000	\$ 92,548	\$ 105,312	\$ 109,065		\$ 306,925	\$ 132,075
Advocacy Activities Local Funds	\$ 7,500	\$ 850	\$ 1,500	\$ 2,950		\$ 5,300	\$ 2,200
Total Budget	\$ 446,500	\$ 93,398	\$ 106,812	\$ 112,015		\$ 312,225	\$ 134,275

* FBT, FPTA, ITSFL

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT FOR LEGAL SERVICES is entered into this _____ day of _____, 2015, in the City of Tallahassee, Leon County, Florida, by an between the State of Florida, Florida Metropolitan Planning Organization Advisory Council, a Council of the State of Florida organized and existing pursuant to Section 339.175(11), Florida Statutes (hereinafter alternatively: the "MPOAC" or "AGENCY"), 605 Suwannee Street - MS-28B, Tallahassee, Florida 32399-0450; and Weiss Serota Helfman Cole & Bierman, P.L., a Florida Professional Limited Liability Company (hereinafter: the "CONTRACTOR"), 200 East Broward Blvd. - Suite 1900, Ft. Lauderdale, Florida 33301. This Agreement shall bind the parties upon its execution by their representatives.

RECITALS:

WHEREAS, this Agreement is entered into pursuant to Section 287.059, Florida Statutes, and Chapter 2-37, Florida Administrative Code, and for the purposes of setting forth the duties and responsibilities of the CONTRACTOR and compensation to be paid for performance of said duties;

WHEREAS, appended hereto is ATTACHMENT A FOR PRIVATE ATTORNEY SERVICES, which is hereby incorporated herein by this reference;

WHEREAS, this Agreement is brought about, because the MPOAC needs an attorney who understands procedures under the Florida Administrative Procedure, Chapter 120, Florida Statutes; has a working knowledge in local government/municipal law; has knowledge with regard to provisions of Federal transportation-related law under the U.S. Code and Code of Federal Regulations; has a working knowledge in Florida planning, zoning, and transportation law; and is knowledgeable with regard to Federal-State-Local transportation funding, planning, and general requirements of law; and

WHEREAS, the CONTRACTOR, and CONTRACTOR's lead counsel, has the expertise necessary to perform the duties and responsibilities outlined in this Agreement and the lead counsel under this Agreement will be Paul Gougelman, who has competently represented the MPOAC for over twenty (20) years.

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

ARTICLE 1. ENGAGEMENT OF THE CONTRACTOR. The MPOAC hereby agrees to engage the CONTRACTOR, and the CONTRACTOR agrees to perform the services set forth below. The CONTRACTOR understands and agrees that all services contracted for are to be performed solely by the CONTRACTOR and may not be

subcontracted for or assigned without the prior written consent of the MPOAC Governing Board or the MPOAC Executive Director.

ARTICLE 2. SCOPE OF SERVICES.

A. The CONTRACTOR agrees under the direction of the MPOAC Chairman or MPOAC Executive Director to perform certain professional legal services as follows:

1. Draft proposed rules and rule amendments, resolutions, contracts, and correspondence;
2. Review and analyze AGENCY legal files, data, documents and other materials concerning the above matter and advise on a recommended legal course of action;
3. Prepare and file pleadings, motions, or briefs which may be required and represent the AGENCY in any related litigation;
4. Initiate and conduct discovery including depositions on behalf of the AGENCY and represent the AGENCY in discovery initiated by opposing parties;
5. Represent the AGENCY at trial or on appeal;
6. Attend and participate in meetings, conference calls, field trips or the like and report on the status of the legal matters;
7. Perform legal research and render legal advice;

8. Review and analyze MPOAC legal files, data, documents and other materials concerning the matters referenced in this paragraph A. and advise on a recommended legal course of action;

9. Act as an intermediary between the MPOAC and counsel for other agencies or legal entities; and

10. Perform other legal services as directed by the MPOAC Governing Board.

B. As CONTRACTOR deems appropriate and in specialized matters, the CONTRACTOR may recommend to the MPOAC use of special legal counsel for defined purposes. Generally, legal services under this Agreement will be performed by CONTRACTOR's lead counsel, Paul Gougelman.

C. The CONTRACTOR shall be bound by the requirements of Section 287.059, Florida Statutes, and Chapter 2-37, Florida Administrative Code. The CONTRACTOR shall represent no private individual or legal entity before the MPOAC in any proceeding or matter.

ARTICLE 3. TIME OF PERFORMANCE. This Agreement shall begin on July 1, 2015 and shall continue until June 30, 2016.

ARTICLE 4. CONSIDERATION.

A. Compensation - Fees and Expenses. Fees and expenses shall be paid in accordance with the provisions of ATTACHMENT A FOR PRIVATE ATTORNEY SERVICES, including Exhibit 1.

B. Travel. Justified and reasonable travel expenses which are directly and exclusively related to the professional services rendered under this contract will be reimbursed in accordance with Section 112.061, Florida Statutes. For the purpose of computing travel expenses, the CONTRACTOR's place of business shall be that listed in the preamble to this Agreement and all travel expenses shall be computed on that basis. Pursuant to Section 112.061, Florida Statutes, attorneys of the Contractor's firm, or are named in this Agreement as approved counsel, are designated as authorized travelers during the life of this Agreement.

C. Sales Tax. The MPOAC is exempted from payment of Florida state sales and use taxes and Federal Excise tax. The CONTRACTOR, however, shall not be exempted from paying Florida state sales and use taxes to the appropriate governmental agencies or for payment by the CONTRACTOR to suppliers for taxes on materials used to fulfill its contractual obligations with the MPOAC. The CONTRACTOR shall not use the MPOAC's exemption number in securing such materials or services. The CONTRACTOR shall be responsible and liable for the payment of all its FICA/Social Security and other taxes resulting from this Agreement.

D. The CONTRACTOR shall not pledge the MPOAC's credit or make the MPOAC a guarantor of payment or surety for any contract, debt, obligation, judgment, lien, or any form of indebtedness.

E. Payment for services shall be issued in accordance with Section 215.422, Florida Statutes. Pursuant to Section 215.422(5), Florida Statutes (2015), the Department of Banking and Finance has established a Vendor Ombudsman to act as an advocate for vendors. The Vendor Ombudsman may be reached at (850) 410-9724 or by calling the State Comptroller Hotline, 1-800-848-3792. In accordance with the provisions of Section 287.0582, Florida Statutes, the State of Florida, MPOAC's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature, if the terms of this Agreement extend beyond the current fiscal year.

ARTICLE 5. DOCUMENTATION.

A. The CONTRACTOR shall submit monthly written invoices, in accordance with the requirements of Attachment A for Private Attorney Services, paragraph D, Format for Invoices, for all fees or other compensation for services or expenses in detail sufficient for a proper pre-audit and post-audit. All

invoices shall be submitted to the Executive Director at the MPOAC office as set forth in the preamble to this Agreement.

B. The CONTRACTOR shall maintain a file(s), available for inspection by the MPOAC, containing documentation of all costs and fees incurred in connection with this Agreement. The file(s) shall be maintained for a period of two years after the cost or fee is incurred by the CONTRACTOR, unless otherwise notified in writing by the MPOAC specifying the document which may be exempted from being maintained.

ARTICLE 6. PUBLIC RECORDS. All documents prepared pursuant to this Agreement are subject to Florida's Public Record Law. Refusal of the Contractor to allow public access to such records as required by such law shall constitute ground for unilateral cancellation of this Agreement by the MPOAC; provided, however that this Agreement shall not be terminated if the Contractor, pursuant to direction of the MPOAC governing board or the MPOAC Executive Director, withholds access to said public record, because it is confidential or exempt from disclosure pursuant to Federal or Florida law.

ARTICLE 7. TERMINATION OF AGREEMENT. The MPOAC governing board may terminate this Agreement for its convenience or cause by giving five (5) days written notice by registered mail to the Contractor, specifying the effective date of termination. If

this Agreement is terminated, the Contractor shall be reimbursed for services satisfactorily performed subject to any damages sustained by the MPOAC. All finished or unfinished documents, data, studies, correspondence, reports and other products prepared by or for the CONTRACTOR under this Agreement shall be made available to and for the exclusive use of the MPOAC. Notwithstanding the above, the Contractor shall not be relieved of liability to the MPOAC for damages sustained by the Agency by virtue of any termination or breach of this Agreement by the Contractor. The CONTRACTOR may terminate this Agreement upon thirty (30) days written notice.

ARTICLE 8. AMENDMENTS. Either party may, from time to time request changes to this Agreement, but this shall not bind the other party to agree to said amendment. Any changes must be mutually agreed upon and shall be incorporated in written amendments to this Agreement.

ARTICLE 9. INDEPENDENT CONTRACTOR. Consistent with the Code of Professional Responsibility, the CONTRACTOR, and any of its employees, agents, or assigns, are independent contractors and not employees or agents of the MPOAC. Nothing in this Agreement shall be interpreted to establish any relationship other than that of an independent contractor, between the MPOAC

and the CONTRACTOR, its employees, agents, subcontractors, or assigns, during or after the performance of this Agreement.

ARTICLE 10. LIABILITY. The CONTRACTOR maintains a professional liability insurance policy or policies affording professional liability coverage for the professional services to be rendered under this Agreement.

ARTICLE 11. NONDISCRIMINATION AND COMPLIANCE. The Contractor shall comply with all Federal, state and local laws and ordinances applicable to the work and shall not discriminate on the grounds of race, color, religion, sex, or national origin in the performance of work.

ARTICLE 12. ADMINISTRATION OF AGREEMENT.

A. The MPOAC contract administration is the MPOAC Executive Director. The Contractor contract administrator is Paul R. Gougelman. All written and verbal approvals referenced in this Agreement (unless otherwise specified as being required to be obtained from the MPOAC) must be obtained from the parties' contract administrators or their designees. All notices must be given to the parties' contract administrator. From time to time either party may notify the other, making a unilateral change in the person named by said party as the contract administrator for said party. This contract shall be

governed by and construed under the laws of the State of Florida.

B. Any attorney of the firm with whom the CONTRACTOR is affiliated may provide legal representation under this Agreement to the MPOAC, its officers and employees. The CONTRACTOR may refer work under this contract to attorneys in the CONTRACTOR's law firm.

C. The names of the addresses of the parties or their Contract Administrators may be unilaterally changed from time to time by giving notice to the other party to this Agreement.

ARTICLE 13. AGREEMENT AS INCLUDING ENTIRE AGREEMENT. This instrument, including any attachments, embodies the entire Agreement of the parties. There are no other provisions, terms, conditions, or obligations. This Agreement supersedes all previous oral or written communications, representations, or agreements on this subject.

ARTICLE 14. SPECIAL CONDITIONS. The Contractor agrees to permanently refrain from using or mentioning its association with the MPOAC in advertisements, letterhead, business cards, etc. The MPOAC's services to the MPOAC may be generally described in the Contractor's professional resume. The Contractor may not give the impression in any manner, that the MPOAC recommends or endorses the CONTRACTOR. All contracts with

the news media pertaining to the subject of this Agreement shall be referred to the MPOAC contract administrator. Anything, by whatsoever designation it may be known, that is produced by or developed in connection with this Agreement shall remain the exclusive property of the MPOAC and may not be copyrighted, patented, or otherwise restricted as provided by law. Neither the CONTRACTOR nor any other individual employed under this Agreement shall have any proprietary interest in any product(s) developed or delivered under this Agreement.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the date set forth below.

MPOAC:

FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL, a Council of the State of Florida organized and existing pursuant to Section 339.175(10), Florida Statutes

By: _____
Susan Haynie, its
Chair

ATTEST: _____

Agency Clerk

CONTRACTOR:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L., a
Florida Professional
Limited Liability Company

By: _____
Joseph H. Serota, Member

OFFICE OF THE ATTORNEY GENERAL
ATTACHMENT A FOR
PRIVATE ATTORNEY SERVICES

A. SCOPE OF SERVICES.

The CONTRACTOR shall:

1. Draft proposed rules and rule amendments, resolutions, contracts, and correspondence;
2. Review and analyze AGENCY legal files, data, documents and other materials concerning the above matter and advise on a recommended legal course of action;
3. Prepare and file pleadings, motions, or briefs which may be required and represent the AGENCY in any related litigation;
4. Initiate and conduct discovery including depositions on behalf of the AGENCY and represent the AGENCY in discovery initiated by opposing parties;
5. Represent the AGENCY at trial or on appeal;
6. Attend and participate in meetings, conference calls, field trips or the like and report on the status of the legal matters;
7. Perform legal research and render legal advice;
8. Review and analyze MPOAC legal files, data, documents and other materials concerning the matters referenced in this paragraph A. and advise on a recommended legal course of action;
9. Act as an intermediary between the MPOAC and counsel for other agencies or legal entities; and
10. Perform other legal services as directed by the MPOAC Governing Board.

B. COMPENSATION-FEES.

1. The AGENCY shall be billed in accordance with the rate set forth in Exhibit 1. Fees shall not exceed \$220.00 per hour

for work by the Contractor or attorneys named in this Agreement, and fees in excess of such amount shall not be compensable. The CONTRACTOR shall notify the AGENCY, in writing, when fees for billable services reach \$22,000.00, including costs. Said notification shall be made as soon as is practical and prior to the next monthly invoice. Failure to comply with these provisions will result in non-payment.

2. Billable hours shall be measured in one-tenth hour increments. For example, a telephone conversation lasting 6 minutes shall be recorded on billings to the AGENCY as .1 hours. All time shall be rounded up to the next highest one-tenth hour increment. For example, a telephone call lasting 8 minutes would be rounded up to .2 hours, and the billings to the AGENCY would depict the telephone call as being billed for .2 hours. Except as provided above, compensation of attorney hours will be for actual time spent providing attorney services to the AGENCY.

3. Premium rates will not be paid for overtime work.

4. Attorney time while traveling will be compensated at 75 percent of the hourly rates reflected in Exhibit 1. This compensation does not include the compensation for cost of travel.

5. Telephone conversations will be billed as follows. For a telephone call made by the CONTRACTOR but not reaching the person called or leaving a message to call back, no charge shall be made. For a short telephone conversation, a minimum charge of .2 hours or two-tenths of an hour time will be made. For a long telephone conversation, a minimum charge of .3 hours or three-tenths of an hour time will be made. For telephone conversations lasting in excess of .3 hours or 18 minutes, the call will be charged based on the actual time spent on the telephone conversation, expressed in tenths of an hour as provided in paragraph B.2. above.

C. COMPENSATION-COSTS.

1. Reimbursement of costs for such items as exhibits, transcripts and witness fees requires prior oral authorization by the MPOAC and shall be reimbursed based upon documented third party vendor charges. The MPOAC shall not pay for firm surcharges added to third party vendor charges.

2. Routine expenses such as local (Ft. Lauderdale) phone calls, local (Ft. Lauderdale) facsimile transmissions, routine postage, copy work, local (Ft. Lauderdale) travel expenses, printed library materials and local (Ft. Lauderdale) courier, word processing, computer assisted legal research, and clerical or secretarial services are overhead and will not be separately compensated. However, the MPOAC shall be billed a flat charge of 2.5% for each billing for these types of expenses.

3. Non-routine office overhead expenses such as long distance phone calls, long distance facsimile transmissions, long distance courier services, bulk mailings, bulk third party copying, blueprints, x-rays, photographs must be justified to the MPOAC and shall be reimbursed based on documented third party vendor charges. If these charges exceed \$ 1,000.00, prior written approval from the MPOAC's contract administrator must be obtained. In-house bulk mailings and bulk copying expenses must be supported by usage logs or similar documentation. Firm surcharges are not reimbursable.

3. The CONTRACTOR shall only bill the MPOAC for a proportionate share of the cost of legal research, attending hearings or engaging in client representation of any type, which is applicable to other clients.

4. The Contractor shall only bill the MPOAC for a proportionate share of the cost of legal research, attending hearings or engaging in client representation of any type, which is applicable to other clients.

5. Reimbursable costs shall not exceed \$3,000.00 under this AGREEMENT. The CONTRACTOR shall notify the AGENCY contract administrator when costs reach \$2,500.00. Said notification shall be made as soon as is practicable and prior to the next monthly invoice.

D. FORMAT FOR INVOICES.

1. Generally, the MPOAC will be billed on a monthly basis, unless a billing for any one month is less than \$100. Each statement for fees and costs shall be submitted in one copy, after the services have been rendered, in a format that includes, at a minimum, the following information:

- a. Case name and number, if applicable, or other legal matter reference;
- b. Invoice number for the particular bill;
- c. CONTRACTOR taxpayer identification number;
- d. CONTRACTOR and MPOAC contract administrators' names;
- e. Inclusive dates of the month covered by the invoice;
- f. Itemization of the date; hours billed (if hourly); a concise, meaningful description of the services rendered, with sufficient detail to enable the AGENCY to evaluate the services rendered and costs; the person(s) who performed the services for each day during which the CONTRACTOR performed work; their hourly rate (if hourly) as specified in Exhibit 1, and any billing rate that is for some reason different from the one furnished in Exhibit 1, e.g., travel at a reduced hourly rate.
- g. A listing of all invoiced costs to be accompanied by copies of actual receipts.
- h. The total of only the current bill. Prior balances or payment history should be shown separately, if at all.
- i. Any other information as may be requested by the AGENCY's contract administrator.

E. ADMINISTRATION OF AGREEMENT.

1. The AGENCY contract administrator is the AGENCY Executive Director.
2. The CONTRACTOR contract administrator is Paul Gougelman.
3. All oral approvals referenced in this AGREEMENT must be obtained from the parties' contract administrators or their designees. All notices must be given to the parties' contract administrators.

4. This contract shall be governed by and construed under the laws of the State of Florida.

F. OTHER AVAILABLE SERVICES.

Upon receiving approval from the MPOAC, the Contractor shall use existing MPOAC agreements, when available and cost effective, to acquire services (e.g., computer assisted legal research) and the assistance of professionals (e. g., court reporters, expert witnesses) at reduced rates.

G. PUBLIC RECORDS.

All documents prepared pursuant to the Agreement are subject to Florida's Public Record Law. Refusal of the Contractor to allow public access to such records as required by such law shall constitute ground for unilateral cancellation of this Agreement by the MPOAC; provided, however that this Agreement shall not be terminated if the Contractor, pursuant to direction of the MPOAC governing board or the MPOAC Executive Director, withholds access to said public record, because it is confidential or exempt from disclosure pursuant to Federal or Florida law.

H. SPECIAL CONDITIONS.

1. The Contractor will make affirmative efforts to achieve cost effectiveness by consolidating court hearings, limiting travel, streamlining case processing, using printed forms, using the appropriate level of attorney or staff experience required by task, and taking other actions to improve efficiency.

2. Multiple staffing at meetings, hearings, depositions, trials, etc., by the Contractor will not be compensated unless prior written approval from the MPOAC has been obtained.

3. The Contractor agrees that all documents shall be promptly returned at the termination of the Contractor's involvement in the case or matter at hand.

4. MPOAC in-house staff shall be used in the legal matter to the maximum extent possible.

5. The Contractor will provide immediate notice by facsimile transmission or telephone regarding significant case developments which will likely result in media inquiries.

6. The Contractor shall provide the MPOAC immediate notice of any representation undertaken by the Contractor in matters where the client is suing or being sued by the state or state entities in any civil or adversarial administrative action.

EXHIBIT 1 - Fee Schedule

I. HOURLY BILLING SCHEDULE:

A. The CONTRACTOR's attorney and paralegal staff to be used under this contract include the following individuals at the hourly rates indicated:

NAME	Hourly Rate
1. Paul Gougelman (lead counsel)	\$220.00
2. Alan Gabriel (alternate)	\$220.00
3. Daniel Abbott (litigation)	\$220.00
4. Brett Schneider (labor)	\$220.00

The above rates may be adjusted if both parties agree, and shall be documented in writing by amendment to this Agreement.

III. ALTERNATE BILLING SCHEDULE: NONE.

Item Number 5
Executive Director Position

DISCUSSION:

The MPOAC Executive Director position will become vacant on May 31, 2015 when the current Executive Director completes the Florida Deferred Retirement Option Program. In January 2015 the MPOAC Executive Committee began the process to fill the position by publicly advertising the position for 30 days with a closing date of February 13, 2015. The MPOAC received approximately 40 applications through the State of Florida People First employment website. The Executive Committee met on February 20, 2015 in Tallahassee to review the applications, develop a short list, and to select applicants to be formally interviewed. The short list consists of 14 applicants from which four were chosen to be interviewed by the Executive Committee on April 1, 2015 in Tallahassee.

REQUESTED ACTION:

1. Approve the Executive Committee recommendation in filling the MPOAC Executive Director position.

ATTACHMENT:

1. MPOAC Executive Director position as advertised in the State of Florida People First



CHIEF EXECUTIVES

[Begin Application Process](#)

Req No: 55014281-51212624-20150115133006

Agency Name: Transportation

Description:

Working Title: EXECUTIVE DIRECTOR-MPOAC
Broadband/Class Code: 10-1011-01
Position Number: 55014281-51212624
Annual Salary Range: \$100,000.00 - \$120,000.00
Announcement Type: Open Competitive
City: TALLAHASSEE
Facility: DOT HEADQUARTERS
Pay Grade/ Pay Band: BB023
Closing Date: 2/13/2015

The State Personnel System is an E-Verify employer. For more information click on our [E-Verify website](#).

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

JOB POSTING DESCRIPTION

940 / MPO Advisory Council

ANTICIPATED VACANCY / OPEN COMPETITIVE

SELECTED EXEMPT SERVICE

POSITION NUMBER: 55014281

BROADBAND OCCUPATION: Chief Executives

Completed State of Florida applications are required and should be submitted on-line through this website. If you need assistance, call 1-877-562-7287 (TTY applicants call 1-866-221-0268), and a People First customer service specialist will assist you. Current State of Florida Applications may be faxed to People First @ 1-888-403-2110. All applications must be submitted by 11:59 P.M. Eastern Time on the closing date, or unless otherwise specified in the advertisement.

POSITION LOCATED IN: Tallahassee

CONTACT PERSON: Peter Buchwald

CONTACT PHONE NUMBER: 772-462-1593

SPECIAL REQUIREMENTS: You may be required to provide your Social Security Number to conduct required verifications. A Level 1 Criminal Background Check will be conducted on the successful candidate.

Pursuant to section 339.175(11)(c)(7), Florida Statutes, the MPOAC shall "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 110 and serve at the direction 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."

POSITION DESCRIPTION: Provides overall staffing and management of and reports directly to the MPO Advisory Council (MPOAC). Organizes meetings, prepares agendas and supporting materials, and coordinates with all Florida Metropolitan Planning Organizations (MPOs) and other affected agencies. Provides technical and administrative support in response to particular decisions resulting from MPOAC meetings.

Develops effective working relationships with local elected officials that comprise the MPOAC Governing Board, MPO staffs, State legislative staffs and elected officials, and Florida Department of Transportation (FDOT) and other State agency staff. Facilitates the continued evolution of the organization consistent with the vision of the MPOAC Governing Board.

Monitors and reviews proposed Federal and State legislation that may affect MPOs and provides recommendations and drafts legislation as necessary. Attends relevant workshops, meetings, and conferences and updates the MPOAC on the latest development on issues affecting MPOs. Reviews and comments on FDOT policies and procedures. Prepares draft policies and procedures necessary to guide MPOs in their responsibilities to carry out Federal and State laws and rules relating to urban area transportation and planning issues.

Serves as principal policy advisor to the MPOAC on Federal and Statewide transportation planning activities. Develops transportation policy alternatives and recommendations for consideration by the MPOAC. Reviews legislative and policy issues from the perspective of the MPOs. Supervises staff by communicating, motivating, training, evaluating, planning, and directing their work.

Leads staff conducting a wide range of activities including development and implementation of various plans, Statewide and urban transportation planning,

review of transportation and land use plans, transportation planning research, bicycle and pedestrian initiatives, development of best practices and transportation system performance reporting.

Monitors the development of the Florida Transportation Plan (FTP) and the Strategic Intermodal System (SIS) Strategic Plan. Ensures that the FTP and SIS are developed in support of and in coordination with the MPOs' plans and programs.

Monitors implementation of State plans and planning activities including the FTP and Florida's Future Corridors long range transportation planning process. Reviews and monitors a wide range of planning, policy and technical issues to ensure that the State and Federal plans and planning activities are implemented in an effective and measurable manner consistent with the MPOs' plans and programs and with extensive public and stakeholder involvement.

Serves as a contract manager and oversees the administrative and technical details associated with the oversight of contracts. Coordinates with staff and consultants to ensure the delivery of quality products, the timely execution of tasks, and the appropriate commitment of funds.

Coordinates and provides presentations on a wide range of transportation policy and planning issues to MPOAC leadership, citizen and stakeholder groups, elected officials and others.

KNOWLEDGE, SKILLS AND ABILITIES: Knowledge of Federal planning regulations, Florida Statutes relating to transportation planning and programming and MPOs, local government comprehensive planning regulations relating to transportation, organization of MPOs, organization and function of FDOT and the Florida Legislature. Knowledge of Florida's transportation planning process and programs.

Skilled in preparing and giving oral presentations. Skilled in preparing and editing written documents. Skilled in general public administration including budgeting, personnel policies, and file management.

Ability to communicate clearly both orally and in writing. Ability to use computer applications including word processing programs and spreadsheet databases. Ability to supervise staff. Ability to act as policy advisor on Federal and Statewide transportation planning activities. Ability to coordinate implementation of multiple program and planning activities with a variety of government and private agencies. Ability to serve effectively in group activities such as teams, task forces, and committees. Ability to mediate, moderate, and resolve conflicts. Ability to understand complex issues and explain them in "plain speak". Ability to manage and prioritize multiple and complex tasks within time and budget constraints. Ability to work with very minimal supervision and direction and to initiate projects, and activities without direction. Ability to work under pressure/stress with an extreme level of accuracy.

SPECIAL NOTES: Applicants requiring a reasonable accommodation, as defined by the Americans with Disabilities Act, must notify the agency hiring authority and/or the People First Service Center (1-877-562-7287). Notification to the hiring authority must be made in advance to allow sufficient time to provide the accommodation.

The Department of Transportation hires only U.S. citizens and lawfully authorized alien workers. An Employment Eligibility Verification check will be conducted using the U.S. Citizen and Immigration Services' electronic database (E-Verify) on each new employee.

The Department of Transportation supports a Drug-Free workplace. All employees are subject to reasonable suspicion drug testing in accordance with Section 112.0455, F.S., Drug-Free Workplace Act.

The Department of Transportation is an Equal Opportunity Employer/Affirmative Action Employer and does not tolerate discrimination or violence in the workplace.

[7 Tips for Preparing Effective State Applications](#) - Click here to learn how to prepare your State of Florida Application to showcase your knowledge, skills, abilities, and experience.

[Refer this Vacancy to a Friend](#)

[Begin Application Process](#)

[Return to Vacancy List](#)

For assistance, call the Service Center at (877) 562-7287.

Item Number 6
Allocation of Non-Recurring PL Funds

DISCUSSION:

Florida MPOs were notified at the January 22, 2015 MPOAC Staff Directors meeting that an additional \$1,130,891 million in non-recurring federal planning (PL) funds had become available for their collective or individual use. The FDOT asked the MPOAC membership to consider options for allocating the available non-recurring PL funds, providing the details for one allocation scenario that would distribute all or a portion of the funds to individual MPOs based on their share of Florida urbanized area population. An alternative suggestion was to apply some or all of the funds available to an MPOAC state study or activity benefiting all MPOs.

The MPOAC Policy and Technical Subcommittee met on March 6, 2015 in Orlando and approved a recommendation on how to allocate the \$1,130,891 of PL funds as noted below.

REQUESTED ACTION:

1. Approve the distribution of \$1 million of the PL funds to the individual MPOs, based on their share of urbanized area population, and distribute the remaining \$130,891 to the MPOAC for the development and implementation of an MPOAC Strategic Plan.
2. Approve the amendment to the MPOAC Unified Planning Work Program for FY 2015-2016 that adds a new Task 4.5 leading to the development and implementation of an MPOAC Strategic Plan.

ATTACHMENTS:

1. Draft 2015 Non-Recurring PL Funding Allocation Options, dated March 6, 2015
2. MPOAC Unified Work Program Amendment Task 4.5 – MPOAC Strategic Plan and Implementation

Draft 2015 Non-Recurring PL Funding Allocation Options

Background

Florida MPOs were notified at the January 2015 MPOAC Staff Directors' meeting in Orlando, that an additional \$1,130,891 million in nonrecurring federal planning (PL) funds had become available for their collective or individual use. This funding became available from the PL reserve where it had been held to fund the operations of up to two new MPOs following 2010 Census. Only one new MPO was formed (the Heartland Regional TPO), resulting in the availability of a portion of the reserved PL funds. The FDOT asked the MPOAC membership to consider options for allocating the available nonrecurring PL funds, providing the details for one allocation scenario that would distribute the funds to individual MPOs based on their share of Florida urbanized area population. An alternative suggestion was to apply some or all of the available funds to an MPOAC statewide study or activity benefiting all FL MPOs.

Option 1 reflects the recommendation of the MPOAC Policy & Technical Subcommittee which met on March 6, 2015.

PL Fund Allocation Options

Option 1: Distribute \$1 million of the PL funds to the Individual MPOs and allocate the remaining \$130,891 to the MPOAC for the development and implementation of a Strategic Plan for the MPOAC (see Option 4)

Distribute \$1 million of the available non-recurring PL funds to individual MPOs based on their share of Florida urbanized area population. The distribution to individual MPOs is outlined in the attached table (Metropolitan Planning (PL) Funds Distribution Formula). The remaining \$130,891 to be allocated to the MPOAC for the development and implementation of a Strategic Plan for the MPOAC as described in Option 4.

Option 2: Update the MPOAC Transportation Revenue Study (including assessing county transportation system needs)

Refresh the 2012 MPOAC Transportation Revenue Study data and extend the study to include county maintained facilities. The transportation needs estimate would be updated to current year dollars and include the metropolitan area shortfall estimate from the 2103 review of LRTPs. The revenue estimate would be updated and incorporate any changes in current transportation revenue streams. Additionally, a methodology for estimating transportation needs on county roads would be developed, implemented, and revenue estimates and shortfalls will be developed at the county level. The refreshed and extended information will be packaged in a glossy brochure for distribution to stakeholders and the Florida legislature. Lastly, a PowerPoint presentation will be developed for use by the MPOAC and its members.

Option 3: "MPO 101" Presentation/MPO Success Stories

Develop a general presentation for use by MPOs to help them explain the authority and responsibilities of MPOs to a wide audience (neighborhood associations, chambers of commerce, interest groups, etc.) and highlight MPO success stories. The content would be developed using a survey of the MPOAC membership and guided by a small steering committee. The final product

would take a presenter roughly fifteen to twenty minutes to deliver and would be posted on the MPOAC website. The presentation would include video clips that would highlight how MPOs in Florida have made a positive difference in their communities. In addition, a glossy hard-copy brochure would be developed for MPOs to distribute during presentations that outlines the basics of MPO activities and touts the success stories of Florida's MPOs. The brochure could also be prepared as an interactive brochure to be posted on the MPOAC and individual MPO websites. The success stories used in the presentation and in the brochure would ideally include a mix of projects funded through the MPO processes, programs implemented by MPOs, plans and studies developed by MPOs, activities funded by MPOs, and any other actions MPOs have taken that can draw the attention of the public and Florida's legislature. The brochures could also be distributed to members of the Florida legislature, Florida agencies involved in transportation and other interested stakeholder groups, in addition to Florida MPOs. These products would elevate the profile of MPOs both statewide and at home.

Option 4: Strategic Plan for the MPOAC

Prepare a strategic plan for the MPOAC to ensure organizational effectiveness in meeting member needs and expectations. The facilitated process would be guided by a steering committee of MPO Staff Directors and MPOAC Governing Board members. The strategic plan would identify organizational strengths and weaknesses, member and stakeholder perceptions of organizational value, and strategic issues challenging the ability of the MPOAC to best serve the needs of its members. An organizational mission and vision will be crafted as will specific organizational goals and objectives. Strategies will be developed for enhancing member return on investment and the ability of the MPOAC to achieve newly established organizational goals and objectives. Additional PL funds would be held in reserve to ensure implementation of strategies identified in the plan.

Option 5: Training for Local Government/MPO Staff and Attorneys

Develop a training program targeted to local government officials (county administrators, city managers, public works directors, etc.), MPO staff (particularly staff with limited prior background in MPO work) and attorneys involved in MPO activities. The intent is to provide basic training for local government and MPO staff who have relatively limited prior experience with MPO activities, but who are responsible for working with or for MPOs as part of their current positions. Tasks might include identification of training needs and the preferred delivery mechanism (live in-person, live on-line, pre-recorded online, circuit rider, train-the-trainer, etc.), curriculum development, and pilot testing. If desired, a scope of services for training delivery (including delivery costs based on the preferred delivery mechanism) could also be developed.

**METROPOLITAN PLANNING (PL) FUNDS DISTRIBUTION FORMULA
OPTION 1
FY 2015/2016**

FAP No.	URBAN AREA		POPULATION	RATIO	ADDITIONAL	
	POLK TPO	LEE COUNTY MPO			NON-RECURRING	NON-RECURRING
0262	POLK TPO		467,147	2.81%		\$28,095
0261	LEE COUNTY MPO		599,162	3.60%		\$36,035
0313	COLLIER COUNTY MPO		266,182	1.60%		\$16,009
0408	CHARLOTTE COUNTY- PUNTA GORDA MPO		148,678	0.89%		\$8,942
0264	SARASOTA/MANATEE MPO		678,297	4.08%		\$40,794
0241	GAINESVILLE MPO		187,374	1.13%		\$11,269
0050	NORTH FLORIDA TPO		1,073,717	6.46%		\$64,576
0312	OKALOOSA-WALTON TPO		141,371	0.85%		\$8,502
0315	BAY COUNTY TPO		143,236	0.86%		\$8,615
0125	FLORIDA-ALABAMA TPO		401,049	2.41%		\$24,120
0220	CAPITAL REGION TPA		242,163	1.46%		\$14,564
0058	BROWARD MPO		1,770,800	10.65%		\$106,500
0311	ST. LUCIE TPO		270,987	1.63%		\$16,298
0097	PALM BEACH MPO		1,277,969	7.69%		\$76,860
0413	MARTIN MPO		128,180	0.77%		\$7,709
0418	INDIAN RIVER COUNTY MPO		127,129	0.76%		\$7,646
0263	SPACE COAST TPO		517,914	3.11%		\$31,148
0314	OCALA/MARION COUNTY TPO		202,046	1.22%		\$12,151
0087	METROPOLAN Orlando		1,786,395	10.74%		\$107,438
0260	RIVER TO SEA TPO		534,839	3.22%		\$32,166
0457	LAKE/SUMTER MPO		288,585	1.74%		\$17,356
0021	MIAMI-DADE MPO		2,540,983	15.28%		\$152,820
0059	HILLSBOROUGH COUNTY MPO		1,211,989	7.29%		\$72,892
1157	PASCO COUNTY MPO		424,224	2.55%		\$25,514
0057	PINELLAS COUNTY MPO		917,786	5.52%		\$55,198
0412	HERNANDO/CITRUS MPO		217,327	1.31%		\$13,071
	HEARTLAND REGIONAL TPO		61,758	0.37%		\$3,714
	TOTALS		16,627,287	100.00%		\$1,000,000

Task 4.5 – MPOAC Strategic Plan and Implementation

Purpose:

Conduct a strategic planning process for the MPOAC to ensure organizational effectiveness in meeting member needs and expectations. The result will be a strategic plan that will identify organizational strengths and weaknesses, member and stakeholder perceptions of organizational value, strategic issues challenging the MPOAC and strategies for the MPOAC to achieve newly established organizational goals and objectives. Any additional funds remaining after the completion of the strategic planning process will be used to begin the implementation of strategies identified in the plan.

Previous Work Completed:

This is a new initiative approved at the April 2, 2015 meeting of the MPOAC Governing Board.

Proposed Methodology:

The MPOAC proposes to enter into a professional services contract to conduct a strategic planning process, prepare a strategic plan and suggest steps to implement specific elements of the strategic plan. The strategic plan will identify organizational strengths and weaknesses, member and stakeholder perceptions of organizational value, and strategic issues challenging the ability of the MPOAC to best serve the needs of its members. An organizational mission and vision will also be crafted as will specific organizational goals and objectives. The MPOAC will assist with the recruitment of a Strategic Plan Advisory Committee (SPAC) comprised of MPO Staff Directors and MPO Governing Board members. The SPAC will meet as needed, in conjunction with scheduled MPOAC meetings, to receive progress briefings and to provide recommendations to the consultant and the MPOAC including proposed strategies to enhance member return on investment and the ability of the MPOAC to achieve newly established organizational goals and objectives.

Work Product:

Services to be provided under this task include:

- Conducting a strategic planning process for the MPOAC.
- Establishing a Strategic Plan Advisory Committee (SPAC).
- Preparing a strategic plan that identifies organizational strengths and weaknesses, member and stakeholder perceptions of organizational value, strategic issues challenging the MPOAC and strategies for the MPOAC to achieve newly established organizational goals and objectives. An organizational mission and vision will also be crafted as will specific organizational goals and objectives.
- Beginning the implementation of strategies identified in the plan (using any additional funds remaining after the completion of the strategic planning process).

Funding Source:

Funding Source	FY 14/15	FY 15/16	2-Year Total
Federal (PL)	\$0	\$130,891	\$130,891
FTA 5305(d)	\$0	\$0	\$0
Total	\$0	\$ 0	\$ 130,891
<i>Amount to Consultant</i>	\$0	\$0	\$130,891

Item Number 7A
Florida Department of Transportation Report with Secretary Jim Boxold

DISCUSSION:

Secretary Jim Boxold and Mr. Jim Wood, State Transportation Development Administrator for FDOT will be in attendance to present the following:

1. Presentation by Secretary Jim Boxold
2. Statewide Transportation Planning Update
3. Other Issues
4. Upcoming Calendar

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

1. Press Release announcing appointment of FDOT Secretary Jim Boxold



Secretary Jim Boxold

Jim Boxold was named Secretary of the Florida Department of Transportation (FDOT) by Governor Rick Scott effective January 3, 2015. Boxold will oversee the historic investment of over \$10 billion this year to meet the transportation needs of Florida families, visitors and businesses.

Jim Boxold joined FDOT as Chief of Staff in July, 2013. Jim brings almost twenty years of government policy and management experience to the agency. He started his career in Washington, D.C. working for U.S. Representative Porter Goss (FL-14), ultimately serving as the Congressman's Legislative Director. In 2001, he came to Tallahassee to join the Governor's staff and subsequently worked for the Commissioner of Agriculture before joining FDOT.

A Florida native, Jim holds a B.A. in Political Science from The George Washington University.

Item Number 7B
Federal Highway Administration Report

DISCUSSION:

Mr. David Hawk, Chief Operating Officer; 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 in attendance to present:

1. MAP-21 Update
2. Other items of interest

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None

Item Number 8
Florida Transportation Commission

DISCUSSION:

Florida Transportation Commission Chairman Jay Trumbull will present information on the responsibilities and organization of the Florida Transportation Commission and will discuss the Commission's 2015 priorities.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

1. Booklet describing the Florida Transportation Commission (to be distributed)

Item Number 9
Transformation of Our State Pre-Construction Process

DISCUSSION:

Mr. Brian Blanchard, FDOT Assistant Secretary for Engineering and Operations will be presenting “Transformation of Our Pre-Construction Process” and FDOT’s “Statewide Innovators! Team.” The Florida Department of Transportation commissioned a study to provide an analysis of the impact of federal regulations and processing times for federally funded projects for the PD&E, Design and Construction Phases versus state funded only projects. The study concluded that the majority of time/cost savings was in the PD&E phase. It was also determined that overlapping the Design and PD&E phase provided additional time/cost savings. Little or no time/cost savings was found during the construction phase.

Federally funded projects sampled lasted between 1.8 and 3.5 times longer than state funded projects in the pre-construction phase (PD&E and Design). The Department reviewed the 5 year work program and found 44 projects that will be modified to state only funding. Work Program Instructions have been revised to reflect that each new PD&E / Design Project phase added to the Work Program must be evaluated for benefits of funding solely with state funds versus federal funds.

Statewide Innovators! Team

A statewide “Innovators! Team” was created to review the ideas, select the doable ideas and then push the ideation forward for approval. This team has tackled some big ticketed innovation ideas and turned them into workplace applications such as Submit Construction Documents On-Line and Monitor & Control Traffic Signals for Optimal Flow. To date, 150 ideas have been received from FDOT employees. In addition, over 170 ideas have been received from FDOT’s partners (contractors/consultants) when they were asked what their bold/innovative ideas were via a survey this past August. FDOT is in the process of working this list.

However, FDOT doesn’t want to stop here! The Secretary would like to challenge our MPO partners to look for opportunities and also submit ideas to make our agency even better. This will be done via a short 5-minute survey that we can use to improve the FDOT.

FDOT will continue to make innovation a part of its strategy by trying to capture the creative energies and the powerful insights of FDOT employees and its partners. The Secretary continues to challenge FDOT’s employees and partners to think “outside the box” and look for new situations and ideas to improve this great organization.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

1. Transformation of Our State Pre-Construction Process by FDOT, April 2015



Florida Department of
TRANSPORTATION



Presentation to the MPOAC Transformation of Our State Pre-Construction Process

April 2015

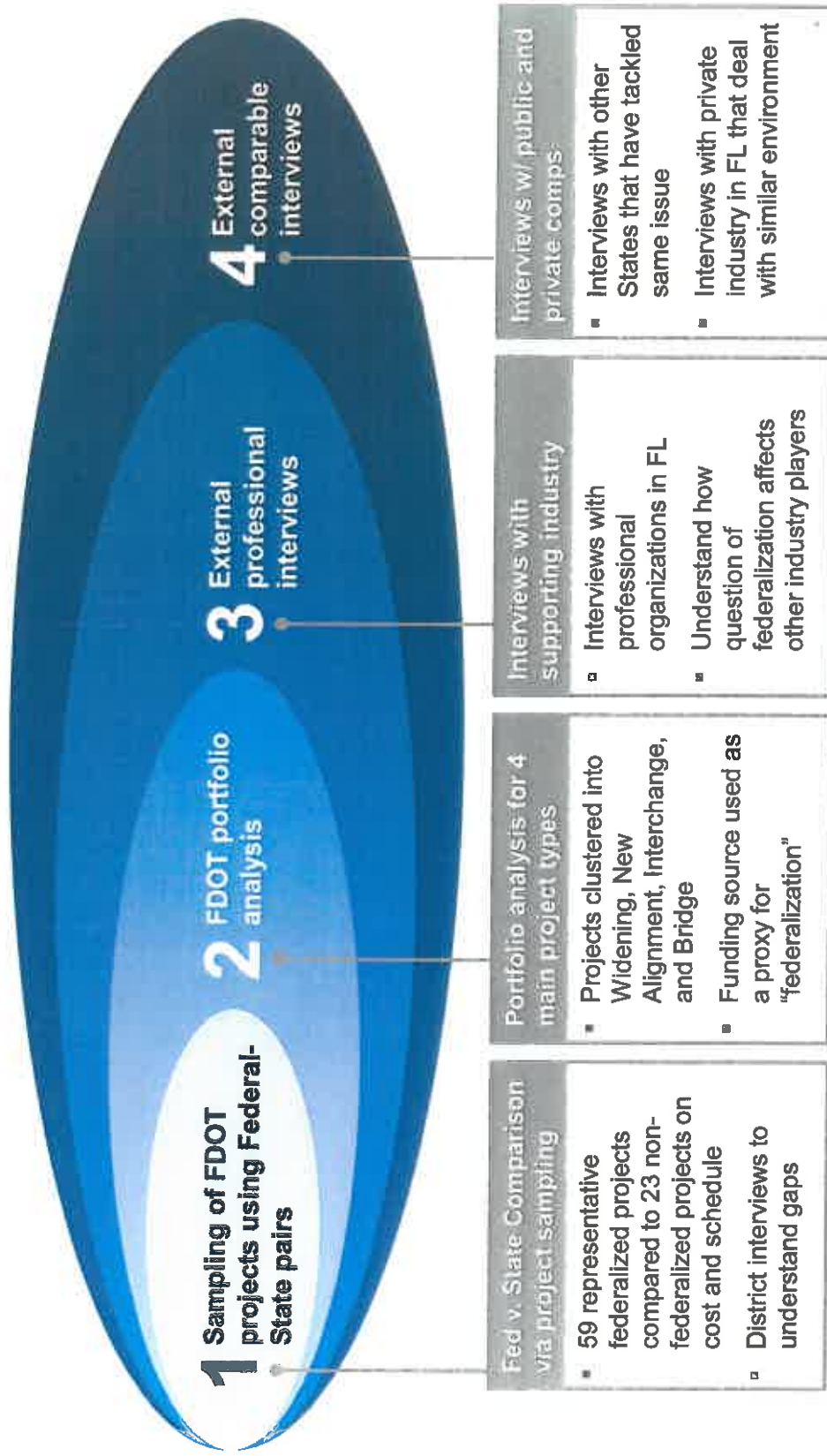
PURPOSE

Federal Requirements Impact Analysis

Objective	<p>To investigate the effect of federal requirements – relative to state requirements – on FDOT’s portfolio of road programs:</p> <ul style="list-style-type: none">▪ What projects are affected▪ What federal requirements have impact▪ How much time and money does compliance with federal requirements cost
Goal	<p>To provide analysis to support potential consideration of different approaches to utilizing federal dollars</p>
Scopes	<ol style="list-style-type: none">1. Rapid diagnostic that focused on the schedule impact of most significant federal requirements2. Guidance on how to segment and prioritize federal and state-only projects3. Design of improvement initiatives improving the efficiency and effectiveness of the state-only process



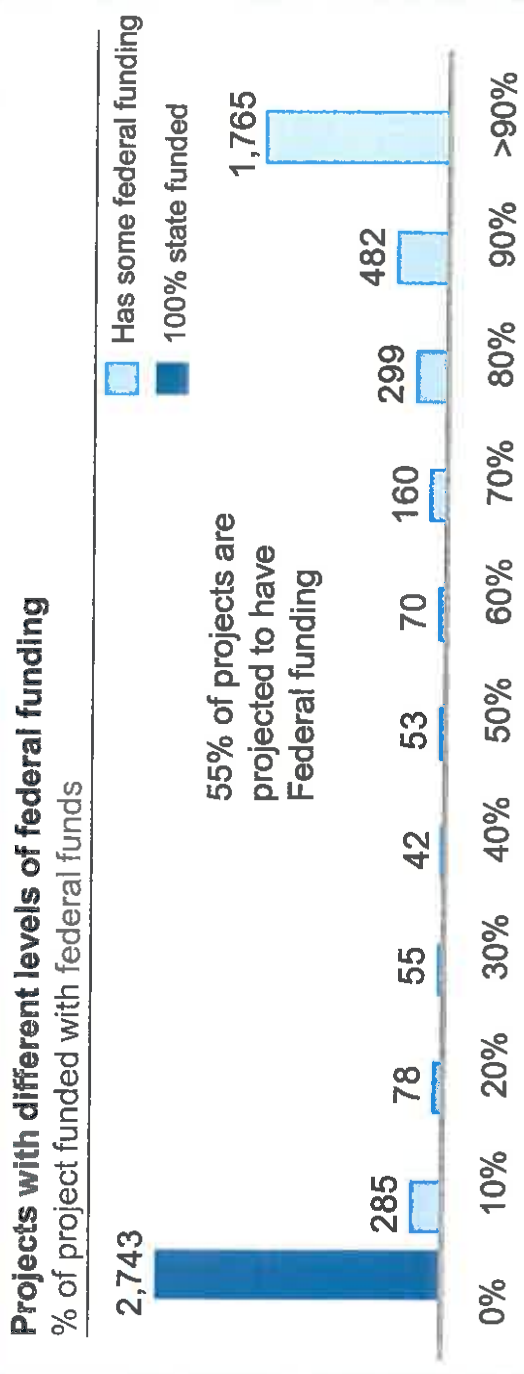
The study used multiple methods to assess the relative impact of federal requirements



Significant findings

- Most if not all projects are being prepared as though they will be federally funded
- Not all projects need to follow the federal process (be federally funded)
- Projects that are implemented following a state only process must remain state funded through construction
- Majority of time/cost savings is in PD&E
- Overlapping the PD&E and Design phases for state funded projects realizes the most time/cost savings
- State funded PD&E process can be further improved to reduce time and costs
- Standardizing state funded PD&E schedules will improve efficiency and improve quality of final products

While only 55% of projects use federal funding, FDOT has an explicit procedural guidance to federalize as many projects as possible

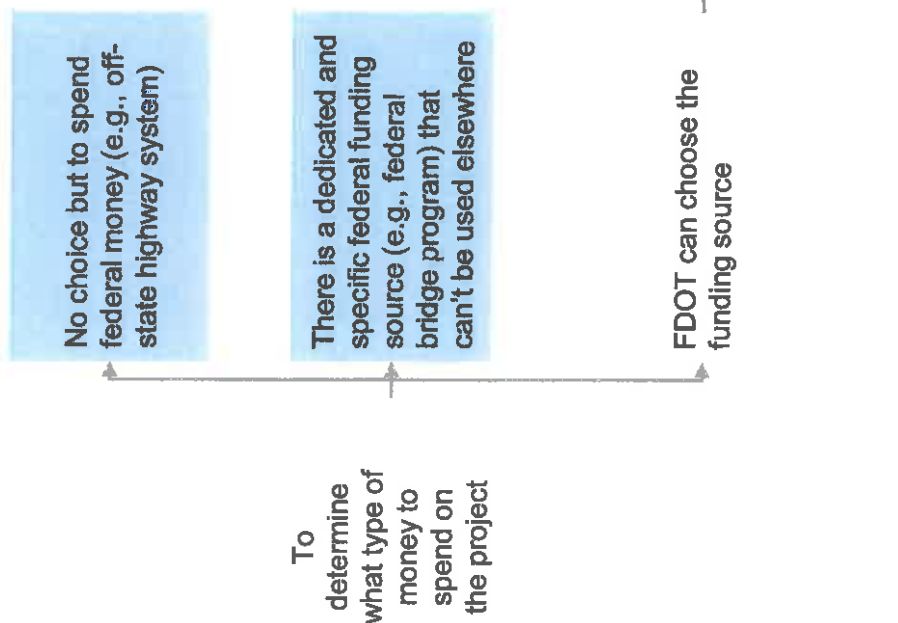
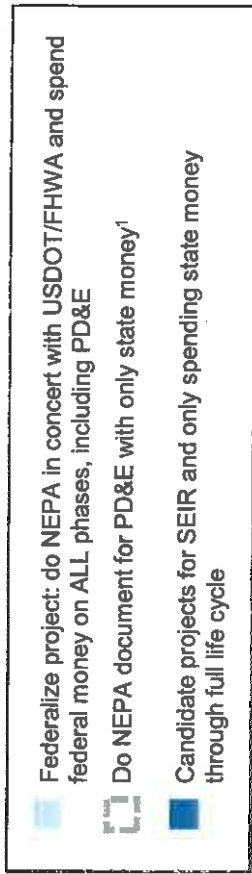


It is recommended the District apply the requirements for a federal process any time there is a possibility in which federal funds could be used on any phase of a project or if FHWA, FRA or FTA approval is going to be required.

- FDOT PD&E Manual (Part 1, Ch 10)



Decision tree for when to use state funding only



1 Do NEPA document with state money only, thus later phases of project are not automatically federalized, yet flexibility is maintained for using federal money in subsequent phases
 2 Applies in the case of needing a federal permit. The lead agency for issuing the permit should be the lead agency for NEPA approvals. Since no federal dollars are used on PD&E, no USDOT federal action is triggered. Therefore USDOT/FHWA is not required to be involved in NEPA document review or approval.

The focus of the study is on the share of projects in FDOT's portfolio where federalization is not mandatory and FDOT therefore has discretion about whether to federalize

2014-2018 Work Program

\$B



Work Program	Work Program Non-Roadway	Roadway	Interstate ¹	Turnpike	Off-System ²	Projects over which FDOT has discretion to federalize	Projects with dedicated federal funding	Projects that likely federalize	Choice to federalize
			Always federalized	Almost always state funded	Almost always some federal funding		FDOT will continue to make most of these funds	that likely require little PD&E work ⁴	The choice to whether to federalize is likely not impactful

Explanation:

For some share of the \$9B, FDOT will still need to go through the federal environmental process because either:
 1) The project triggers a federal action under NEPA (e.g. needs a Coast Guard permit)
 2) The project touches land over which the federal government has jurisdiction (e.g. interchange with interstate)

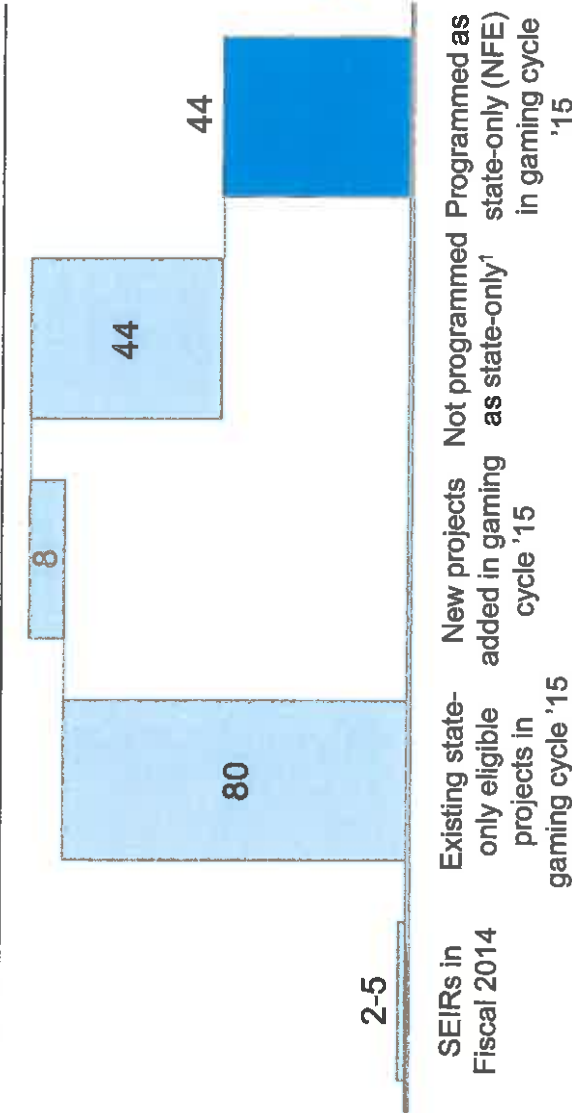
- 1 For interstate, turnpike, and off-system, the value includes all non-preservation and non-ops projects
- 2 Defined as estimate of county roads
- 3 Includes preservation
- 4 Likely includes operations and ITS

Source: Estimates from 2014-2018 work program



Districts selected 44 projects to be programmed as state-funded in the current gaming cycle, resulting in an estimated 97 years of time saved, just by following the state process

Projects identified for state-only funding
of projects across all districts



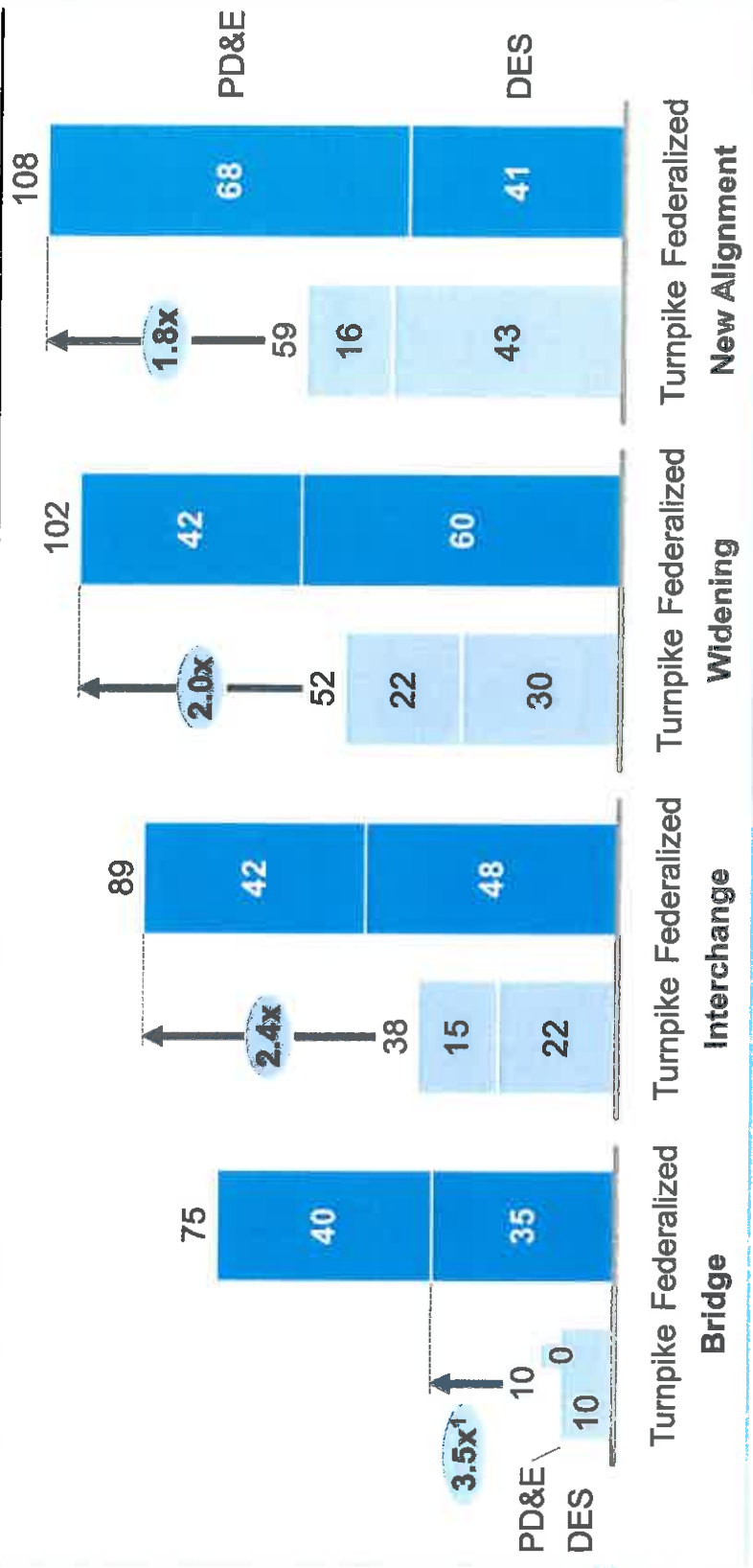
Just from putting these projects through the current state process, as demonstrated by the Turnpike, we'd expect to save 97 years of pre-construction timing

By further streamlining the state process, we can expect time savings of up to 247 years²

1 Projects removed from state-only eligibility at the discretion of the districts due to: uncertainty of future funding needs, availability of current or future eligible state funds, existing plans to use federal funds
 2 Range is based on calculating time savings for the 44 projects through a comparison of average federal pre-construction durations by expected environmental class of action vs. 1) average current state process durations, as shown by Turnpike projects used in project sample and Districts 4 & 6 Value Engineering on the fed process, and 2) streamlined state process with PD&E & Design overlap

Federalized projects sampled lasted 1.8x-3.5x longer in pre-construction than State projects

Average length of pre-construction for project samples
Months



¹ No PD&E was available for Turnpike projects, so the 3.5x difference is calculated only during the Design phase

Source: Sampled projects provided by all 8 FDOT Districts for purposes of this comparison



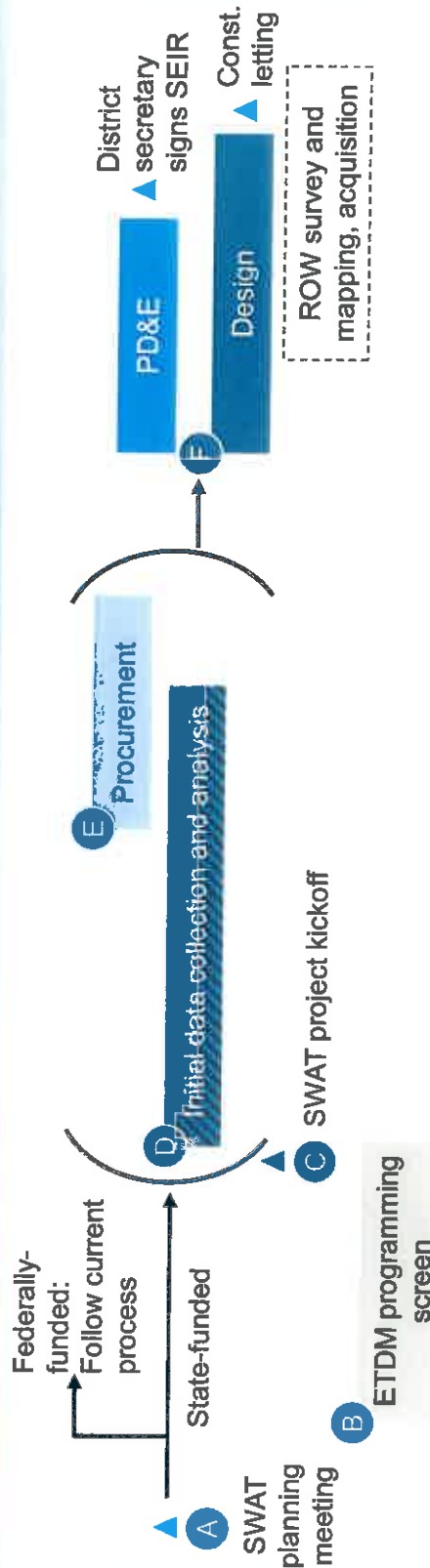
We have defined an improved state process expected to cut pre-construction time by 60-75%



Existing process: average duration of 94 months across all project types



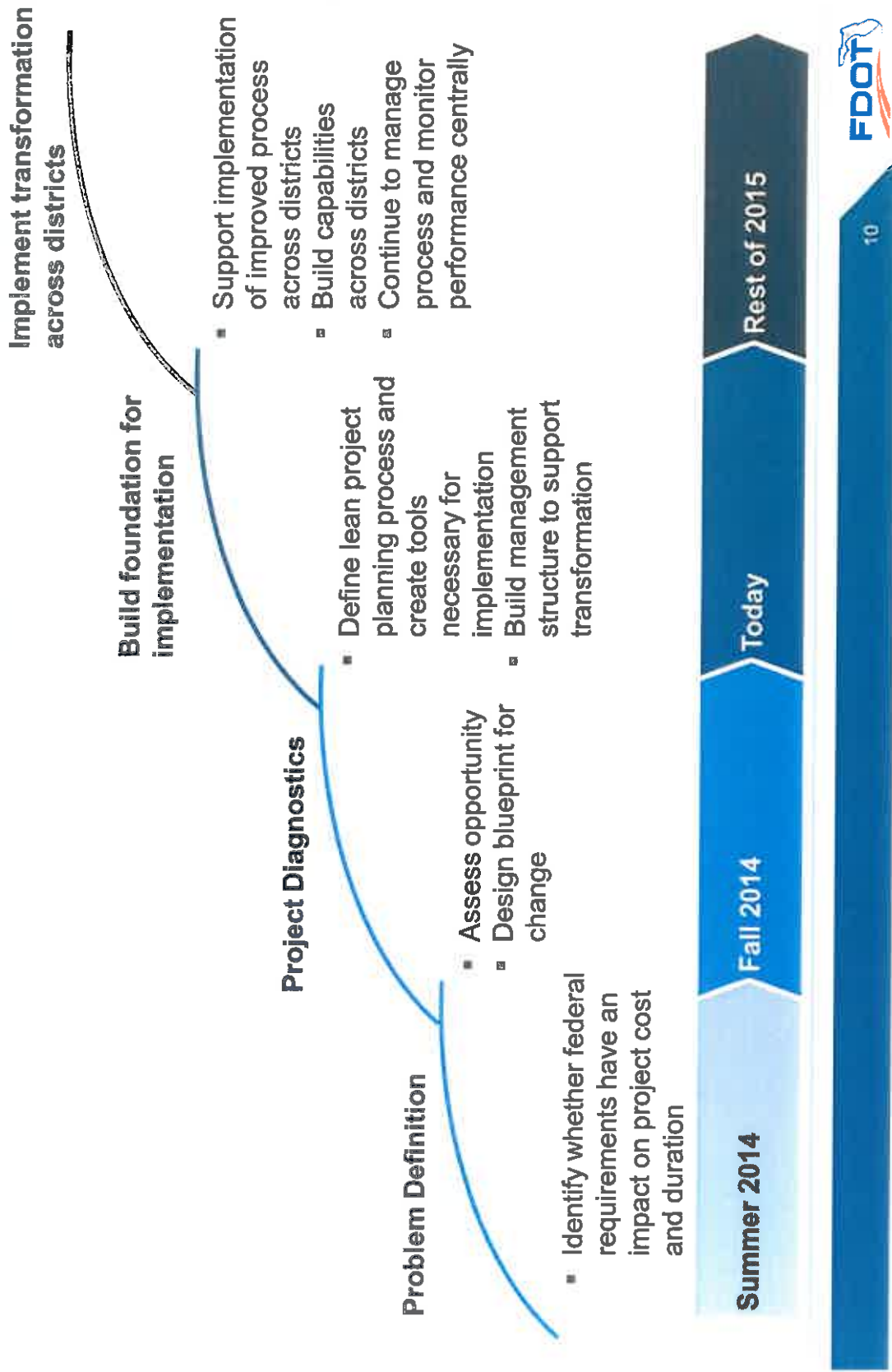
New process : average duration of 28 months across all project types



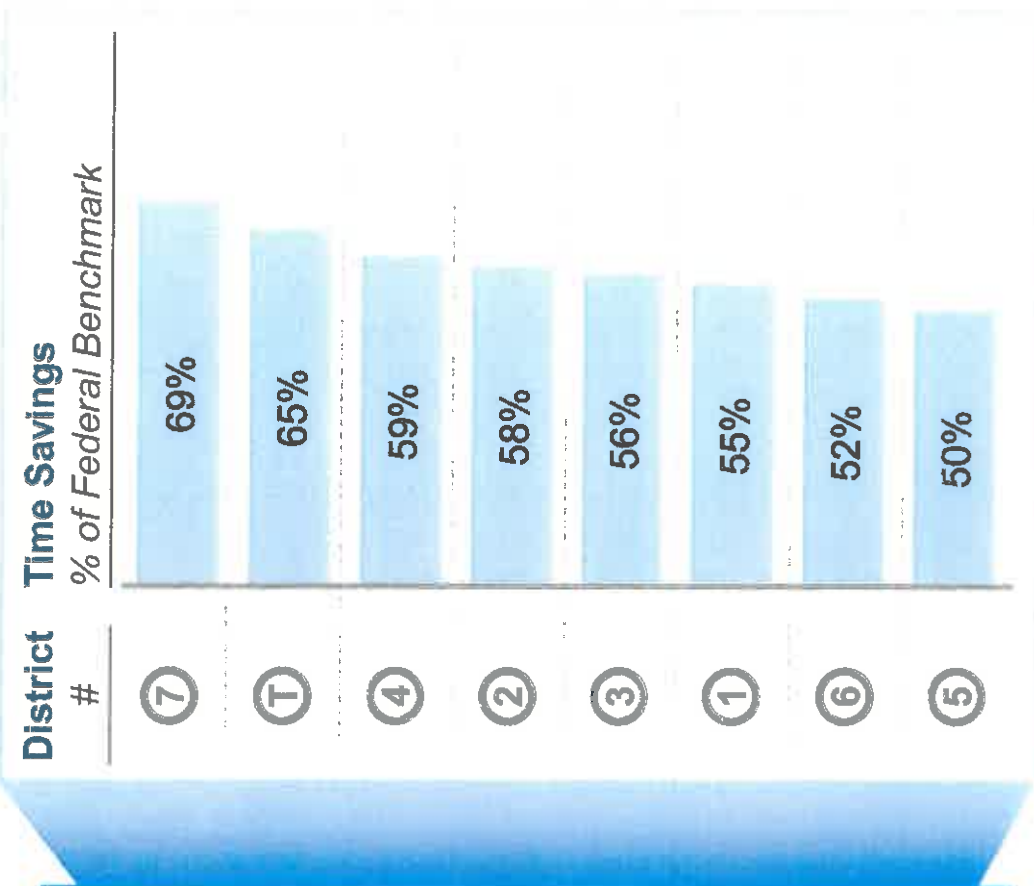
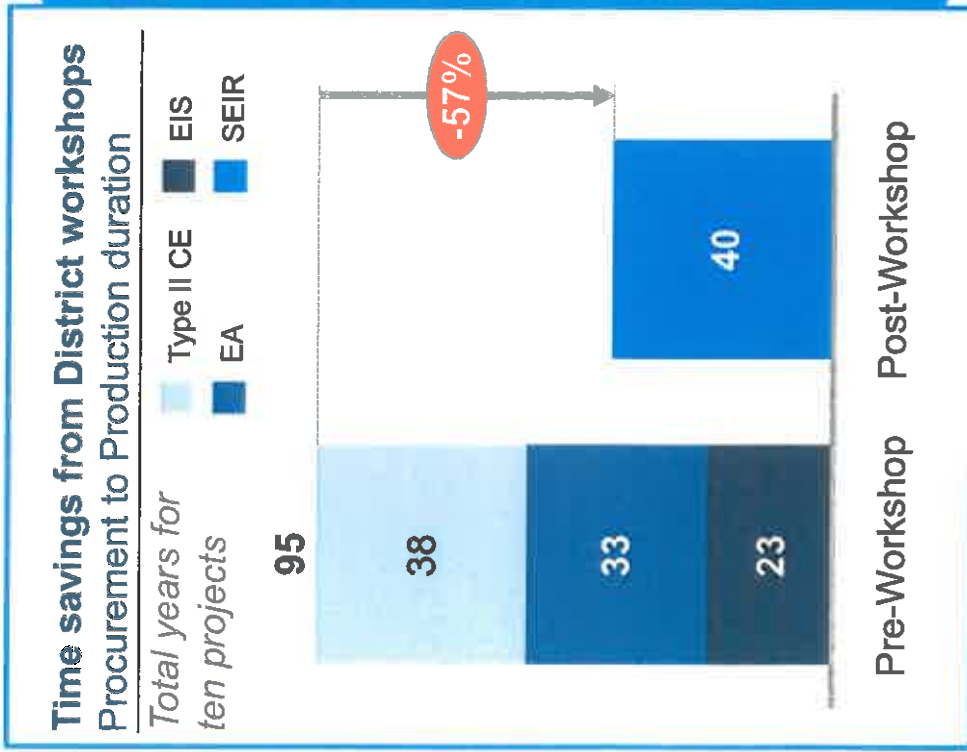
Source: Note: average durations are calculated across different project types, actual expected project duration varies by project



We have been working for the past year to streamline the preconstruction process, and we will continue to do so



We have applied the new process to an initial set of ten projects and have already found 57% time savings, across all project types

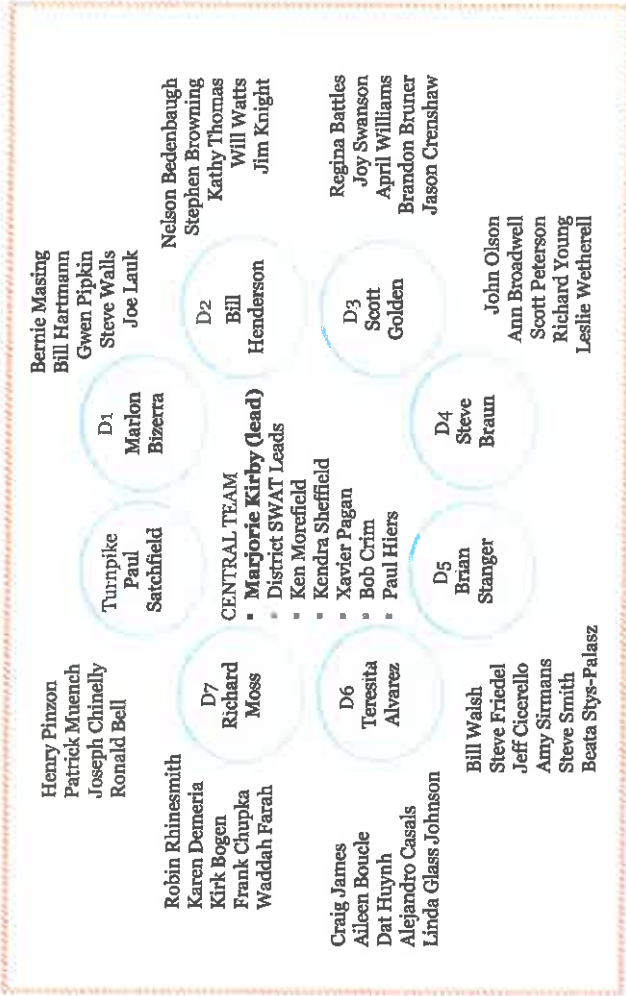


Our transformation focuses on more than just the improved state process



Districts have each nominated a State-Wide Acceleration and Transformation (SWAT) Team to lead the effort in improving how we operate

Current SWAT Team Organization Chart – Feb 2015



District SWAT Teams: Support the Projects

- Hold SWAT planning and project kick-off meetings to focus the project scope and schedule
- Drive improvement through structured problem solving
- Push District innovations state-wide through Central SWAT
- Communicate process changes to PMs and Consultants

Central SWAT Team: Support the Districts

- Collect expertise and best practices across Districts
- Identify and deploy tools and programs to encourage continuous improvement
- Monitor progress of implementation
- Work with District SWATs to facilitate state-wide training

FDOT leadership will track success of the projects in meeting reduced schedule targets

Estimated years saved by actual vs. benchmark

State process vs. Federal benchmark: 51

State process vs. Aspiration: 45

Legend for judging durations

- < 5K above Aspiration
- 5K - 25K above Aspiration
- > 25K above Aspiration
- No Aspiration

Note: Benchmark durations are calculated as time between Project Advertisement (PSM 200) to Production (PSM 204)

Status	District	Item #	Item Description	Estimated CDA	Project (Daily) requires CDA	Estimated CDA	Actual Duration (months)	Estimated Duration (months)	Actual Duration (months)	Actual Production Date (PSM 204)	Estimated Production Date (PSM 204)	Direct Noise (optional)
Current	1	43135-1	US 1700 AND US 201/14th Street	3.5	Yes	119	62	63	Apr-28	Apr-28	Weeks before & need for not complete past feasibility study	
Current	2	43462-1	US 17th Street	1.75	Yes	82	24					
Current	2	43392-1	SR 204 Crawford Road	2.5	Yes	139	52					
Current	2	43668-1	SR 177 Creek Road	2.5	Yes	133	42					
Current	3	43303-1	SR 16 & 20th Street	Yes	Yes	94	36					
Current	4	43878-1	SR 16 & 20th Street	Yes	Yes	94	36					
Current	5	43866-1	SR 80 FROM MONROE AVENUE TO INDUSTRY ROAD	Yes	Yes	94	36					
Current	5	43351-1	SR 226 ST AND 216 ST	Yes	Yes	94	36					
Current	5	43391-1	SR 305.5 & STREET AT SR 376.5 & 37 ALBANE	EA	Yes	133	42					
Current	7	43875-1	SR 80 FROM MONROE AVENUE TO POLK COUNTY LINE	EA	Yes	133	42					
Current	7	43955-1	SR 80 FROM MONROE AVENUE TO POLK COUNTY LINE	Yes	Yes	82	24					
Current	7	43973-1	SR 80 FROM MONROE AVENUE TO POLK COUNTY LINE	Yes	Yes	82	24					

Performance Management

- The dashboard will be updated and reviewed regularly by leadership
- The dashboard tracks time from Project Advertisement (200) to Production (204)
- We can compare a project to an estimate of what it would have been if it had been federalized
- We will track each project against our aspiration for its duration under the new process

We created a Quick Guide to support staff in implementing the improved state process



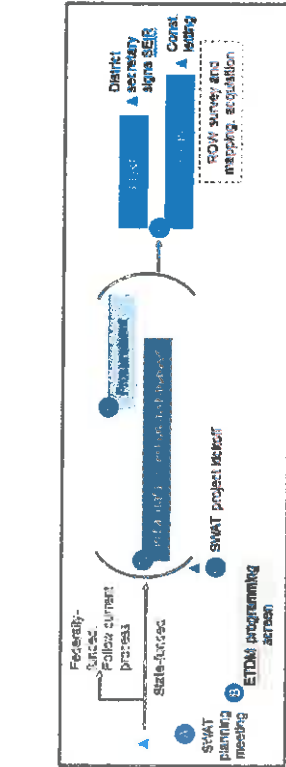
The Quick Guide includes information on...

- Each step of the improved state process
- The teams that support the transformation and the performance management system
- Expectations for roles of everyone involved in the process
- Tools to support teams, such as scoping checklists, sample meeting agendas, and example schedules
- Information to support each District to develop a culture of innovation and process improvement

These changes are only the beginning – we have embarked on a long journey of continuous improvement

Continuous improvement of the process

1. Segment Federal vs. State
 - Implemented and in Work Program Instructions
2. Improve scheduling of high-level blocks
 - We are here
 - Moving the timing of big blocks (e.g. PD&E and Design)
3. Optimize process within blocks
 - Find waste within each process bucket
 - Change the detailed process
4. Change the way we operate
 - Long term transformation
 - E.g. New ways to engage the public



This is a detailed project schedule or Gantt chart. It shows multiple tasks with their start and end dates. The tasks are organized into columns, likely representing different phases or milestones. The chart includes a title 'STATE-licensing' and a date range from '10/1/2014' to '10/1/2015'. The tasks listed include 'SWAT planning meeting', 'ETDM programming action', 'SWAT project motor', 'ROW survey and mapping, acquisition', and 'District secretary signs SEIR'.

Questions?

Item Number 10
Association of Metropolitan Planning Organizations

DISCUSSION:

Ms. DeLania Hardy, Executive Director of the Association of Metropolitan Planning Organizations (AMPO) will be in attendance to make a presentation on recent AMPO initiatives and to provide a status report on Washington DC federal legislative activities.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None

**Item Number 11
Communications**

1. Letter to Senator Jeff Brandes, Florida Senate from Mayor Jim Swan, Board Chairman of Metroplan Orlando regarding a Vehicles Miles Traveled Study, with enclosure to Secretary Jim Boxold, FDOT and Chairman Jay Trumbull, FTC, dated March 2, 2015.
2. Letter with Resolution FL-AL 15-05 to MPOAC from Ms. Mary Beth Washnock, Florida-Alabama TPO regarding support of the MPOAC 2015 Legislative Policy Positions, dated February 18, 2015.



March 2, 2015

The Honorable Jeff Brandes
The Florida Senate
318 Senate Office Building
404 South Monroe Street
Tallahassee, Florida 32399-1100

Senator Brandes:

We wanted to applaud you for including language in SB 1186 that would have the Center for Urban Transportation Research (CUTR) at the University of South Florida conduct a Vehicle Miles Traveled Study and a related pilot project as an alternative to the present fuel tax structure.

We completed a regional Value Pricing Study recently that examined a number of methods for generating revenue and reducing traffic congestion. The study's project advisory group recommended the implementation of a mileage-based user fee pilot project here in Central Florida.

The MetroPlan Orlando Board recognizes that the present gas tax structure is not generating sufficient revenue to meet the needs of a fast-growing state like ours. In addition, inequities with alternative fueled vehicles must be addressed. Fresh approaches are needed to achieve multiple objectives that are sensitive to the public's concerns.

After considerable discussion by the MetroPlan Orlando Board, we felt it was more appropriate for a pilot project to be done on a statewide basis by the Florida Department of Transportation and/or the Florida Transportation Commission. Please see the enclosed letter to Mr. Trumbull and Secretary Boxold.

If your proposed legislation is approved, we will be glad to provide our research findings to CUTR to avoid a duplication of effort and we commit to taking an active role with the pilot project. By copy of this letter, I am alerting Senator Geraldine Thompson in her role as a fellow member of the Senate Transportation Committee of our interest in this topic.

Sincerely,

Mayor Jim Swan
Board Chairman

Enclosure

c: The Honorable Geraldine F. Thompson, The Florida Senate



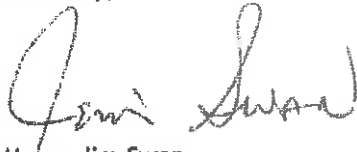
Mr. Jay Trumbull and Mr. Jim Boxold
March 2, 2015
Page 2

Prior to the action by the MetroPlan Orlando Board, staff was authorized to submit an application to the United States Department of Transportation, Federal Highway Administration (FHWA) Value Pricing Pilot Program, Discretionary Grants for FY 2015 to conduct a demonstration of a mileage fee system in the Orlando area. If this application is selected for funding, and you agree to take the lead with conducting a pilot project, we will work with the FHWA to assign the grant to the Commission and/or the Department.

The transportation bill filed by Senator Brandes (SB 1186) includes language that would have the Center for Urban Transportation Research (CUTR) at the University of South Florida conduct an extensive study on the mileage-based user fee concept. In addition, the bill includes a provision for a pilot project with stipulated parameters. If this bill is approved by the Legislature and the Governor, this presents another opportunity for partnering on this important issue.

We look forward to hearing whether the Commission and/or the Department is interested in taking the lead on this project. If so, we would welcome an opportunity to meet for a discussion about next steps and how we might assist.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Swan". The signature is written in a cursive style with a large initial "J".

Mayor Jim Swan
Board Chairman

Florida-Alabama



Transportation Planning Organization

Charles Bare
Chairman

Jayer Williamson
Vice Chairman

P.O. Box 11399 • 32524-1399 Pensacola, FL • Street Address: 4081 E. Olive Road-Suite A • 32514
P: 850.332.7976 • 1.800.226.8914 • F: 850.637.1923 • www.wfrpc.org

February 18, 2015

Mr. Howard Glassman
Metropolitan Planning Advisory Council
605 Suwannee Street, MS 28B

Dear Mr. Glassman:

On February 11, 2015 the Florida-Alabama (FL-AL) Transportation Planning Organization (TPO) approved enclosed Resolution FL-AL 15-05. This resolution supports the Metropolitan Planning Advisory Council (MPOAC) 2015 Legislative Policy Positions that were adopted by the MPOAC on October 30, 2014.

If you have any questions concerning this resolution please contact our Director of Transportation, Ms. Mary Bo Robinson at 850-332-7976 x 229 or mary.robinson@wfrpc.org.

Sincerely,

Mary Beth Washnock
Senior Planner II/ TPO Coordinator

cc: Mary Robinson, TPO Staff



"...planning for the future transportation needs of the Pensacola FL-AL Urbanized Area..."

RESOLUTION FL-AL 15-05

A RESOLUTION OF THE FLORIDA-ALABAMA TRANSPORTATION PLANNING ORGANIZATION SUPPORTING METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL 2015 LEGISLATIVE POLICY POSITIONS

WHEREAS, the Florida-Alabama Transportation Planning Organization (TPO) is the organization designated by the Governors of Florida and Alabama as being responsible, together with the States of Florida and Alabama, for carrying out the continuing, cooperative and comprehensive transportation planning process for the Florida-Alabama TPO Planning Area; and

WHEREAS, The Florida Metropolitan Planning Organization Advisory Council (MPOAC) is a statewide transportation planning and policy organization created by the Florida Legislature pursuant to Section 339.175(11), Florida Statutes, to augment the role of individual MPOs in the cooperative transportation planning process; and

WHEREAS, the MPOAC adopted Legislative Policy Positions on October 30, 2014;

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA-ALABAMA TRANSPORTATION PLANNING ORGANIZATION THAT:

The Florida-Alabama Transportation Planning Organization supports the 2015 MPOAC Legislative Policy Positions that were adopted by the MPOAC on October 30, 2014.

Passed and duly adopted by the Florida-Alabama Transportation Planning Organization on this 11th day of February 2015.

FLORIDA-ALABAMA TRANSPORTATION
PLANNING ORGANIZATION

BY: 
Charles Bare, Chair

ATTEST: 

**Item Number 12
Member Comments**

DISCUSSION:

Comments or recommendations by MPOAC members.

REQUESTED ACTION:

As may be desired.

ATTACHMENTS:

None

Item Number 13
Adjournment

The next meeting of the MPOAC Staff Directors' Advisory Committee and Governing Board will be held on Thursday, July 23, 2015, at the Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, Florida 32822, (407) 851-9000.