



# The Florida Metropolitan Planning Organization Advisory Council

*Mayor Susan Haynie  
Chairperson*

## **Staff Director's Advisory Committee**

**Date:** Thursday, April 28, 2016  
**Time:** 12:00 p.m. – 3:00 p.m.  
**Location:** MetroPlan Orlando, 250 S. Orange Ave., Suite 200  
Orlando, FL 32801

**Peter Buchwald, Presiding**

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- 1. Call to Order & Pledge of Allegiance**
- 2. Approval of Minutes: October 29, 2015 and January 28, 2016 Meetings**
- 3. Public Comments (non-agenda items)**
- 4. Executive Director's Report**
  - A. Budget Report**
  - B. Florida Legislative Update**
- 5. Agency Reports**
  - A. Florida Department of Transportation**
  - B. Federal Highway Administration**
- 6. Business Items & Presentations**
  - A. MPOAC Bike & Pedestrian Working Group**
  - B. Approval of the 2016-2018 UPWP**
  - C. Approval of a new contract for legal services with Paul Gougelman**
  - D. MPOAC Strategic Plan Update**
  - E. 2017 Meeting Locations**
  - F. Travel Time Reliability Sketch Planning Tool**
  - G. Update of the Strategic Highway Safety Plan**
- 7. Communications**
- 8. Member Comments**
- 9. Adjournment**

**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](mailto:brigitte.messina@mpoac.org).**

## **Item Number 2**

### **Approval of Minutes: October 29, 2015 and January 28, 2016**

#### **DISCUSSION:**

Review and comments from members.

#### **REQUESTED ACTION:**

Approval of Meeting Minutes from October 2015 Staff Director's Advisory Committee Meeting and the January 2016 Combined Governing Board and Staff Director's Advisory Committee Meeting.

#### **ATTACHMENTS:**

1. October 29, 2015 MPOAC Staff Director's Advisory Committee Meeting Minutes
2. January 28, 2016 MPOAC Combined Governing Board and Staff Director's Advisory Committee Meeting Minutes

**Minutes of the Florida MPO Advisory Council  
Staff Directors' Advisory Committee  
October 29, 2015**

**Staff Directors:**

Peter Buchwald, St. Lucie TPO, Chair  
Harry Reed, Capital Region TPA, Vice-Chair  
Greg Stuart, Broward MPO  
Bob Herrington, Charlotte County-Punta Gorda MPO  
Brandy Otero, Collier MPO  
Mary Bo Robinson, Florida-Alabama, Okaloosa-Walton and Bay County TPOs  
Marlie Sanderson, Gainesville MTPO  
Sherrie Carver, Heartland TPO  
Dennis Dix, Hernando/Citrus MPO  
Beth Alden, Hillsborough County MPO  
Brian Freeman, Indian River MPO  
T.J. Fish, Lake-Sumter MPO  
Donald Scott, Lee County MPO  
Beth Beltran, Martin MPO  
Gary Huttman, MetroPlan Orlando  
Carlos Roa, Miami-Dade MPO  
Greg Slay, Ocala/Marion County TPO  
Nick Uhren, Palm Beach MPO  
Whit Blanton, Pinellas County MPO  
Ronnie Blackshear, Polk TPO  
Lois Bollenback, River to Sea TPO  
David Hutchinson, Sarasota/Manatee MPO  
Bob Kamm, Space Coast TPO

**Others in Attendance:**

Carl Mikyska, MPOAC Executive Director  
Paul Gougelman, MPOAC General Counsel  
Brigitte Messina, MPOAC  
Jeff Kramer, USF/CUTR  
Karen Seggerman, USF/CUTR  
Alex Carroll, USF/CUTR  
Carmen Monroy, FDOT  
Yvonne Arens, FDOT  
Doug McLeod, FDOT  
Karen Brunelle, FHWA  
Lee Ann Jacobs, FHWA  
Shundreka Givan, FHWA  
Hal Beardall, FCRC Consensus Center  
Commissioner Nicholas Nicholson, Hernando/Citrus MPO

Councilman Jim Wood, Okaloosa-Walton TPO  
Pamela Richmond, Lake-Sumter MPO  
Thomas Burke, Lake-Sumter MPO  
Alice Bajanowski, Martin MPO  
Aileen Bouclé, Miami-Dade MPO  
Bob Wallace, Tindale-Oliver & Associates  
Ned Baier, Jacobs Engineering  
Abra Horne, Jacobs Engineering  
Jeff Arms, HDR  
Peyton McLeod, Sprinkle Consulting  
Claudia Calzaretta, FDOT  
Lorena Cucek, FDOT  
Regina Colson, FDOT  
Janil Gutierrez, FDOT  
Mary Schoelzel, FDOT  
Carol Scott, FDOT  
Kellie Smith, FDOT  
Vickie Wyche, FDOT  
Sean Santalla, FDOT  
Laura Lockwood, FDOT

### **1. Call to Order**

Peter Buchwald, Chair, St. Lucie TPO, called the meeting to order at 12:25 p.m. All stood for the Pledge of Allegiance. The Chair welcomed all in attendance and self-introductions were made. The Chair recognized Aileen Bouclé, who is pending employment by the Miami-Dade MPO and upon appointment will become a member of the MPOAC Staff Directors Committee. The Chair thanked FDOT for the "Drive It Home: Keep our Paradise Litter Free" (CleanFLroads.com) goodie bags. The Chair noted that the new agenda reflects formatting requirements outlined in the revised MPOAC bylaws.

### **2. Approval of Minutes**

Bob Herrington, Charlotte County-Punta Gorda MPO, made a motion to approve the minutes of the July 23, 2015 meeting of the MPOAC Staff Directors' Advisory Committee with the addition of Bob Herrington as a member of the Strategic Directions Advisory Committee. Greg Stuart, Broward MPO, seconded the motion. The motion was approved unanimously.

### **3. Public Comments**

No public comments were made.

#### **4. Executive Director's Report**

Mr. Carl Mikyska, MPOAC Executive Director, reported on the MPOAC budget. During the period from July 1 - September 30, 2015, approximately \$86,910 was spent of the total \$530,548 budget.

Regarding federal transportation legislation, he noted that both the House and the Senate have passed legislation to extend funding for the federal program until November 20, 2015 while they negotiate differences between their two bills. A member noted that there is discussion of an increase in urban attributable funds in the federal Surface Transportation Program (SU funds).

The FHWA is working through the MPOAC to conduct a freight survey that will include Florida-specific questions as submitted by members of the MPOAC Freight Committee and the MPOAC Staff Directors' Advisory Committee. The survey will be due by the end of November.

Mr. Mikyska is working with FHWA regarding federal eligibility for landscaping as a project in Title 23 Part 752 in response to such a project being submitted. The Committee will be made aware of the outcome.

Mr. Mikyska noted that a member made a request to learn about FHWA MPO certification outcomes across the country in an effort to learn from the experiences of other MPOs and compare questions asked, topics covered, and trends. Florida MPOs could use that information to implement best practices and avoid the need for corrective actions in the future. He asked if this is something members wished to pursue. A discussion ensued between the members, FHWA, and FDOT regarding the availability of Florida-specific and nationwide information on MPO certification outcomes. Ms. Brunelle, FHWA, explained that the FHWA database is an internal tool that saves information at a state level, making the request impractical at a national level. However, a request for information from specific states may be possible. Members agreed to add a task to the UPWP to develop an informational best practices database which may include such things as an analysis of trends. The Chair noted that the January meeting would be a good time to suggest any UPWP tasks.

Mr. Mikyska informed members of a USDOT Office of Inspector General Audit that occurred over the summer regarding the development of the Statewide Transportation Improvement Program (STIP), particularly as it relates to MPO Transportation Improvement Programs (TIPs). An auditor visited FDOT and one Florida MPO in June to learn about the STIP process. Other states were visited as well. A written report is expected in January 2016.

Whit Blanton, Pinellas County MPO, brought a proposed rule by the Florida Board of Professional Engineers to the Staff Directors' attention. The proposed rule would create an official definition of "traffic engineering" and a list of tasks which would be required to be completed under the responsible charge of a licensed professional engineer in the State of Florida. Many of the listed tasks (traffic studies, impact fee studies, and other applications of real-world data in a planning context) are currently being performed by planners across the

state. Mr. Blanton expressed concern for the potential impact this may have on the planning profession in Florida since many cities and counties adopt FBPE rules by reference in their local regulations. Paul Gougelman, MPOAC General Counsel, noted that on a day-to-day basis, such a rule would impact contracting. Mr. Blanton noted that the proposed rule has been published, and that comments are due by November 4, 2015. T.J. Fish, Lake-Sumter MPO, made a motion to recommend that the Governing Board direct Mr. Mikyska to prepare a letter in opposition to the proposed rule. Bob Kamm, Space Coast TPO, seconded. The motion carried unanimously.

Mr. Mikyska concluded his comments by announcing that the 2016 MPOAC Institute will be held April 15-17, 2016 in Orlando and May 13-15, 2016 in Tampa. Fliers with additional information will be mailed prior to the end of the year.

## **5. Agency Reports**

### **a) FDOT Agency Report**

Ms. Carmen Monroy, Director of the FDOT Office of Policy Planning, updated the members on the update of the Florida Transportation Plan (FTP) and the Strategic Intermodal System (SIS) Policy Plan. She discussed how the thirty-five member Steering Committee represents a broad spectrum of stakeholders and that eleven thousand participants attended workshops on the plans held throughout the state. The next step is to incorporate public comments into the plans which are being received through November 14<sup>th</sup> (FloridaTransportationPlan.com). The final Policy Plan will be presented to stakeholders by the end of the year. The plan's existing emphasis areas are to:

- Reaffirm statutory intent for interregional, interstate, and international travel
- Continue an emphasis on the state's largest and most strategic transportation facilities.
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Ms. Monroy also noted new emphasis areas in the Policy Plan:

- Innovation and technology
- Statewide/regional economic development opportunities
- Modal and system connectivity
- First mile/last mile
- Coordinated planning for SIS, regional, and local facilities

The final SIS Policy Plan is expected to be complete by February 2016. A member expressed that transit operation in express toll lanes is not considered a part of the SIS policy and encouraged a change in the policy to encourage demand management through transit. The member wondered if this opened consideration for a larger question – what are the opportunities for managed lanes?

Ms. Monroy noted that this may be an appropriate discussion for the Steering Committee, whose next meeting is on December 11, 2015 in Jacksonville. The Staff Directors will be updated on this issue at future meetings.

Ms. Yvonne Arens, FDOT Office of Policy Planning, then discussed issues related to air quality attainment. On October 1, 2015, the federal Environmental Protection Agency (EPA) strengthened the National Ambient Air Quality Standards (NAAQS) for ground-level ozone to 70 parts per billion (ppb) from the current 75 ppb. The decision is based on extensive scientific evidence about ozone effects on public health and welfare, and the updated standards will improve public and ecosystem health. If Florida has any areas designated as nonattainment, the Florida Department of Environmental Protection (DEP) will develop a State Implementation Plan (SIP) to bring the areas into compliance with the revised NAAQS. Transportation conformity would be required in these nonattainment areas. Areas must demonstrate that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS. At this time, no areas in Florida are expected to be designated as non-attainment. However, Hillsborough County may be close to the threshold, particularly if conditions worsen over the next year. States make recommendations to EPA for nonattainment areas based on data from the years 2014-2016. Designations are based on the 4<sup>th</sup> highest annual reading of each monitor in a Metropolitan Statistical Area (MSA) during that time period. EPA will make final designations by October 2017.

Ms. Monroy then informed the members about FDOT's new initiative called "Focus on Communities." The initiative aims to elevate the importance of communities--people, places, and their plans--in the transportation decision-making process. FDOT will be holding a training workshop to bring practitioners of Florida's sociocultural effects evaluation process together to identify needs, exchange information, and refine current approaches to ensure that transportation actions include a community focus. The tentative date and location for the workshop is May 3-4, 2016 in Orlando. Greg Stuart, Broward MPO, offered to share his public information team's recent work with FDOT that relates to this subject.

The third annual FDOT/FHWA/MPO Statewide Meeting will be held on May, 5, 2016 in Orlando in conjunction with the Focus on Community workshop. Members were asked to save the date.

The Office of Policy Planning and the Office of the Comptroller are working to update the process by which FDOT passes funds to the MPOs. This is in response to a variety of factors, including new federal requirements from 2 CFR 200 and guidance from the State's Department of Financial Services. This is an opportunity to streamline invoicing requirements for the MPOs, helping to reduce their administrative burden. Upcoming changes include new Unified Planning Work Program (UPWP) requirements, a new invoicing and monitoring process, and a new 2-year MPO agreement which will be effective July 1, 2016 (aligning with the new UPWP cycle). A benefit for the MPOs will be that FDOT will be able to more reliably meet the 15-day deadline for invoice payment. A Statewide conference is scheduled for November 19<sup>th</sup>. Members were told to contact Yvonne Arens or Sean Santalla for more information.

Ms. Monroy noted the “Drive It Home - Roadside Litter Prevention Education” (RLPE) Media Campaign was launched by FDOT with financial support from FHWA. She noted that millions of visitors get their first glimpse of our state from their car windows as they travel along Florida’s highways. Keeping the highways clean has become a financial burden.

#### **b) FHWA Agency Report**

Ms. Karen Brunelle, Director, Office of Project Development at the Federal Highway Administration (FHWA) Florida Division Office, discussed the extension of federal transportation legislation through November 20, 2015 and noted that the Highway Trust Fund is expected to drop below \$4 billion in the November/December 2015 timeframe. At that point, cash management procedures will be put in place. Notices of proposed rulemaking regarding transportation performance management to be published within the next few months include System Performance (late November), Highway Safety Improvement Program Final Rule (mid-December), Safety/Performance Measures Final Rule (January 2016), Bridge and Asset Management (early during the 2016 calendar year), and the Planning Final Rule (March 2016).

Florida did not receive any TIGER grants during the last round of awards. Florida recipients of FHWA Strategic Highway Research Program 2 (SHRP2) Implementation Technical Assistance included MetroPlan Orlando for Work Zone Impact and Strategies Estimator Software (WISE) - Proof of Concept and FDOT for Pre-Cast Concrete Pavement – Lead Adopter. Round 7 (the last round) of the SHRP2 Technical Assistance will be in April 2016. The Reliability category includes topics related to planning including:

- Reliability Data and Analysis Tools bundle - Tools to help transportation planners and engineers improve data monitoring and analysis to achieve more consistent, predictable highway travel
- Reliability in Simulation and Planning Models - Guidelines for incorporating reliability performance measures into travel models
- Regional Operations Forum - Regional training program to advance transportation systems management and operations

Another grant opportunity for MPOs is the FHWA Accelerated Innovation Deployment (AID) Demonstration program which provides funding as an incentive for eligible entities to accelerate the implementation and adoption of innovation in highway transportation. FDOT and Manatee County received a \$1 million award for installation of an adaptive signal control technology system along SR 70 through this program.

The National Roadway Safety Awards is a biennial competition sponsored by the FHWA and the Roadway Safety Foundation (RSF) to recognize roadway safety achievements that help reduce fatalities and serious injuries on the nation's roadways. Florida received three awards:

- FDOT for Advanced Lighting and Measurement System Program in the Infrastructure and Operational Improvements category

- FDOT for Safe Mobility for Life Coalition in the Program Planning Development and Evaluation category
- Orange County Public Works for Texas-Americana Road Safety Small Area Study

Ms. Lee Ann Jacobs, Planning Team Leader at the FHWA Florida Division Office, noted that the American Association of State Highway and Transportation Officials (AASHTO) website homepage featured the Florida Flag because the FDOT earned the Grand Prize and the People's Choice awards in the 2015 America's Transportation Awards competition. A panel of judges selected FDOT's \$670 million Port of Miami Tunnel project to receive the Grand Prize. FDOT's I-595 Corridor Improvements Project earned more than 56,000 online votes and won the People's Choice Award.

Tampa, Florida was selected as one of three connected vehicle deployment sites as Wave 1 participants in the U.S. DOT's Connected Vehicle Pilot Deployment Program. Tampa was awarded \$17 million to solve peak rush hour congestion in downtown Tampa and to protect the city's pedestrians by equipping their smartphones with the same connected technology being put into the vehicles.

Ms. Jacobs concluded her remarks by referring to a letter in the agenda packet – "Approval of the FY 2015/16-2018/19 STIP and Statewide Planning Funding." She noted that the full report regarding STIP approval is available from Mr. Mikyska. The report summarizes the joint annual TMA certification and program accountability reviews as well as recommendations. Noteworthy practices include regional coordination, freight planning, and the FTP/ SIS Policy Plan update process. Recommendations for MPOs include environmental mitigation consultation in the long range plan (which will be discussed during the November 19<sup>th</sup> video conference), public participation documentation (details should be included in the plan document or referenced), MAP-21 implementation, and consistency between the STIP, TIP, and LRTP. She indicated that further discussions on these subjects will be held with individual MPOs.

## **6. Business Items & Presentations**

- a) 2016 MPOAC Meeting Schedule. Mr. Mikyska presented the proposed MPOAC meeting schedule for 2016 as noted in the agenda packet. Greg Stuart, Broward MPO, made a motion to recommend approval of the proposed 2016 MPOAC meeting schedule to the Governing Board. T.J. Fish, Lake-Sumter MPO, seconded the motion. The motion was approved unanimously.
- b) 2016 Legislative Policy Positions. Mr. Mikyska presented the 2016 Draft Legislative Policy Positions that were developed during the September 11, 2015 Policy and Technical Subcommittee Meeting in Bartow. The Chair noted that there is a typographical error in Position #5 – "zone" should read "zones." Discussion ensued regarding Position #6 which generically refers to services such as Uber and Lyft. Members discussed the need to address safety and liability. Greg Stuart moved to amend Position #6 to read "Supports implementation of ridesharing services statewide

(such as Uber and Lyft) with statewide provisions for safety and liability coverage.” Mary Bo Robinson seconded. The motion was approved with 3 in opposition.

Beth Alden, Hillsborough County MPO, made a motion to recommend the 2016 Legislative Policy Positions, as amended, to the Governing Board. Bob Herrington, Charlotte County-Punta Gorda MPO, seconded the motion. The motion was approved unanimously.

- c) **Performance Measures and Transportation Statistics Office Assistance.** Mr. Mikyska introduced Doug McLeod, FDOT Transportation Statistics Office, to present this item. Mr. McLeod discussed the importance of performance measures. He noted the purpose of the Statewide Mobility Performance Measures Team to provide guidance and support to FDOT and the state’s MPOs on multimodal mobility performance measures including reporting for internal and MAP-21 purposes. FDOT will provide an analysis of all required MAP-21 mobility performance measures including areawide groupings, urbanized areas, planning boundaries, county boundaries, and regional boundaries. The Team is working with several MPOs (Indian River, Broward, Gainesville, and Hillsborough) to develop a common source of data for pavement, bridges, and safety to streamline performance measure efforts. Once finalized, it will be applied to all MPOs. FDOT Districts will provide training and technical support and coordinate implementation activities with the MPOs. MPOs may use the data provided by FDOT for their mobility performance measures or they may develop their own. Several members praised Mr. McLeod for his nationally-recognized work on performance measures.
- d) **Work Program Development Process by District.** A discussion was introduced regarding work program development. Many members shared that their relationship with FDOT is healthy and cooperative. Some members expressed the desire to receive the FDOT work program in an electronic format that could be filtered/queried to prepare the information in a format that is meaningful to decision-makers. In addition, common language would be helpful. One issue discussed by the group was difficulty finding the appropriate time to discuss design elements of a project with FDOT that is not too late in the process to affect a change. One solution mentioned was to include the desired typical section in the MPO long range transportation plan (LRTP).
- e) **State vs. Federal Requirements on MPO Operations – Refreshments and Travel Expenses.** Mr. Mikyska noted that refreshments are not a reimbursable expense using State funds unless provided as part of a facility rental. This applies to MPO funds that flow through the State. Travel expenses for MPOs are governed by Florida Statute 112.061. Subsection (14) of that section provides an exception for MPOs. MPOs may establish their own food reimbursement rates, per diem rates (food + lodging), and mileage reimbursement rates (IRS rates may be chosen instead). Class C travel (less than 24 hours without lodging) does not include food reimbursement. However, mileage and related costs (tolls, parking, etc.) can be reimbursed.

**f) MPOAC Strategic Plan Update.** Hal Beardall presented the status of the MPOAC Strategic Directions Plan. He discussed the overall process and then reviewed the results of a survey of MPO Governing Board members (20 responses received). Eleven core strengths, three key planning assumptions, and five 2020 vision themes were identified. Draft preliminary SDAC goals included:

1. The MPOAC will advocate and lead collaboratively for effective local and regional transportation policy and planning.
2. The MPOAC will support the sharing of best practices and help coordinate and communicate with M/TPOs and other transportation organizations.
3. To achieve the 2020 vision and goals, the MPOAC will adjust its organizational structure to deliver results.

He noted that the SDAC will meet in November and December (by phone) to prepare a survey that will go out to the MPO Staff Directors.

**g) Election of a new Vice-Chair of the Staff Directors Advisory Committee.** This item was placed on the agenda due to the fact that Harry Reed, Vice Chair, may be retiring. Mr. Reed stated that he had enjoyed serving on the Staff Directors Committee and working with everyone. Mr. Gougelman advised that this item may be moved to the January agenda when officers are usually elected that begin their service at the July meeting. The Staff Directors may select an interim Vice Chair to serve the remainder of the term and a Vice Chair to serve the next term. The Chair noted his willingness to continue in the role of Chair if that is the pleasure of the Committee.

## **7. Communications**

- Letter to Mr. Gregory G. Nadeau, FHWA, regarding the Federal Register Notice of Request for Approval of a New Information Collection (Docket Number 2015-0013) which was published on June 23, 2015.
- Letter from Commissioner Kathryn Starkey, Pasco County, Florida to the MPOAC supporting a public trail system across Central Florida.
- It was noted that this is Mary Bo Robinson's last meeting. She thanked everyone for their friendship and support over the years.

The meeting was adjourned at 3:00 pm.

**Florida MPO Advisory Council**  
**Joint Meeting of the Governing Board and Staff Directors' Advisory Committee**  
**January 28, 2016**  
**Draft Meeting Minutes**

**GOVERNING BOARD MEMBERS IN ATTENDANCE:**

Mayor Susan Haynie, Palm Beach MPO, Chair  
Councilmember Jim Wood, Okaloosa-Walton TPO, Vice Chair  
Commissioner Rodney Friend, Bay County TPO  
Councilmember Bryan Caletka, Broward MPO  
Commissioner Nick Maddox, Capital Region TPA  
Councilmember Charles Bare, Florida-Alabama TPO  
Commissioner Jim Brooks, Heartland Regional TPO  
Commissioner Nicholas Nicholson, Hernando/Citrus MPO  
Mayor Marni Sawicki, Lee County MPO  
Commissioner Troy McDonald, Martin MPO  
Commissioner Bruno A. Barreiro, Miami-Dade MPO  
Commissioner Carl Zalak, Ocala/Marion TPO  
Councilmember Doreen Hock-DiPolito, Pinellas County MPO  
Commissioner Nat Birdsong, Polk TPO  
Councilmember Pat Patterson, River to Sea TPO  
Councilmember Patrick M. Roff, Sarasota/Manatee MPO  
Mayor Kathy Meehan, Space Coast TPO  
Ms. Kathryn Hensley, St. Lucie TPO

**STAFF DIRECTORS IN ATTENDANCE:**

Peter Buchwald, St. Lucie TPO, Chair  
Greg Stuart, Broward MPO, Vice Chair  
Mary Beth Washnock, Bay County TPO, Florida-Alabama TPO, Okaloosa-Walton TPO  
Jack Kostrzewa, Capital Region TPA  
Bob Herrington, Charlotte County-Punta Gorda MPO  
Marlie Sanderson, Gainesville MTPO  
Patricia Steed, Heartland Regional TPO  
Dennis Dix, Hernando/Citrus MPO  
Beth Alden, Hillsborough MPO  
Phil Matson, Indian River MPO  
T.J. Fish, Lake-Sumter MPO  
Donald Scott, Lee County MPO  
Beth Beltran, Martin MPO  
Gary Huttman, MetroPlan Orlando  
Aileen Bouclé, Miami-Dade MPO  
Denise Bunnewith, North Florida TPO

Grey Slay, 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:**

Carl Mikyska, MPOAC Executive Director  
Brigitte Messina, MPOAC  
Jeff Kramer, USF/CUTR  
Alex Carroll, USF/CUTR  
Erich Zimmerman, NARC  
Yvonne Arens, FDOT  
Jim Wood, FDOT  
Ken Morefield, FDOT  
Suzanne Lex, FDOT  
Sean Santalla, FDOT  
Starsky Harrell, FDOT  
Lee Ann Jacobs, FHWA  
Karen Brunelle, FHWA  
Michael Sherman, FHWA  
Stacie Blizzard, FHWA  
Shakira Crandol, FHWA  
Alice Bojanowski, Martin MPO  
Carlos Roa, Miami-Dade MPO  
Austin Mount, West Florida RPC  
Hal Beardall, FCRC Consensus Center  
Howard Glassman, Gannett Fleming  
Bob Wallace, Tindale-Oliver  
Ray Chiaramonte, Tampa Bay Area Regional Transportation Authority

## **1. CALL TO ORDER**

Mayor Susan Haynie, Palm Beach MPO, Chair, called the meeting to order at 12:21 p.m. The Chair welcomed those in attendance and self-introductions were made. All stood for the Pledge of Allegiance.

## 2. APPROVAL OF MINUTES

Councilmember Jim Wood, Okaloosa-Walton TPO, Vice Chair, moved to approve the minutes of the October 29, 2015 meetings of the MPOAC Governing Board and the Staff Directors' Advisory Committee. Councilmember Charles Bare, Florida-Alabama TPO, seconded the motion. The motion was approved unanimously.

## 3. PUBLIC COMMENTS

No public comments were made.

## 4. NATIONAL ASSOCIATION OF REGIONAL COUNCILS PRESENTATION

Erich Zimmerman, Director of Transportation Programs for the National Association of Regional Councils (NARC), presented an overview of the new federal transportation bill, Fixing America's Surface Transportation (FAST) Act. Mr. Zimmerman noted that Leslie Wollack, former NARC Deputy Director, is the new NARC Executive Director. He emphasized that NARC would continue to focus on advocacy, work on new legislative proposals, and focus on coalition building.

The FAST Act became law in December 2015, but is retroactive to October 1, 2015. Mr. Zimmerman described the FAST Act as having several positive components for MPOs and the transportation community, but that it was not a huge departure from the previous federal transportation authorization. While federal transportation funding was increased overall, one significant challenge that remains is the continued reliance on the gas tax which is thought to be unsustainable as a long-term funding source, leaving a potential funding cliff for the next authorization.

Mr. Zimmerman then provided an overview of the FAST Act's key provisions:

- The FAST Act is a five year reauthorization bill, with \$281 billion in new contract authority. The bill authorizes an average of approximately \$56.2 billion in transportation spending per year. It uses a variety of pay-fors (a term that is used by lawmakers to signal cuts or tax increases used to pay for new spending) to fund increased spending and supplement revenues generated by the gas tax, including surplus funds from the Federal Reserve and revenues from sales of oil from the Strategic Petroleum Reserve.
- The Surface Transportation Program was renamed the Surface Transportation Block Grant Program (STBGP), but there was no change in the program's purpose or function. NARC advocated for an increase in base funding for STP and an increase in the STP suballocation. Both of these objectives were achieved in the FAST Act.

- The Transportation Alternatives Program (TAP) was eliminated as a stand-alone program, but instead became a funding set-aside in the STBGP. Funding for this purpose was increased somewhat, though it is now a flat amount and not a percentage of total funding as it was under the previous law. The core elements of the program have been maintained, and the 50/50 suballocation has been preserved.
- Federal planning (PL) funding increased slightly, but not as much as was advocated for by NARC.
- New federal planning factors related to tourism and infrastructure resiliency were established in the FAST Act.
- MAP-21 required MPO boards to include at least one public transit representative. The FAST Act clarified that an MPO board member could represent both a transit provider and a local unit of government.
- The FAST Act stipulates that on-system, non-National Highway System (NHS) bridges are now eligible for funding under the National Highway Performance Program (NHPP).
- The FAST Act authorizes only a slight increase in Congestion Mitigation and Air Quality (CMAQ) funding, despite more stringent air quality standards.
- The FAST Act establishes a new Freight Program, including a discretionary grant program under which MPOs are eligible recipients.
- The FAST Act reinstates the Bus and Bus Facilities Discretionary Program, which had existed in federal law for many years, but which had been eliminated under MAP-21.
- The FAST Act includes provisions for environmental streamlining, including the use of MPO documents as part of the environmental review process.
- Several things are missing from the FAST Act that NARC had hoped would be in the bill, including provisions for connected and autonomous vehicles and a dedicated program to fund performance measurement.

Mr. Zimmerman noted that NARC worked with the National League of Cities (NLC), National Association of Counties (NACo), U.S. Conference of Mayors, Association of MPOs (AMPO), and National Association of Development Organizations (NADO) as part of the Local Officials for Transportation (LOT) Coalition. This collaboration helped secure important provisions in the bill that support the mutual goals of the member organizations. Mr. Zimmerman concluded his presentation by inviting MPOAC members to attend the National Conference of Regions February 7-9 in Washington, DC and the NARC Annual Conference June 26-29 in Salt Lake City.

Mr. Zimmerman clarified several provisions regarding NARC and the FAST Act in response to questions from MPOAC members. No major changes to the mission and services provided by NARC are anticipated with the hiring of a new Executive Director. Mr. Zimmerman noted that although there were no formal provisions related to autonomous vehicles in the FAST Act, the Department of Transportation is doing what it can within its authority to secure funding for this area. He also clarified that although market oil prices are fluctuating, Congress is maintaining a fixed price for sales from the Strategic Petroleum Reserve to ensure funding certainty for the

FAST Act. Mr. Zimmerman also clarified that MPOs will have to wait on the rulemaking process before taking advantage of the new freight highway program.

Finally, a member thanked Mr. Zimmerman for the “Transportation Thursdays” newsletter, which has been very helpful in keeping MPOs informed of updates in Washington. Mr. Zimmerman welcomed more members to participate in Transportation Thursdays.

## 5. EXECUTIVE DIRECTOR’S REPORT

### A. BUDGET REPORT

Carl Mikyska, MPOAC Executive Director, reported on the MPOAC budget. During the 2<sup>nd</sup> quarter (October 1 – December 31, 2015), approximately \$102,450 was spent, roughly 19% of the total \$532,048 budget.

### B. FLORIDA LEGISLATIVE UPDATE

Mr. Mikyska provided a summary of the 2015 Florida legislative session and noted a number of bills of interest to the members:

- **SB 124: Public Procurement Practices.** This bill provides opportunities for local municipal governments to enter into public-private agreements and is supported by the Florida League of Cities (FLC).
- **SB 1392: Transportation.** This bill clarifies DOT’s authority to remove certain traffic control devices, such as those located in school zones, which do not meet the standards in the Manual on Uniform Traffic Control Devices. The bill also requires MPOs to accommodate advances in vehicle technology when developing LRTPs.
- **SB 416: Relocation of Utilities.** This bill would require state and local governments to bear the costs of utility equipment relocation within public easements. The Florida League of Cities opposes this legislation and the MPOAC is monitoring this bill.
- **SB 7000: Developments of Regional Impact (DRI).** This bill increases the acreage for annexation of enclaves from 10 acres to 150 acres and provides that proposed DRI-size projects are not required to undergo a state review process if the proposed development is consistent with the approved comprehensive plan.
- **SB 1372: Transportation.** This bill allows for transportation reinvestment zones in Florida. These zones are similar to tax increment financing (TIF) districts, but are specifically intended to fund transportation projects. The bill also states that local support is required for the addition of any new toll plazas or increase in toll rates on the existing system (including the Florida Turnpike). Local support shall be conveyed through a “statement of support”, though this has not yet been defined.

- **HB 1325: Economic Development.** This bill would prohibit local governments from applying transportation concurrency or impact fees to business developments that are less than 6,000 square feet and have fewer than 12 full-time employees. To maintain this exemption, new business developments must receive a certificate of occupancy on or before July 1, 2020. The bill is aimed at helping develop small businesses.
- **SB 756: Department of Transportation.** This bill creates the FDOT Financing Corporation, authorizes FDOT to assume certain NEPA responsibilities, increases the minimum annual funding for the Florida Seaport Transportation and Economic Development program, and increases the waiting period for closing inactive SunPass accounts from three to ten years.
- **SB 1110: Central Florida Expressway Authority.** This bill clarifies the governing body membership requirements for the Central Florida Expressway Authority and how members may be removed.
- **SB 738: Central Florida Regional Transportation Authority.** This bill revises the organization and membership of the governing board and grants the board authority to contract for the management of the system. The bill also initiates evaluation of the board's operational structure.

Mr. Mikyska noted that he will provide members with more details on SB 1110 and the Transportation Reinvestment Zones contained in SB 1372 at a later date.

### C. CALL FOR MPOAC UPWP PROJECTS

Mr. Mikyska issued a call for projects for the MPOAC UPWP. He reminded the members that there has been no change in the allotted budget. Therefore, any large projects would require additional funding. One proposed project was a salary survey of typical positions within an MPO. Mr. Mikyska noted that the draft UPWP would be ready for board approval at the April meeting.

## 6. AGENCY REPORTS

### A. FLORIDA DEPARTMENT OF TRANSPORTATION

Jim Wood, State Transportation Development Administrator at FDOT, gave an update on FDOT's activities and noted topics that may be of interest to the MPOs:

- **New Florida Transportation Plan**
  - Mr. Wood noted that the Implementation Element of the Florida Transportation Plan (FTP) is coming soon. The Vision Element was completed in August 2015, and the Policy Element was completed in December 2015. Whereas the previous FTP

had six goals, the new plan adds “transportation choices” as a seventh goal area. FDOT will be performing targeted outreach over the next few months.

- I-75 Relief Study
  - This study is a component of the larger Tampa Bay to Northeast Florida Future Corridor study area. An I-75 Relief Task Force will evaluate the potential for enhanced connectivity between the Tampa Bay region, North Central Florida, and Northeast Florida. The purpose of the study is to address existing challenges on I-75, including congestion and high collision rates. Mr. Wood noted the need to maximize I-75’s existing capacity and perhaps provide a parallel reliever route and connect I-75 with the Suncoast Parkway. The Task Force will consider a range of options and provide recommendations to FDOT. More information on this study can be found at [www.i75relief.org](http://www.i75relief.org).
- SUN Trail Network
  - The SUN Trail Network will receive \$25 million annually from new vehicle tag revenues. The framework for funding selection includes three tiers: a top regional trail system, a second regional trail system, and a third system of individual trails. The Coast-to-Coast Connector was selected for the top regional trail system at the December 2015 meeting of the Florida Greenways and Trails Council. The second regional trail system will be selected at the February 2016 meeting. FDOT will establish selection criteria for individual trails by March 2016 at the latest. The formal SUN Trail Program is expected to be finalized by April 2016, and project solicitation and development of a 5-year work program are expected to begin thereafter. More information on the SUN Trail Network can be found at [www.FloridaSunTrail.com](http://www.FloridaSunTrail.com).
- Statewide Revenue Forecast
  - Mr. Wood noted that the purpose of the Statewide Revenue Forecast is to promote consistent statewide and metropolitan planning, meet federal requirements for federal funding estimates, and support updates to the MPO LRTPs and the Strategic Intermodal System (SIS) plan. The next update to the Statewide Revenue Forecast is due in 2018.
- 2016 Legislative Session
  - *SB 756: Department of Transportation.* Mr. Mikyska reported on this bill earlier. Mr. Wood noted that the bill was being reviewed by the Appropriations Committee.
  - *HB 7027: Department of Transportation.* This is the House version of FDOT’s legislative package. The bill made its final committee stop today.
  - Mr. Wood noted that both of these bills include critical language that provides the state a limited waiver of sovereign immunity to civil suits in federal court.

Mr. Wood addressed several member questions regarding the SUN Trails Network. He clarified that projects must be identified as an MPO priority in order to be eligible for funding. There must also be an identified and committed manager ready to assume maintenance once the project is complete. Any project, big or small, located within the paved portion of the Florida Greenways and Trails Priority Network would be eligible for funding. There is an annual allocation of \$25 million for the SUN Trails Network.

One member asked how MPOs could be represented on the Florida Greenways and Trails Council. Mr. Wood explained that this is a legislative issue and would require statutory changes. However, some of the council positions are variable as they are appointments by various Florida officials, which may allow for MPO representation.

Another member asked how MPOAC members could be involved in the Statewide Revenue Forecast. Mr. Wood explained that the MPOAC Staff Directors' meeting is the current venue for that. He noted that the members' input on the revenue forecasting process is appreciated.

Mr. Wood then called upon Mr. Ken Morefield, Manager of the State Environmental Management Office at FDOT, to conclude the FDOT presentation with an update on the National Environmental Protection Act (NEPA) Assignment effort being undertaken by FDOT.

Under this program, FDOT will assume FHWA's responsibilities on all highway projects (not planning or design) for environmental matters. FDOT would be responsible for reviewing, approving, and signing NEPA documents. Mr. Morefield noted that this would not result in any reduction in environmental considerations. Based on similar programs in other states including California, Texas and Ohio, FDOT expects that the program will produce a 25% cost and time savings.

Several steps must be taken for FDOT to assume this authority. The application process takes 18-20 months. FDOT must also waive sovereign immunity and consent to and accept federal court jurisdiction. FDOT attorneys, not FHWA attorneys, would defend actions and decisions in federal court, although the cost of litigation would be reimbursable. The state must also have a public records law comparable to the Freedom of Information Act. Florida already meets this requirement with the Sunshine Law.

FDOT's role in the program would include program management and oversight, documentation and records management, quality assurance/control, and agency and stakeholder coordination. FDOT is already prepared to assume many of these responsibilities, as it currently reviews all Environmental Impact Statements (EIS) and Environmental Impact Analyses (EIA) before they are reviewed by FHWA. The Department is also adding staff to handle the additional workload associated with the program. The role of FDOT districts remains unchanged, as all tasks would be managed by FDOT Central Office.

Mr. Morefield provided an overview of the program status. FDOT submitted a Statement of Interest to FHWA in September. The initial draft application will be completed by mid-February. Once the Florida Legislature approves the Limited Waiver of Sovereign Immunity and the Attorney General verifies that certain legal requirements have been met, FDOT will provide public notice of the application. FDOT is performing stakeholder outreach throughout the assignment process, which will be documented in the final application. The final application and Memorandum of Understanding will hopefully be submitted to FHWA by June, but this could change depending on how long the previous steps take. Mr. Morefield noted that if everything remains on schedule, the assignment will be in effect by this time next year. More information regarding FDOT's NEPA Assignment efforts can be found at [www.dot.state.fl.us/emo/NEPAAssignment.shtm](http://www.dot.state.fl.us/emo/NEPAAssignment.shtm).

Mr. Morefield answered member questions regarding the NEPA Assignment program. He clarified that FDOT's authority in the NEPA process would apply to any highway projects that receive federal funds through FDOT, so this could include projects by FDOT Districts or by Expressway Authorities. FDOT Central Office would assume responsibility for certifying that FHWA's planning consistency requirements are met, but would not assume the authority to review interchange justification reports. Mr. Morefield clarified that FDOT may not add any more rules to the NEPA process and must comply with all federal regulations. Also, there will be no difference in the review process between projects that are on or off of the state system.

Under the program, FHWA would have no project-level decision making authority. Any issues would need to be resolved with FDOT under an established resolution process. However, FHWA will be performing an annual audit for the first four years to ensure that FDOT is complying with all federal laws. Additionally, FDOT will be required to hear and address concerns from other relevant federal agencies, such as the Environmental Protection Agency (EPA), the Army Corps of Engineers, and the Coast Guard.

Mayor Susan Haynie, Palm Beach MPO, Chair, thanked Mr. Wood and Mr. Morefield for their presentations.

## B. FEDERAL HIGHWAY ADMINISTRATION

Ms. Lee Ann Jacobs, Planning Team Leader, Office of Project Development at the Federal Highway Administration (FHWA) Florida Division Office, made several announcements regarding agency activities. Ms. Jacobs thanked the members for assistance in completing the freight assessments and for submitting the Minority Institutions of Higher Education (MIHE) surveys. She took the opportunity to introduce FHWA Florida Division's transportation planners, Stacie Blizzard, Shakira Crandol, and Shundreka Givan. She also introduced Michael Sherman, FHWA Florida Division's new transportation planning intern.

Ms. Jacobs also announced that FHWA was listed in the top 5% of best places to work in the federal government for the fourth consecutive year.

Ms. Jacobs reported that USDOT Secretary Anthony Foxx announced the Smart City Challenge in December 2015. Cities are encouraged to develop their own visions, partnerships, and blueprints to define what it means to be a “smart city” and demonstrate what a fully integrated, forward-thinking transportation network would look like. Cities are invited to submit applications detailing high-level visions of their smart city by February 4<sup>th</sup>, 2016. Five finalists will be selected in March 2016. The winner will be announced in June 2016 and will receive up to \$40 million. More information can be found at [www.transportation.gov/smartcity/](http://www.transportation.gov/smartcity/).

Ms. Jacobs provided an update on the USDOT Mayors’ Challenge that was launched in March 2015. The challenge was issued to mayors and other elected officials of any local jurisdiction to improve safety for bicyclists and pedestrians of all ages and abilities. Cities are encouraged to issue a public statement, form a local action team, and take action on one of the seven Challenge activities. These activities include:

- Take a Complete Streets approach
- Identify and address barriers to make streets safe and convenient for all road users, including people of all ages and abilities
- Gather and track biking and walking data
- Use designs that are appropriate to the context of the street and its uses
- Take advantage of opportunities to create and complete bicycle/pedestrian networks through maintenance
- Improve walking and biking safety laws and regulations
- Educate and enforce proper road use behavior by all

Participants will have the opportunity to take part in peer-to-peer workshops, webinars, and other activities throughout the Challenge year. At the end of the Challenge, participants will be invited to a capstone event to celebrate their accomplishments and share best practices. As of June, there were 35 cities and one MPO (Broward MPO) in Florida participating in the Challenge. More information regarding the Mayor’s Challenge can be found at [www.transportation.gov/mayors-challenge](http://www.transportation.gov/mayors-challenge).

A new report, *Case Studies in Delivering Safe, Comfortable and Connected Pedestrian and Bicycle Networks*, was released by FHWA in December 2015. The report provides an overview of principles and best practices for bicycle and pedestrian network planning and documents case examples from communities throughout the U.S. Six projects from Florida were highlighted in the report, including Tampa’s Walk-Bike Plan, the St. Lucie bicycle/pedestrian network, the Selmon Greenway Trail, the Courtney Campbell Causeway Scenic Trail, the Pinellas Trail, and the Fletcher Avenue Complete Streets project. The report

can be found at

[www.fhwa.dot.gov/environment/bicycle\\_pedestrian/publications/network\\_report/](http://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/network_report/).

Ms. Jacobs then provided an update on the Every Day Counts (EDC) initiative, which aims to accelerate the delivery of highway projects and address challenges associated with limited budgets. She announced that the third round of Every Day Counts (EDC-3) is halfway over, and that it is now time to solicit ideas and suggestions for EDC-4, which runs from 2017-2018. A formal request for information was published in the Federal Register in December 2016. Members are encouraged to submit their ideas by January 31, 2016. More information can be found at [www.federalregister.gov/articles/2015/12/10/2015-31112/every-day-counts-initiative-request-for-information](http://www.federalregister.gov/articles/2015/12/10/2015-31112/every-day-counts-initiative-request-for-information).

Ms. Jacobs concluded her remarks by announcing that a new guidebook, *Applying Safety Data and Analysis to Performance-Based Transportation Planning*, was released in December 2015. The guidebook provides state and regional planners with information on how to use safety data and analysis tools in performance-based transportation planning and programming. The guidebook can be found at [www.safety.fhwa.dot.gov/tsp/fhwasa15089/](http://www.safety.fhwa.dot.gov/tsp/fhwasa15089/).

Karen Brunelle, Director, Office of Project Development at the Federal Highway Administration (FHWA) Florida Division Office, then provided an update on transportation performance management rulemaking activities. The anticipated rulemakings for the planning area and pavement and bridge performance measures in the Highway Asset Management Plan have been delayed and are now expected to be released in July 2016.

Ms. Brunelle then provided an overview of key elements of the FAST Act:

- The Act is the first long-term transportation funding bill in ten years. It authorizes \$305 billion over all modes for five years using money from the Highway Trust Fund, the General Fund, and a variety of pay-fors. There is approximately \$226 billion authorized for highways over five years, with \$225 billion in contract authority and \$1.1 billion from the General Fund. The highway contract authority grows each year, with an initial 5% increase compared to FY 2015 and an approximate 2% annual increase thereafter.
- The Act builds on the structure from MAP-21 and doesn't contain a lot of new program policy components. The most significant new programs are the new freight formula program and the competitive grant program for nationally significant freight and highway projects.
- The Surface Transportation Program was renamed the Surface Transportation Block Grant Program (STBGP) and is the sole source for the Transportation Alternatives Program and Recreational Trails Program.
- 92% of the highway funds are apportioned by formula. As under MAP-21, the National Highway Performance Program (NHPP) and the STBGP account for the majority of the

highway apportionment. Overall, Florida will receive over \$2 billion annually, or approximately \$10 billion over the life of the bill.

- Administrative costs for the Transportation Infrastructure Finance and Innovation Act (TIFIA) program as well as costs for vehicle-to-infrastructure (V2I) communication equipment are now eligible for funding under NHPP. Bridge resurfacing, preservation, and reconstruction projects on non-NHS Federal-aid highways are also now eligible under NHPP.
- No eligibilities were eliminated under STBGP. However, TIFIA costs, costs associated with a state public-private partnership office, and costs for V2I communication equipment are now eligible under STBGP.
- The Transportation Alternatives Program no longer has a name; it is now a STBGP set-aside. However, it will continue to function as it did previously. The STBGP set-aside allows nonprofits responsible for local transportation safety programs to apply for funds.
- The Congestion Mitigation and Air Quality Improvement Program (CMAQ) adds eligibility for V2I communication equipment. It also adds eligibility for port-related equipment and vehicles to reduce emissions.
- The Highway Safety Improvement Program (HSIP) limits eligibilities to only those specified in law, which are mostly infrastructure-related. It adds eligibilities for V2I communication equipment and certain pedestrian safety improvements, including pedestrian hybrid beacons. It also increases the set-aside for rail-highway grade crossings. It prohibits the use of HSIP funds to purchase, operate, or maintain an automatic traffic enforcement system that captures an image of a vehicle, except in school zones.
- The new National Highway Freight Program authorizes an average of \$1.2 billion per year nationally, or about \$60 million per year for Florida. Eligible activities include construction, operational improvements, freight planning, and performance measurement. It is a highway-focused program, though up to 10% of funds may be used for freight rail, water facilities, and intermodal facilities. Beginning in FY 2018, only states with a freight plan are eligible to receive formula funds. The FAST Act repeals the special federal share for freight projects that existed under MAP-21.
- The Nationally Significant Freight and Highway Projects Program authorizes \$4.5 billion over 5 years, or approximately \$900 million per year on average. It is a competitively awarded discretionary grant program for projects costing over \$100 million. Eligible activities include highway freight projects on the National Highway Freight Network, NHS highway/bridge projects, projects in National Scenic Areas, freight rail/intermodal/port projects, and rail-highway grade crossing or grade separation projects. TIFIA loans for these types of projects are also eligible. States, large MPOs, local governments, and other agencies may apply.
- The FAST Act requires a national multimodal strategic freight plan. States are required to develop freight plans by 2018, and are encouraged to develop Freight Advisory Committees. It requires the designation of a national multimodal freight network and a national highway freight network.

- Ms. Brunelle provided an overview of the planning provisions in the FAST Act. Public ports, private transportation providers, intercity buses, and carpools must be included in the planning process. The law adds two new planning factors, which Mr. Zimmerman outlined in his presentation. The law also clarifies that public transportation representatives on MPO boards may also represent a municipality. It requires the MPO and State Transportation Improvement Programs (TIPs/STIPs) to include facilities that support intercity transportation. The State Long Range Transportation Plan (LRTP) must describe performance measures and targets.
- The FAST Act includes several provisions that relate to accelerating project delivery. The Act adds new flexibilities, including a 4(f) exemption for some bridges, and refines some existing provisions to expedite projects. It also includes a variety of other provisions. It requires that highway design on the NHS shall consider the constructed and natural environment, any environmental, scenic, aesthetic, historic, community, and preservation impacts, access for other modes, and cost savings via flexibility in current design guidance or regulations. DOT shall consider the AASHTO Highway Safety Manual and the NACTO Urban Street Design Guide in the development of highway design criteria. It also instructs DOT to designate national electric vehicle charging and alternative fuel infrastructure corridors.

More information regarding the FAST Act, including fact sheets and funding tables, can be found at [www.fhwa.dot.gov/fastact/](http://www.fhwa.dot.gov/fastact/). The members thanked Karen for her presentation and for the other resources offered by FHWA.

## 7. BUSINESS ITEMS & PRESENTATIONS

### A. ELECTION OF OFFICERS

Mayor Susan Haynie, current chair of the MPOAC Governing Board, relinquished the Chair position to Carl Mikyska, MPOAC Executive Director, who introduced the election of officers.

- *Election of Vice Chair for the Staff Directors' Advisory Committee for the remainder of the 2015-2016 term.* T.J. Fish, Lake-Sumter MPO, moved to nominate Greg Stuart, Broward MPO. Greg Slay, Ocala/Marion TPO seconded. Mr. Fish moved to close the nominations and Aileen Bouclé, Miami-Dade MPO, seconded. Mr. Mikyska closed the nominations and called the question by unanimous acclimation. The motion passed.
- *Election of Vice Chair for the Staff Directors Advisory Committee for the 2016-2017 term.* Mr. Mikyska asked Greg Stuart, Broward MPO, if he would be willing to continue to serve if nominated. Mr. Stuart responded that he would. Dave Hutchinson, Sarasota/Manatee MPO, moved to nominate Mr. Stuart. Donald Scott, Lee County MPO, seconded. Bob Herrington, Charlotte County-Punta Gorda MPO, moved to close the nominations. T.J. Fish, Lake-Sumter MPO, seconded. Mr. Mikyska closed the nominations and called the question by unanimous acclimation. The motion passed.

- *Election of Chair of the Staff Directors Advisory Committee for the 2016-2017 term.* Mr. Mikyska asked Peter Buchwald, St. Lucie TPO, if he would be willing to continue to serve if nominated. Mr. Buchwald responded that he would. Bob Herrington, Charlotte County-Punta Gorda MPO, moved to nominate Mr. Buchwald. Aileen Bouclé, Miami-Dade MPO, seconded. Dave Hutchinson, Sarasota/Manatee MPO, moved to close the nominations. Sarah Ward, Pinellas County MPO, seconded. Mr. Mikyska closed the nominations and called the question by unanimous acclimation. The motion passed.
- *Election of Vice Chair of the Governing Board for the 2016-2017 term.* Mr. Mikyska asked Councilmember Jim Wood, Okaloosa-Walton TPO, if he would be willing to continue to serve if nominated. Councilmember Wood responded that he would. Commissioner Troy McDonald, Martin MPO, moved to nominate Councilmember Wood. Councilmember Bryan Caletka, Broward MPO, seconded the motion. Councilmember Caletka moved to close the nominations. Councilmember Doreen Hock-DiPolito, Pinellas County MPO, seconded the motion. Mr. Mikyska closed the nominations and called the question by unanimous acclimation. The motion passed.
- *Election of Chair of the Governing Board for the 2016-2017 term.* Mr. Mikyska asked Mayor Susan Haynie, Palm Beach MPO, if she would be willing to continue to serve if nominated. Mayor Haynie responded that she would. Commissioner Nick Maddox, Capital Region TPA, moved to nominate Mayor Haynie. Commissioner Troy McDonald, Martin MPO, seconded the motion. Councilmember Jim Wood, Okaloosa-Walton TPO, Vice Chair, moved to close the nominations, and Councilmember Doreen Hock-DiPolito, Pinellas County MPO, seconded. Mr. Mikyska closed the nominations and called the question by unanimous acclimation. The motion passed.

## B. MPOAC STRATEGIC PLAN UPDATE

Hal Beardall, FCRC Consensus Center, provided an update on the MPOAC Strategic Plan process. Mr. Beardall emphasized that the input from the MPOAC Governing Board and Staff Directors' via surveys has been very helpful in guiding the strategic plan process. Mr. Beardall provided an overview of the draft plan, including the MPOAC vision, guiding principles, goals, and objectives/actions.

- MPOAC Vision
  - The MPOAC improves transportation planning and education by engaging and equipping its members to deliver results through shared innovations, best practices, enhanced coordination and effective communication.
- Guiding Principles in Developing the Strategic Plan
  - Maximize the role of the MPOAC in transportation policy, planning and education.
  - Serve as a state transportation leader and agent of positive change.
  - Empower and enable individual members to do their jobs better.

- Evaluate organizational implications (benefits/costs) for implementing goals/objectives/actions.
- Goals
  - Goal A: Communication and Sharing Best Practices – The MPOAC will effectively coordinate and communicate with members and other transportation organizations and will support the sharing of best practices.
  - Goal B: Training and Education – The MPOAC will expand leadership training and education to engage members and build competence.
  - Goal C: Advocacy on Policy and Planning – The MPOAC will advocate and lead collaboratively for effective local, regional and statewide transportation policy and planning.

Next steps in the plan’s development include a survey of MPOAC partners and stakeholders in March 2016, monthly SDAC meetings through June 2016, and SDAC Governing Board quarterly meetings in April and July 2016. The plan is about halfway complete and should be ready for final review and approval in July 2016.

Several members contributed comments on the plan. Members noted that activities should be prioritized. An orientation or training guide for MPO board members could be a priority project, especially considering the coming turnover in November 2016. This would have added value if it could also be geared toward a public audience. Peter Buchwald, St. Lucie TPO, Chair, noted that projects could be prioritized within the UPWP. Mayor Susan Haynie, Palm Beach MPO, Chair, thanked Mr. Beardall for his presentation and noted that it would be discussed further at the next meeting.

#### C. REPORT AND RECOMMENDATIONS FROM THE MPOAC TECHNICAL AND POLICY SUBCOMMITTEE MEETING

Peter Buchwald, St. Lucie TPO, Chair, relayed three recommendations from the MPOAC Technical and Policy Subcommittee Meeting.

Mr. Buchwald notified the members of a new MPO Agreement for the administration of PL funds being requested by the Florida Department of Financial Services (DFS). The MPOAC General Counsel does not recommend that any of the MPOAC members execute the agreement in its current form, because it changes the relationship between MPOs and FDOT from a cooperative one to one of a mortgagor and mortgagee. MPOs would not be able to meet some of the requirements in the agreement because of their operational structure. Mr. Buchwald noted that the FDOT General Counsel understood the MPOAC’s concerns and has committed to working through the issues in a cooperative manner. A revised version of the agreement is expected within about a month. Mr. Buchwald invited the members to submit their comments through their district liaisons as soon as possible, as the goal is to execute the agreement by July 2016.

The Subcommittee also recommended that the MPOAC Executive Director begin providing two services to the membership. One is weekly email updates of legislative activity, especially on legislation pertaining to MPOAC legislative priorities. The second is to monitor local appropriations requests and share them with the membership.

Several MPOs recently underwent Transportation Management Area (TMA) Certification Review, which raised questions about the consistency of those reviews with other FHWA divisions and the use of the term “corrective actions”, which can be perceived as threatening. The Subcommittee recommended that Carl Mikyska, MPOAC Executive Director, attend the field portion of TMA Certification Reviews in the future.

Commissioner Nick Maddox, Capital Region TPA, moved to approve the Technical and Policy Subcommittee’s recommendations. Councilmember Charles Bare, Florida-Alabama TPO, seconded the motion. The motion was approved unanimously.

#### D. MPOAC CALENDAR

The Technical and Policy Subcommittee made a recommendation to change the MPOAC meeting dates to the first Thursday of the month on a quarterly basis to avoid conflicts with local MPO meetings, starting in 2017. This would require an amendment to the MPOAC Bylaws. Commissioner Nick Maddox, Capital Region TPA, moved to change the meeting date to the first Thursday of the month beginning in 2017. Councilmember Charles Bare, Florida-Alabama TPA, seconded the motion. After further discussion, the makers of the motion agreed to make the change effective from October 2016 onward. The motion was approved unanimously.

The members discussed the necessity of meeting in Tallahassee during the legislative session given the high travel costs, difficulty in scheduling a meeting space, etc. Councilmember Charles Bare, Florida-Alabama TPO, moved for the MPOAC meetings typically held in Tallahassee during the state legislative session to be held in Orlando instead, beginning in 2017. Councilmember Doreen Hock-DiPolito, Pinellas County MPO, seconded the motion. The motion passed with one opposed.

## 8. COMMUNICATIONS

Mayor Susan Haynie, Palm Beach MPO, Chair, noted a letter contained in the agenda packet:

- Letter to Ms. Zana Rayborn, Executive Director, Florida Board of Professional Engineers, dated November 3, 2015

Carl Mikyska, MPOAC Executive Director, provided an update on the Florida Board of Professional Engineers' proposed rule creating a definition for "traffic engineering". Mr. Mikyska noted that the proposed rule has been withdrawn.

Mayor Haynie also encouraged members to have their MPO board members attend the MPOAC Weekend Institute. It will be held April 15-17 in Orlando and May 13-15 in Tampa.

#### 9. MEMBER COMMENTS

No member comments were made.

#### 10. ADJOURNMENT

The meeting was adjourned at 3:05pm. The next meeting of the MPOAC Governing Board and Staff Directors' Advisory Committee will be held on Thursday, April 28, 2016 at the new offices of MetroPlan Orlando, 250 South Orange Avenue, Suite 200, Orlando, FL 32801. The Staff Directors' Advisory Committee Meeting will begin at 12:00 PM and conclude at 2:30 PM. The Governing Board Meeting will begin at 3:00 PM and conclude at 5:30 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. Carl Mikyska, MPOAC Executive Director, will be presenting the following items for discussion:

- A. Budget Report: January 1, 2016 –March 31, 2016
- B. Florida Legislative Update

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENTS:**

- 1. Budget report: January 1, 2016 –March 31, 2016

**Florida Metropolitan Planning Organization Advisory Council**  
**FY 2015/2016 Budget**  
**July 1, 2015 to June 30, 2016**

Category	Annual Allocation	1st Qtr Expenditures 7/1/15-9/30/15	2nd Qtr Expenditures 10/1/15-12/31/15	3rd Qtr Expenditures 1/1/16-3/31/16	4th Quarter Expenditures 4/1/16-6/30/16	Expenditures to Date	Remaining Balance
Salaries/Benefits	\$ 200,000	\$ 42,152	\$ 40,464	\$ 47,584		\$ 130,200	\$ 69,800
Expense	\$ 57,000						
Travel	\$ 30,000	\$ 4,006	\$ 2,825	\$ 265		\$ 7,096	\$ 22,904
Meetings	\$ 21,000	\$ 7,783	\$ 5,306	\$ 2,229		\$ 15,318	\$ 5,682
Administrative	\$ 4,080	\$ 849	\$ 563	\$ 1,502		\$ 2,914	\$ 1,166
Membership Dues *	\$ 1,920	\$ 1,920	\$ -	\$ -		\$ 1,920	\$ -
Contracted Services	\$ 22,000						
General Counsel	\$ 22,000	\$ -	\$ 5,412	\$ 7,973		\$ 13,385	\$ 8,615
Transportation Planning	\$ 165,000						
Univ. South FL (CUTR)	\$ 80,000	\$ 20,000	\$ 20,000	\$ 20,000		\$ 60,000	\$ 20,000
MPOAC Institute	\$ 85,000	\$ 10,200	\$ 13,600	\$ 31,450		\$ 55,250	\$ 29,750
Strategic Plan	\$ 79,048						
Florida State University	\$ 79,048	\$ -	\$ 14,280	\$ 35,826		\$ 50,106	\$ 28,942
Total Federal Funds	\$ 523,048	\$ 86,910	\$ 102,450	\$ 146,829		\$ 336,189	\$ 186,859
Advocacy Activities							
Local Funds	\$ 9,000			\$ 6,300			\$ 2,700
Total Budget	\$ 532,048	\$ 86,910	\$ 102,450	\$ 153,129		\$ 342,489	\$ 189,559

\* FBT, FPTA, ITSFL

## **Item Number 5A**

### **Agency Reports – Florida Department of Transportation**

#### **DISCUSSION:**

Ms. Carmen Monroy, Director, Office of Policy Planning at FDOT will update the members on the activities of FDOT and bring forward topics of interest to the MPOs.

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENT:**

None

## **Item Number 5B**

### **Agency Reports – Florida Division of Federal Highway Administration**

#### **DISCUSSION:**

Ms. Karen Brunelle, Director, Office of Project Development and Ms. Lee Ann Jacobs, Planning Team Leader will present the following items:

1. Announcements
2. Funding Opportunities
3. Legislation and Regulations

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENT:**

Power Point presentation – Highway Safety Improvement Program and Safety Performance Management Measures

# Highway Safety Improvement Program

—and—

# Safety Performance Management Measures

## *Final Rules Overview*

March 2016



U.S. Department of Transportation  
**Federal Highway Administration**



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*Investment in roadway safety saves lives*



Highway Safety Improvement Program  
*Data Driven Decisions*

FHWA-SA-16-022

## Two Final Rules, Different but Related

- Highway Safety Improvement Program (HSIP)
  - Revises existing regulation (23 CFR 924)
- Safety Performance Measures
  - Establishes new regulation (23 CFR 490) to implement MAP-21 Performance Management Requirements
  - Defines safety performance management requirements



# Highway Safety Improvement Program

## Overview of Final Rule

Docket #: FHWA-2013-0019



U.S. Department of Transportation  
**Federal Highway Administration**



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Highway Safety Improvement Program  
*Data Driven Decisions*

FHWA-SA-16-022

## HSIP Background

- Core Federal-aid program
  - Purpose: achieve a significant reduction in fatalities and serious injuries on all public roads
  - \$2.5 billion annual apportionment
    - » Railway-Highway Crossing Program (RHCP) set-aside
- Last rulemaking update took effect:

✓ January 23, 2009



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# Legislative Changes and Requirements for HSIP

- Items Removed (*no longer exist under MAP-21*)
  - Transparency Report
  - High Risk Rural Roads set-aside and reporting requirements
  - 10% flexibility provision for States to use safety funding per 23 U.S.C. 148(e)
- Items Added
  - State Strategic Highway Safety Plan update requirements
  - Subset of model inventory of roadway elements
  - HSIP reporting content and schedule



# State Strategic Highway Safety Plan

## Update Requirements

- SHSP update cycle: No later than 5 years from the previously approved version
- Consistent with current practice in most states
- Reflects current guidance



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## HSIP Reporting Content and Schedule

- Content
  - Consistent with existing guidance
  - Document and describe progress made to achieve annual safety performance targets
- Schedule
  - Submit annually
  - Due by **✓ August 31**
- Submit via online reporting tool
- FHWA posts HSIP reports to Office of Safety Website:
  - <http://safety.fhwa.dot.gov/hsip/reports/>



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# Safety Performance Management Measures

## Overview of Final Rule

Docket #: FHWA-2013-0020



U.S. Department of Transportation  
**Federal Highway Administration**



Highway Safety Improvement Program  
Create. Drive. Decisions

FHWA-SA-16-022

# Major Provisions in the Safety Performance Measures Final Rule

- 5 performance Measures
- Institutes the process for State DOTs and MPOs to establish & report on their targets
- Institutes the process for FHWA to assess whether a State has met or made significant Progress
- A common national definition for serious injuries



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# Safety Performance Management Measures for the HSIP – § 490.207

- 5 Performance Measures
  - Number of Fatalities
  - Rate of Fatalities per 100 million VMT
  - Number of Serious Injuries
  - Rate of Serious Injuries per 100 million VMT
  - Number of Non-motorized Fatalities and Non-motorized Serious Injuries
- 5-Year Rolling Averages



## Establishment of Performance Targets – § 490.209

- States establish annual targets in the HSIP report
  - Applicable to all public roads
- Targets must be identical to NHTSA HSP targets for common measures:
  - Number of fatalities; Rate of fatalities; Number of serious injuries
- States report serious injury data in HSIP report
- Urbanized/Non-urbanized Area Targets (optional)



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## MPO Targets – § 490.209

- MPOs establish targets 180 days after State
  - Target for each measure required
- Two options to establish targets
  - MPOs can agree to support the State DOT target; OR
  - MPOs can establish a numerical target specific to the MPO planning area
- Targets applicable to all public roads in the MPO
- For rate targets, report the VMT estimate used and the methodology used to develop the estimate
- MPO targets are reported to State DOT and must be available to FHWA, if requested



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## Determining Whether a State DOT Has Met or Made Significant Progress Toward Meeting Performance Targets – § 490.211



- 4 out of 5 targets must be:
  - Met, or
  - Better than performance for year prior to target establishment (baseline)
- Determination made:
  - End of CY following target year
  - FARS ARF may be used if Final FARS is not available



## Determining Whether a State DOT Has Met or Made Significant Progress Toward Meeting Performance Targets – § 490.211

- Optional targets will not be evaluated
- Requirements if State did not meet or make significant progress toward meeting targets
  - Use obligation authority equal to the HSIP apportionment for the prior year only for highway safety improvement projects, and
- Submit a HSIP Implementation Plan



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# Recap of HSIP & Safety PM Dates

✓ August 31, 2016

Submit annual HSIP and RHCP via online reporting tool

✓ July 1, 2017

Incorporate specific, quantifiable and measurable anticipated improvements for the collection of MIRE FDE into the State Traffic Records Strategic Plan

✓ August 1, 2017

Update the SHSP to be consistent with MAP-21 requirements

✓ August 31, 2017

State submits CY 2018 targets in HSIP Annual Report  
For common measures, identical to targets in HSP submitted in July 2017



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# Recap of HSIP & Safety PM Dates

- **✓ February 27, 2018**  
MPOs establish targets
- **✓ December 2019**  
Data available to assess 2018 target achievement
- **✓ March 2020**  
FHWA notifies States of determination whether State met or made significant progress toward meeting targets
- **✓ October 1, 2020**  
For States that did not meet or make significant progress toward meeting targets: obligation authority limitation, HSIP Implementation Plan due
- **✓ September 30, 2026**  
Collect and use the MIRE FDE to improve safety on all public roads



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## HSIP and Safety PM Final Rules and NPRM Documents

- The HSIP and Safety PM Final Rules, as well as the NPRM documents, can be found at the links below:

- New rules effective: **April 14, 2016**

- HSIP (FHWA-2013-0019)

<http://www.regulations.gov/#!docketDetail;D=FHWA-2013-0019>

- Safety PM (FHWA-2013-0020)

<http://www.regulations.gov/#!docketDetail;D=FHWA-2013-0020>



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## **Item Number 6**

### **Business Items & Presentations**

#### **DISCUSSION:**

Various action items and topics for discussion will be presented. The topics include:

- A. MPOAC Bike & Pedestrian Working Group
- B. Approval of the 2016-2018 UPWP
- C. Approval of a new contract for legal services with Paul Gougelman
- D. MPOAC Strategic Plan Update
- E. 2017 Meeting Locations
- F. Travel Time Reliability Sketch Planning Tool
- G. Update of the Strategic Highway Safety Plan

#### **REQUESTED ACTIONS:**

- 1. Approval to establish the proposed MPOAC Bike & Pedestrian Working Group
- 2. Approval of the 2016-2018 UPWP
- 3. Approval of agreement for legal services with Paul Gougelman

#### **ATTACHMENTS:**

- 1. Draft 2016-2018 UPWP
- 2. Draft contract for legal services with Paul Gougelman

# Fiscal Years 2016/2017 – 2017/2018 Draft Unified Planning Work Program



## Florida Metropolitan Planning Organization Advisory Council

*Prepared By:*

Florida Metropolitan Planning  
Organization Advisory Council

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This report was financed by grants from the Federal Highway Administration (CFDA Number 20.205) and the Federal Transit Administration (CFDA 20.505).

**Federal Aid Project Number: 00AC-054-M**  
**FM Numbers: 439339-1-11-01 & 439339-1-12-01 & 439339-1-12-02**

**MPOAC Resolution 2016-01**

**A RESOLUTION OF THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL (MPOAC) ADOPTING THE MPOAC UNIFIED PLANNING WORK PROGRAM FOR FISCAL YEARS 2016/2017 – 2017/2018.**

**Whereas,** The MPOAC is established by Florida Law pursuant to Section 339.175 F.S. to assist Florida’s MPOs in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion;

**Whereas,** The MPOAC adopts a Unified Planning Work Program for two fiscal years that describes the various tasks to be accomplished by the MPOAC in the performance of its duties;

**Whereas,** The MPOAC adopts the Unified Planning Work Program with the concurrence of the Federal Highway Administration, the Federal Transit Administration and the Florida Department of Transportation and in compliance with all comments received from those same agencies; and

**Whereas,** The MPOAC Governing Board authorized Chairperson Haynie to approve the Unified Planning Work Program prior to July 1, 2016;

**NOW THEREFORE BE IT RESOLVED THIS TWENTY EIGHTH DAY OF APRIL 2016 THAT THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL HEREBY ADOPTS ITS UNIFIED PLANNING WORK PROGRAM FOR FISCAL YEARS 2016/2017 – 2017/2018.**

**PASSED AND DULY ADOPTED this twenty-eighth day of April 2016.**

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**The Honorable Susan Haynie, Chairperson**

**Attested to:**

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**Carl Mikyska, Executive Director**

## TABLE OF CONTENTS

Debarment and Suspension Certification .....	4
Lobbying Certification .....	5
Certification for Contracts, Grants, Loans and Cooperative Agreements.....	5
Title VI – Nondiscrimination Policy Statement.....	6
Disadvantaged Business Enterprise Utilization .....	7
Introduction.....	8
Organization and Management .....	9
1.0 Administration.....	12
Task 1.1 – Development of UPWP.....	13
Task 1.2 – Quarterly Reports.....	14
Task 1.3 – Research and Support Services .....	15
Task 1.4 – Legal Services .....	19
Task 1.5 – Membership Dues .....	21
Task 1.6 – MPOAC Administration .....	22
2.0 Forum for Cooperative Decision Making .....	23
Task 2.1 – Intergovernmental and Regional Coordination .....	24
Task 2.2 – MPOAC Agenda Packages & Meetings.....	26
Task 2.3 – MPOAC Policy & Technical Subcommittee .....	27
Task 2.4 – MPOAC Freight Committee.....	28
Task 2.5 – MPOAC Bike & Pedestrian Working Group.....	29
3.0 Dissemination of MPOAC Information.....	30
Task 3.1 – MPOAC Policy Positions .....	31
Task 3.2 – MPOAC Website .....	33
Task 3.3 – MPOAC Institute Training Activities.....	35
4.0 Project Planning and Reports.....	37
Task 4.1 – Assessment of Documents, Regulations, Policies and Legislation .....	38
Task 4.2 – Florida Transportation Plan and Strategic Intermodal System Plan Participation.....	40
Task 4.3 – Public Transportation, Environment & Community Planning.....	41
Task 4.4 – Safety, Operations and Management .....	43
Task 4.5 – MPOAC Strategic Plan and Implementation .....	44

## LIST OF TABLES

Table 1: FY 2016/2017 Funding Sources .....	45
Table 2: FY 2017/2018 Funding Sources .....	46
Table 3: Relationship of UPWP Tasks to Federal Planning Factors.....	47

## Debarment and Suspension Certification

As required by USDOT regulations on Government wide Debarment and Suspension in 49 CFR 29.510.

- 1) The Florida Metropolitan Planning Organization Advisory Council hereby certifies to the best of its knowledge and belief, that it and its principals;
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
  - b. Have not, within a three-year period preceding this proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transportation, violation of Federal or State antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses listed in paragraph (b) of this certification; and
  - d. Have not, within a three-year period preceding this certification, had one or more public transportation (federal, state or local) grants terminated for cause of default.
- 2) The Florida Metropolitan Planning Organization Advisory Council also hereby certifies that if, later, it becomes aware of any information contradicting the statement of paragraphs (a) through (d) above, it will promptly provide that information to the USDOT.

---

Carl Mikyska, Executive Director  
Florida MPO Advisory Council  
June 1, 2016

## Lobbying Certification

### Certification for Contracts, Grants, Loans and Cooperative Agreements

The undersigned certifies to the best of his or her knowledge and belief, that:

- 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions.
- 3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

---

Carl Mikyska, Executive Director  
Florida MPO Advisory Council  
June 1, 2016

## Title VI – Nondiscrimination Policy Statement

As a recipient of the Florida Department of Transportation (FDOT), the Metropolitan Planning Organization Advisory Council (MPOAC) does not exclude from participation in, deny the benefits of or discriminate against anyone on the basis of race, color national origin, gender, disability, age, religion or family status in any of its programs services or activities. As an affiliate of FDOT, the MPOAC adheres to all federal and state authorities that forbid discrimination and those that require affirmative steps to ensure equity. The MPOAC follows the FDOT nondiscrimination policy, implementation plan, and complaint filing procedures and the FDOT Title VI – Nondiscrimination Coordinator has direct easy access to the MPOAC Executive Director. For more information, please see <http://www.dot.state.fl.us/equalopportunityoffice/titlevi.shtm>.

## Disadvantaged Business Enterprise Utilization

It is the policy of the Florida Metropolitan Planning Organization Advisory Council (MPOAC) that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of MPO contracts in a nondiscriminatory environment. The objectives of the Disadvantaged Business Enterprise Program are to ensure nondiscrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove barriers to participation, create a level playing field, assist in development of a firm so it can compete successfully outside of the program, provide flexibility, and ensure narrow tailoring of the program.

The Florida Metropolitan Planning Organization Advisory Council and its consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work of the Florida Metropolitan Planning Organization Advisory Council in a nondiscriminatory environment.

The Florida Metropolitan Planning Organization Advisory Council shall require its consultants to not discriminate on the basis of race, color, national origin, sex, age, disability, religion, or familial status in the award and performance of its contracts. This policy covers in part the applicable federal regulations and the applicable statutory references contained therein for the Disadvantaged Business Enterprise Program Plan, Chapters 337 and 339 Florida Statutes, and Rule Chapter 14-78 Florida Administrative Code.

---

Carl Mikyska, Executive Director  
Florida MPO Advisory Council  
June 1, 2016

## Introduction

The Unified Planning Work Program (UPWP) has been prepared to define the tasks to be undertaken and the anticipated funding requirements of the Florida Metropolitan Planning Organization Advisory Council (MPOAC) for fiscal years 2016/2017 – 2017/2018 covering the period from July 1, 2016 through June 30, 2018.

The UPWP provides the basis for funding of the transportation planning activities to be undertaken with Federal Highway Administration (FHWA) planning funds (PL) and Federal Transit Administration (FTA) Section 5305(d) metropolitan planning funds to support the activities of the MPOAC.

Following this introduction is a discussion of the organization and management of the MPOAC. The specific transportation planning activities to be undertaken these two fiscal years by the MPOAC staff are organized into four major sections, each of which comprises a number of individual tasks:

- 1) **Administration:** This section includes those functions required to manage the transportation planning process on a continual basis, including program administration, development, review and reporting, as well as such activities as intergovernmental coordination, public information and notice, and training.
- 2) **Forum for Cooperative Decision-Making:** This section includes those functions necessary to establish a forum for cooperative decision-making among Florida's MPOs, and with other public and private partners who participate in the cooperative, comprehensive, and continuing transportation planning process.
- 3) **Dissemination of MPOAC Information:** This section includes those functions necessary to develop, reach consensus on, and distribute MPOAC information that can both educate and assist policy makers at the various levels of government. Also included in this section are those tasks of the MPOAC which are used to cross organizational lines to involve the many diverse participants of the transportation planning process.
- 4) **Project Planning and Reports:** This section includes those functions which are necessary in order to prepare certain project studies, reports and correspondence. These activities often result in specific work products that are initiated and endorsed by the MPOAC.

### Public Involvement

Public Involvement for development of the UPWP included various public involvement opportunities. The Florida Department of Transportation (FDOT), FHWA, FTA and each MPO were provided a copy of the draft UPWP via the internet with a request to submit comments over a two-week period. The draft UPWP was also displayed on the MPOAC website for a similar amount of time and was included in the April 2016 MPOAC meeting agenda package. The MPOAC website is updated and maintained by the MPOAC staff and is accessed by the public and MPOAC partner organizations on a regular basis.

## Organization and Management

The Metropolitan Planning Organization Advisory Council (MPOAC) was created by the 1984 Florida Legislature pursuant to Section 339.175(11), Florida Statutes. The MPOAC was created with the primary purpose and duty to:

*“Assist MPOs in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law” and*

*“To serve as a clearinghouse for review and comment by MPOs on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized transportation planning processes.”*

The 1993 Florida Legislature expanded the authority of the MPOAC and allowed the Council to “employ an executive director and such other staff as necessary to perform adequately the functions of the council, within budgetary limitations.” The legislation assigned the MPOAC to the Florida Department of Transportation (FDOT), Office of the Secretary for fiscal and accountability purposes, but specified that the MPOAC “shall otherwise function independently of the control and direction of the Department.”

The MPOAC bylaws were updated and adopted at the January 2015 meeting of the MPOAC and are available on the MPOAC website. The MPOAC bylaws define the roles and responsibilities of the Governing Board, the Staff Directors’ Advisory Committee and the Executive Committee and outline the operational procedures of the MPOAC.

The organization of the MPOAC consists of a 27 member Governing Board and a 27 member Staff Directors’ Advisory Committee.

### Governing Board

The MPOAC Governing Board consists of one representative and one alternate representative from each of the following metropolitan planning organizations (MPOs), sometimes known as Transportation Planning Organizations (TPOs), Metropolitan Transportation Planning Organizations (MTPOs) and Transportation Planning Agencies (TPAs):

Bay County TPO	MetroPlan Orlando
Broward MPO	Miami-Dade MPO
Capital Region TPA	North Florida TPO
Charlotte County-Punta Gorda MPO	Ocala/Marion County TPO
Collier MPO	Okaloosa-Walton TPO
Florida-Alabama TPO	Palm Beach MPO
Gainesville MTPO	Pasco County MPO
Heartland Regional TPO	Pinellas County MPO
Hernando/Citrus MPO	Polk TPO
Hillsborough County MPO	River to Sea TPO
Indian River County MPO	Sarasota/Manatee MPO
Lake-Sumter MPO	Space Coast TPO
Lee County MPO	St. Lucie TPO
Martin MPO	

The powers and duties of the Governing Board include: entering into contracts with individuals, private corporations, and public agencies; acquiring, owning, operating, maintaining, selling, or leasing personal property essential for the conduct of business; accepting funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources; establishing bylaws and making rules to effectuate its powers, responsibilities, and obligations; assisting metropolitan planning organizations in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law; and serving as a clearinghouse for review and comment by metropolitan planning organizations on the Florida Transportation Plan (FTP) and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning instituted pursuant to statute.

#### Staff Directors' Advisory Committee

The MPOAC Staff Directors' Advisory Committee consists of one representative and one alternate representative from each of the following metropolitan planning organizations:

Bay County TPO	MetroPlan Orlando
Broward MPO	Miami-Dade MPO
Capital Region TPA	North Florida TPO
Charlotte County-Punta Gorda MPO	Ocala/Marion County TPO
Collier MPO	Okaloosa-Walton TPO
Florida-Alabama TPO	Palm Beach MPO
Gainesville MTPO	Pasco County MPO
Heartland Regional TPO	Pinellas County MPO
Hernando/Citrus MPO	Polk TPO
Hillsborough County MPO	River to Sea TPO
Indian River County MPO	Sarasota/Manatee MPO
Lake-Sumter MPO	Space Coast TPO
Lee County MPO	St. Lucie TPO
Martin MPO	

The Staff Directors' Advisory Committee is responsible for providing guidance to the MPOAC regarding transportation issues that may come before the MPOAC Governing Board for action. The Staff Directors' Advisory Committee serves as a forum for the discussion and formulation of recommendations to the Governing Board, which will later be forwarded to appropriate governmental bodies or other individuals. Recommendations are related to statewide concerns regarding all transportation-related issues.

#### Executive Committee

The Executive Committee consists of the MPOAC Governing Board Chair and Vice-Chair, a member of the Governing Board serving at-large, and the Staff Directors' Advisory Committee Chair and Vice-Chair. The Executive Committee provides policy direction for the MPOAC between Governing Board meetings and provides an annual evaluation of the MPOAC Executive Director.

## Policy and Technical Subcommittee

The Policy and Technical Subcommittee consists of any individuals or designees who serve on the MPOAC Governing Board or Staff Directors' Advisory Committee and wish to participate. Representatives from the Florida Department of Transportation (FDOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) are also invited to participate on the subcommittee. The Subcommittee meets in order to identify issues for future action by the MPOAC Staff Directors' Advisory Committee and Governing Board.

## Freight Committee

The MPOAC Freight Committee serves as a clearinghouse of actionable ideas that allow Florida's MPOs to foster and support sound freight planning and freight initiatives. The Freight Committee seeks to understand the economic effects of proposed freight-supportive projects; foster relationships between public agencies with responsibilities for freight movement and private freight interests; and reduce policy barriers to goods movement to, from, and within Florida. The Freight Committee meets as necessary throughout the year in concert with the statewide meetings of the MPOAC.

## MPOAC Staff

The staff of the MPOAC consists of an Executive Director and an Administrative Assistant. The MPOAC also employs a General Counsel under a legal services contract and contracts for research and staff support with the Center for Urban Transportation Research at the University of South Florida. FDOT assists in the operation of the MPOAC by providing office space and other related services. Pursuant to Florida law, the MPOAC is assigned to the Office of the Secretary of FDOT for fiscal and accountability purposes, but otherwise functions independently of the control and direction of FDOT.

# 1.0 ADMINISTRATION

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This section includes those functions required to manage the transportation planning process on a continual basis, including program administration, UPWP development, reporting, legal and planning consulting services and membership dues.

Administration Tasks include:

- Task 1.1 – Development of UPWP
- Task 1.2 – Quarterly Reports
- Task 1.3 – Research and Support Services
- Task 1.4 – Legal Services
- Task 1.5 – Membership Dues
- Task 1.6 – MPOAC Administration

## Task 1.1 – Development of UPWP

---

### Purpose

To comply with the requirements of 23 CFR 420 Subpart A – Administration of FHWA Planning and Research Funds, 23 CFR 450.308 and Section 339.175 (9) Florida Statutes.

### Previous Work Completed

The Metropolitan Planning Organization Advisory Council (MPOAC) 2016/2017 through 2017/2018 Unified Planning Work Program (UPWP) was developed by staff and reviewed by the MPOAC Staff Directors' Advisory Committee, the MPOAC Governing Board, the Florida Department of Transportation (FDOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The MPOAC Governing Board at its April 28, 2016 meeting authorized the MPOAC Chair to formally adopt the fiscal year 2016/2017 through 2017/2018 UPWP prior to July 1, 2016.

### Proposed Methodology

MPOAC staff will prepare a fiscal year 2018/2019 through 2019/2020 Two Year UPWP and prepare amendments to the 2016/2017 through 2017/2018 UPWP in accordance with the FDOT MPO Program Management Handbook and coordinate review by the Staff Directors' Advisory Committee, Governing Board, FDOT, FHWA and FTA. The MPOAC Executive Director and staff (including research and services support staff identified in Task 1.3) are responsible for developing the UPWP and subsequent amendments.

### Work Products

Develop and adopt Fiscal Year 2018/2019 through 2019/2020 UPWP and submit the Two Year UPWP to the FDOT, the FHWA and the FTA prior to July 1, 2018. The MPOAC will distribute copies of the adopted UPWP to the Staff Directors' Advisory Committee and Governing Board.

Amendments to the UPWP will also be developed and processed in accordance with the MPO Program Management Handbook in order to maintain and update the document over the two-year period.

### Funding Source

<b>Funding Source</b>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>2-Year Total</b>
Federal (PL)	\$13,260	\$13,260	\$26,520
<b>Total</b>	<b>\$13,260</b>	<b>\$13,260</b>	<b>\$26,520</b>

## Task 1.2 – Quarterly Reports

---

### Purpose

To inform the Metropolitan Planning Organization Advisory Council (MPOAC) of the status of expenditures of Federal and local funds during each quarter to comply with the requirements of 23 CFR Part 420, 49 CFR Part 18 and 2 CFR 200 (OMB Super Circular – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Rewards).

### Previous Work Completed

The MPOAC Governing Board adopted its fiscal year 2014/2015 through 2015/2016 budget in April 2014. The MPOAC was provided quarterly budget reports that reflected expenditures by the MPOAC at its quarterly meetings.

### Proposed Methodology

MPOAC staff will work closely with the Florida Department of Transportation (FDOT) Program Development Office and the Statewide MPO Coordinator to ensure funds are programmed into the FDOT Work Program. MPOAC staff will maintain records for management of charges, performance of grant requirements, financial audits and budgets. MPOAC staff will track expenditures and maintain a contract with MPOAC General Counsel as per State of Florida, Office of Attorney General Scope of Service. MPOAC staff will monitor and track travel and meeting room costs associated with activities of the MPOAC, the Policy and Technical Subcommittee, the MPOAC Freight Committee and with attendance at MPOAC related educational seminars and conferences.

MPOAC staff will prepare and develop a Quarterly Budget Report as part of the Executive Director's Report in the MPOAC agenda package. Information contained in the Executive Director's Report is presented to FDOT, the Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and the MPOAC membership.

### Work Products

The MPOAC will present quarterly reports to the Staff Directors' Advisory Committee and Governing Board at its meetings in July, October, January and April during FY 2016/2017 and FY 2017/2018.

Within 90 days after the end of the second fiscal year, the MPOAC will send a final PL closeout report to the FDOT Office of Policy Planning for transmittal to the FHWA and FTA.

### Funding Source

Funding Source	FY 16/17	FY 17/18	2-Year Total
Federal (PL)	\$15,123	\$15,123	\$30,246
<b>Total</b>	<b>\$15,123</b>	<b>\$15,123</b>	<b>\$30,246</b>

## Task 1.3 – Research and Support Services

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### Purpose

To provide research and support services to the Metropolitan Planning Organization Advisory Council (MPOAC) in order to prepare the necessary work products and services of the ever increasing and ongoing activities/tasks of the MPOAC.

### Previous Work Completed

Since 1994 the MPOAC has had no more than two staff positions, an Executive Director and an Administrative Assistant. The MPOAC assists in carrying out the urbanized area transportation planning process as the principal forum for collective policy discussion. The MPOAC is a conduit between individual MPOs and state/federal transportation agencies on issues of statewide concern and provides organizational, administrative and policy guidance to individual member MPOs as requested. The workload of the MPOAC has steadily increased in its effort to assist all MPOs in the state with fulfilling their collective federal, state, regional and local responsibilities in maintaining the urbanized area transportation planning process. The MPOAC provides research and other practical support to Florida's 27 MPOs, monitors legislative and regulatory proposals at both the federal and state level, participates in the policy development activities of various federal and state transportation and related initiatives, and provides its membership continuing education on a variety of relevant subjects. The need for additional staff support reflects the ever-increasing work assignments and activities of the MPOAC.

In an effort to supplement the existing MPOAC staff effort, the Center for Urban Transportation Research (CUTR) at the University of South Florida (USF) has provided a variety of needed transportation services and expertise to the MPOAC through a transportation planning services agreement that has been in place since Fiscal Year 2002. Some of the work products and services that CUTR has provided include:

- Participating in the MPOAC Strategic Directions Process, including providing research support to the consulting team, reviewing project materials (reports and presentations), and attending meetings of the Strategic Directions Advisory Committee (SDAC). The yearlong process will result in a Strategic Directions Plan and associated Implementation Action Plan. The MPOAC will prioritize the suggested implementation action items for execution during the timeframe of the 2016/17-2017/18 MPOAC UPWP.
- Analyzing proposed and existing legislation and other regulatory activities and initiatives related to transportation planning, transportation finance, land use and other issues relevant to MPOs. This includes, but is not limited to, legislative and regulatory proposals that reauthorize federal and state surface transportation programs. Documenting MPOAC legislative positions prior to the state legislative session and preparing summaries of approved legislation following the state legislative session.
- Developing transportation statements, correspondence, articles and papers on various transportation and related issues of particular relevance and consequence to the MPOAC, including the Strategic Intermodal System (SIS) Plan, the Florida Transportation Plan (FTP), the SUNTrail Plan, the Florida Freight Mobility and Trade Plan, UPWP modifications and amendments procedures, the statewide model for MPO agreement, and MPO/DOT collaboration. Additionally, formal comments were

prepared and submitted to the Notice of Proposed Rulemakings (NPRMs) relating to performance-based planning and programming and to statewide and metropolitan transportation planning.

- Reviewing and providing input on the development of new MPOAC by-laws. For over 20 years, the MPOAC had been governed by rules adopted in accordance with the Administrative Procedures Act (APA). However, the MPOAC is no longer subject to the APA, allowing the MPOAC to adopt rules and by-laws by action of the MPOAC Governing Board. Consequently, the MPOAC repealed all APA adopted rules and adopted new governing by-laws. Following a formal 45-day comment period, the MPOAC Governing Board adopted the new by-laws at their January 2015 meeting.
- Maintaining and updating the MPOAC website on an ongoing basis. Software that automates map generation and map updating for the MPOAC website was developed and installed in FY 2014/15, eliminating the use of graphic artists to update maps and resulting in reduced costs and increased timeliness. In FY 2015-2016, the transition from an HTML programming-based software platform to a content management-based software platform was begun, requiring a complete redesign of the MPOAC website, which will be completed in FY 2016/17. The transition will dramatically simplify website content management and provide a fresh look to the MPOAC website.
- Assisting the MPOAC Executive Director in preparing individual tasks and budget tables as part of the FY 2016/2017 through 2017/2018 MPOAC Unified Planning Work Program (UPWP) drafting process. Additionally, preparing resolutions and FY 2014/2015 through 2015/2016 MPOAC UPWP amendments to individual tasks and budget tables as approved by the MPOAC Governing Board.
- Fully revising “A Snapshot of Florida MPOs”, a document detailing individual MPO information such as MPO board composition and voting structure, planning area demographics, staffing arrangement, and staff size and expertise.
- Preparing draft allocation options for \$1.13 million in non-recurring PL funds in FY 2014/2015. A total of 13 allocation options were developed based on member/stakeholder input and on research conducted on the activities of similar agencies in other states. A recommended option was approved by the MPOAC Governing Board in April 2015 to distribute \$1 million to individual MPOs based population and allocate the remaining funds to the MPOAC to develop a strategic plan and begin implementation.
- Assisting the MPOAC Executive Director in preparing MPOAC meeting and subcommittee meeting agenda items, materials and minutes.
- Attending numerous meetings around the state and nation representing the MPOAC at the request of the MPOAC Executive Director.
- Preparing and implementing a new scope of services for research support for Fiscal Year 2016/2017 through 2018/19 to replace the existing contract which expired on June 30, 2016. Also, preparing contract extensions and revised scopes of service for research support for Fiscal Years 2014/2015 and 2015/16.

### Proposed Methodology

The MPOAC proposes to contract directly with CUTR to receive the services of CUTR employee(s) who would be assigned to work for and be supervised by the MPOAC Executive Director. The employee(s) will be located at the CUTR building on the USF campus in Tampa, but be available to complete agreed upon tasks, including attending meetings and conferences, wherever needed.

## Work Products

Services to be provided under this task may include, but not be limited to, the following:

- Developing research reports and studies on subjects of relevance to ongoing and future MPO activities.
- Preparing best practices reports using examples of excellence developed and implemented by Florida's MPOs as well as other MPOs nationally and national associations such as the Association of MPOs (AMPO) and the National Association of Regional Councils (NARC).
- Reviewing, analyzing and developing transportation policy statements, letters and papers.
- Attending and monitoring transportation related meetings, workshops and public hearings conducted by federal, state and local agencies, the Florida Legislature, as well as statewide and national associations, authorities and commissions on behalf of the Florida MPOAC.
- Conducting analysis on existing and proposed legislation and other regulatory activities and initiatives related to transportation planning, urban development and land use, the delivery and expansion of transit services, global climate change and air quality, and other issues relevant to MPOs. Particular attention will be paid to federal transportation authorization implementation proposals, including further integrating non-SOV modes (transit, pedestrian and bicycle) as viable options in statewide and metropolitan transportation systems and addressing the unfunded transportation shortfall in the state's metropolitan areas.
- Advising and assisting the Executive Director in the development of MPOAC meeting content and materials.
- Assisting the MPOAC Executive Director in the development of the MPOAC Unified Planning Work Program (UPWP).
- Preparing minutes of MPOAC Staff Directors' Advisory Committee and Governing Board quarterly meetings.
- Monitoring the potential impacts to MPO practices in Florida as a result of future proposed changes in national air quality standards and providing technical support to Florida's MPOs in meeting any new requirements.
- Participating in the update and implementation processes of the Florida Transportation Plan, the Strategic Intermodal System Plan, the Freight Mobility and Trade Plan, the Strategic Highway Safety Plan and other statewide transportation planning efforts.
- Participate in the development of State and MPO performance measurement targets in compliance with federal requirements.

The specific deliverables and/or services to be provided under this task will be agreed upon by the MPOAC Executive Director and the CUTR Principal Investigator on an as-needed basis depending upon the immediate transportation planning requirements of the MPOAC.

Funding Source

<b>Funding Source</b>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>2-Year Total</b>
Federal (PL)	\$80,125	\$80,125	\$160,250
FTA 5305(d)	\$17,500	\$17,500	\$35,000
<b>Total</b>	<b>\$97,625</b>	<b>\$97,625</b>	<b>\$195,250</b>
<i>Amount to Consultant</i>	\$67,500	\$67,500	\$135,000

Note: in-house funds reflected in the budget fund the activities of the MPOAC Executive Director and Administrative Assistant as specified in the Work Product description

## Task 1.4 – Legal Services

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### Purpose

To provide legal services for the Metropolitan Planning Organization Advisory Council (MPOAC), and to assure that the MPOAC is compliant with all Federal and State laws and administrative rules. Legal services are provided to the MPOAC by and through an attorney who has expertise in procedures under the Florida Administrative Procedure Act, Chapter 120, Florida Statutes; has a working knowledge in local government 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.

### Previous Work Completed

During the previous two-year period, the MPOAC's General Counsel prepared a variety of legal opinions and analyzed various state and federal legislative proposals. Among them was a legal opinion on what constitutes a re-designation of an MPO and the applicability of a Senate bill on employee severance provisions. The MPOAC's General Counsel also worked with the Executive Director to represent the MPOs collectively in the development of a new contractual agreement that will define the relationship between the MPOs and FDOT. During the past two years, the General Counsel also assisted the Executive Committee in their efforts to advertise, interview and select a new Executive Director for the organization. Legal service was also provided during MPOAC quarterly meetings and meetings of the Policy & Technical Subcommittee.

### Proposed Methodology

Working through the MPOAC Executive Director and MPOAC Governing Board Chairman, undertake work assignments as directed by the MPOAC Governing Board, MPOAC Executive Committee, Staff Directors' Advisory Committee, Executive Director, or MPOAC Policy and Technical Subcommittee.

### Work Products

The MPOAC General Counsel performs certain professional legal services as follows:

- Drafts proposed rules and rule amendments, resolutions, contracts, and correspondence; reviews and analyzes MPOAC legal files, data, documents and other materials concerning the above matter and advises on a recommended legal course of action.
- Prepares and files pleadings, motions, or briefs that may be required and represents the MPOAC in any related litigation.
- Represents the "agency" at trial or on appeal; attends and participates in Governing Board, MPOAC Executive Committee, Staff Directors' Advisory Committee, and Policy and Technical Subcommittee meetings, conference calls, and meetings with other agencies such the Florida Department of Transportation (FDOT) and reports on the status of legal matters.
- Performs legal research and renders legal advice; reviews and analyzes MPOAC legal files, data, documents and other materials and advises on a recommended legal course of action; acts as an

intermediary between the MPOAC and counsel for other agencies or legal entities; and performs other legal services as directed by the MPOAC Governing Board and/or the MPOAC Executive Director.

Funding Source

<b>Funding Source</b>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>2-Year Total</b>
Federal (PL)	\$22,000	\$22,000	\$44,000
<b>Total</b>	<b>\$22,000</b>	<b>\$22,000</b>	<b>\$44,000</b>
<i>Amount to Attorney</i>	\$22,000	\$22,000	\$44,000

## Task 1.5 – Membership Dues

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### Purpose

To provide Florida Chapter of the Intelligent Transportation Society (ITSFL), Florida Public Transportation Association (FPTA) and Floridians for Better Transportation (FBT) membership to the Florida Metropolitan Planning Organization Advisory Council (MPOAC) using Federal Highway Administration (FHWA) planning funds (PL).

### Previous Work Completed

The State's PL distribution formula was updated in Fiscal Year 2013/14 to clarify that Association of Metropolitan Planning Organizations (AMPO) and the National Association of Regional Councils (NARC) membership dues for all of Florida's MPOs and the MPOAC would be paid as an off-the top item. The updated PL distribution formula was developed by FDOT, endorsed by the MPOAC, and approved by the FHWA.

### Proposed Methodology

Allocate a combined \$1,920 in PL funds to ITSFL, FPTA and FBT for FY 2016/17 and FY 2017/18 membership.

### Work Products

Membership in ITSFL, FPTA, and FBT will provide the MPOAC (and Florida's MPOs by extension) with access to information and guidance relative to public transportation, new technologies and private sector initiatives in transportation. Enhanced partnerships between the MPOAC and these groups will strengthen the metropolitan transportation planning process and related policy development across the state.

### Funding Source:

<b>Funding Source</b>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>2-Year Total</b>
<b>Federal (PL)</b>	<b>\$1,920</b>	<b>\$1,920</b>	<b>\$3,840</b>
<b>Total</b>	<b>\$1,920</b>	<b>\$1,920</b>	<b>\$3,840</b>

## Task 1.6 – MPOAC Administration

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### Purpose

To finance and manage the daily operation of the Metropolitan Planning Organization Advisory Council (MPOAC) in a manner that is necessary to perform its duties. This includes the purchase of capital equipment, the payment and processing of invoices and requisitions, the administration of travel funds, conducting personnel actions and evaluations, and all other administrative actions.

### Previous Work Completed

The MPOAC complied with all federal and state standards in the payment and processing of invoices and requisitions and all personnel actions during the past two years. Travel to meetings and conferences were conducted according to all federal and state travel provisions and the purchase of capital equipment followed appropriate procedures.

### Proposed Methodology

Continue to process all invoices and requisitions and expend travel funds in a manner consistent with state and federal provisions relating to the expenditure of federal planning funds (PL) from the Federal Highway Administration (FHWA) and Section 5305(d) funds from the Federal Transit Administration (FTA). Research and support staff (identified in Task 1.3) assists in the development of MPOAC meeting minutes, agenda item materials, PowerPoint presentations and other related activities.

### Work Products

Meet federal and state requirements in the processing of invoices, requisitions, travel and capital expenditures, personnel actions and evaluations, and other related activities. No capital equipment purchases over \$5,000 are anticipated during this period.

### Funding Source

Funding Source	FY 16/17	FY 17/18	2-Year Total
Federal (PL)	\$30,836	\$30,836	\$61,672
FTA 5305(d)	\$4,500	\$4,500	\$9,000
<b>Total</b>	<b>\$35,336</b>	<b>\$35,336</b>	<b>\$70,672</b>
<i>Amount to Consultant</i>	\$4,500	\$4,500	\$9,000

Note: in-house funds reflected in the budget fund the activities of the MPOAC Executive Director and Administrative Assistant as specified in the Work Product description

## 2.0 FORUM FOR COOPERATIVE DECISION MAKING

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This section includes those functions necessary to establish a forum for cooperative decision-making among Florida's metropolitan planning organizations (MPOs) and with other public and private partners who participate in the cooperative, comprehensive and continuing transportation planning process.

Cooperative Decision Making Tasks include:

- Task 2.1 – Intergovernmental and Regional Coordination
- Task 2.2 – MPOAC Agenda Packages & Meetings
- Task 2.3 – MPOAC Policy & Technical Subcommittee
- Task 2.4 – MPOAC Freight Committee
- Task 2.5 – MPOAC Bike & Pedestrian Coordinators Working Group

## Task 2.1 – Intergovernmental and Regional Coordination

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### Purpose

To participate and incorporate metropolitan planning organization (MPO) related issues into the activities of federal, state, regional and local agencies and organizations.

### Previous Work Completed

The Metropolitan Planning Organization Advisory Council (MPOAC) has been an active partner in working with a host of federal, state and local agencies and organizations, many of whom are identified and listed under the proposed methodology. The MPOAC serves on the 2060 Florida Transportation Plan (FTP)/Strategic Intermodal System (SIS) Plan Update Steering Committee and serves on various committees of the Transportation Research Board (TRB). The MPOAC Executive Director also serves on the Florida Public Transportation Association (FPTA) Board of Directors. The MPOAC regularly makes presentations on MPO activities at the Florida Association of Counties Annual Conference, The Florida League of Cities Annual Conference, Florida Transportation Commission meetings, Florida Regional Councils Association meetings, the Floridians for Better Transportation Leadership Retreat, the Association of Metropolitan Planning Associations (AMPO) Annual Conference and meetings of the National Association of Regional Councils (NARC).

### Proposed Methodology

MPOAC staff will coordinate its actions and make presentations on an overview of the MPO process, important issues that are before the MPOAC, regional planning and inter-MPO coordination, the project priority process and long-range transportation planning. Presentations are made before and at the request of state legislative committees, the Florida Transportation Commission, Floridians for Better Transportation, Intelligent Transportation Society of America, the Florida Public Transportation Association, the Florida Regional Councils Association, the Florida League of Cities, the Florida Association of Counties, the Florida Commission for the Transportation Disadvantaged, the Florida Safe Life for Mobility Coalition, AMPO, NARC and various national committees. The MPOAC participates as an active member of the Transportation Research Board Committee on Metropolitan Policy, Planning and Processes, the NARC transportation committee and various FDOT working groups, task forces and steering committees. The MPOAC Executive Director also serves on the Florida Public Transportation Association (FPTA) Board of Directors. Additionally, the MPOAC invites representatives of these groups and others to come before the MPOAC to discuss their ongoing activities and current initiatives in an effort to coordinate activities and advance common goals.

MPOAC staff will attend meetings of formal MPO alliances and federal Transportation Management Area (TMA) certification reviews to participate in their inter-MPO planning and coordination activities.

### Work Products

Improved coordination and decision-making between the MPOAC and its partners in the transportation planning process. This will result in organizational actions, procedures and guidelines that take into account MPO related activities and requirements and working with other organizations to address transportation planning issues. To accomplish this task, MPOAC staff will attend and monitor

transportation related meetings, workshops and public hearings conducted by federal, state and local agencies, the Florida Legislature, as well as statewide associations, authorities and commissions on behalf of the Florida MPOAC. Additionally, the MPOAC will attend federal TMA certification reviews and develop a biannual summary of federal actions and findings. MPOAC staff will work with individual MPO staff to prepare for federal TMA certification reviews based on observations of previous reviews and will provide detailed comments on individual draft TMA certification review reports.

**Funding Source**

<b>Funding Source</b>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>2-Year Total</b>
Federal (PL)	\$45,044	\$45,044	\$90,088
<b>Total</b>	<b>\$45,044</b>	<b>\$45,044</b>	<b>\$90,088</b>

## Task 2.2 – MPOAC Agenda Packages & Meetings

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### Purpose

To assist metropolitan planning organizations (MPOs) in carrying out the urbanized area transportation planning process by serving as a forum for collective policy discussions.

### Previous Work Completed

The MPO Advisory Council (MPOAC) has developed and distributed agenda packages and arranged meeting locations during four agreed upon meeting dates and times. The agenda packages contain minutes of the previous meetings, old and new business agenda items, back-up material and other handouts for distribution at the meetings. Agenda packages and other MPOAC meeting information are posted to the MPOAC website to provide easy access to information by MPOAC members and the public.

### Proposed Methodology

MPOAC staff will develop, prepare and distribute the MPOAC meeting agenda packages including the development of associated materials and programs that support the agenda packages. The MPOAC staff will coordinate with public and private speakers and presenters, the Florida Department of Transportation (FDOT), Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), who participate in the MPOAC meeting as partners in the cooperative, comprehensive and continuing transportation planning process. The MPOAC will advertise all meetings in the Florida Administrative Weekly at least seven (7) days prior to any non-emergency meeting announcing the date, time, location and purpose of such meetings. The MPOAC will plan and arrange meeting space with a centrally located hotel/facility for the MPOAC quarterly meetings that is accessible by transit and compliant with the provisions of the Americans with Disabilities Act.

### Work Products

MPOAC staff will prepare and distribute MPOAC Governing Board Agenda Packages and Staff Directors' Advisory Committee Agenda Packages to the MPOAC Governing Board, Staff Directors' Advisory Committee, FDOT Central and District Offices, FHWA, FTA, other State and Federal Agencies, Regional Planning Councils, local officials and other public and private organizations and citizens prior to the regularly scheduled quarterly meetings of the MPOAC. In addition, the MPOAC will enter into agreements or contract to secure meeting space at a central location and continue to advertise MPOAC meetings in the Florida Administrative Weekly and through web site announcements.

### Funding Source

Funding Source	FY 16/17	FY 17/18	2-Year Total
Federal (PL)	\$19,031	\$19,031	\$38,062
<b>Total</b>	<b>\$19,031</b>	<b>\$19,031</b>	<b>\$38,062</b>

## Task 2.3 – MPOAC Policy & Technical Subcommittee

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### Purpose

To identify and propose issues for future action by the Staff Directors' Advisory Committee and Governing Board.

### Previous Work Completed

The Metropolitan Planning Organization Advisory Council (MPOAC) Policy and Technical Subcommittee met multiple times in FY 2014/2015 and FY 2015/2016 in Orlando, Port St. Lucie, Bartow, and Tallahassee. The agenda items from the meetings included, but were not limited to, joint planning agreements, the MPOAC Strategic Directions Plan, regional economic models in freight, proposed federal rules on metropolitan transportation planning, MPOAC by-laws, the Office of Management and Budget Super Circular, FDOT Work Program issues, the PL funding and statewide distribution formula, federal reauthorization legislation, performance measurement goals and targets, the MPOAC Unified Planning Work Program (UPWP), and the 2015 and 2016 legislative initiatives and policy positions.

In addition to the MPO staff directors who serve on the subcommittee, representatives of the Federal Highway Administration (FHWA), FDOT, and the Florida Transportation Commission were also in attendance.

### Proposed Methodology

Staff will conduct MPOAC Policy and Technical Subcommittee meetings that will address complex issues for subsequent decisions by the Governing Board and Staff Directors' Advisory Committee. MPOAC staff will develop, prepare and distribute MPOAC Policy and Technical Subcommittee meeting materials.

### Work Products

Conduct MPOAC Policy and Technical Subcommittee meetings, as necessary, in a central location between regularly scheduled full MPOAC meetings in order to identify issues for future action by the MPOAC Staff Directors' Advisory Committee and Governing Board. The MPOAC Policy and Technical Subcommittee meetings will be advertised in the Florida Administrative Weekly and posted on the MPOAC website.

### Funding Source:

Funding Source	FY 16/17	FY 17/18	2-Year Total
Federal (PL)	\$13,876	\$13,876	\$27,752
<b>Total</b>	<b>\$13,876</b>	<b>\$13,876</b>	<b>\$27,752</b>

## Task 2.4 – MPOAC Freight Committee

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### Purpose

To identify and investigate state and MPO freight related planning and policy issues. To also propose actions by the Staff Directors' Advisory Committee and Governing Board to address freight issues of significant relevance to MPO planning and programming activities.

### Previous Work Completed

The MPOAC Freight Committee meets as needed in association with the Metropolitan Planning Organization Advisory Council (MPOAC) Governing Board meeting. The MPOAC Freight Committee met multiple times during FY 2014/2015 and FY 2015/2016 to discuss items of relevance to freight movement within and through Florida's metropolitan areas.

### Proposed Methodology

Staff will participate in MPOAC Freight Committee meetings, which will address complex freight planning, and policy issues for subsequent decisions by the Governing Board and Staff Directors' Advisory Committee. MPOAC staff (with consultant support provided by the Broward MPO) will help develop, prepare and distribute MPOAC Freight Committee meeting materials.

### Work Products

MPOAC Freight Committee meetings will be scheduled, as desired by the committee membership, in concert with regularly scheduled MPOAC meetings in order to identify issues for future action by the MPOAC Staff Directors' Advisory Committee and Governing Board. The Freight Committee meetings will be noticed in the Florida Administrative Weekly and posted on the MPOAC website.

### Funding Source

<b>Funding Source</b>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>2-Year Total</b>
<b>Federal (PL)</b>	<b>\$13,007</b>	<b>\$13,007</b>	<b>\$26,014</b>
<b>Total</b>	<b>\$13,007</b>	<b>\$13,007</b>	<b>\$26,014</b>

## Task 2.5 – MPOAC Bike & Pedestrian Working Group

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### Purpose

To identify and investigate state and MPO Bicycle and Pedestrian related planning and policy issues. To also promote the sharing and transfer of best practices among Florida MPOs, state agencies and other interested parties.

### Previous Work Completed

Not applicable

### Proposed Methodology

Staff will develop a working group consisting of MPO staff members, Florida state agency staff and other interested parties to share best practices, develop a network of contacts and to work cooperatively to monitor and reduce non-motorized fatalities and serious injuries. Meetings will be held as desired by the working group.

### Work Products

The MPOAC Bike & Pedestrian Working Group will be formed, meetings will be scheduled and the work group will develop a plan of actionable items to start the working group and goals for the coming two years. Near the end of the two year period, the working group will also develop a long range goal and plan. The working group will report their activities to the Staff Director’s Advisory Committee as needed.

### Funding Source

Funding Source	FY 16/17	FY 17/18	2-Year Total
Federal (PL)	\$10,000	\$10,000	\$20,000
<b>Total</b>	<b>\$10,000</b>	<b>\$10,000</b>	<b>\$20,000</b>

## 3.0 DISSEMINATION OF MPOAC INFORMATION

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This section includes those functions necessary to develop, reach consensus and distribute Metropolitan Planning Organization Advisory Council (MPOAC) information that can both educate and assist policy makers at the various levels of government. Also included in this section are those tasks of the MPOAC that are used to cross organizational lines to involve the many diverse participants of the transportation planning process.

Dissemination of MPOAC Information Tasks include:

- Task 3.1 – MPOAC Policy Positions
- Task 3.2 – MPOAC Website
- Task 3.3 – MPOAC Institute Training Activities

## Task 3.1 – MPOAC Policy Positions

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### Purpose

To disseminate information to elected officials regarding issues of importance to metropolitan planning organizations (MPOs), including recommendations on how best to coordinate and integrate federal and state transportation planning requirements.

### Previous Work Completed

The Metropolitan Planning Organization Advisory Council (MPOAC) Policy and Technical Subcommittee met multiple times in 2014 and 2015 to discuss legislative policy positions and a variety of other statewide policy issues. Upon adoption, the MPOAC distributed its adopted policy positions to affected parties in February 2015 and December 2015.

On October 16, 2003, the MPOAC Governing Board approved a motion to annually request that each MPO in the state contribute \$500 or more of non-federal local funds to the MPOAC to support and fund legislative advocacy and other related activities. The Governing Board has adopted a budget of \$7,500 in non-federal local funds for this activity in each subsequent fiscal year. The MPOAC has used non-federal local funds for advocacy activities such as legislative initiatives that the MPOAC wished to have advanced during Florida's previous legislative sessions.

### Proposed Methodology

The MPOAC will develop and distribute MPOAC resolutions, policy positions, legislative recommendations and correspondence that are endorsed by the MPOAC Governing Board and presented to other policy and decision-makers at the state and federal government. The MPOAC Policy and Technical Subcommittee will seek the participation of the Florida Department of Transportation, the Florida League of Cities, the Florida Association of Counties, the Florida Public Transportation Association, and other stakeholders to establish policies that enhance the cooperative, comprehensive, and continuing transportation planning process.

### Work Products

Adopt and distribute before the annual session of the Florida Legislature, the MPOAC's Legislative Priorities and Policy Positions to the Governor, the Florida Legislature, MPOAC members, Florida Department of Transportation, Florida Division of the Federal Highway Administration, Region 4 of the Federal Transit Administration, Florida Association of Counties, Florida League of Cities, Florida Transportation Commission, Florida Public Transportation Association and other stakeholders.

The MPOAC will use non-federal local funds for advocacy activities such as legislative initiatives to be advanced during Florida's legislative session.

Funding Source

Funding Source	FY 16/17	FY 17/18	2-Year Total
Local	\$7,500	\$7,500	\$15,000
Total	\$7,500	\$7,500	\$15,000

## Task 3.2 – MPOAC Website

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### Purpose

The Metropolitan Planning Organization Advisory Council (MPOAC) website provides a means of sharing information among Florida MPOs, the Florida Department of Transportation (FDOT), the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) and other stakeholders. The website is also intended to provide information to the public on the meetings, activities and members of the MPOAC.

### Previous Work Completed

Responsibility for the website was transferred to the Center for Urban Transportation Research (CUTR) during the 2006/2007 fiscal year. At that time, CUTR updated and modernized the look and functionality of the MPOAC website. While maintaining the same information as previously available on the MPOAC website, the updated website contains additional features such as continuously updated national and state transportation news and updated training materials from the MPOAC Institute. CUTR has continued to make upgrades to the website during subsequent fiscal years including improving the MPO drop-down bar on the home page, adding an on-line payment link for the MPOAC Institute, improving the search function, creating and populating a news archive, and reorganizing several web pages including the Documents and Meetings pages. An additional page was added to the website reflecting the activities and posting the products resulting from the MPOAC revenue study. In 2013, a new page was added dedicated to the activities and products of the MPOAC Freight Committee. In 2014, the mapping feature of the website was updated to a GIS-based application, eliminating the use of graphic artists to update maps and resulting in reduced costs and increased timeliness. In 2015, the transition from an HTML programming-based software platform to a content management-based software platform was begun, requiring a complete redesign of the MPOAC website. The transition will dramatically simplify website content management and provide a fresh look to the MPOAC website.

CUTR continued to maintain the website by keeping membership information updated, posting updated MPOAC meeting agendas, draft meeting minutes, an annual meeting calendar, MPO employment opportunities and refreshing other website content as necessary. Internet searches have been continuously conducted to identify relevant national and state news articles for posting to the website.

### Proposed Methodology

CUTR staff will continue to update and maintain the MPOAC website with information from the Staff Directors' Advisory Committee, Governing Board, Policy and Technical Subcommittee, MPOAC Freight Committee, FDOT, FHWA and the FTA. The transportation news sections of the website will continue to be updated with fresh information of national and state significance. Additionally, MPO and Census Urbanized Area boundary maps will continue to be updated for inclusion on the website using an automated GIS based software package. The MPOAC will provide management and oversight responsibilities for website content and functionality and provide CUTR with new and updated information. Additionally, CUTR staff will complete and launch the newly designed MPOAC website, which will use a content management-based software platform. The redesign will provide the MPOAC website with a modern look and more functional interface.

**Work Products**

Maintain and update the MPOAC website ([www.mpoac.org](http://www.mpoac.org)) through Fiscal Years 2016/2017 and 2017/2018 ensuring that information contained on the site is appropriate and timely. Additionally, a newly designed MPOAC website will be launched featuring a modern look and a simpler mechanism for managing website content.

**Funding Source**

<b>Funding Source</b>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>2-Year Total</b>
Federal (PL)	\$11,936	\$11,936	\$23,872
FTA 5305(d)	\$6,500	\$6,500	\$13,000
<b>Total</b>	<b>\$18,436</b>	<b>\$18,436</b>	<b>\$36,872</b>
<i>Amount to Consultant</i>	\$11,500	\$11,500	\$23,000

Note: in-house funds reflected in the budget fund the activities of the MPOAC Executive Director and Administrative Assistant as specified in the Work Product description

## Task 3.3 – MPOAC Institute Training Activities

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### Purpose

To provide on-going training to metropolitan planning organization (MPO) officials in the many activities that encompasses the MPO planning process.

### Previous Work Completed

During fiscal years 2003 through 2006, the Florida Metropolitan Planning Organization Advisory Council (MPOAC) funded a training feasibility study and the development of MPOAC Institute training materials. In fiscal year 2006/2007, the MPOAC launched the MPOAC Institute, providing training at workshops and at the Weekend Institute for Elected Officials. In fiscal year 2008/2009, the MPOAC added an extra Weekend Institute for Elected Officials (raising the number to two a year) due to high demand and agreed to provide the transportation module as part of the Florida Association of Counties (FAC) County Commissioner Voluntary Certification program. Throughout the years, the MPOAC Institute training materials have been updated on an annual basis to reflect changes in transportation policy, laws and practices and have been made available to MPOs across the state for their use.

As of March 2016, the MPOAC Weekend Institute has been held 18 times (twice by special request) since 2007, with a total attendance of 249 MPO Governing Board members coming from 26 of Florida's 27 MPOs (MPOAC Institutes were held in April and May 2016, but attendance figures were not available at the time this Task was prepared). Additionally, MPOAC Institute workshops have been held many times during the past several fiscal years, providing MPO-related training to several hundred local elected officials, county and municipal officials and MPO staff and committee members.

### Proposed Methodology

The MPOAC will actively manage the delivery of MPO-related training opportunities through the MPOAC Institute initiative. The primary training venue will be at two weekend training institutes. The training will be delivered in a retreat environment where MPO elected officials can concentrate on learning the basics of MPO practices and processes away from the normal interruptions and demands placed on local elected officials. Training will also be delivered as part of the FAC County Commissioner Voluntary Certification program. Training dates are anticipated to be in the spring of 2017 and 2018. All training materials will be continuously updated to reflect any changes in federal or state laws, regulations and guidance and be made available to Florida MPOs for their use on the MPOAC website.

### Work Products:

The MPOAC Institute will provide MPO-related training in a variety of venues including two weekend training institutes and a training workshop held as part of the FAC County Commissioner Voluntary Certification program. All training materials will be made available to Florida MPOs, the Florida Department of Transportation (FDOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for their use. All training materials will be updated to reflect current federal and state laws, regulations and guidance. The MPOAC Executive Director and Administrative Assistant will supervise the activities of the MPOAC Institute and review and approve MPOAC Institute related materials, invoices and progress reports to ensure that the project continues as anticipated.

## Funding Source

<b>Funding Source</b>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>2-Year Total</b>
Federal (PL)	\$95,660	\$95,660	\$191,320
<b>Total</b>	<b>\$95,660</b>	<b>\$95,660</b>	<b>\$191,320</b>
<i>Amount to Consultant</i>	\$85,000	\$85,000	\$170,000

Note: in-house funds reflected in the budget fund the activities of the MPOAC Executive Director and Administrative Assistant as specified in the Work Product description

## 4.0 PROJECT PLANNING AND REPORTS

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This section includes those functions that are necessary in order to prepare certain project studies, reports and correspondence. These actions often result in specific work products that are initiated and endorsed by the Metropolitan Planning Organization Advisory Council (MPOAC).

Project Planning and Reports Tasks include:

- Task 4.1 – Assessment of Documents, Regulations, Policies and Legislation
- Task 4.2 – Florida Transportation Plan and Strategic Intermodal System Plan Participation
- Task 4.3 – Public Transportation, Environment & Community Planning
- Task 4.4 – Safety, Operations and Management
- Task 4.5 – MPOAC Strategic Plan and Implementation

## Task 4.1 – Assessment of Documents, Regulations, Policies and Legislation

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### Purpose

To review proposed documents, regulations, policies, and legislation (federal and state) in order to provide substantive and technical comments that represent the collective interest of Florida's metropolitan planning organizations (MPOs). In addition, the Florida Metropolitan Planning Organization Advisory Council (MPOAC) staff will conduct statewide and national research, as needed, to provide Florida MPOs with information regarding industry practices and standards.

### Previous Work Completed

The Metropolitan Planning Organization Advisory Council (MPOAC) distributed to its members periodic updates as well as an overview of legislation enacted during the prior Legislative sessions that pertains to metropolitan planning organizations.

The MPOAC during the previous two fiscal years reviewed and provided detailed comments as they relate to MPOs on various state and federal documents and reports. For example, detailed summaries of state legislation have been submitted to the members in July 2015 and April 2016. Additionally, the MPOAC submitted comments to appropriate officials on various proposed rules and guidance documents including, but not limited to, the Notice of Proposed Rulemaking (NPRM) for Statewide and Nonmetropolitan Transportation Planning and Metropolitan Transportation Planning, the NPRM on Safety Performance Measures, the Notice for Request for Approval of a New Information Collection Related to Performance Measures, the Policy Guidance on MPO Representation, and the Creation of a Definition on the Term Traffic Engineering considered by the Florida Board of Professional Engineers.

### Proposed Methodology

Compile and review proposed and adopted documents, regulations, policies, and legislation in a format that is clearly presented and useful to each MPO. The funds associated with this task are for MPOAC staff time. In addition, MPOAC staff will conduct national and statewide research to collect data pertaining to industry practices and standards, including conducting a survey on MPO staff salaries.

### Work Products

Following the 2017 and 2018 Florida legislative sessions, the MPOAC will distribute to the MPOAC membership a summary of approved state legislation of interest to metropolitan planning organizations. The MPOAC will provide review comments on documents, regulations policies and legislation relating to issues of interest to metropolitan planning organizations. Additionally, the MPOAC will conduct research on MPO staff salaries in an effort to provide Florida MPOs with relevant information on the industry practices and standards in that area.

Funding Source

<u>Funding Source</u>	<u>FY 16/17</u>	<u>FY 17/18</u>	<u>2-Year Total</u>
Federal (PL)	\$44,774	\$44,774	\$89,548
<b>Total</b>	<b>\$44,774</b>	<b>\$44,774</b>	<b>\$89,548</b>

Note: In-house funds reflected in the budget fund the activities of the MPOAC Executive Director and Administrative Assistant as specified in the Work Product description

## Task 4.2 – Florida Transportation Plan and Strategic Intermodal System Plan Participation

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### Purpose

To participate and assist in the implementation of the Florida Transportation Plan (FTP) and the development and implementation of the Strategic Intermodal System (SIS) Plan. The Florida Metropolitan Planning Organization Advisory Council (MPOAC) will promote coordination between the FTP, the SIS Plan and metropolitan planning organization (MPO) planning activities.

### Previous Work Completed

The MPOAC participated in the policy and technical committees organized by the FDOT to develop the 2060 FTP and the SIS Plan.

### Proposed Methodology

The MPOAC will continue to participate in the update of the SIS Plan and will serve as a member of appropriate working groups or steering committees. The MPOAC will facilitate coordination between the FTP, the SIS Plan and MPO planning activities by providing a forum for education on the FTP and SIS Plan and for discussion between the MPOAC membership, the FDOT and representatives of MPOAC partner organizations.

### Work Products

Develop the necessary reports, documents and guidance to coordinate the FTP, the SIS Plan and MPO planning activities. Work with individual MPOs, through the MPOAC, to incorporate the actions into MPO plans and programs.

### Funding Source

Funding Source	FY 16/17	FY 17/18	2-Year Total
Federal (PL)	\$23,719	\$23,719	\$47,438
<b>Total</b>	<b>\$23,719</b>	<b>\$23,719</b>	<b>\$47,438</b>

## Task 4.3 – Public Transportation, Environment & Community Planning

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### Purpose

Integrate and promote public transportation, environmental, climate change, sea-level rise, air quality and community planning issues into the metropolitan transportation planning process. This task will expand the role of the Florida Metropolitan Planning Organization Advisory Council (MPOAC) in working with state, regional and local organizations that provide public transportation options and promote environmental streamlining, livable communities and sound community planning practices in order to enhance the overall MPO planning process.

### Previous Work Completed

The MPOAC worked with the Florida Department of Transportation (FDOT) Transit Office to incorporate transit issues into the MPO planning process, the FDOT Systems Planning Office to implement the SUNTrail program as passed by the Florida Legislature in 2015, and the FDOT Environmental Management Office (EMO) to consider state assumption of federal environmental review responsibilities. The MPOAC also worked with the Florida Department of Economic Opportunity (DEO), the Florida Department of Environmental Protection (DEP), Florida Commission for the Transportation Disadvantaged, and other local, regional, and state organizations that promote environmental, community planning and sustainable development objectives and transportation options.

### Proposed Methodology

Continue to work with FDOT, DEO, the Florida Transportation Commission (FTC), the Florida Commission for the Transportation Disadvantaged, and the Florida Regional Councils Association to expand the participation of the MPOAC in working with other partners and stakeholders to advance public transportation, efficient transportation decision-making and community planning objectives. Additionally, the MPOAC will work with 1,000 Friends of Florida, the Governor's staff, DEP and other partner organizations to advance climate change, sea-level rise, sustainable development, and air quality considerations in state, metropolitan and local planning activities and processes. The MPOAC Executive Director will serve as an ex-officio non-voting member of the Florida Public Transportation Association (FPTA).

### Work Products

The MPOAC will provide a forum for public and private organizations to present programs and issues that lead to better integration of public transportation, environmental, climate change, sea-level rise, air quality and community planning issues within the MPO planning process. As a follow-up, the MPOAC will continue to work with such organizations to update planning guidelines, manuals and other related reports and documents that are used to implement these activities.

## Funding Source

<b>Funding Source</b>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>2-Year Total</b>
Federal (PL)	\$18,293	\$18,293	\$36,586
FTA 5305(d)	\$9,000	\$9,000	\$18,000
<b>Total</b>	<b>\$27,293</b>	<b>\$27,293</b>	<b>\$54,586</b>
<i>Amount to Consultant</i>	\$9,000	\$9,000	\$18,000

Note: in-house funds reflected in the budget fund the activities of the MPOAC Executive Director and Administrative Assistant as specified in the Work Product description

## Task 4.4 – Safety, Operations and Management

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### Purpose

To identify and present information related to transportation operations, management & safety that will assist individual metropolitan planning organizations (MPOs) in their development of long range transportation plans, transportation improvement programs, and other planning work products.

### Previous Work Completed

Previous work under this task includes transmitting Intelligent Transportation System (ITS), autonomous vehicle, and safety information to MPOs and participating on the Florida Department of Transportation (FDOT) Strategic Highway Safety Plan Steering and Executive Committees and the FDOT's Safe Mobility for Life Coalition and initiatives. The MPOAC Executive Director served on the Florida Chapter ITS Board of Directors and was an active participant in the Third Annual Florida Automated Vehicles Summit and the FDOT Freight Leadership Forum.

### Proposed Methodology

MPOAC staff will work with FDOT, Federal Highway Administration (FHWA) and other partners to bring before the MPOAC the latest information regarding transportation safety, automated/connected vehicles, operations and management that can be used by MPOs in support of the urbanized transportation planning process. The MPOAC will work with the FDOT Safety Office to update the Strategic Highway Safety Plan and integrate the goals of the plan into the MPO planning process. Additionally, the MPOAC will work with the Transportation Research Board (TRB), FHWA, the Federal Transit Administration (FTA), and other partner organizations to address the issues facing older road users and other mobility concerns facing a growing senior population.

### Work Products

Presentations, workshops and the dissemination of information regarding transportation operations, management, automated/connected vehicles, and safety. Participation on various committees supporting improved safety, operations and maintenance on Florida's multi-modal transportation system, including the Strategic Highway Safety Plan Steering Committee, the Safe Mobility for Life Coalition, and other committees and boards as requested.

### Funding Source

<b>Funding Source</b>	<b>FY 16/17</b>	<b>FY 17/18</b>	<b>2-Year Total</b>
Federal (PL)	\$14,022	\$14,022	\$28,044
<b>Total</b>	<b>\$14,022</b>	<b>\$14,022</b>	<b>\$28,044</b>

## Task 4.5 – MPOAC Strategic Plan and Implementation

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### Purpose

To complete the MPOAC Strategic Directions Plan and begin execution of the associated Implementation Action Plan which will include a variety of proposals to achieve the newly adopted vision statement, guiding principles and goals.

### Previous Work Completed

During FY 2015/16, the MPOAC conducted a strategic planning process in an effort to ensure organizational effectiveness in meeting member needs and expectations. The process, guided by the Strategic Directions Advisory Committee (SDAC) and conducted by the Florida CRC Consensus Center, will conclude in FY 2016/17 and result in the completion of the MPOAC Strategic Directions Plan and an associated Implementation Action Plan. The MPOAC Strategic Directions Plan 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. The budget to conduct the strategic planning process and to begin implementation was \$130,891 in nonrecurring PL funds.

### Proposed Methodology

It is anticipated that the Strategic Directions Plan will be approved at the July 2016 MPOAC Governing Board meeting. Once completed, the MPOAC Governing Board will prioritize the recommendations made in the Implementation Action Plan. The MPOAC proposes to commit the remaining non-recurring PL funds (\$51,843) to begin work on the top priorities of the MPOAC Governing Board. Depending on the nature of those activities identified as top priorities, additional resources may need to be identified to fully fund implementation of the strategic plan. The Strategic Directions Plan Working Group initially identified some work products, which will be generated in the coming two years

### Work Product

Services to be provided under this task will be identified by the MPOAC Governing Board once they have had an opportunity to prioritize the recommendations outlined in the Strategic Directions Implementation Action Plan. Early work by the Strategic Directions Working Group identified the need for a Communications Plan, a New Training Program and a Best Practices Workshop. These items will be developed during the next two years.

### Funding Source

Funding Source	FY 16/17	FY 17/18	2-Year Total
Federal (PL)	\$25,921	\$25,922	\$51,843
<b>Total</b>	<b>\$25,921</b>	<b>\$25,922</b>	<b>\$51,843</b>
<i>Amount to Consultant</i>	TBD	TBD	TBD

Note: in-house funds reflected in the budget fund the activities of the MPOAC Executive Director and Administrative Assistant as specified in the Work Product description

**Table 1: FY 2016/2017 Funding Sources**

Task #	Description	FHWA PL	FTA 5305(d)	Local
<b>1.0 Administration</b>				
1.1	Development of UPWP	\$13,260		
1.2	Quarterly Reports	\$15,123		
1.3	Planning Consultant Services	\$80,125	\$17,500	
1.4	Legal Services	\$22,000		
1.5	Membership Dues	\$1,920		
1.6	MPOAC Administration	\$30,836	\$4,500	
<b>2.0 Forum for Cooperative Decision-Making</b>				
2.1	Intergovernmental and Regional Coordination	\$45,044		
2.2	MPOAC Agenda Packages and Meetings	\$19,031		
2.3	MPOAC Policy & Technical Subcommittee	\$13,876		
2.4	MPOAC Freight Committee	\$13,007		
2.5	MPOAC Bike and Pedestrian Working Group	\$10,000		
<b>3.0 Dissemination of MPOAC Information</b>				
3.1	MPOAC Policy Positions			\$7,500
3.2	MPOAC Website	\$11,936	\$6,500	
3.3	MPOAC Institute Training Activities	\$95,660		
<b>4.0 Project Planning and Reports</b>				
4.1	Assessment of Docs, Regs, Policies and Legislation	\$44,774		
4.2	FTP Participation and Implementation	\$23,719		
4.3	Public Transportation, Environment and Community Planning	\$18,293	\$9,000	
4.4	Safety, Operations and Management	\$14,022		
4.5	MPOAC Strategic Plan and Implementation	\$25,921		
	Total Federal Funds	\$498,547	\$37,500	
	Total Local Funds			\$7,500

**Notes:**

- 1) Task 3.1 indicates non-federal local funds received from MPOs for legislative advocacy and other related activities.
- 2) Task 3.3 does not include registration fees.
- 3) The FDOT PL soft-match for FY 2016/2017 is \$135,886.75.
- 4) Amount to consultant (CUTR) in FY 2016/2017 is \$177,500 in Tasks 1.3, 1.6, 3.2, 3.3, and 4.3.  
Task 4.5 is anticipated to include an as of yet undetermined amount to consultant.
- 5) \$45,000 for travel in FY 2016/2017 is incorporated in Tasks 2.1, 2.2, 2.3, 2.4, 4.2, 4.3, 4.4, and 4.5.

**Table 2: FY 2017/2018 Funding Sources**

Task #	Description	FHWA PL	FTA 5305(d)	Local
<b>1.0 Administration</b>				
1.1	Development of UPWP	\$13,260		
1.2	Quarterly Reports	\$15,123		
1.3	Planning Consultant Services	\$80,125	\$17,500	
1.4	Legal Services	\$22,000		
1.5	Membership Dues	\$1,920		
1.6	MPOAC Administration	\$30,836	\$4,500	
<b>2.0 Forum for Cooperative Decision-Making</b>				
2.1	Intergovernmental and Regional Coordination	\$45,044		
2.2	MPOAC Agenda Packages and Meetings	\$19,031		
2.3	MPOAC Policy & Technical Subcommittee	\$13,876		
2.4	MPOAC Freight Committee	\$13,007		
2.5	MPOAC Bike and Pedestrian Working Group	\$10,000		
<b>3.0 Dissemination of MPOAC Information</b>				
3.1	MPOAC Policy Positions			\$7,500
3.2	MPOAC Website	\$11,936	\$6,500	
3.3	MPOAC Institute Training Activities	\$95,660		
<b>4.0 Project Planning and Reports</b>				
4.1	Assessment of Documents, Reports & Legislation	\$44,774		
4.2	FTP Participation and Implementation	\$23,719		
4.3	Public Transportation, Environment and Community Planning	\$18,293	\$9,000	
4.4	Safety, Operations and Management	\$14,022		
4.5	MPOAC Strategic Plan and Implementation	\$25,922		
	Total Federal Funds	\$498,548	\$37,500	
	Total Local Funds			\$7,500

Notes:

- 1) Task 3.1 indicates non-federal local funds received from MPOs for legislative advocacy and other related activities.
- 2) Task 3.3 does not include registration fees.
- 3) The FDOT PL soft-match for FY 2017/2018 is \$135,887.
- 4) Amount to consultant (CUTR) in FY 2017/2018 is \$177,500 in Tasks 1.3, 1.6, 3.2, 3.3, and 4.3.  
Task 4.5 is anticipated to include an as of yet undetermined amount to consultant.
- 5) \$45,000 for travel in FY 2017/2018 is incorporated in Tasks 2.1, 2.2, 2.3, 2.4, 4.2, 4.3, 4.4, and 4.4.

**Table 3: Relationship of UPWP Tasks to Federal Planning Factors**

FEDERAL PLANNING FACTORS	Task 1.1	Task 1.2	Task 1.3	Task 1.4	Task 1.5	Task 1.6	Task 2.1	Task 2.2	Task 2.3	Task 2.4	Task 2.5	Task 3.1	Task 3.2	Task 3.3	Task 4.1	Task 4.2	Task 4.3	Task 4.4	Task 4.5	
Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.			X	X	X				X	X	X	X		X		X				X
Increase the safety of transportation system for motorized and non-motorized users.			X	X	X				X	X	X	X						X		X
Increase the security of transportation system for motorized and non-motorized users.			X	X					X	X	X	X						X		X
Increase the accessibility and mobility of people and for freight.	X		X	X					X	X	X	X	X							X
Protect and enhance the environment; promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns.	X		X	X	X		X		X	X	X	X								X
Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.	X		X	X			X		X	X	X	X								X



**AGREEMENT FOR LEGAL SERVICES**

THIS AGREEMENT FOR LEGAL SERVICES is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, 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, 2016 and shall continue until June 30, 2017.

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 as are named in this Agreement are approved counsel, and 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 (2016), 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 certified 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.

1. The CONTRACTOR agrees to keep and maintain public records in the CONTRACTOR's possession or control in connection with the CONTRACTOR's performance under this Agreement. The CONTRACTOR additionally agrees to comply specifically with the provisions of Section 119.0701, Florida Statutes. The CONTRACTOR shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the Agreement, and following completion of the Agreement until the records are transferred to the MPOAC.

2. Upon request from the MPOAC's custodian of public records, the CONTRACTOR shall provide the MPOAC with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by Chapter 119, Florida Statutes, or as otherwise provided by law.

3. Unless otherwise provided by law, any and all records,

including but not limited to reports, surveys, and other data and documents provided or created in connection with this Agreement are and shall remain the property of the MPOAC.

4. Upon completion of this Agreement or in the event of termination by either party, any and all public records relating to the Agreement in the possession of the CONTRACTOR shall be delivered by the CONTRACTOR to the MPOAC, at no cost to the MPOAC, within seven (7) days (unless the MPOAC already has copies of those public records). Unless the MPOAC already has copies of those public records, all such records stored electronically by the CONTRACTOR shall be delivered to the MPOAC in a format that is compatible with the MPOAC's information technology systems. Once the public records have been delivered upon completion or termination of this Agreement, the CONTRACTOR shall destroy any and all duplicate public records that are exempt or confidential and exempt from public records disclosure requirements.

5. Any compensation due to the CONTRACTOR shall be withheld until all records are received as provided herein.

6. The CONTRACTOR's failure or refusal to comply with the provisions of this section shall result in the immediate termination of this Agreement by the MPOAC.

7.

**Section 119.0701(2) (a), Florida Statutes**

**IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS.**

**Custodian of Records: Carl Mikyska, MPOAC Executive Director**

**Mailing address: 605 Suwannee Street - MS-28B, Tallahassee, Florida 32399-0450.**

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 7**

### **Communications**

MPOAC comments on the Florida Board of Professional Engineers proposed creation of a definition for the term Traffic Engineering.

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENTS:**

1. Weekly Legislative Updates from the Executive Director.
2. Resolutions supporting the MPOAC Legislative Policy Positions from Florida-Alabama TPO, Okaloosa-Walton TPO and Bay County TPO.

## **Legislative Update for the week ending 02/05/2016**

As we are moving through the session, sub-committees are beginning to wrap up their work and in the next few weeks we should see the full committees wrap up their work. This week saw committee meetings with both the Senate and House. Committee meetings of interest to the membership that took place:

Senate Transportation Committee.  
House Transportation and Ports Subcommittee  
House Economic Development and Transportation  
Senate Appropriations Committee  
House Appropriations Committee  
Senate Community Affairs

Meetings of interest next week:

Senate Community Affairs Committee  
Senate Transportation Committee  
Senate Transportation, Tourism and Economic Development Appropriations Subcommittee  
House Transportation and Economic Development Appropriations Subcommittee

### **Legislation that is of interest to the membership:**

**SB 168 – Traffic Infraction Detectors (Brandes)**. This bill could be re-named the “no more red light cameras bill”. I believe this summarizes the intent of the bill and the bill narrowly passed out of the Transportation Committee after much debate. The Transportation Committee Chair (Brandes) is a strong opponent of red light cameras and he is pushing this bill forward. The next stop for this bill is the Senate Transportation, Tourism and Economic Development Appropriations Subcommittee.

**SB 1372 – Transportation (Flores) – Companion Bill HB1377**. This bill contains the provision for Transportation Reinvestment Zones (TRZs). The bill was a late introduction and therefore does not have an analysis. A further read of the bill illuminated a 50% reduction in TRIP funds. The bill has been referred to committees but has not been called by any of the committees. This bill appears to be stalled and is not likely to make it out of the committees. The companion bill is not identical and does not contain a decrease in TRIP funding or the provision for TRZs.

**HB 1377 – Expressway Authorities (Nunez) – Companion Bill SB1372**. This bill is the companion bill to SB 1372 however the two bills are not identical and really aren't that similar. Senate and House staff have linked the two bills, but they only share a few similarities. At the first committee stop, staff temporarily postponed this bill. It appears stalled for now.

**HB 357 – Traffic Safety (Plasencia) – Companion Bill SB522.** Called Chloe’s Law. This bill requires Florida DOT to install roadside barriers to shield water bodies contiguous with state roads anywhere there has been a motor vehicle crash that resulted in a drowning death in the past 10 years. The law does provide that the chief engineer can decide to not construct a barrier if the barrier itself will create a greater danger by its presence. The bill also requires DOT to conduct a study related to motor vehicle accidents on state roads contiguous with water bodies and requires DOT to submit the report to Legislature. The bill passed through the Highways and Waterways Safety Subcommittee, it is now in the Transportation and Economic Development Appropriations Subcommittee. It does not appear to have opposition but has undergone some technical and operational amendments.

**SB 756 – Transportation (Brandes)** – This is the FDOT bill and it contains a number of provisions. The bill creates the FDOT Financing Corporation, transfers the Pinellas Bayway System to the Turnpike, increases the funding for the Florida Seaport Transportation and Economic Development Program from \$15M to \$25M, establishes Florida DOT as the lead agency for the NEPA process on highway projects and revises airport zoning regulations. This bill has passed out of committees without a single dissenting vote and is now on the Senate Floor.

**SB 7000 – Developments of Regional Impact (Community Affairs general bill)** – This bill would increase the acreage for annexation of “enclaves” from 10 acres to 150 acres. An enclave is any unincorporated improved or developed are lying within a single municipality, or surrounded by a single municipality and a manmade or natural obstacle that permits traffic to enter only through the municipality. This bill has passed out of two committees and is now in the Fiscal Policy Committee.

**SB 786 – Electric Vehicles (Sachs)** – This bill gives a tax exemption for electric vehicles and would require a study of a mileage based user tax. The bill has not been heard in any committee and appears to be stalled. A similar bill is in the House (HB661), it also has not been heard in any committee and appears to be stalled.

**SB 416 – Location of Utilities (Flores)** – This bill would require a state or local government to bear the responsibility for the cost of relocating utility facilities in public easement if there is not an agreement to the contrary. This bill has passed out of committees and is headed to the Senate floor.

**SB 1392 – Transportation (Brandes)** – This bill would require traffic control devices in school zones that do not conform to the MUTCD (Manual on Uniform Traffic Control Devices) be removed by Florida DOT. Also makes a number of changes specific to the operation and regulation of autonomous vehicles. One provision requires MPOs to accommodate advances in vehicle technology when developing LRTPs. The bill also raises the population cap for the Small County Outreach Program from 150,000 to 170,000. The population would allow Charlotte, Martin and Santa Rosa counties to be eligible for the SCOP program, under current population

limits they are not eligible. The bill passed out of the Transportation Committee and is now in Senate Transportation, Tourism and Economic Development Appropriations Subcommittee.

## **Legislative Update for the week ending 02/12/2016**

We have now passed the halfway point through the regularly scheduled legislative session. At the beginning of the session Senate staffers were predicting that the session would end on time. This was based upon the need for Senate members to get home and campaign for their seats. While the legislature is in session, legislators are not allowed to do fundraising and because the legislators are in Tallahassee they are not able to go out and campaign in their districts. With a new redistricting map recently approved for the Senate (finally), every Senate seat is up for re-election. Meanwhile any potential challengers who are not currently in the Senate are free to fundraise and be seen by voters back at home. A sense of urgency is felt by Senators. Stay tuned, we will see if the legislative work can be wrapped up on time.

Committee meetings of interest to the membership that took place this week:

Senate Community Affairs Committee  
Senate Transportation Committee  
House Transportation and Economic Development Appropriations Subcommittee  
Senate Transportation, Tourism and Economic Development Appropriations Subcommittee

Meetings of interest next week:

House Transportation and Economic Development Appropriations Subcommittee  
House Appropriations Committee  
Senate Community Affairs Committee  
Senate Transportation Committee  
Senate Transportation, Tourism and Economic Development Appropriations Subcommittee

### **Legislation that is of interest to the membership:**

Updates are shown in Red

HB 7081 – Issuance of Specialty License Plates (Stuebe). This bill addresses the number of specialty plates available in Florida. Currently there are over 120 specialty plates and the legislature agreed to moratorium on new specialty plates. The moratorium ends July 1<sup>st</sup> of this year. In the legislature currently are approximately 30 new specialty plates proposed. Law enforcement sometimes has a hard time determining if a plate is a Florida specialty plate or a plate from another state. Currently DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. This bill will require the minimum number of active

specialty plates required to maintain the specialty plate to go from 1000 to 4000. This would take effect on July 1, 2018.

**SB 168 – Traffic Infraction Detectors (Brandes)**. This bill could be re-named the “no more red light cameras bill”. I believe this summarizes the intent of the bill and the bill narrowly passed out of the Transportation Committee after much debate. The Transportation Committee Chair (Brandes) is a strong opponent of red light cameras and he is pushing this bill forward. The next stop for this bill is the Senate Transportation, Tourism and Economic Development Appropriations Subcommittee. **Committee Substitute – read 1<sup>st</sup> time**

**SB 1372 – Transportation (Flores) – Companion Bill HB1377**. This bill contains the provision for Transportation Reinvestment Zones (TRZs). The bill was a late introduction and therefore does not have an analysis. A further read of the bill illuminated a 50% reduction in TRIP funds. The bill has been referred to committees but has not been called by any of the committees. This bill appears to be stalled and is not likely to make it out of the committees. The companion bill is not identical and does not contain a decrease in TRIP funding or the provision for TRZs.

**No Change. See HB 1377 Below.**

**HB 1377 – Expressway Authorities (Nunez) – Companion Bill SB1372**. This bill is the companion bill to SB 1372 however the two bills are not identical and really aren't that similar. Senate and House staff have linked the two bills, but they only share a few similarities. At the first committee stop, staff temporarily postponed this bill. It appears stalled for now.

**This bill had a strikethrough and rewrite. The strikethrough has been TP'ed (temporarily postponed) in two committees and like the Senate companion bill, this bill looks to be stalled.**

**HB 357 – Traffic Safety (Plasencia) – Companion Bill SB522**. Called Chloe's Law. This bill requires Florida DOT to install roadside barriers to shield water bodies contiguous with state roads anywhere there has been a motor vehicle crash that resulted in a drowning death in the past 10 years. The law does provide that the chief engineer can decide to not construct a barrier if the barrier itself will create a greater danger by its presence. The bill also requires DOT to conduct a study related to motor vehicle accidents on state roads contiguous with water bodies and requires DOT to submit the report to Legislature. The bill passed through the Highways and Waterways Safety Subcommittee, it is now in the Transportation and Economic Development Appropriations Subcommittee. It does not appear to have opposition but has undergone some technical and operational amendments. **No Change**

**SB 756 – Transportation (Brandes)** – This is the FDOT bill and it contains a number of provisions. The bill creates the FDOT Financing Corporation, transfers the Pinellas Bayway System to the Turnpike, increases the funding for the Florida Seaport Transportation and Economic Development Program from \$15M to \$25M, establishes Florida DOT as the lead agency for the NEPA process on highway projects and revises airport zoning regulations. This bill has passed out of committees without a single dissenting vote and is now on the Senate Floor. **This bill was set for a 2<sup>nd</sup> reading in the Senate and was Temporarily Postponed.**

**SB 7000 – Developments of Regional Impact (Community Affairs general bill)** – This bill would increase the acreage for annexation of “enclaves” from 10 acres to 150 acres. An enclave is any unincorporated improved or developed are lying within a single municipality, or surrounded by a single municipality and a manmade or natural obstacle that permits traffic to enter only through the municipality. This bill has passed out of two committees and is now in the Fiscal Policy Committee. **The Fiscal Policy Committee Substitute went through 1<sup>st</sup> reading in the Senate.**

**SB 786 – Electric Vehicles (Sachs)** – This bill gives a tax exemption for electric vehicles and would require a study of a mileage based user tax. The bill has not been heard in any committee and appears to be stalled. A similar bill is in the House (HB661), it also has not been heard in any committee and appears to be stalled. **No Change.**

**SB 416 – Location of Utilities (Flores)** – This bill would require a state or local government to bear the responsibility for the cost of relocating utility facilities in public easement if there is not an agreement to the contrary. This bill has passed out of committees and is headed to the Senate floor. **The Bill passed the Senate (34-4) and an identical bill in the House is through two committees.**

**SB 1392 – Transportation (Brandes)** – This bill would require traffic control devices in school zones that do not conform to the MUTCD (Manual on Uniform Traffic Control Devices) be removed by Florida DOT. Also makes a number of changes specific to the operation and regulation of autonomous vehicles. One provision requires MPOs to accommodate advances in vehicle technology when developing LRTPs. The bill also raises the population cap for the Small County Outreach Program from 150,000 to 170,000. The population would allow Charlotte, Martin and Santa Rosa counties to be eligible for the SCOP program, under current population limits they are not eligible. The bill passed out of the Transportation Committee and is now in Senate Transportation, Tourism and Economic Development Appropriations Subcommittee **and is on the 02/17/2016 agenda.**

## **Legislative Update for the week ending 02/26/2016**

Today is Day 46 of the regularly scheduled session. This leaves only 14 more days to go. The dominant topic over the next two weeks will be the budget. Each chamber has a budget proposal, they differ by about \$1 Billion and of course the details of each vary. The two chambers will be working on matching up (read compromise) the two proposals so that one budget can be passed by both chambers and sent to the Governor at the end of the session. Budget discussions will begin this weekend.

With the limited time left on the regularly scheduled session, a sense of urgency is being felt in some, but not all, corners of the Capitol. As you can imagine, since not everyone has decided to find a sense of urgency yet there are some strains that are beginning to show. On Tuesday the House calendar had 71 bills up for the day's session. The first bill, a controversial one to be sure, took 2 hours to debate. Yes, the legislators were reminded repeatedly by the Speaker that business must be conducted more quickly. In spite of regular reminders about the amount of time being spent on this one bill and the 70 other bills that had to be dealt with that day, the debate went on. Later in the week, there had been short talk of holding session this weekend, that talk quickly died and legislators left town for their home districts. The pace and length of chamber sessions will increase during these last two weeks, that is a certainty. The House schedule reads "Session 10:30 – Until Completion" for four days next week, some late nights and lots of coffee are in order.

Committee meetings of interest to the membership that took place this week:

Senate General Session  
House General Session  
Senate Community Affairs Committee  
Senate Transportation Committee  
House Appropriations Committee  
Senate Transportation, Tourism and Economic Development Appropriations Subcommittee

Meetings of interest next week:

House General Session each day except Monday  
Senate General Session each day except Monday and Tuesday  
Senate Appropriations Committee

## **Legislation that is of interest to the membership:**

Updates are shown in Red

**SB 168 – Traffic Infraction Detectors (Brandes)**. This bill could be re-named the “no more red light cameras bill”. I believe this summarizes the intent of the bill and the bill narrowly passed out of the Transportation Committee after much debate. The Transportation Committee Chair (Brandes) is a strong opponent of red light cameras and he is pushing this bill forward. The next stop for this bill is the Senate Transportation, Tourism and Economic Development Appropriations Subcommittee. Committee Substitute – read 1<sup>st</sup> time. **No Change**

**SB 1372 – Transportation (Flores) – Companion Bill HB1377**. This bill contains the provision for Transportation Reinvestment Zones (TRZs). The bill was a late introduction and therefore does not have an analysis. A further read of the bill illuminated a 50% reduction in TRIP funds. The bill has been referred to committees but has not been called by any of the committees. This bill appears to be stalled and is not likely to make it out of the committees. The companion bill is not identical and does not contain a decrease in TRIP funding or the provision for TRZs. **No Change**. See HB 1377 Below. **No Change**

**HB 1377 – Expressway Authorities (Nunez) – Companion Bill SB1372**. This bill is the companion bill to SB 1372 however the two bills are not identical and really aren't that similar. Senate and House staff have linked the two bills, but they only share a few similarities. At the first committee stop, staff temporarily postponed this bill. It appears stalled for now.

This bill had a strikethrough and rewrite. The strikethrough has been TP'ed (temporarily postponed) in two committees and like the Senate companion bill, this bill looks to be stalled. **No Change**

**HB 357 – Traffic Safety (Plasencia) – Companion Bill SB522**. Called Chloe's Law. This bill requires Florida DOT to install roadside barriers to shield water bodies contiguous with state roads anywhere there has been a motor vehicle crash that resulted in a drowning death in the past 10 years. The law does provide that the chief engineer can decide to not construct a barrier if the barrier itself will create a greater danger by its presence. The bill also requires DOT to conduct a study related to motor vehicle accidents on state roads contiguous with water bodies and requires DOT to submit the report to Legislature. The bill passed through the Highways and Waterways Safety Subcommittee, it is now in the Transportation and Economic Development Appropriations Subcommittee. It does not appear to have opposition but has undergone some technical and operational amendments. **No Change**

**SB 756 – Transportation (Brandes)** – This is the FDOT bill and it contains a number of provisions. The bill creates the FDOT Financing Corporation, transfers the Pinellas Bayway System to the Turnpike, increases the funding for the Florida Seaport Transportation and Economic Development Program from \$15M to \$25M, establishes Florida DOT as the lead agency for the NEPA process on highway projects and revises airport zoning regulations. This

bill has passed out of committees without a single dissenting vote and is now on the Senate Floor. This bill was set for a 2<sup>nd</sup> reading in the Senate and was Temporarily Postponed. **This bill has had several amendments, otherwise no change**

**SB 7000 – Developments of Regional Impact (Community Affairs general bill)** – This bill would increase the acreage for annexation of “enclaves” from 10 acres to 150 acres. An enclave is any unincorporated improved or developed are lying within a single municipality, or surrounded by a single municipality and a manmade or natural obstacle that permits traffic to enter only through the municipality. This bill has passed out of two committees and is now in the Fiscal Policy Committee. The Fiscal Policy Committee Substitute went through 1<sup>st</sup> reading in the Senate. **Has passed both Senate Fiscal Committee and Senate Rules Committee. On 2<sup>nd</sup> reading in the Senate.**

**SB 786 – Electric Vehicles (Sachs)** – This bill gives a tax exemption for electric vehicles and would require a study of a mileage based user tax. The bill has not been heard in any committee and appears to be stalled. A similar bill is in the House (HB661), it also has not been heard in any committee and appears to be stalled. **No Change.**

**SB 416 – Location of Utilities (Flores)** – This bill would require a state or local government to bear the responsibility for the cost of relocating utility facilities in public easement if there is not an agreement to the contrary. This bill has passed out of committees and is headed to the Senate floor. The Bill passed the Senate (34-4) and an identical bill in the House is through two committees. **This Bill passed the House (109-4) on 02/24/2016.**

**SB 1392 – Transportation (Brandes)** – This bill would require traffic control devices in school zones that do not conform to the MUTCD (Manual on Uniform Traffic Control Devices) be removed by Florida DOT. Also makes a number of changes specific to the operation and regulation of autonomous vehicles. One provision requires MPOs to accommodate advances in vehicle technology when developing LRTPs. The bill also raises the population cap for the Small County Outreach Program from 150,000 to 170,000. The population would allow Charlotte, Martin and Santa Rosa counties to be eligible for the SCOP program, under current population limits they are not eligible. The bill passed out of the Transportation Committee and is now in Senate Transportation, Tourism and Economic Development Appropriations Subcommittee and is on the 02/17/2016 agenda. **This Bill passed Senate Transportation, Tourism and Economic Development Appropriations Subcommittee and is now in the Senate Appropriations Committee.**

**HB 7027 – Transportation (Rooney – Co-Introducers Artiles and Miller)** – This bill will increase funding for the Florida Seaport and Economic Development Program from \$15 Million per year to \$25 Million per Year, give Florida DOT the authority to assume the responsibility for the NEPA process from FHWA and establish the Florida Department of Transportation Financing Corporation. This last provision will give Florida DOT additional financing options to fund the work program by being allowed to borrow money and refinance projects. **This Bill has passed**

the House and has been referred to the Senate Committees for Transportation, Appropriations and the Appropriations Subcommittee for Transportation, Tourism and Economic Development.

## **Legislative Update for the week ending 03/04/2016**

One week from today, the legislature is expected to adjourn sine die. Sine die is Latin for *without day* and means that the legislature will adjourn without another day of meeting. The past weekend and this week saw several larger and controversial issues resolved. That means there will be fewer distractions for members and the likelihood of an on-time adjournment seems more and more likely. Another telling sign of a not too distant adjournment, term-limited and retiring members are being honored with tributes on the floor of the House and Senate Chambers. Over the weekend, the budget spending amounts for general categories were established which allowed the finer details of the budget to move towards completion, the bill for establishing regulations for fracking died, the Governor's push to set-aside \$250 Million within Enterprise Florida for business recruitment incentives died and the Seminole Gaming Compact died. Each of these issues could have taken the time and attention from the House and Senate, thus delaying other issues and resulting in an extended session. At the same time, because these issues were in front of the legislature other topics, such as transportation, seemed more mundane.

Some members of the legislature were hopeful to get a budget to the Governor quickly and at least 15 days in advance of adjournment next Friday. Last year's extensive line item vetoes by the Governor remain a clear memory in the minds of individual members. With one week left for this legislative session, any budget that reaches the Governor's desk will allow the Governor enough time to review the budget, perform line item vetoes and then sign it after the legislature is adjourned. Some members had hoped to be able to override any line item vetoes by the Governor.

SB 1392 – Transportation (Brandes) was identified as the key transportation bill that would go forward and so a flurry of amendments were filed onto the bill. The past week saw many items added to SB 1392 and just as quickly amendments were withdrawn. The bill and the process were both very fluid this past week. More action on this bill is to be expected and as some of you heard from me during the past week about amendments, expect to hear from me this coming week as I would expect more amendments to this bill.

Committee meetings of interest to the membership that took place this week:

Senate General Session  
House General Session  
Senate Appropriations Committee

Meetings of interest next week:

House and Senate General Sessions  
Budget Conference Meetings

## **Legislation that is of interest to the membership:**

Updates are shown in Red

**SB 168 – Traffic Infraction Detectors (Brandes)**. This bill could be re-named the “no more red light cameras bill”. I believe this summarizes the intent of the bill and the bill narrowly passed out of the Transportation Committee after much debate. The Transportation Committee Chair (Brandes) is a strong opponent of red light cameras and he is pushing this bill forward. The next stop for this bill is the Senate Transportation, Tourism and Economic Development Appropriations Subcommittee. Committee Substitute – read 1<sup>st</sup> time. **This Bill is effectively dead**

**SB 1372 – Transportation (Flores) – Companion Bill HB1377**. This bill contains the provision for Transportation Reinvestment Zones (TRZs). The bill was a late introduction and therefore does not have an analysis. A further read of the bill illuminated a 50% reduction in TRIP funds. The bill has been referred to committees but has not been called by any of the committees. This bill appears to be stalled and is not likely to make it out of the committees. The companion bill is not identical and does not contain a decrease in TRIP funding or the provision for TRZs. No Change. See HB 1377 Below. **This Bill is effectively dead**

**HB 1377 – Expressway Authorities (Nunez) – Companion Bill SB1372**. This bill is the companion bill to SB 1372 however the two bills are not identical and really aren't that similar. Senate and House staff have linked the two bills, but they only share a few similarities. At the first committee stop, staff temporarily postponed this bill. This bill had a strikethrough and rewrite. The strikethrough has been TP'ed (temporarily postponed) in two committees and like the Senate companion bill, this bill looks to be stalled. **This Bill is effectively dead**

**HB 357 – Traffic Safety (Plasencia) – Companion Bill SB522**. Called Chloe's Law. This bill requires Florida DOT to install roadside barriers to shield water bodies contiguous with state roads anywhere there has been a motor vehicle crash that resulted in a drowning death in the past 10 years. The law does provide that the chief engineer can decide to not construct a barrier if the barrier itself will create a greater danger by its presence. The bill also requires DOT to conduct a study related to motor vehicle accidents on state roads contiguous with water bodies and requires DOT to submit the report to Legislature. The bill passed through the Highways and Waterways Safety Subcommittee, it is now in the Transportation and Economic Development Appropriations Subcommittee. It does not appear to have opposition but has undergone some technical and operational amendments. **The provisions of this bill have been picked up in SB 1392**

**SB 756 – Transportation (Brandes)** – This is the FDOT bill and it contains a number of provisions. The bill creates the FDOT Financing Corporation, transfers the Pinellas Bayway System to the Turnpike, increases the funding for the Florida Seaport Transportation and Economic Development Program from \$15M to \$25M, establishes Florida DOT as the lead agency for the NEPA process on highway projects and revises airport zoning regulations. This

bill has passed out of committees without a single dissenting vote and is now on the Senate Floor. This bill was set for a 2<sup>nd</sup> reading in the Senate and was Temporarily Postponed. **This bill was “Laid on the Table”, meaning it is set-aside and HB 7027 was substituted for this bill.**

**SB 7000 – Developments of Regional Impact (Community Affairs general bill)** – This bill would increase the acreage for annexation of “enclaves” from 10 acres to 150 acres. An enclave is any unincorporated improved or developed area lying within a single municipality, or surrounded by a single municipality and a manmade or natural obstacle that permits traffic to enter only through the municipality. This bill has passed out of two committees and is now in the Fiscal Policy Committee. The Fiscal Policy Committee Substitute went through 1<sup>st</sup> reading in the Senate. Has passed both Senate Fiscal Committee and Senate Rules Committee. **On 3<sup>rd</sup> reading in the Senate.**

**SB 786 – Electric Vehicles (Sachs)** – This bill gives a tax exemption for electric vehicles and would require a study of a mileage based user tax. The bill has not been heard in any committee and appears to be stalled. A similar bill is in the House (HB661), it also has not been heard in any committee and appears to be stalled. **This Bill is effectively dead.**

**SB 416 – Location of Utilities (Flores)** – This bill would require a state or local government to bear the responsibility for the cost of relocating utility facilities in public easement if there is not an agreement to the contrary. This bill has passed out of committees and is headed to the Senate floor. The Bill passed the Senate (34-4) and an identical bill in the House is through two committees. This Bill passed the House (109-4) on 02/24/2016. **This bill was sent to the Governor for signature on 03/03/2016.**

**SB 1392 – Transportation (Brandes)** – This bill would require traffic control devices in school zones that do not conform to the MUTCD (Manual on Uniform Traffic Control Devices) be removed by Florida DOT. Also makes a number of changes specific to the operation and regulation of autonomous vehicles. One provision requires MPOs to accommodate advances in vehicle technology when developing LRTPs. The bill also raises the population cap for the Small County Outreach Program from 150,000 to 170,000. The population would allow Charlotte, Martin and Santa Rosa counties to be eligible for the SCOP program, under current population limits they are not eligible. The bill passed out of the Transportation Committee and is now in Senate Transportation, Tourism and Economic Development Appropriations Subcommittee and is on the 02/17/2016 agenda. **This Bill had Committee Substitute and is the Bill that amendments are being added to as it advances. Many provisions of other bills which are not advancing have been amended into this Bill. The new details of this Bill include:**

- **Authorizes the transfer of the Florida Department of Transportation’s (FDOT) Pinellas Bayway System to become part of the turnpike system and, in such event, also requires the transfer of certain funds to be used to help fund the costs of repair and replacement of the transferred facilities.**

- Establishes the Seaport Security Advisory Committee within the Florida Seaport Transportation and Economic Development Council and establishes a Seaport Security Grant Program, subject to specific appropriation.
- Revises specifications for bus deceleration lighting systems.
- Expands the authority of a chartered municipal parking enforcement specialist to enforce state, county, and municipal parking laws and ordinances under specified circumstances.
- Revises the definition of the term “port vehicles and equipment.”
- Extends the authorized term of certain airport-related leases.
- Requires the FDOT to install roadside barriers to shield water bodies contiguous with state roads where a death due to drowning resulted from a crash between July 1, 2006, and July 1, 2016. – This was Cloe’s Law or HB 357
- Revises conditions under which the FDOT may waive a required surety bond relating to contracts for construction or maintenance.
- Requires local governments to consider information provided by the FDOT regarding the effect that approving or denying certain land use changes, regulations, or orders may have on the cost of construction aggregate materials in the local area, region, and state.
- Expands the list of project types that the Tampa-Hillsborough County Expressway Authority is approved to finance with certain revenue bonds.
- Revises the purpose of the state-funded infrastructure bank within the FDOT to include constructing and improving ancillary facilities that produce or distribute natural gas fuel; authorizes the FDOT to consider applications for loans from the bank for development and construction of certain natural gas fuel production or distribution facilities beginning July 1, 2017; and authorizes such loans to be used to refinance outstanding debt.
- Provides an exemption from permitting for certain outdoor advertising signs in place since 1995.
- Makes several statutory changes specific to the operation and regulation of autonomous vehicles.

**HB 7027 – Transportation (Rooney – Co-Introducers Artiles and Miller) – This bill will increase funding for the Florida Seaport and Economic Development Program from \$15 Million per year to \$25 Million per Year, give Florida DOT the authority to assume the responsibility for the NEPA process from FHWA and establish the Florida Department of Transportation Financing Corporation. This last provision will give Florida DOT additional financing options to fund the work program by being allowed to borrow money and refinance projects. This Bill has passed the House and has been referred to the Senate Committees for Transportation, Appropriations and the Appropriations Subcommittee for Transportation, Tourism and Economic Development. This is the substitute bill for SB 756, the Bill is on its 3<sup>rd</sup> reading in the Senate.**

## **Legislative Update for the week ending 03/11/2016**

It's official! The Legislative session ended, at 6:45PM yesterday the hankies dropped marking the end of the 60 days. The Legislature could not adjourn until after 2:53PM Friday. Why is 2:53PM important you ask? That marked 72 hours that the budget had been available for review. The legislature is constitutionally required to have a "cooling off" period of 72 hours. The budget must be available for 72 hours before the legislature can take final action on it. One school of thought was that all of the Legislature's work on other bills might be done prior to 2:53PM on Friday and the final action of the Legislature would be to pass the budget and then drop the hankies. For those who are not aware, the Florida legislature has a tradition in which the doors of both chambers are held open and the Sergeant at Arms of each chamber meet in the rotunda and drops a hankie at the same time. Each chamber can see the other and the dropping of the hankie indicates the closing of the chamber's session for the year. Each chamber does this at the same time and it is quite a tradition.

The last week and the last day were a bit of a nail-bitter for transportation bills. The two primary transportation bills, HB 7027 and HB 7061 (HB 7061 was substituted for SB 1392 which we had been following carefully) both passed late in the day Friday and as the day wore on concerns grew about the fate of each bill. Several amendments were tacked on to each bill and ultimately that did not kill the bills. The good news is that both bills passed and the transportation system work program is funded over the next five years at about \$10.7 Billion! That represents an increase of about \$670 Million.

What happens next is the big question. Legislative members remember well the \$460 Million of projects that fell to the Governor's veto pen. There are a number of items that could be subject to cuts on the Governor's desk and this weighs on members minds. The Governor has been good about not revealing his intentions. Governor Scott asked for \$1 billion in tax cuts and a quarter billion in economic development incentives. Revenue estimates were produced that lowered the money available to the legislature and the Governor's initiatives were not fully funded. The Governor did get his much-desired elimination of sales tax in manufacturing. Also, the Governor got about \$400 million in tax cuts, less than half of what he asked for at the beginning of the session. Why does this matter? The big question is how the Governor will react to not getting his initiatives when he reviews the budget and looks at the members initiatives? Will the veto pen work hard this year or have a light touch? The Governor sent a mixed message when he declared the 2016 session a success and stated "I think we have a good budget. I'm thoroughly going to go through the budget like I have every year and make sure that we're spending money wisely". To be sure, the legislature sent a clear message on the budget, it passed the House 119-1 and the Senate 40-0. Of course, the legislature is adjourned and cannot override any line item vetoes. Time will tell.

## **Legislation that is of interest to the membership:**

Updates are shown in Red

**SB 168 – Traffic Infraction Detectors (Brandes)**. This bill could be re-named the “no more red light cameras bill”. I believe this summarizes the intent of the bill and the bill narrowly passed out of the Transportation Committee after much debate. The Transportation Committee Chair (Brandes) is a strong opponent of red light cameras and he is pushing this bill forward. The next stop for this bill is the Senate Transportation, Tourism and Economic Development Appropriations Subcommittee. Committee Substitute – read 1<sup>st</sup> time. **This bill did not pass.**

**SB 1372 – Transportation (Flores) – Companion Bill HB1377**. This bill contains the provision for Transportation Reinvestment Zones (TRZs). The bill was a late introduction and therefore does not have an analysis. A further read of the bill illuminated a 50% reduction in TRIP funds. The bill has been referred to committees but has not been called by any of the committees. This bill appears to be stalled and is not likely to make it out of the committees. The companion bill is not identical and does not contain a decrease in TRIP funding or the provision for TRZs. No Change. See HB 1377 Below. **This bill did not pass.**

**HB 1377 – Expressway Authorities (Nunez) – Companion Bill SB1372**. This bill is the companion bill to SB 1372 however the two bills are not identical and really aren't that similar. Senate and House staff have linked the two bills, but they only share a few similarities. At the first committee stop, staff temporarily postponed this bill. This bill had a strikethrough and rewrite. The strikethrough has been TP'ed (temporarily postponed) in two committees and like the Senate companion bill, this bill looks to be stalled. **This bill did not pass.**

**HB 357 – Traffic Safety (Plasencia) – Companion Bill SB522**. Called Chloe's Law. This bill requires Florida DOT to install roadside barriers to shield water bodies contiguous with state roads anywhere there has been a motor vehicle crash that resulted in a drowning death in the past 10 years. The law does provide that the chief engineer can decide to not construct a barrier if the barrier itself will create a greater danger by its presence. The bill also requires DOT to conduct a study related to motor vehicle accidents on state roads contiguous with water bodies and requires DOT to submit the report to Legislature. The bill passed through the Highways and Waterways Safety Subcommittee, it is now in the Transportation and Economic Development Appropriations Subcommittee. It does not appear to have opposition but has undergone some technical and operational amendments. **The provisions of this bill have been picked up in HB 7061**

**SB 756 – Transportation (Brandes)** – This is the FDOT bill and it contains a number of provisions. The bill creates the FDOT Financing Corporation, transfers the Pinellas Bayway System to the Turnpike, increases the funding for the Florida Seaport Transportation and Economic Development Program from \$15M to \$25M, establishes Florida DOT as the lead agency for the NEPA process on highway projects and revises airport zoning regulations. This bill has passed out of committees without a single dissenting vote and is now on the Senate

Floor. This bill was set for a 2<sup>nd</sup> reading in the Senate and was Temporarily Postponed. This bill was “Laid on the Table”, meaning it is set-aside and HB 7027 was substituted for this bill.

**SB 7000 – Developments of Regional Impact (Community Affairs general bill)** – This bill would increase the acreage for annexation of “enclaves” from 10 acres to 150 acres. An enclave is any unincorporated improved or developed area lying within a single municipality, or surrounded by a single municipality and a manmade or natural obstacle that permits traffic to enter only through the municipality. This bill has passed out of two committees and is now in the Fiscal Policy Committee. The Fiscal Policy Committee Substitute went through 1<sup>st</sup> reading in the Senate. Has passed both Senate Fiscal Committee and Senate Rules Committee. This bill did not pass. It was sent to the House where it was placed in messages, but was not considered by the House.

**SB 786 – Electric Vehicles (Sachs)** – This bill gives a tax exemption for electric vehicles and would require a study of a mileage based user tax. The bill has not been heard in any committee and appears to be stalled. A similar bill is in the House (HB661), it also has not been heard in any committee and appears to be stalled. This bill did not pass.

**SB 416 – Location of Utilities (Flores)** – This bill would require a state or local government to bear the responsibility for the cost of relocating utility facilities in public easement if there is not an agreement to the contrary. This bill has passed out of committees and is headed to the Senate floor. The Bill passed the Senate (34-4) and an identical bill in the House is through two committees. This Bill passed the House (109-4) on 02/24/2016. This bill was signed by the Governor on 03/10/2016. It is effective upon signing.

**SB 1392 – Transportation (Brandes)** – This bill was the apparent “Transportation Bill” as the legislative session moved along. On Thursday this bill was “Laid on the Table” which basically means it was put aside. The effort to pass the details were then poured in moving HB 7061 as it was the bill that could advance. The provisions of this bill were picked up in HB 7061 (described below)

**HB 7027 – Transportation (Rooney – Co-Introducers Artiles and Miller)** – This bill will increase funding for the Florida Seaport and Economic Development Program from \$15 Million per year to \$25 Million per Year, give Florida DOT the authority to assume the responsibility for the NEPA process from FHWA and establish the Florida Department of Transportation Financing Corporation. This last provision will give Florida DOT additional financing options to fund the work program by being allowed to borrow money and refinance projects. This Bill has passed the House and has been referred to the Senate Committees for Transportation, Appropriations and the Appropriations Subcommittee for Transportation, Tourism and Economic Development.

A number of amendments were filed onto this bill in the past week. Ultimately the bill was passed with amendments requiring MPOs to consider Automated Vehicles (AV), Connected Vehicles (CV) and technology that implements both AV and CV. Florida DOT is also required to

plan for AV and CV in their SIS planning. The bill also contained a provision requiring the Florida DOT to conduct a pilot study on Truck Platooning (Connected Vehicles for Semi-Trucks) and report the results. The bill awaits the Governor's approval or veto.

**HB 7061 – Transportation (General Bill by Economic Affairs Committee) – This bill:**

- Authorizes the transfer of the Florida Department of Transportation's (FDOT) Pinellas Bayway System to become part of the turnpike system and, in such event, also requires the transfer of certain funds to be used to help fund the costs of repair and replacement of the transferred facilities.
- Establishes the Seaport Security Advisory Committee within the Florida Seaport Transportation and Economic Development Council and establishes a Seaport Security Grant Program, subject to specific appropriation.
- Revises specifications for bus deceleration lighting systems.
- Establishes commercial megacycles and regulates them. A megacycle is a pedal powered vehicle with 4 wheels and between 5 and 15 seats. The commercial part is self-evident, the other part of this legislation allows the sale of beer and wine on commercial megacycles.
- Revises specifications for bus deceleration lighting systems.
- Revises the Chairs Coordinating Committee of Tampa Bay is renamed the TBARTA Chairs Coordinating Committee and requires the member MPOs and Florida DOT to provide "necessary funding" for the administrative support. It also adds Citrus County to the list of member counties. There was an amendment to an amendment which should have removed the "necessary funding" portion of this bill – however this part of the Bill Tracker is not yet updated from yesterday.
- Raises the population cap for the Small County Outreach Program from 150,000 to 170,000. The population would allow Charlotte, Martin and Santa Rosa counties to be eligible for the SCOP program, under current population limits they are not eligible.
- Revises the definition of the term "port vehicles and equipment."
- Revised the Airport Zoning requirements which had not been updated since 1945. There are many changes to Airport Zoning. Among them it extends the authorized term of certain airport-related leases.
- Requires the FDOT to install roadside barriers to shield water bodies contiguous with state roads where a death due to drowning resulted from a crash between July 1, 2006, and July 1, 2016. – This was Cloe's Law or HB 357
- Revises conditions under which the FDOT may waive a required surety bond relating to contracts for construction or maintenance.
- Revises the purpose of the state-funded infrastructure bank within the FDOT to include constructing and improving ancillary facilities that produce or distribute natural gas fuel; authorizes the FDOT to consider applications for loans from the bank for development and construction of certain natural gas fuel production or distribution facilities beginning July 1, 2017; and authorizes such loans to be used to refinance outstanding debt.

- Provides an exemption from permitting for certain outdoor advertising signs in place since 1995.
- Makes several statutory changes specific to the operation and regulation of autonomous vehicles.

**RESOLUTION FL-AL 16-04**

**A RESOLUTION OF THE FLORIDA-ALABAMA  
TRANSPORTATION PLANNING ORGANIZATION  
SUPPORTING METROPOLITAN PLANNING  
ORGANIZATION ADVISORY COUNCIL 2016  
LEGISLATIVE POLICY POSITIONS**

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**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 29, 2015;

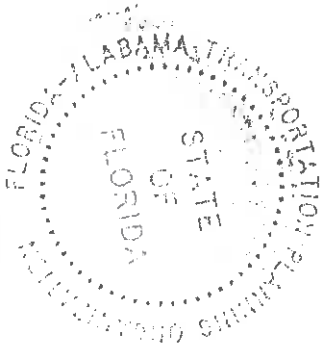
**NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA-ALABAMA TRANSPORTATION PLANNING ORGANIZATION THAT:**

The Florida-Alabama Transportation Planning Organization supports the 2016 MPOAC Legislative Policy Positions that were adopted by the MPOAC on October 29, 2015.

Passed and duly adopted by the Florida-Alabama Transportation Planning Organization on this 10<sup>th</sup> day of February 2016.

**FLORIDA- ALABAMA TRANSPORTATION  
PLANNING ORGANIZATION**

BY:   
Jaye Williamson, Chairman



ATTEST: 

**RESOLUTION O-W 16-04**  
**A RESOLUTION OF THE OKALOOSA-WALTON**  
**TRANSPORTATION PLANNING ORGANIZATION**  
**SUPPORTING METROPOLITAN PLANNING**  
**ORGANIZATION ADVISORY COUNCIL 2016**  
**LEGISLATIVE POLICY POSITIONS**

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**WHEREAS**, the Okaloosa-Walton Transportation Planning Organization (TPO) is the organization designated by the governor of Florida as being responsible, together with the state of Florida, for carrying out the continuing, cooperative and comprehensive transportation planning process for the Okaloosa-Walton 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 29, 2015;

**NOW, THEREFORE, BE IT RESOLVED BY THE OKALOOSA-WALTON TRANSPORTATION PLANNING ORGANIZATION THAT:**

The Okaloosa-Walton TPO supports the 2016 MPOAC Legislative Policy Positions that were adopted by the MPOAC on October 29, 2015.

Passed and duly adopted by the Okaloosa-Walton Transportation Planning Organization on this 18<sup>th</sup> day of February 2016.

**OKALOOSA-WALTON TRANSPORTATION  
PLANNING ORGANIZATION**

BY:   
James T. Wood, Jr., Chairman



ATTEST: 

**RESOLUTION BAY 16-04**

**A RESOLUTION OF THE BAY COUNTY  
TRANSPORTATION PLANNING ORGANIZATION  
SUPPORTING METROPOLITAN PLANNING  
ORGANIZATION ADVISORY COUNCIL 2016  
LEGISLATIVE POLICY POSITIONS**

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**WHEREAS**, the Bay County Transportation Planning Organization (TPO) is the organization designated by the governor of Florida as being responsible, together with the state of Florida, for carrying out the continuing, cooperative and comprehensive transportation planning process for the Bay County 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 29, 2015;

**NOW, THEREFORE, BE IT RESOLVED BY THE BAY COUNTY TRANSPORTATION PLANNING ORGANIZATION THAT:**

The Bay County TPO supports the 2016 MPOAC Legislative Policy Positions that were adopted by the MPOAC on October 29, 2015.

Passed and duly adopted by the Bay County Transportation Planning Organization on this 24<sup>th</sup> day of February 2016.

**BAY COUNTY TRANSPORTATION PLANNING  
ORGANIZATION**

BY:   
Mike Nichols, Chairman



ATTEST: 

## **Item Number 8**

### **Member Comments**

#### **DISCUSSION:**

Comments or recommendations by MPOAC members.

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENT:**

None

## **Item Number 9**

### **Adjournment**

The next meeting of the MPOAC Staff Director's Advisory Committee will be held on Monday, July 18, 2016 at the Loews Don Caesar Hotel in St. Pete Beach, FL. The address for the hotel is 3400 Gulf Boulevard, St. Pete Beach, FL 33706.

The Staff Director's Advisory Committee Meeting will begin at 9:30 AM and conclude at 11:30AM.

The hotel is offering a special rate of \$199.00 per night. Members should identify themselves as being attendees to the Floridians for Better Transportation Summit in order to get the discounted rate.