



# The Florida Metropolitan Planning Organization Advisory Council

*Mayor Susan Haynie*  
Chairperson

## **MPOAC Governing Board Meeting**

**Date:** Thursday, January 26, 2017  
**Time:** 3:30 p.m. – 5:30 p.m.  
**Location:** Doubletree by Hilton – Sawgrass Mills, 13400 W Sunrise Blvd,  
Sunrise, FL 33323

**Mayor Susan Haynie, Presiding**

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- 1. Call to Order & Pledge of Allegiance**
- 2. Approval of Minutes: July 18, 2016 Meeting**
- 3. Public Comments (non-agenda items)**
- 4. Executive Director's Report**
  - A. UPWP Report**
  - B. Florida Legislative Update**
  - C. Weekend Institute Dates for 2017**
- 5. Agency Reports**
  - A. Florida Department of Transportation**
  - B. Federal Highway Administration**
- 6. Business Items & Presentations**
  - A. Bylaws Revisions**
  - B. Election of Officers**
  - C. PL Reserve and Policy**
  - D. Request for FDOT Funding for Review of LRTPs**
  - E. Legislative Priorities for 2017**
  - F. MPOAC Strategic Plan Working Groups**
  - G. Staff Director's Meeting Dates for 2017**
  - H. NARC Dues Increase**
  - I. Executive Director Performance Review**
- 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: July 18, 2016**

#### **DISCUSSION:**

Review and comments from members.

#### **REQUESTED ACTION:**

Approval of Meeting Minutes from the July 18, 2016 MPOAC Governing Board Meeting

#### **ATTACHMENTS:**

1. July 18, 2016 MPOAC Governing Board Meeting Minutes



**Florida MPO Advisory Council  
Meeting of the Governing Board  
July 18, 2016  
Draft Meeting Minutes**

**GOVERNING BOARD MEMBERS IN ATTENDANCE:**

**Commissioner Nick Maddox, Vice Chair, Capital Region TPA  
Councilmember Bryan Caletka, Broward MPO  
Commissioner James Herston, Charlotte County-Punta Gorda MPO  
Councilmember Charles Bare, Florida-Alabama TPO  
Councilmember Doreen Caudell, Forward Pinellas  
Commissioner Nicholas Nicholson, Hernando/Citrus MPO  
Commissioner Troy McDonald, Martin MPO  
Bruno Barreiro, Miami-Dade MPO  
Dick Ryneerson, Okaloosa-Walton TPO  
Commissioner Nat Birdsong, Polk TPO  
Councilmember Pat Patterson, River to Sea TPO  
Councilmember Patrick Roff, Sarasota/Manatee MPO  
Mayor Kathy Meehan, Space Coast TPO**

**OTHERS IN ATTENDANCE:**

**Carl Mikyska, MPOAC  
Paul Gougelman, MPOAC  
Karen Brunelle, Federal Highway Administration  
James Christian, Federal Highway Administration  
Lee Ann Jacobs, Federal Highway Administration  
Jim Wood, Florida Department of Transportation  
Sean Santalla, Florida Department of Transportation  
Sarita Taylor, Florida Department of Transportation  
Stephen Benson, Florida Department of Transportation District 7  
Jeff Kramer, Center for Urban Transportation Research  
Alex Carroll, Center for Urban Transportation Research  
Matt Ubben, Floridians for Better Transportation  
Ray Chiaramonte, Tampa Bay Area Regional Transportation Authority  
Michael Case, Tampa Bay Area Regional Transportation Authority  
Ann McNeill, National Association of Black Women in Construction  
Bob Herrington, Charlotte County-Punta Gorda MPO  
Mary Beth Washnock, Florida-Alabama TPO/Okaloosa-Walton TPO/Bay County TPO  
Greg Stuart, Broward MPO  
Whit Blanton, Forward Pinellas  
Michael Escalante, Gainesville MTPO  
Steve Diez, Hernando/Citrus MPO  
Dennis Dix, Hernando/Citrus MPO**

Beth Alden, Hillsborough MPO  
Andy Sobczate, Indian River County MPO  
Donald Scott, Lee County MPO  
Beth Beltran, Martin MPO  
Gary Huttman, MetroPlan Orlando  
Ronnie Blackshear, Polk TPO  
Lois Bollenback, River to Sea TPO  
Lisa Hickman, Space Coast TPO  
Bob Kamm, Space Coast TPO  
Peter Buchwald, St. Lucie TPO  
John Kaliski, Cambridge Systematics  
Hal Beardall, FCRC Consensus Center  
William Roll, Kimley-Horn & Associates  
Rob Cursey, Tindale Oliver

### 1. CALL TO ORDER

Commissioner Nick Maddox, Vice Chair, Capital Region TPA, called the meeting to order at 12:31pm. The Vice Chair welcomed those in attendance and self-introductions were made. All stood for the Pledge of Allegiance.

Commissioner Maddox entertained a motion to move Agenda Item 6-F: FHWA/FTA Notice of Proposed Rulemaking on MPO Coordination and Planning Area Reform to Agenda Item 4: Executive Director's Report. Commissioner Troy McDonald, Martin MPO, moved to advance the item. Councilmember Charles Bare, Florida-Alabama TPO, seconded. The motion was approved.

### 2. APPROVAL OF MINUTES

Councilmember Charles Bare, Florida-Alabama TPO, moved to approve the minutes of the April 28, 2016 meeting of the MPOAC Governing Board. Mayor Kathy Meehan, Space Coast TPO, seconded the motion. The motion carried unanimously.

Commissioner Nick Maddox, Vice Chair, Capital Region TPA, congratulated Commissioner Bob Dallari, MetroPlan Orlando, and Councilmember Bryan Caletka, Broward MPO, for their new leadership positions with the National Association of Regional Councils (NARC).

### 3. PUBLIC COMMENTS

No public comments were made.

#### 4. FHWA/FTA NOTICE OF PROPOSED RULEMAKING ON MPO COORDINATION AND PLANNING AREA REFORM (ISSUED 6/27/16)

Carl Mikyska, MPOAC Executive Director, presented information on the FHWA/FTA Notice of Proposed Rulemaking (NPRM) on MPO Coordination and Planning Area Reform, which was issued on June 27, 2016.

The purpose of the NPRM is to “promote more effective regional planning by States and metropolitan planning organizations.” The stated intention of the US Department of Transportation (USDOT) is to “right-size” metropolitan transportation planning and to consolidate MPO products. The rule would require Metropolitan Planning Area (MPA) boundaries to include the entire urbanized area (UZA) and contiguous area expected to become urbanized within 20 years. Currently separate MPOs that would fall within a single MPA would be required to either merge or remain separate if all affected MPOs in the UZA agree and the Governor agrees, but coordinate a variety of planning activities and products. In MPAs where more than one MPO is designated, the MPOs would be required to jointly develop a single LRTP and TIP, and to establish a single set of performance targets for the entire MPA.

The proposed rule would also require that metropolitan planning agreements include coordination strategies and dispute resolution procedures between state(s) and MPOs as well as between MPOs that share MPA boundaries. Planning data must be consistent between states and MPOs.

In the NPRM, the US Secretary of Transportation states that he believes (and the FHWA and FTA Concur) that the metropolitan transportation planning rules in effect since 2007 have undermined the original intent of federal law by allowing multiple MPAs to exist within a single UZA. He believes that this has fostered confusion and resulted in less efficient planning outcomes. The proposed rule is designed to correct the problems and return to the structure embodied in the rule prior to the 2007 amendments.

The proposed revisions are intended to clarify:

- That the MPA must include the entire urbanized area and contiguous area expected to become urbanized within 20 years;
- The statutory requirements for the MPA to include an urbanized area in its entirety; and
- The exception provisions allowing more than one MPO to serve a single MPA, if warranted by the size and complexity of the MPA and agreed upon by the Governor and the existing MPOs.

Comments on the proposed rule are due by August 26, 2016. Implementation of the rule would be phased in over two years. Any MPO products produced after that two-year mark must comply with the new rule.

Mr. Mikyska noted that the proposed rule has generally not been well received. Several members shared their thoughts. Some noted that this would be an agenda item at their next governing board meeting and that they would include feedback from their board in their comments on the proposed rule. One member expressed concern that a single LRTP and TIP would be unable to address unique issues in certain areas. Setting priorities and establishing performance targets would be extremely challenging given the diversity of each area (e.g. variations in community character, transit systems, air quality, etc.).

Mr. Mikyska also relayed some of the comments expressed by the Staff Directors. A single long range transportation plan (LRTP) could be beneficial, but it should have local elements to address more localized issues and needs. Florida is already a national leader in regional coordination, so there was some sentiment that this rule seems heavy-handed and superfluous. Joint performance measures and targets would also be very challenging given the diversity of geographic areas. The staff directors also suggested that if the Governor takes no action in relation to MPO consolidation, then the MPO designations should remain as they currently exist.

Several Governing Board members also provided comment on the proposed rule. Many expressed concern that this rule would undermine the fundamental purpose of MPOs – to provide a local voice in transportation planning. There was also concern about the ability of consolidated MPOs to establish and meet performance targets given the different conditions, character, and values in each community. A few members agreed that the approach is very “one-size-fits-all”, and that this would not be appropriate for most of Florida’s MPOs. Some members emphasized that Florida’s MPOs are already engaging in effective regional coordination, making this rule unnecessary, and that Florida’s existing regional coordination efforts should suffice to meet the intent of the rule.

Bryan Caletka, Broward MPO, moved to authorize Mr. Mikyska to draft a letter of opposition to the proposed rule and incorporate MPOAC member comments, as stated above. Nick Nicholson, Hernando/Citrus MPO, seconded the motion. The motion was approved unanimously. Mr. Mikyska noted that he will email a draft letter to the members of the Governing Board and request final comments before submission.

## EXECUTIVE DIRECTOR’S REPORT

Carl Mikyska, MPOAC Executive Director, spoke in regards to the MPOwerment Roundtable he and Mayor Susan Haynie, Palm Beach MPO, Chair of the MPOAC Governing Board attended last week at the White House. About 30 different officials from across the country attended the roundtable, including secretaries of state DOTs, mayors, MPO directors, and regional council executive directors. The discussion focused on how MPOs can have more influence on the transportation planning process. The US Department of Transportation (USDOT) is interested in expanding this roundtable discussion and visit different areas across the nation. Mr. Mikyska volunteered Florida to host one of those sessions if USDOT decides to come to Florida.

## A. BUDGET REPORT

Carl Mikyska, MPOAC Executive Director, reported on the MPOAC budget. During the 4<sup>th</sup> quarter (April 1 – June 30, 2016), approximately \$164,471 was spent, roughly 32% of the total \$532,048 budget. The MPOAC finished FY 2015/2016 \$25,086 below budget.

## 5. AGENCY REPORTS

### A. FLORIDA DEPARTMENT OF TRANSPORTATION

Mr. Jim Wood, State Transportation Planning Administrator, Florida Department of Transportation (FDOT), updated the members on FDOT activities and brought forward topics of interest to the MPOs.

- Florida Transportation Plan (FTP)
  - The Vision Element was completed in August 2015, and the Policy Element was completed in December 2015. FDOT is now working on the Implementation Element of the FTP with the assistance of an Implementation Committee, formerly the FTP Steering Committee. The Implementation Element is expected to be completed by the end of the calendar year.
- Florida Strategic Highway Safety Plan
  - FDOT's Safety Office is in the process of updating the State Highway Safety Plan (SHSP). Safety was a major component of the FTP, and FDOT is actively working to coordinate its plans internally. A webinar is scheduled for July 25, 2016 to inform stakeholders of the contents of the Florida SHSP and to accept comment on the final draft. The comment period closes on August 4, 2016 and is expected to be submitted for executive review shortly thereafter.
- Future Corridors
  - I-75 Relief Task Force
    - Mr. Wood provided an update on the I-75 Relief Task Force. The Task Force's goal is to evaluate options that:
      - Provide relief to I-75 and improve mobility in the Initial Focus Counties
      - Enhance regional connectivity between Tampa and Northeast Florida.
    - The Task Force has had six of its seven meetings. The seventh meeting is scheduled for August 12, 2016 where they will be providing a series of recommendations. Their draft framework includes three components:
      - Optimize existing corridors through operational improvements such as Intelligent Transportation Systems (ITS) strategies (short-term).

- Evaluate potential enhancements to or transformation of existing transportation corridors, such as truck-only lanes and express lanes (mid-term).
    - Evaluate potential for new multimodal, multi-use corridors after evaluation of I-75 and other connecting roads, and determination of need (long-term).
  - East Central Florida Corridor Task Force
    - In 2013, Governor Scott created the East Central Florida Corridor Task Force and charged the Task Force to develop consensus recommendations for future transportation corridor planning in portions of Brevard, Orange, and Osceola counties. In December 2014, the Task Force submitted a final report documenting findings and recommendations, including a proposed action plan for strategic transportation corridors. The Task Force recommended nine corridor alternatives for further study, five of which emphasize multimodal improvements to existing corridors. Recently, the FDOT selected a consultant to develop an innovative approach to evaluating the nine corridors for further development and potential implementation. A Project Advisory Group (PAG) has been established for the evaluation stage consisting of representatives of Florida's Turnpike Enterprise, the three study area counties, MetroPlan Orlando, Space Coast TPO, Central Florida Expressway Authority, and East Central Florida Regional Planning Council. The Central Florida MPO Alliance will lead the development of a Regional Transit Vision to complement and inform the multimodal corridor evaluation effort.
- Shared Use Nonmotorized Trail Program (SUNTrail)
  - Mr. Wood provided an update on the SUNTrail Program. The Coast-to-Coast Connector was selected as the top tier regional trail system, and the St. Johns River to the Sea Loop was selected as the second tier regional trail system. The third tier involves individual trails, which have not yet been selected. Final selection of projects for FY2017 will take place in August 2016 and a Work Program Amendment to add those projects will occur in September 2016. There were over \$300 million in projects submitted for consideration, and up to \$50 million is expected to be programmed for FY2017. Mr. Wood thanked the MPOs for supporting this program by prioritizing and submitting projects.
  - Some of the funding will be programmed for construction-ready projects, and some for feasibility and Project Development and Environment (PD&E) studies. FDOT is also trying to ensure that funds are spread geographically throughout the state. Mr. Wood noted that there may be gaps in some regions, but only because some areas did not have any projects ready. FDOT is focusing mainly on what will be funded in FY2017, but will also maintain a long-term vision throughout the programming process.

- **MPO Program Management Handbook**
  - FDOT is updating its MPO Program Management Handbook to reflect changes in federal and state laws and policies. It is also being converted to a web-based, user-friendly format. New content will be developed, including:
    - An enhanced certification checklist
    - Ethics requirements for board members
    - Public involvement
    - Performance management
    - Long-range planning
    - Other planning products/supporting programs
    - Glossary
- **Calendar Items**
  - State Highway Safety Plan Webinar: July 25, 2016
  - SASHTO Conference: West Virginia, August 27-30, 2016
  - Tools of the Trade Conference (TRB, Transportation Planning in Small and Medium Sized Communities): Charleston, SC, September 12-14, 2016
  - Florida Metropolitan Planning Partnership Statewide Meeting, Orlando, September 27-28, 2016
  - Florida Automated Vehicles Summit: Tampa, November 28-30, 2016
  - Florida Public Transportation Association and Commission for the Transportation Disadvantaged Annual Conference: Jacksonville, December 11-13, 2016

## B. FEDERAL HIGHWAY ADMINISTRATION

Ms. Lee Ann Jacobs, Planning Team Leader, Federal Highway Administration (FHWA) Office of Project Development, made several announcements of interest to the members:

- **New bicycle and pedestrian enhancements are now available on PlanWorks, including a bicycle/pedestrian application, weblinks, and tools to support collaboration. The FHWA Office of Human Environment will be offering a virtual workshop in August for practitioners interested in the new PlanWorks features.**
- **FHWA announced the Round 7 recipients for the final round of assistance in the SHRP2 Implementation Assistance Program. FDOT was a recipient in two categories: “Advanced Methods to Identify Pavement Delamination” and “Reliability in Simulation and Planning Models”.**
- **Several innovations from Round 4 of Every Day Counts may be of interest to the MPOs. These include Accelerating Traffic Incident Management (TIM) Data Collection, Automated Traffic Signal Performance Measures, Community Connections, Data-Driven Safety Analysis, Safe Transportation for Every Pedestrian (STEP), as well as a variety of other innovation categories.**
- **The FHWA contact persons for each FDOT District are as follows:**
  - Danielle Coles: Districts 1 and 3

- Shundreka Givan: District 2
- Stacie Blizzard: Districts 4, 5, and 6
- Lee Ann Jacobs: District 7

Ms. Jacobs then briefly discussed the Notice of Proposed Rulemaking (NPRM) on MPO Coordination and Planning Area Reform. She reminded the members that more information can be found at <https://www.federalregister.gov/articles/2016/06/27/2016-14854/metropolitan-planning-organization-coordination-and-planning-area-reform> and that comments are due on or before August 26.

Ms. Jacobs also provided an update on the Transportation Performance Management rulemaking schedule:

Performance Area	NPRM	Comments Due	Final Rule
Safety Performance Measures	March 11, 2014	<i>Closed</i> <i>June 30, 2014</i>	Published March 15, 2016
Highway Safety Improvement Program	March 28, 2014	<i>Closed</i> <i>June 30, 2014</i>	Published March 15, 2016
Statewide and Metro Planning; Non-Metro Planning	June 2, 2014	<i>Closed</i> <i>October 2, 2014</i>	Published May 27, 2016
Pavement and Bridge Performance Measures	January 5, 2015	<i>Closed</i> <i>May 8, 2015</i>	Anticipated December 2016
Highway Asset Management Plan	February 20, 2015	<i>Closed</i> <i>May 29, 2015</i>	Anticipated December 2016
Performance of the NHS, Freight, and CMAQ Measures	April 22, 2016	<i>Open until August 20, 2016</i>	TBD

Ms. Karen Brunelle, Director, FHWA Office of Project Development, then presented information on new planning regulations for metropolitan planning organizations. The new planning regulations were published and made effective May 27, 2016. These changes reflect changes in the Moving Ahead for Progress in the 21st Century Act (MAP-21) and the Fixing America's Surface Transportation Act (FAST Act) and provide some clarifications as well as organizational improvements. Changes include:

- Twelve new definitions, five updated definitions, one deleted definition;
- An expanded focus on performance management;
- Two new planning factors;
- An expanded MPO structure;
- Strengthened support for transit; and
- A phase-in schedule.

Detailed changes to federal planning regulations include:

- National policy was clarified and sets the stage for strengthened emphasis on performance management, safety, efficiency, and public transportation. MPOs shall carry out the 3-C process that:
  - Results in a performance-based multimodal transportation system;
  - Promotes the safe and efficient development, management, and operations of surface transportation systems; and
  - Takes into account resiliency needs
- The FAST Act identifies two new planning factors: (1) improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation, and (2) enhance travel and tourism.
- There is a strengthened emphasis on basing the planning process on ideas that enhance livability, including land use, economic development, and environmental issues. There is also a greater emphasis on using a performance-based approach throughout the decision-making process.
- The final rule clarifies that Transportation Management Areas (TMAs) must include officials that provide public transportation. However, it also clarifies that the representative on the policy board may be someone who already serves on the board as a representative of a local government.
- Metropolitan planning agreements should be reviewed and updated periodically to reflect any changes in the process. Agreements must clarify how information and data will be developed and shared among the partner agencies. The MPOs, State(s), and public transportation providers must jointly agree and develop specific written provisions for developing and sharing information related to performance data, targets, and progress.
- Public involvement for the LRTP and TIP must include public ports and private transportation providers. MPOs should also involve tourism agencies and agencies involved in natural disaster risk reduction.
- A new section of the planning regulations related to programmatic mitigation plans. If a mitigation plan is adopted by an MPO, any federal agency responsible for environmental reviews, permits, or approvals for transportation projects shall give substantial weight to the recommendations in the plan when carrying out its responsibilities under the National Environmental Policy Act (NEPA) or other environmental laws.
- The final rule describes travel demand reduction strategies that must be considered in the Congestion Management Process. It also clarifies that, while the process is still required, the plan itself is optional. If a plan is developed, certain requirements must be met.
- Several changes were made concerning the LRTP, including new performance measure requirements. Plans must have a description of the performance measures and targets used in assessing the performance of the transportation system. It must include a system performance report and subsequent updates evaluating the

- condition and performance of the transportation system with respect to the performance targets. Plans should also integrate into the LRTP the goals, priorities, countermeasures, strategies or projects in the HSIP/SHSP.
- An MPO may voluntarily elect to develop multiple scenarios for consideration as part of LRTP development. Regulation encourages MPOs to consider several factors, including regional investments, population and employment distribution, and maintenance of baseline conditions.
  - The TIP shall be designed such that, once implemented, it makes progress toward achieving the performance targets. The TIP must also include a description of the anticipated effect of the TIP toward achieving the performance targets identified in the LRTP and link investment priorities to those performance targets.

## 6. BUSINESS ITEMS & PRESENTATIONS

### A. SAFE ROUTES TO SCHOOL PROGRAM CHANGES

Ms. Sarita Taylor, Florida Safe Routes to School Coordinator, FDOT Safety Office, presented some background information and updates regarding the State's Safe Routes to School Program. Safe Routes to School (SRTS) is a sustained effort by parents, schools, community leaders, and local, state, and federal governments to improve the health and well-being of students by enabling and encouraging them to walk and bicycle to school. Congress established the Federal SRTS Program in September 2005, which provided over \$1 billion to states for community SRTS projects. The funds, provided to state DOTs, were allocated to both infrastructure projects (70-90%) and to non-infrastructure activities (10-30%)

Florida was awarded \$58 million through September 2012, which was used for 269 SRTS projects and programs and reached over 1,000 schools. There were more applications than funds available, which indicated a high level of interest in the program.

Florida's SRTS call for applications this year will be from November 14, 2016 to March 31, 2017. Eligible applicants are K-12 schools, and eligible maintaining agencies are FDOT, counties, MPOs, and cities, though applicants are encouraged to engage other partners. The application, as well as a guidance and other informational resources, can be found at [www.srtsfl.org](http://www.srtsfl.org).

There have been some recent changes to the SRTS program. MAP-21 eliminated the SRTS program and integrated it into the Transportation Alternatives Program (TAP). MAP-21 added TAP activities to the eligible activities for the Surface Transportation Program (STP). Therefore, SRTS projects now qualify for STP funding. MAP-21 also eliminated the prohibition against using STP funds on local roads. Now they can be used for SRTS activities on any public road. There is also a higher priority placed on projects or programs that address hazardous walking conditions as well as schools in rural communities.

Florida SRTS conducted educational activities in 13 counties in Fiscal Year 2016. Beginning with the 2016-17 school year, SRTS will start a phased approach by training teachers in several counties at a time over a three-year period. Once all counties in Florida have received the training, the bicycle/pedestrian training initiative will fall under the responsibility of the Florida Department of Education and FDOT will no longer fund non-infrastructure programs.

#### B. STAFF DIRECTORS REPORT

Carl Mikyska, MPOAC Executive Director, relayed a suggestion from the MPOAC Policy and Technical Subcommittee to consider changing the MPOAC Staff Directors' Advisory Committee meeting format. Instead of occurring immediately before the MPOAC Governing Board meeting, the Staff Directors meeting would take place a month in advance. This would be similar to how MPO Technical Advisory Committees meet, would allow for more in-depth meetings, would allow for suggestions to be vetted and formally presented to the MPOAC Governing Board, and would double as a Policy and Technical Subcommittee meeting. It would require a minor revision to the MPOAC by-laws. The Staff Directors discussed this at their meeting and decided to table it until the next quarterly meeting in October.

#### C. MPOAC STRATEGIC PLAN WORKING GROUPS

Carl Mikyska, MPOAC Executive Director, noted an interest in forming an MPO Program Management Handbook Drafting Committee to help FDOT draft three chapters of the Handbook. Five members from the Staff Directors' Advisory Committee volunteered to serve on the MPO Program Management Handbook Drafting Committee.

Mr. Mikyska also referred the members to the final MPOAC Strategic Plan in their agenda packets. The plan is currently undergoing some formatting and design changes and will be ready to post to the MPOAC website soon.

#### D. FHWA/FTA FINAL PLANNING RULE (ISSUED 05/27/2016)

Carl Mikyska, MPOAC Executive Director, noted that the FHWA presentation on the final planning rule covered this agenda item. Mr. Mikyska reminded the members that the effective date for Federal Register purposes is June 27, 2016, but the effective date for MPO compliance is two years from issuance (May 27, 2018).

**E. FHWA NOTICE OF PROPOSED RULEMAKING TO ASSESS THE PERFORMANCE OF THE NATIONAL HIGHWAY SYSTEM, FREIGHT MOVEMENT ON THE INTERSTATE SYSTEM, AND THE CONGESTION MITIGATION AND AIR QUALITY (CMAQ) IMPROVEMENT PROGRAM (ISSUED 04/22/2016)**

Carl Mikyska, MPOAC Executive Director, presented on the Notice of Proposed Rulemaking (NPRM) for performance measures. The document itself is 109 pages long in the Federal Register. Mr. Mikyska reminded the members that he sent out a shorter PowerPoint presentation that provided an overview of the NPRM, as well as suggestions for how the MPOAC and individual MPOs shall move forward in light of the proposed rule. Many of the requirements in the NPRM apply to FDOT, though the rule does require MPO and state coordination.

Mr. Mikyska stated that the implementation of system performance measures would have several benefits, such as enabling the MPOs to tell a national story, allowing for identical data across states and regions, and demonstrating a need for increased transportation funding. One shortcoming is that only certain aspects of the total system will be measured and the transportation measures may not reflect broader societal values (e.g. affordable housing). Mr. Mikyska noted that this is a step in the right direction.

Mr. Mikyska also noted that the NPRM included a suggestion for a proposal on greenhouse gas performance measures. The vagueness of this suggestion is somewhat concerning, as it does not specify where the data would come from, responsible parties, how to set targets, and what agencies would be responsible for meeting those targets.

Mr. Mikyska recommended that the MPOAC submit comments in support of FDOT.

**F. FHWA/FTA NOTICE OF PROPOSED RULEMAKING ON MPO COORDINATION AND PLANNING AREA REFORM (ISSUED 06/27/2016)**

This agenda item was moved to after Agenda Item 3: Public Comments.

## **7. COMMUNICATIONS**

Carl Mikyska, MPOAC Executive Director, noted the following communication items in the agenda packet:

- Email from Bryna Helfer, FHWA Office of the Secretary, inviting Carl Mikyska to a White House Roundtable Discussion

## 8. MEMBER COMMENTS

Commissioner James Herston, Charlotte County-Punta Gorda MPO, announced that the Punta Gorda Airport received the 2016 Commercial Airport of the Year Award.

Bob Kamm, Space Coast TPO, noted that the next meeting will be held on Thursday, October 6, 2016 in Cocoa Beach, FL. The Space Coast TPO is in the process of organizing a VIP tour of the Kennedy Space Center for the following day (Friday, October 7, 2016) for interested members.

## 9. ADJOURNMENT

The meeting was adjourned at 2:04pm. The next meeting of the MPOAC Governing Board will be held on Thursday, October 6, 2016.



### **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. UPWP Report
  - a. State Fiscal Year 2017 Budget report through December 31, 2016
  - b. MPOAC Accomplishments
- B. Florida Legislative Update
- C. MPOAC Weekend Institute Dates for 2017

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENTS:**

- 1. State Fiscal Year 2017 Budget report through December 31, 2016
- 2. MPOAC Accomplishments



# MPOAC Quarterly UPWP Report

## July 01, 2016 – September 30, 2016

### Task 1.2 – Quarterly Reports

- Quarterly reports are on track
- Fiscal year-end report was granted a 31 extension by FHWA on 09/30/2016

### Task 1.3 – Research and Support Services

- Reviewed and developed analysis on proposed federal legislation for both the Performance Measures NPRM and the MPO Collaboration and Planning Area Reform NRPM
- Reviewed and advised the Executive Director on changes to the MPOAC bylaws
- Advised the Executive Director in the development of MPOAC meeting content and materials
- Prepared meeting minutes of both the July Staff Director's Advisory Committee Meeting and the July MPOAC Governing Board Meeting

### Task 1.4 – Legal Services

- Reviewed and made changes to the MPOAC Bylaws
- Represented MPOAC at the July quarterly meetings of the Staff Director's Advisory Committee and the Governing Board
- Advised the Executive Director on Sunshine Laws related to establishing an agenda and materials for the MPOAC Executive Committee

### Task 1.5 – Membership Dues

- FPTA and FBT membership bills received and paid
- ITS FL billed received, awaiting additional documentation before we can process the membership bill

### Task 1.6 – MPOAC Administration

- Ongoing task, payment of invoices, requisitions, travel vouchers and expenses of MPOAC – occurring quarterly

### Task 2.1 – Intergovernmental and Regional Coordination

- Coordinated with FDOT, FTC, FBT, FRCA, FLC, FAC, AMPO and NARC on proposed rulemakings and participated in their meetings.

### Task 2.2 – MPOAC Agenda Packages & Meetings

- Hosted the July 2016 meeting
- Produced the agenda packages for the October 2016 meeting

### Task 2.4 – MPOAC Freight Committee

- Hosted the July 2016 meeting
- Produced the agenda for the October 2016 meeting

#### Task 3.2 – MPOAC Website

- Worked on developing a new MPOAC website with an updated look and a simpler mechanism for managing website content
- Maintained and updated as necessary the MPOAC.org website

#### Task 3.3 – MPOAC Institute Training Activities

- Signed contracts with hotels to host the March and April 2017 weekend institutes

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

- Reviewed, researched, coordinated and wrote comments on the two Federal NPRMs, Performance Measures and MPO Collaboration and Planning Area Reform

#### Task 4.5 – MPOAC Strategic Plan and Implementation

- Produced a final version of the Strategic Plan
- Surveyed Staff Directors for interest and leadership roles in the plan's identified working groups

# MPOAC Quarterly UPWP Report

## October 01, 2016 – December 31, 2016

### Task 1.2 – Quarterly Reports

- Quarterly reports are on track

### Task 1.3 – Research and Support Services

- Coordinated with Executive Director to develop draft legislative policy positions
- Began the process of revising the MPOAC LRTP Planning and Financial Guidelines in coordination with FDOT staff.
- Aided the MPOAC Executive Director to begin implementation of the MPOAC Strategic Directions Plan
- Completed the development of the new MPOAC website
- New MPOAC website went live in November 2016
- Advised the Executive Director in the development of MPOAC meeting content and materials

### Task 1.4 – Legal Services

- Reviewed and made changes to the MPOAC Bylaws
- Represented MPOAC at the December meeting of the MPOAC Policy and Technical Advisory Committee
- Advised the Executive Director on Sunshine Laws related to establishing an agenda and materials for the MPOAC Executive Committee

### Task 1.5 – Membership Dues

- ITS FL and FBT bills received, awaiting additional documentation before we can process both membership bills

### Task 1.6 – MPOAC Administration

- Ongoing task, payment of invoices, requisitions, travel vouchers and expenses of MPOAC – occurring quarterly

### Task 2.1 – Intergovernmental and Regional Coordination

- Coordinated with FDOT, FTC, FBT, FRCA, FLC, FAC, AMPO and NARC on proposed rulemakings and participated in their meetings.
- Coordinated with FTC, FPTA, FLC, FAC and FDOT on Legislative Policy Positions for the upcoming Legislative Session

### Task 2.2 – MPOAC Agenda Packages & Meetings

- Hosted a meeting of the MPOAC Policy and Technical Subcommittee
- Produced the agenda packages for the January 2017 meetings

### Task 2.4 – MPOAC Freight Committee

- Produced the agenda for the January 2017 meeting

#### Task 3.2 – MPOAC Website

- Launched a new MPOAC website with an updated look. The new website utilizes a new software which will be easier to maintain.
- Maintained and updated as necessary the MPOAC.org website

#### Task 3.3 – MPOAC Institute Training Activities

- Save the date postcards were developed, printed and distributed to all Florida MPOs
- Florida Association of Counties training session was completed
- At the request of the Department of Financial Services (DFS) a deliverables-based invoicing framework was developed and submitted to DFS

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

- Developed and submitted comments to the docket for the re-issued NPRM on MPO Collaboration and Planning Area Reform
- Reviewed the final rule issued by FHWA and FTA, MPO Collaboration and Planning Area Reform
- Began review of the final rules issued by FHWA related to performance measures

#### Task 4.5 – MPOAC Strategic Plan and Implementation

- Surveyed Staff Directors for interest and leadership roles in the plan's identified working groups
- Developed working group membership lists for Governing Board approval
- Drafted a work plan for consideration by the newly formed working groups

**Florida Metropolitan Planning Organization Advisory Council**  
**FY 2016/2017 Budget**  
**July 1, 2016 to June 30, 2017**

Category	Annual Allocation	1st Qtr Expenditures 7/1/16-9/30/16	2nd Qtr Expenditures 10/1/16-12/31/16	3rd Qtr Expenditures 1/1/17-3/31/17	4th Quarter Expenditures 4/1/17-6/30/17	Expenditures to Date	Remaining Balance
<b>Salaries/Benefits</b>	\$ 170,661	\$ 43,584	\$ 47,512			\$ 91,096	\$ 79,565
<b>Expense</b>	\$ 42,624						
Travel	\$ 19,544	\$ 8,006	\$ 3,126			\$ 11,132	\$ 8,412
Meetings	\$ 18,000	\$ 1,000	\$ 2,738			\$ 3,738	\$ 14,262
Administrative	\$ 5,080	\$ 2,835	\$ 734			\$ 3,569	\$ 1,511
Membership Dues *	\$ 1,920	\$ 500	\$ -			\$ 500	\$ 1,420
<b>Contracted Services</b>	\$ 22,000						
General Counsel	\$ 22,000	\$ 1,100	\$ 286			\$ 1,386	\$ 20,614
<b>Transportation Planning</b>	\$ 165,000						
Univ. South FL (CUTR)	\$ 80,000	\$ 20,000	\$ 20,000			\$ 40,000	\$ 40,000
MPOAC Institute	\$ 85,000	\$ 18,700	\$ 9,350			\$ 28,050	\$ 56,950
<b>Strategic Plan</b>	\$ 6,500						
Florida State University	\$ 6,500	\$ -	\$ -			\$ -	\$ 6,500
<b>Total Federal Funds</b>	\$ 406,785	\$ 95,725	\$ 83,746			\$ 178,971	\$ 227,314
<b>Advocacy Activities Local Funds</b>	\$ 10,500	\$ -	\$ 740			\$ 740	\$ 9,760
<b>Total Budget</b>	\$ 417,285	\$ 95,725	\$ 84,486			\$ 179,711	\$ 237,074

\* FBT, FPTA, ITSFL



## **Item Number 5A**

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

#### **DISCUSSION:**

Mr. Jim Wood, 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. Ms. Jennifer Weeks, State Infrastructure Bank Program Manager, will speak about the State Infrastructure Bank. Mr. James Haley will speak about the upcoming Florida Aviation System Plan.

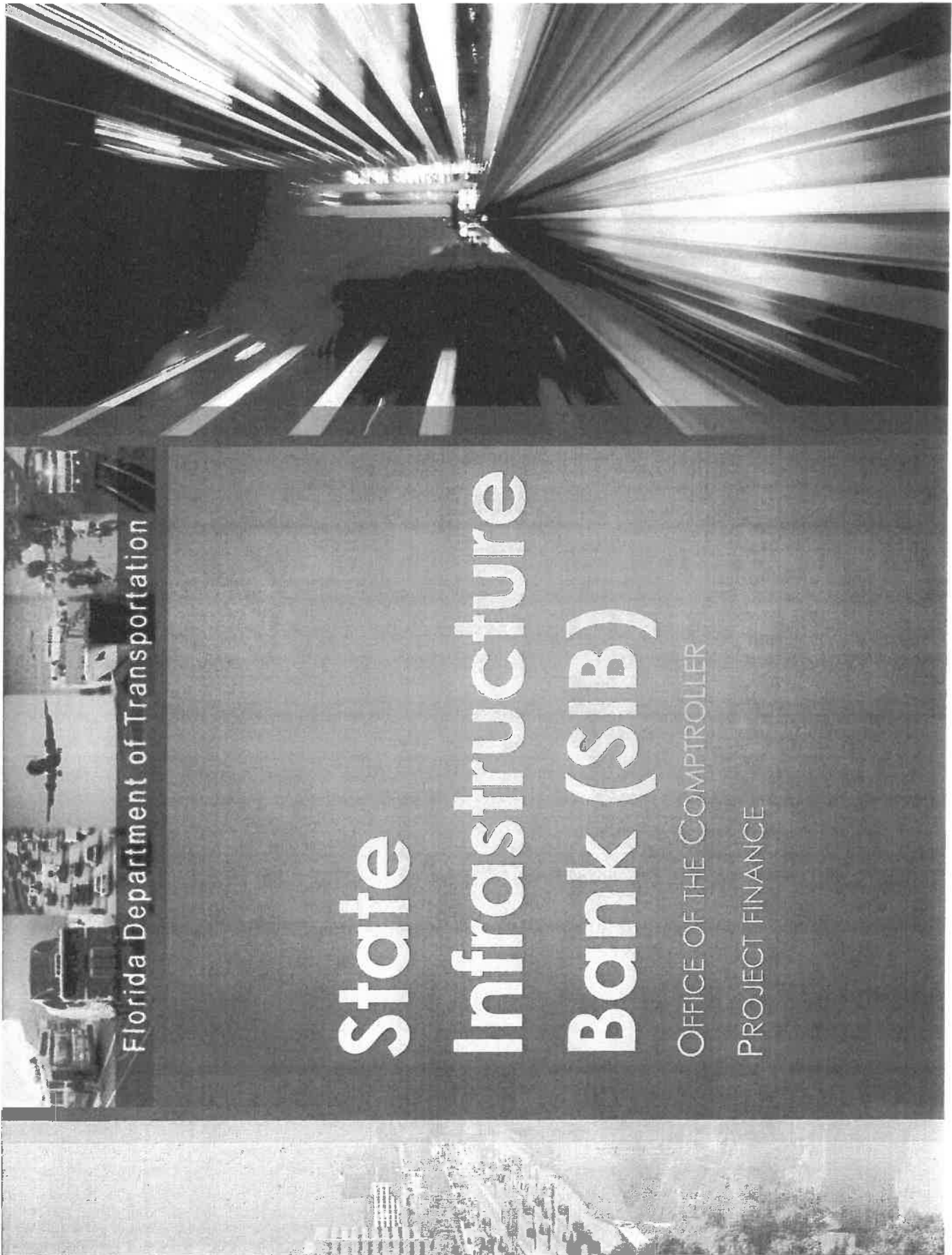
#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENTS:**

1. Power point presentation related to the State Infrastructure Bank
2. State Infrastructure Bank Talking Points
3. Power point presentation related to the Florida Aviation System Plan





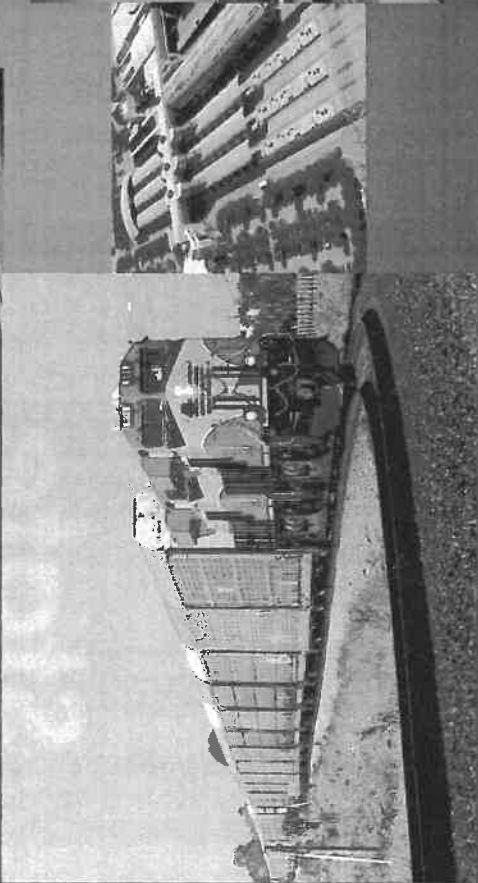
Florida Department of Transportation

# State Infrastructure Bank (SIB)

OFFICE OF THE COMPTROLLER

PROJECT FINANCE

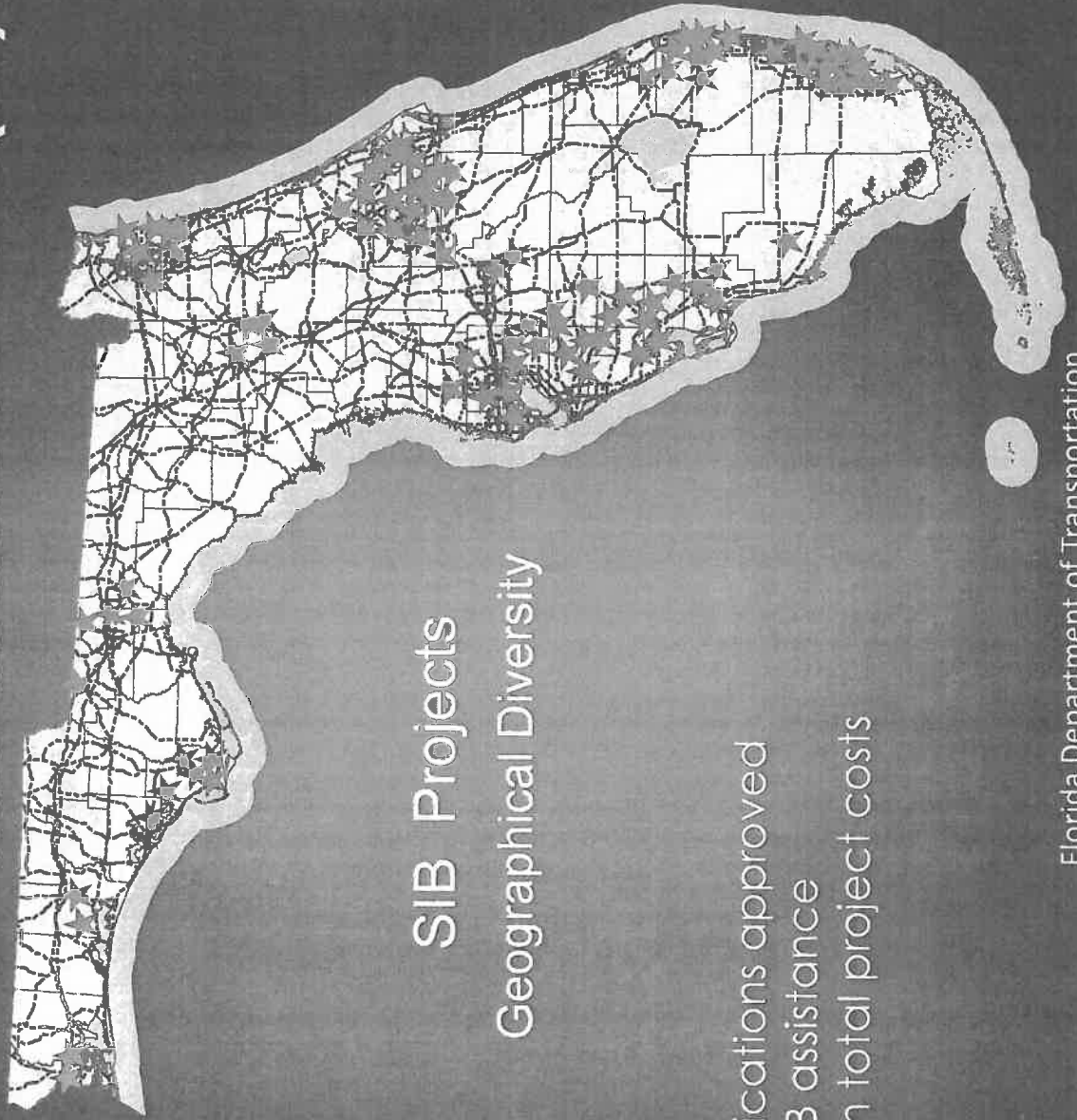
# State Infrastructure Bank (SIB)



# SIB Purpose

- ▶ Revolving loan and credit enhancement program
- ▶ Provides financial solutions to address transportation needs and advance projects
- ▶ Supports projects with direct link between mobility and economic growth (creates jobs)

# State Infrastructure Bank (SIB)



SIB Projects  
Geographical Diversity

96 applications approved  
\$1.8B SIB assistance  
\$12.6B in total project costs

Florida Department of Transportation



## SIB Eligibility

- ▶ Federal-Funded
- ▶ Highway/transit facilities
- ▶ Meet federal requirements
- ▶ State-Funded
- ▶ Transportation facilities on/linked to State Highway System
- ▶ Projects providing increased mobility/intermodal connectivity (airports, seaports, rail facilities, etc...)

# Selection Criteria

- ▶ Creditworthiness/financial feasibility
- ▶ Consistent with local MPO plans
- ▶ Economic benefits
- ▶ Increase safety
- ▶ Maintain/protect environment
- ▶ New technology to enhance efficiency

## SIB Key Points to Remember

- ▶ Can be used to advance internal and external production ready projects
- ▶ Repayments used/revolved for current and future loans
- ▶ SIB projects are programmed – see Work Program Instructions Ch. 35
- ▶ Provides “gap” or “bridge” funding
- ▶ No grants

# LOI, Application and Negotiation Dates

(SIB funds available July 1, 2018)

LETTER OF INTEREST, APPLICATION, AND NEGOTIATION DATES (DATES ARE PRELIMINARY AND SUBJECT TO CHANGE)			
Letter of Interest	Open for Invited Applications	Closed for Invited Applications	Commence Negotiations with Loan Candidates
February 1, 2017 - April 28, 2017	June 1, 2017	July 14, 2017	October/November - 2017

# Questions and Answers?

SIB Website:

<http://www.fdot.gov.comptroller/PFO/sib.shtm>



## Contact:

Jennifer G. Weeks, CPM, FCCM  
State Infrastructure Bank (SIB) Program Manager  
Florida Department of Transportation  
Office of Comptroller - Project Finance  
605 Suwannee Street, MS #10  
Tallahassee, Florida 32399-0450  
PHONE: (850) 414-4459  
E-MAIL: [jenniferg.weeks@dot.state.fl.us](mailto:jenniferg.weeks@dot.state.fl.us)



## Florida Department of Transportation

### STATE INFRASTRUCTURE BANK (SIB)

#### Talking Points

- The SIB is a revolving loan and credit enhancement program consisting of two separate accounts used to leverage funds to improve project feasibility. The SIB can provide loans and other assistance to public or private entities for projects eligible under federal and state law.
- The SIB cannot provide assistance in the form of a grant.
- A Letter of Interest is required (prior to an invitation from FDOT to apply) to ensure potential SIB projects meet eligibility, financial, and production criteria.
- The Letter of Interest template for prospective loan applicants is available on the SIB Website: <http://www.fdot.gov/comptroller/PFO/sib.shtm>
- Upon review of an acceptable Letter of Interest, the Department will determine an indicative interest rate for the application based on current market conditions, financial strength of the borrower, term, and risk of loan. The entity will then be invited to submit a formal application.
- SIB funds for the upcoming application cycle will be available July 1, 2018.
- Letter of Interest, Application, and Negotiation dates for federal and state eligible production-ready projects in state fiscal year 2018/19 are as follows:

<b>LETTER OF INTEREST, APPLICATION, AND NEGOTIATION DATES</b>			
<b>DATES ARE PRELIMINARY AND SUBJECT TO CHANGE</b>			
<b>Letter of Interest</b>	<b>Open for Invited Applications</b>	<b>Closed for Invited Applications</b>	<b>Commence Negotiations with Loan Candidates</b>
February 1, 2017 - April 28, 2017	June 1, 2017	July 14, 2017	October/November - 2017

- Federally-Funded Account – *approximately \$15 million anticipated for new loans*
  - authorized under TEA-21 Cooperative Agreement
  - capitalized by federal money matched with state money
  - repayments returned to the federally-funded account and revolved for future loans
  - must be eligible for federal assistance
  - must be included in the adopted comprehensive plans of the applicable MPO
  - must conform to all federal and state laws, rules and standards
  
- State-Funded Account – *approximately \$50 - \$75 million anticipated for new loans annually*
  - authorized under Section 339.55, F.S.
  - capitalized by state money and bond proceeds
  - repayments returned to the state-funded account after debt service is paid on any outstanding bonds and revolved for future loans
  - used for constructing and improving transportation facilities or ancillary facilities that produce or distribute natural gas or fuel
  - must be on the State Highway System or provide increased mobility on the State's transportation system, or provide intermodal connectivity with airports, seaports, rail facilities and other transportation terminals
  - must be consistent, to the maximum extent feasible, with local MPO and local government comprehensive plans
  - must conform to policies and procedures within applicable Florida Statutes and other appropriate state standards for the transportation system
  - repayments due from work program (internal loans) may not exceed .75 percent of the revenues deposited into STTF
  
- All projects will be integrated into the department's work program cycle.
  
- Acceptable Letters of Interest/Applications should address the criteria below:
  - applicant has authority, financial strength and demonstrated history of revenues and/or secure funding source to repay loan
  - financial feasibility to include current studies and estimates and contingencies with a fully functioning financial model
  - construction risk to include an independent engineer's report regarding project complexity, pricing, schedule and risks
  - interest rates on the loan to be determined by the Department based on current market conditions, financial strength of the borrower, term and risk
  - encourage, enhance and/or create economic benefits (jobs creation)
  - enable project to be advanced to an earlier date
  - secure sources of funding to repay loan
  - improve safety
  - financial return – NPV and IRR to gauge the level of financial return (loss)

- attract private participation, encourage public-private partnerships, attract private debt or equity investments
- new technologies including intelligent transportation systems to enhance efficiency
- maintain or protect the environment
- improve intermodalism
- use SIB as a means to fill funding gaps or as bridge loan
- strongly encouraged to limit SIB request to 50% or less of total eligible costs
- secured local and private funding sources to leverage project

- Contact: *Jennifer G. Weeks, CPM, FCCM*  
State Infrastructure Bank (SIB) Program Manager  
Florida Department of Transportation  
Office of Comptroller - Project Finance  
605 Suwannee Street, MS #10  
Tallahassee, Florida 32399-0450  
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# FASP Update Process

**Jim Halley, A.A.E., ACE**

**Aviation System Manager**

**FDOT Aviation and Spaceports Office**

January 26, 2017

# Today's Roadmap

- ✈ **Overview of aviation in Florida**
- ✈ **Aviation system planning**
- ✈ **The Florida Aviation System Plan (FASP)**
  - ✈ History
  - ✈ Ongoing update
- ✈ **Aviation system planning at the local level**
- ✈ **Your role in the FASP**
- ✈ **Next steps**

## Aviation in Florida

- ✈ **More than 8.5% of Florida's GSP is from aviation-dependent businesses**
- ✈ **Both the first scheduled airline flight and the first international flight took off in Florida**
- ✈ **#1 state for aerospace manufacturing attractiveness**
- ✈ **128 public use airports**
- ✈ **Over 700 private use facilities**
- ✈ **High return on investment**
  - ✈ 2013/2014 to 2015/2016: 1.37
  - ✈ 2014/2017 to 2020/2021: 1.72

# Florida's Public Use Airport System



# What Does Aviation Do in Florida?



# What Does Aviation Do in Florida?



# What is Airport System Planning?

- ✦ **Lots of definitions, none of which are right or wrong**
- ✦ **Common themes exist:**
  - ✦ A viable, balanced system through integrated planning
  - ✦ Identifying system needs (infrastructure, services, and facilities)
    - ✦ Locally, regionally, statewide, and nationally
  - ✦ Performance measures and tracking
  - ✦ Examining interrelationships and interaction between airports
  - ✦ Development needs to meet current and future demand (a.k.a. HOW MUCH WILL IT COST?!)
- ✦ **An airport vs. airport systems vs. THE airport system**

# Florida Aviation System Plan (FASP)

- ✈ **First FASP completed in 2005**
- ✈ **Identifies goals, approaches, measurements, and recommendations**
- ✈ **Strategic 20-year plan for developing the state's 128 public use airports**
  - ✈ Analyze Florida's system collectively
  - ✈ Understand the relationships of the facilities and the demographics
  - ✈ Compare current and future needs (demand) to current and future capacity
- ✈ **Currently being updated – FASP 2035**

# FASP 2035 Elements

- ✈ Existing system evaluation
- ✈ Development needs
- ✈ Aviation issues
- ✈ Decision-making guidance
- ✈ Recommendations
- ✈ Will examine:
  - ✈ Regional capacity constraints
  - ✈ Investment policies and priorities
  - ✈ System utilization
  - ✈ Best opportunities
  - ✈ Development costs by District and statewide

## Trends Affecting Aviation in Florida

- ✈ What are some general trends in aviation?
- ✈ What is influencing aviation in Florida?
- ✈ What is driving (or hampering) demand around the state?

## How is the System Doing?

### ★ 7 goals (different than but tied to the FTP's goals)

- ★ Supporting objectives
- ★ Performance measures: how are we doing at what we can influence?
- ★ Performance indicators: FDOT can't influence but still help us evaluate

### ★ Development and validation of goals, objectives, and performance measures and indicators

# FASP Update: Where Are We Now?

April 2015      August 2015      April 2016      September 2016      April 2017      July 2017

Phase 1

Phase 2A

Phase 2B

FASP Documents

CRT Meetings



# FASP Deliverables and Tools

- ✈ **Standard products**
- ✈ **Functional tools**
  - ✈ 4 tailored primers
  - ✈ CFASPP regional overviews
  - ✈ GIS
  - ✈ Videos
- ✈ **Recommendations**
  - ✈ Policy
  - ✈ Project prioritization
  - ✈ Development by District and CFASPP region
  - ✈ Guidance to other modes pertaining to aviation
- ✈ **Follow on FDOT projects and initiatives**



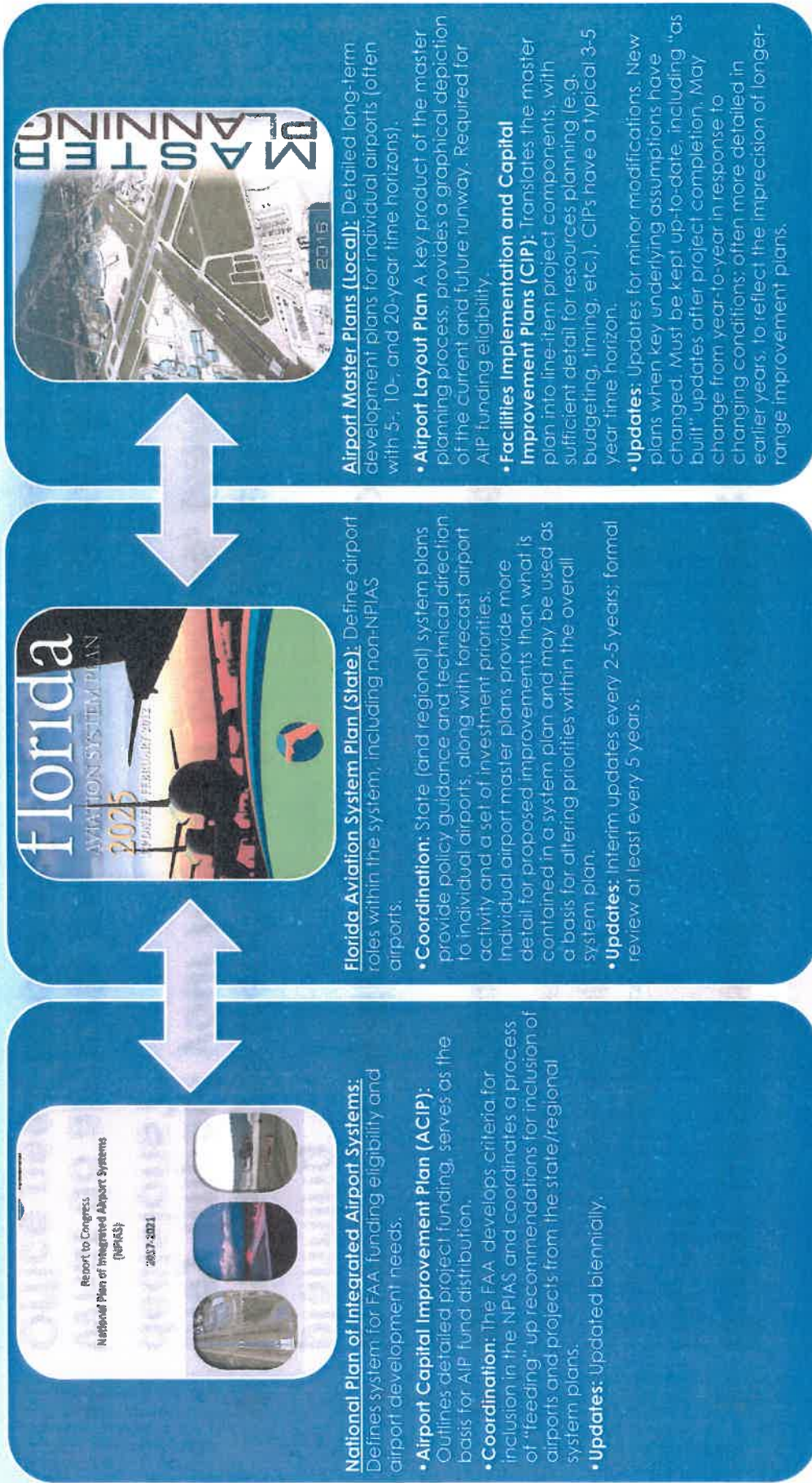
# Your Role In The FASP

# So What Does This Mean to You?

- ✦ **Better understand the role aviation plays in your region**
  - ✦ As a transportation option
  - ✦ Bringing in visitors
  - ✦ What do airports need?
- ✦ **Better understand your role in Florida's aviation system**
- ✦ **Improve coordination between airport and regional planning**
- ✦ **What are the trends and issues for aviation? How do they impact your regional policies, plans, and decisions?**
- ✦ **What do airports and FDOT's Aviation & Spaceports Office need to consider from your perspective?**

# Airport Funding Process Diagram

Developed from ACRP Project 03-31, Aligning Community Expectations with Airport Roles (to be ACRP Report 155 once finalized)



# Community/Regional Planning and Airports

Type of planning	Lead authority	Relevance to airport and airport-area growth	References
Community Master Plan (also called comprehensive, general, city, development, growth management, or policy plans)	Local jurisdiction (city, town, county)	Defines a community's long term development goals and policies, including setting the basis for zoning and other regulations that influence development trajectories.	<a href="#">The Aircraft Owner and Pilots Association's (AOPA) Guide for Airport Advocates: Participating in the Planning Process</a>
Zoning Ordinance	Local jurisdiction (city, town, county)	Regulates uses and other characteristics of development (e.g. floor-area-ratios, setbacks, heights, etc.)	<a href="#">Chapter 163, Florida Statutes</a> <a href="#">Airport Cooperative Research Program (ACRP) Report 16, Guidebook for Managing Small Airports</a>
Special District	Local taxing authorities, sometimes in cooperation with local business/ property owners	Community or regional planning that can affect airports and their surrounding areas Used to establish methods of value capture to help pay for development/infrastructure costs in a specific area. Examples include: Tax Increment Financing Districts (TIF), Business Improvement Districts (BID), and Special Assessment/ Betterment Districts.	<a href="#">Chapter 333, Florida Statutes</a> <a href="#">ACRP Report 121, Innovative Revenue Strategies: An Airport Guide</a>
Permitting	Local jurisdiction (city, town, county)	Formal process to ensure individual projects comply with zoning and other local requirements.	<a href="#">The Aircraft Owner and Pilots Association's (AOPA) Guide for Airport Advocates: Participating in the Planning Process</a> <a href="#">Generally covered under the National Environmental Policy Act of 1969</a>
Environmental review	Project sponsor	Process for evaluating and seeking public comment regarding the environmental impact of a project.	<a href="#">FAA Bulletin 1: Best Practices - Surface Access to Airports</a> <a href="#">FAA Bulletin 1: Best Practices - Surface Access to Airports</a>
Metropolitan transportation plans	Metropolitan Planning Organizations (MPOs)	Define transportation investment priorities and long-term growth trends within urban areas of at least 50,000. Particularly relevant for airport ground access issues.	<a href="#">Florida Transportation Plan</a>
State transportation plans	State Departments of Transportation (DOTs)	Define transportation investment priorities within a state. For areas outside of MPOs, State DOTs and local planning entities are responsible for ground transportation planning and project development that may affect an airport's multimodal	

Developed from ACRP Project 03-31, [Aligning Community Expectations with Airport Roles](#) (to be ACRP Report 155 once finalized)

## What Next?

- ★ Consider airports in your local and regional planning (it's actually a statutory requirement)
- ★ Participate in airport planning at the local, regional, and state levels
- ★ Be an active stakeholder in Florida's statewide and local airport planning processes
- ★ Help us understand what we need to consider from your perspective



**WE WANT YOU!**

# Questions?



# Thank You

Jim Halley, A.A.E., ACE  
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## **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:

- A. Announcements
- B. Legislation and Regulations

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENT:**

1. Performance Year 2017 Program Accountability Results Review – Planning, for your information only



# **PY17 Program Accountability Results (PAR) Review Delegated Federal-Aid Projects**

## **Planning PAR Summary**

December 2016

The Federal Highway Administration (FHWA) – Florida Division Planning staff conducted a total of fifteen (15) Program Accountability Results (PAR) reviews on delegated State and locally administered planning projects during Performance Year (PY) 2017. The purpose of the reviews, which were conducted throughout Florida, was to verify that the Florida Department of Transportation (FDOT), in coordination with local jurisdictions, is carrying out a continuing, cooperative, and comprehensive statewide multimodal transportation planning process as it relates to the statewide transportation planning and programming requirements set forth in 23 CFR 450 Subpart B. By design, all of the selected projects for this PY are located outside of the Metropolitan Planning Organization (MPO) planning areas within Florida.

The Division utilized the Planning PAR Review Guide to conduct each review. All answers and comments were documented and evaluated for trend analysis. This document summarizes the PY17 PAR reviews with respect to ten (10) Division specific planning questions.

### **Questions/Responses**

The Division specific planning questions focused primarily on the project's consistency with the long-range statewide transportation plan, the statewide transportation improvement program (STIP), and the processes for planning and programming. The questions captured information ranging from consultation with local officials to the processes for modifying or amending transportation projects. As noted in prior reports, the connections being made between long and short term goals continue to be demonstrated through the transportation planning process in Florida.

All of the fifteen projects reviewed were found to be consistent with the long-range statewide transportation plan as identified and included in the STIP, and the project information found in the Fiscal Management Information System (FMIS) was consistent with the information that was included in the STIP. Similarly, the project costs of all projects reviewed consistently reflected the estimated project costs in FMIS that were identified in the approved STIP.

Additionally, all of the projects reviewed were found in the approved STIP at the time of authorization. Over half (60%) of the projects reviewed were included in the originally approved STIP. The remaining projects were later added to the STIP through the amendment process, and the appropriate documentation was verified.

Questions related to consultation found that non-MPO local officials were consulted on projects during the STIP development or amendment process. Additionally, it was found that the State's process for consulting non-MPO local officials was followed for all projects reviewed.

### **Influencing Factors**

The focus of the targeted review this performance year was again on non-MPO projects, since no significant issues were uncovered in past reviews that focused on MPO projects. There were ten Division specific planning questions used to conduct the reviews. Use of the Comment section by the planning team during the review process was emphasized and encouraged to help explain the responses provided to the planning PAR questions. The quality control/ quality assurance step continued to be utilized during this performance period. This effort ensures that the team leader reviews the checklists for recording errors, working with the appropriate planner to revise and/or clarify the recorded entries as needed prior to them being entered into the Division's PAR database. This process has greatly reduced the number of errors encountered previously during the subsequent data compilation and analysis phase.

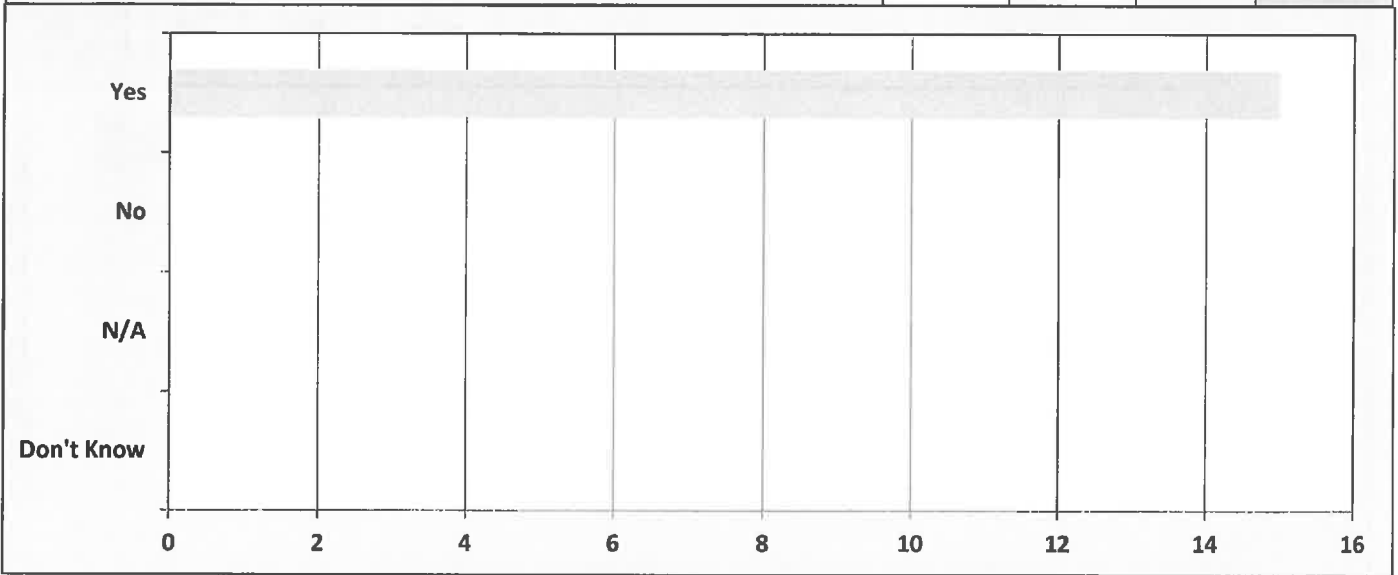
### **Conclusion**

This PY was the third year that the annual PAR reviews were geared exclusively towards non-MPO projects and the processes utilized by the Florida Department of Transportation (FDOT) to ensure that applicable federal requirements were met. The PAR reviews largely indicate that FDOT, in coordination with local jurisdictions, is satisfactorily carrying out a continuing, cooperative, and comprehensive statewide multimodal transportation planning process as it relates to the statewide transportation planning and programming requirements set forth in 23 CFR 450 Subpart B. The reviews also revealed that FHWA handled FMIS authorizations in a manner consistent with 23 CFR 450.220(a). Thus, we recommend that the PY18 Planning PARs focus on a new topic area to be determined. The Division is actively seeking how to apply RBSO to the planning program. Once it is determined if and how PARs can fit within RBSO, the PAR review tool will be revised to appropriately direct the next cycle project reviews.

We will continue to utilize the instituted quality control efforts and refine the review process as needed. The subject matter and PAR questions will continue to be assessed and discussed with the Planning Team prior to each new performance year's reviews to improve the quality and determine the usefulness of the data collected.

# PLANNING PAR QUESTIONS/RESPONSE

PL1. Is the project, as identified and included in the STIP, consistent with the Long-Range Statewide Transportation Plan?	Yes	No	N/A	Don't Know
	15	0	0	0
	100%	0%	0%	0%



**Examples of Remarks for ‘Yes’ Response to Question PL1:**

*Project was included on Page 3769 of the Approved 2014/2015 STIP (Full). It is consistent with the Florida Transportation Plan including the specific Goal for “Agile, Resilient, and Quality Infrastructure: Ensuring State Highway and Bridge Conditions Remain a Strength” (referenced on Page 10 of the FTP Policy Element).*

**Examples of Remarks for ‘No’ Response to Question PL1:**

There is not a “No” response for this question.

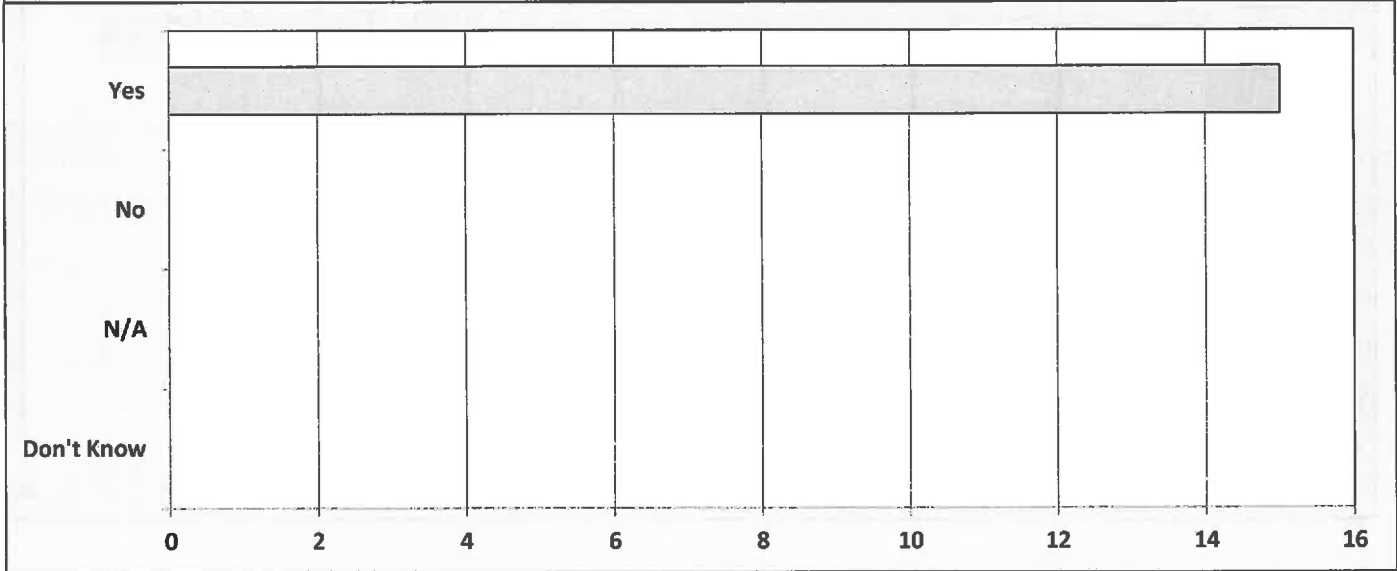
**Examples of Remarks for ‘N/A’ Response to Question PL1:**

There is not a “N/A” response for this question.

**Examples of Remarks for ‘Don’t Know’ Response to Question PL1:**

There is not a “Don’t Know” response for this question.

PL2. In FMIS, are the construction project's description and agency responsible for carrying out the work consistent with that included in the STIP?	Yes	No	N/A	Don't Know
	15	0	0	0
	100%	0%	0%	0%



**Examples of Remarks for 'Yes' Response to Question PL2:**

*Repair/Rehabilitation; Preliminary Engineering/LAP*

**Examples of Remarks for 'No' Response to Question PL2:**

There is not a "No" response for this question.

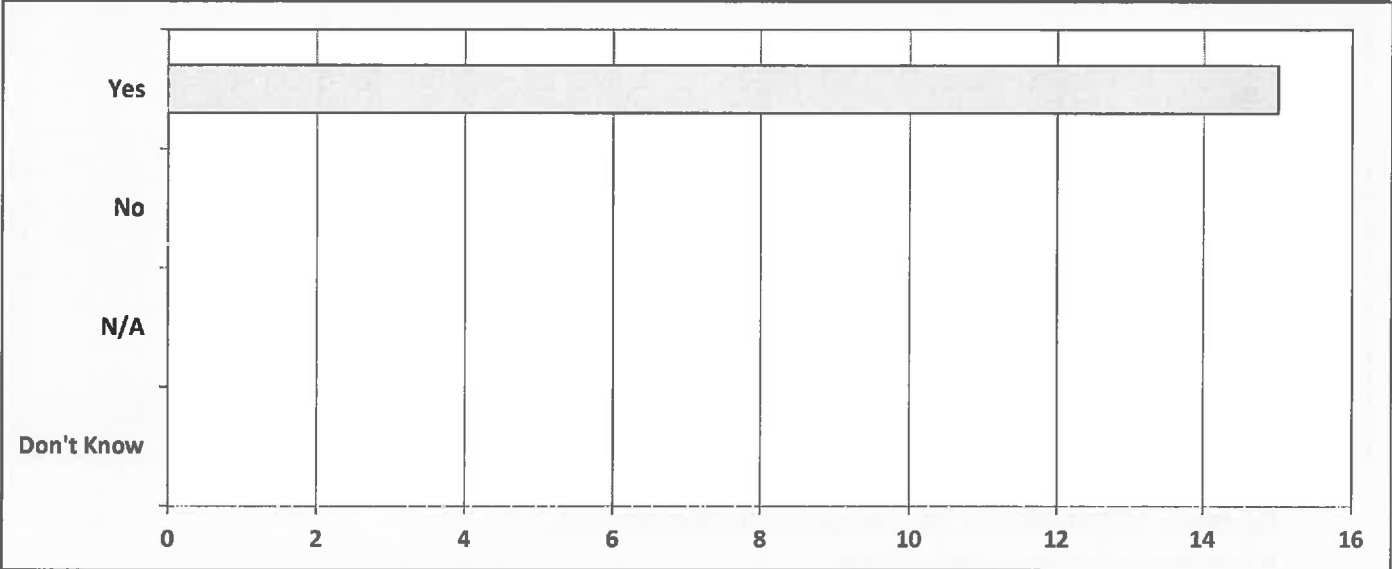
**Examples of Remarks for 'N/A' Response to Question PL2:**

There is not a "N/A" response for this question.

**Examples of Remarks for 'Don't Know' Response to Question PL2:**

There is not a "Don't Know" response for this question.

<b>PL3. Is the project's cost in FMIS consistent with the approved STIP's estimated project cost, or STIP project cost range (if project extends beyond the four years of the STIP)?</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Don't Know</b>
	15	0	0	0
	100%	0%	0%	0%



**Examples of Remarks for 'Yes' Response to Question PL3:**

*No comments*

**Examples of Remarks for 'No' Response to Question PL3:**

There is not a "No" response for this question.

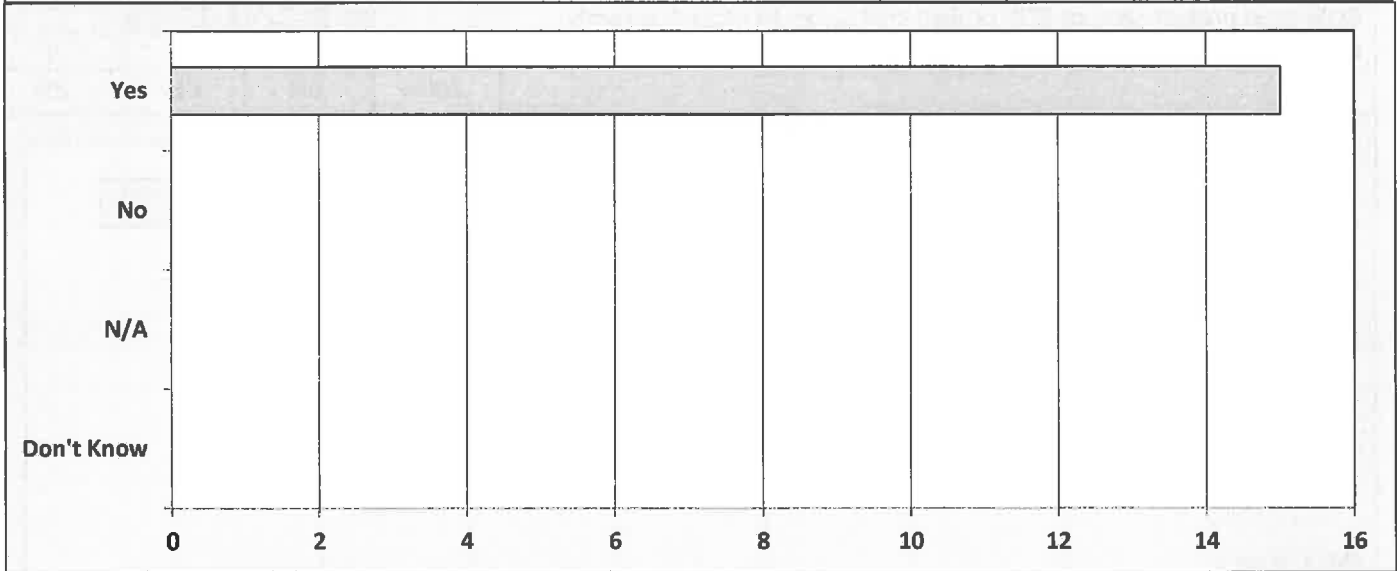
**Examples of Remarks for 'N/A' Response to Question PL3:**

There is not a "N/A" response for this question.

**Examples of Remarks for 'Don't Know' Response to Question PL3:**

There is not a "Don't Know" response for this question.

PL4. Was the project in the approved STIP at the time it was authorized in FMIS?	Yes	No	N/A	Don't Know
	15	0	0	0
	100%	0%	0%	0%



**Examples of Remarks for 'Yes' Response to Question PL4:**

*It was authorized on 7/23/15 FMIS*

*AC: \$35,939.*

*Federal funds: \$229,061*

*State funds: \$ 10,840*

*TL \$275,840*

*STIP: SA \$ 92,000*

*SL \$167,000*

*\$260,000*

**Examples of Remarks for 'No' Response to Question PL4:**

There is not a "No" response for this question.

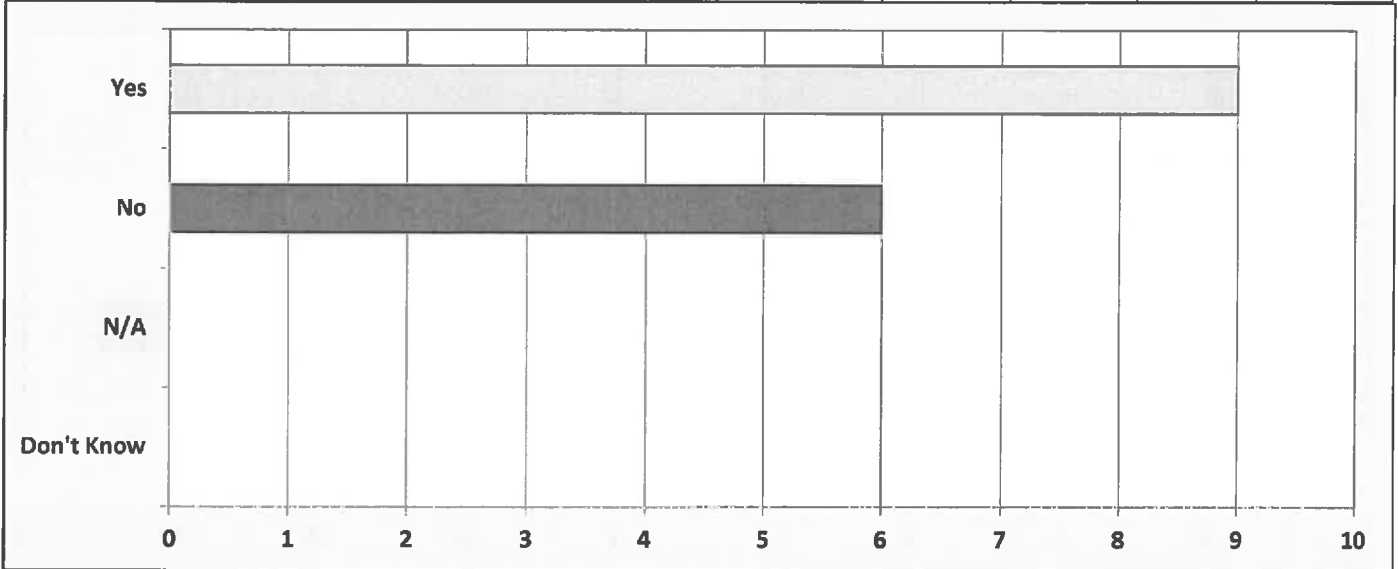
**Examples of Remarks for 'N/A' Response to Question PL4:**

There is not a "N/A" response for this question.

**Examples of Remarks for 'Don't Know' Response to Question PL4:**

There is not a "Don't Know" response for this question.

PL5. Was this project in the originally approved STIP?	Yes	No	N/A	Don't Know
	9	6	0	0
	60%	40%	0%	0%



**Examples of Remarks for 'Yes' Response to Question PL5:**

*2014/2015 STIP approved on October 1, 20145 / STIP: SA \$ 92,000 / SL \$167,000 / 260000*

*The project was in the STIP approved for use on October 1 of the relevant FY*

**Examples of Remarks for 'No' Response to Question PL5:**

*The STIP was amended to add the new project. STIP Amendment 13-01.*

*The STIP was amended to add the new project. STIP Amendment 13-04.*

*The STIP was amended to add the new project. STIP Amendment 14-01. This project crosses two counties; during the review, we found that most the project information was primarily for the Suwanee county portion of the project. All of the project information is the same, with the exception of the county name. We verified that the project includes both counties.*

*The STIP was amended to add the new project. STIP Amendment 14-01.*

**Examples of Remarks for 'N/A' Response to Question PL5:**

There is not an "N/A" response for this question.

**Examples of Remarks for 'Don't Know' Response to Question PL5:**

There is not a "Don't Know" response for this question.

PL6. Was a STIP modification processed?	Yes	No	N/A	Don't Know
	0	0	15	0
	0%	0%	100%	0%



**Examples of Remarks for 'Yes' Response to Question PL6:**

There is not a "Yes" response for this question.

**Examples of Remarks for 'No' Response to Question PL6:**

There is not a "No" response for this question.

**Examples of Remarks for 'N/A' Response to Question PL6:**

*The STIP was amended to add the new project. STIP Amendment 13-01*

*The STIP was amended to add the new project. STIP Amendment 13-04*

*The STIP was amended to add the new project. STIP Amendment 14-01.*

*The STIP was amended to add the new project. STIP Amendment 16-02.*

*The project was in the STIP approved for use on October 1 of the relevant FY.*

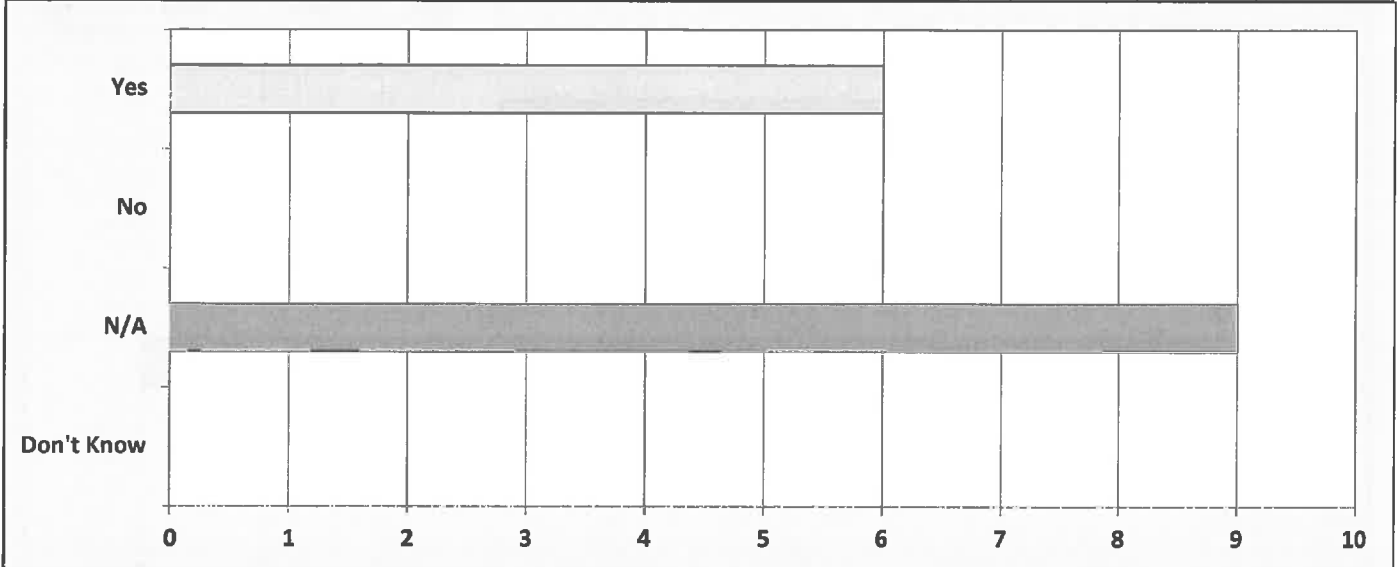
*The STIP was amended to add the new project. STIP Amendment 15-15.*

*Modification not required nor used as it was in the original STIP*

**Examples of Remarks for 'Don't Know' Response to Question PL6:**

There is not a "Don't Know" response for this question.

PL7. Was a STIP amendment processed for this project?	Yes	No	N/A	Don't Know
	6	0	9	0
	40%	0%	60%	0%



**Examples of Remarks for 'Yes' Response to Question PL7:**

*The STIP was amended to add the new project. STIP Amendment 13-01 (9/20/12)*

*The STIP was amended to add the new project. STIP Amendment 13-01 (12/10/12)*

*The STIP was amended to add the new project. STIP Amendment 14-01 (10/8/13)*

*The STIP was amended to add the new project. STIP Amendment 16-02 (11/6/15)*

*The STIP was amended to add the new project. STIP Amendment 15-15 (7/17/15)*

**Examples of Remarks for 'No' Response to Question PL7:**

There is not a "No" response for this question.

**Examples of Remarks for 'N/A' Response to Question PL7:**

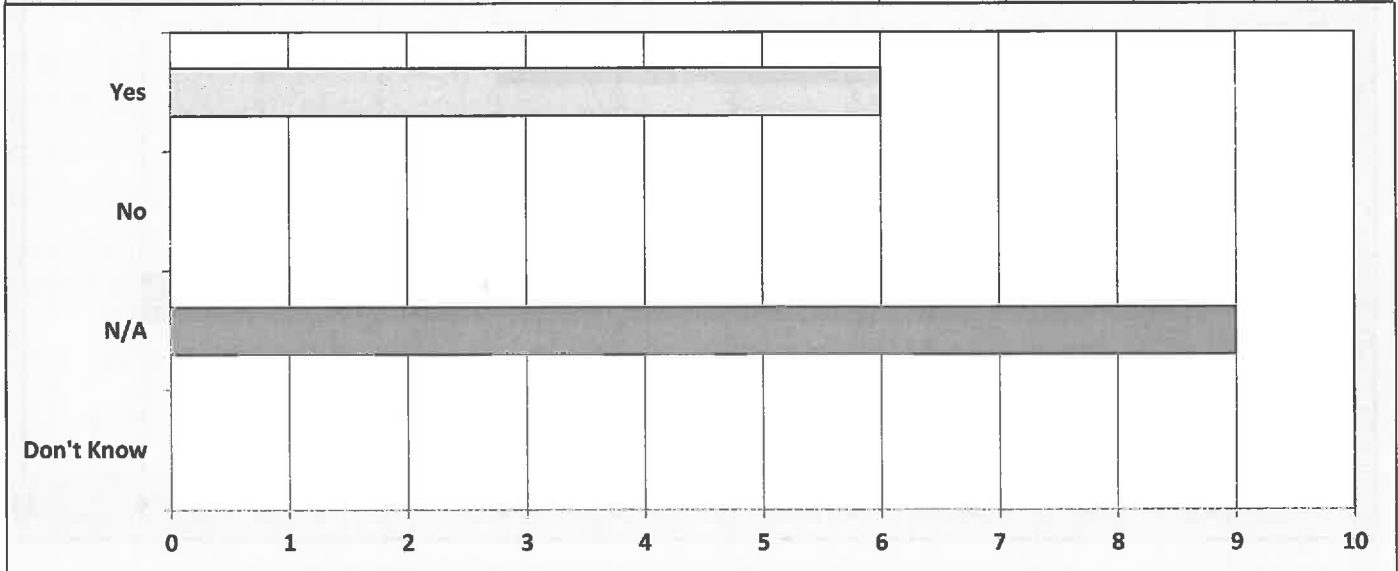
*The project was in the STIP approved for use on October 1 of the relevant FY.*

*STIP Amendment not required nor used*

**Examples of Remarks for 'Don't Know' Response to Question PL7:**

There is not a "Don't Know" response for this question.

PL8. Does FDOT have documentation that verifies the date the STIP amendment was made?	Yes	No	N/A	Don't Know
	6	0	9	0
	60%	0%	40%	0%



**Examples of Remarks for 'Yes' Response to Question PL8:**

*There were no comments*

**Examples of Remarks for 'No' Response to Question PL8:**

There is not a "No" response for this question.

**Examples of Remarks for 'N/A' Response to Question PL8:**

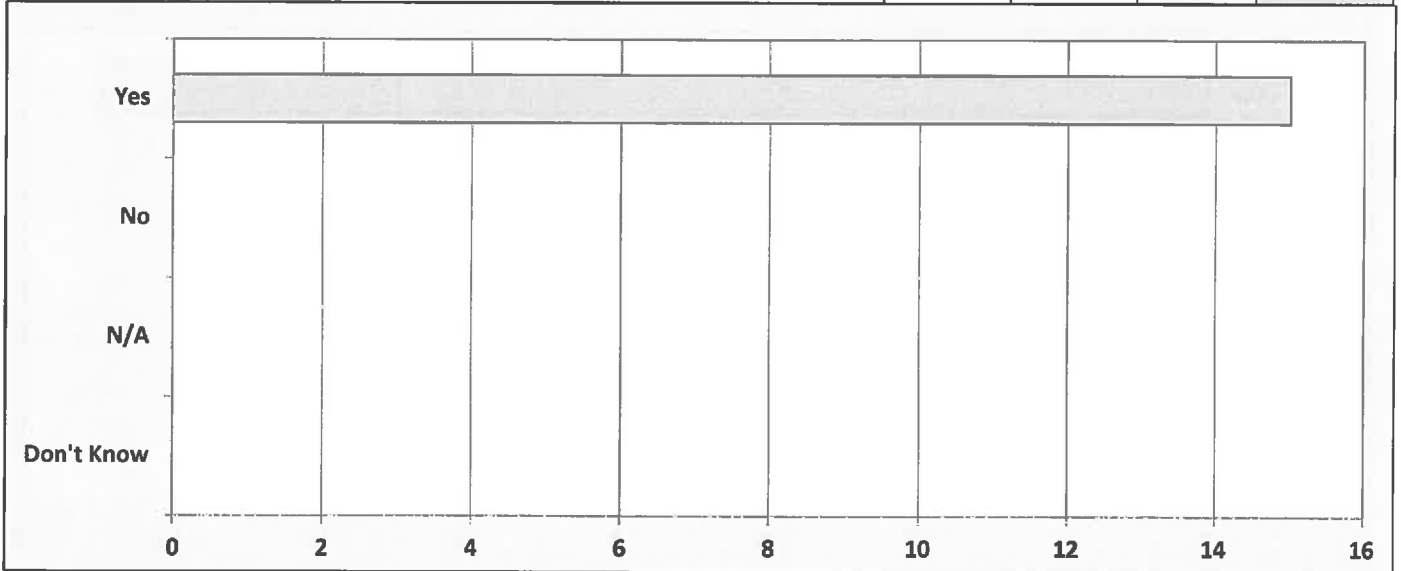
*The project was in the STIP approved for use on October 1 of the relevant FY.*

*STIP amendment not required*

**Examples of Remarks for 'Don't Know' Response to Question PL8:**

There is not a "Don't Know" response for this question.

PL9. Were the non-MPO local officials consulted on this project during the STIP or STIP amendment development?	Yes	No	N/A	Don't Know
	15	0	0	0
	100%	0%	0%	0%



**Examples of Remarks for 'Yes' Response to Question PL9:**

*Through the FDOT District Work Program's regular coordination and workshops/hearings the year before programmed.*

**Examples of Remarks for 'No' Response to Question PL9:**

There is not a "No" response for this question.

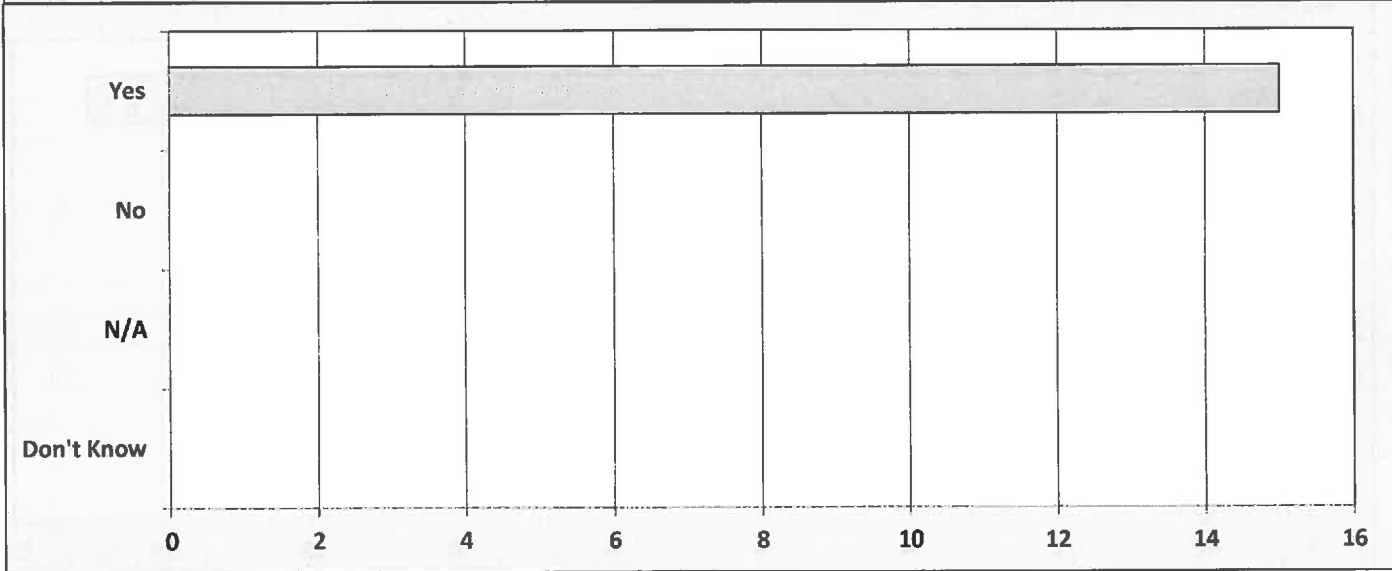
**Examples of Remarks for 'N/A' Response to Question PL9:**

There is not an "N/A" response for this question.

**Examples of Remarks for 'Don't Know' Response to Question PL9:**

There is not a "Don't Know" response for this question.

PL10. Was the State's process for consulting non-metropolitan local officials followed?	Yes	No	N/A	Don't Know
	15	0	0	0
	100%	0%	0%	0%



**Examples of Remarks for 'Yes' Response to Question PL10:**

*There were no comments.*

**Examples of Remarks for 'No' Response to Question PL10:**

There is not a "No" response for this question.

**Examples of Remarks for 'N/A' Response to Question PL10:**

There is not an "N/A" response for this question.

**Examples of Remarks for 'Don't Know' Response to Question PL10:**

There is not a "Don't Know" response for this question.

## Item Number 6

### Business Items & Presentations

#### DISCUSSION:

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

- A. Bylaws Revision
- B. Election of Officers
- C. PL Reserve and Policy
- D. Request for FDOT funding for review of LRTPs
- E. Legislative Priorities for 2017
- F. MPOAC Strategic Plan Working Groups
- G. Meeting Dates for 2017
- H. NARC Dues Structure
- I. Executive Director Performance Review

#### REQUESTED ACTIONS:

Approval of revised MPOAC Bylaws

Approval of Letter requesting FDOT funding of LRTP review study and authorizing the Executive Committee to take action as needed to advance the study

Approval of the proposed 2017 MPOAC legislative priorities

Approval of the formation two Strategic Plan Working Groups

Best Practices Working Group

Bike & Ped Working Group

Approval of National Association of Regional Councils (NARC) dues increase

Review of Executive Director Performance

#### ATTACHMENTS:

1. Proposed Bylaws changes shown in a strikethrough/underline format
2. Chart showing the past 10 years of funding levels in the Planning Fund reserve account – To be provided at the meeting
3. Request for FDOT Funding for Review of LRTPs
  - a. Letter requesting FDOT funding of LRTP review study
  - b. Scope of work for a systematic review of MPO Long Range Transportation Plans
4. Proposed legislative priorities for 2017
  - a. Strikethrough/Underline format showing changes from the approved 2016 legislative priorities
  - b. Clean version of the proposed legislative priorities
5. Strategic Plan Working Groups chart of member interest



6. List of proposed members to the Strategic Plan Working Groups
7. Proposed Dates for the Staff Directors Advisory Committee in 2017
8. Memo from Harry Barley and Greg Stuart explaining the proposed change in NARC annual dues.
9. Executive Director Evaluation Form
10. Executive Director Accomplishments from June 2015 to January 2017



RESOLUTION NO. 2017-1

**A RESOLUTION OF THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL RELATING TO AGENCY BY-LAWS; MAKING FINDINGS; AMENDING THE BY-LAWS; REVISING DEFINITIONS AND PROVISIONS RELATING TO THE MPOAC ORGANIZATION AND THE STAFF DIRECTORS' ADVISORY COMMITTEE AND OTHER COMMITTEES; REVISING PROCEDURES FOR SETTING AN AGENDA; MAKING GRAMMATICAL REVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the Florida Metropolitan Planning Organization Advisory Council ("MPOAC") recognizes and acknowledges the need and requirement for established procedures to be implemented in order to facilitate orderly, responsible, and respectable MPOAC Governing Board, Staff Directors' Advisory Committee, and other committee meetings; and

**WHEREAS,** the Governing Board desires to revise its By-Laws and procedures which will allow interested parties to easily understand MPOAC procedures; and

**WHEREAS,** this resolution shall act as a guide and framework for MPOAC procedures.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Florida Metropolitan Planning Organization Advisory Council that the following be and the same is hereby adopted:

Resolution Section 1. The following policies, procedures, and By-Laws, are hereby accepted, amended, restated, and adopted by the MPOAC as follows:

**MPOAC Agency Bylaws**

*(adopted January 22, 2015, Res. No. 15-1; amended January 26, 2017, Res. No. 17-1)*

Introductory Statement: The MPOAC is not subject to Florida's Administrative Procedure Act. §120.52(1), Fla.Stat. Consequently, these rules are not subject to a rule adoption proceeding pursuant to Section 120.54, Florida Statutes. However, pursuant to Section 339.175(11)(c)4., Florida Statutes, the MPOAC has the

express legislative authority to adopt by-laws for agency operation.

**Section 1. Definitions.** As used in these bylaws, the following terms shall be defined as follows:

"MPO" means and refers to a metropolitan planning organization as provided for in 23 U.S.C. Section 134 and Section 339.175, Florida Statutes. MPO may also mean a transportation planning organization ("TPO"), transportation planning agency ("TPA") or other name used by an MPO in Florida.

(b) "MPOAC" shall mean the State of Florida, Metropolitan Planning Organization Advisory Council as provided for in Section 339.175, Florida Statutes.

(c) "Record" shall include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the MPOAC. A record shall be as specified in Section 119.011, Florida Statutes, or as determined pursuant to judicial interpretation of Chapter 119, Florida Statutes.

~~(d) "TPO" or "Transportation Planning Organization" refers to a MPO.~~

**Section 2. MPOAC Organization.**

(a) The Governing Board of the MPOAC is composed of a twenty-seven (27) member Governing Board as of 2016. As provided in Section 3.(b), if a new MPO is created, the number of Governing Board members will increase. Each individual MPO selects one representative, and may select at least one alternate representative, to serve on the Governing Board. An MPO may select a primary alternate representative and, at its option, a secondary alternate representative. Alternate representatives shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the MPOAC Governing Board, only in the absence of the representative that the alternate has been appointed to serve in place of; provided, however, that alternate representatives may always attend Governing Board meetings and participate in

debate. A secondary alternate representative shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the MPOAC Governing Board, only in the absence of the Governing Board member, and primary alternate representative, of the MPO that the secondary alternate represents.

(b) Organizational structure.

(1) Executive Committee. The Executive Committee consists of the MPOAC Governing Board Chair and Vice-Chair, a member of the Governing Board serving at-large, the Staff Directors' Advisory Committee Chair and Vice-Chair. Service on the Executive Committee is considered an appointment to a position and not an office and is an ex officio part of the duties of the selected Governing Board Member or selected member of the Staff Director's Advisory Committee.

(2) In addition to the Governing Board, the MPOAC will be composed of at least three (3) committees ~~one~~ ~~(1)~~ committee, the Staff Directors' Advisory Committee, the Freight Committee, and the Policy and Technical Committee, which are ~~is~~ advisory to the Governing Board. The Policy and Technical Committee is also advisory to the Staff Directors' Advisory Committee. The MPOAC will be staffed by an executive director who hires, supervises, and may terminate or suspend MPOAC staff or consultants. The executive director serves as the agency clerk. The MPOAC may retain a general counsel and other staff as necessary to perform adequately the functions of the MPOAC within budgetary limitations.

(c) Executive Committee.

(1) The at-large Governing Board member of the Executive Committee will be selected at the same time that the Governing Board Chair and Vice-Chair are selected. If the at-large member position shall become vacant, the Governing Board shall select an at-large member to complete the term of the individual being replaced. Said replacement member shall serve until such time as the election is held for the Governing Board Chair, Vice-Chair, and the Executive Committee at-large member.

(2) The Executive Committee shall provide policy direction for the MPOAC between Governing Board meetings and provide an annual evaluation of the MPOAC Executive Director.

(3) Meetings of the Executive Committee shall

occur at the call of the Chair, setting the date, time, and location of said meeting. Alternatively, a vote of a majority of the Executive Committee may set a meeting time, date, and location for an Executive Committee meeting. A vote of the Executive Committee shall take precedence over a determination to call a meeting by the Chair. In addition, upon petition of the three (3) of the members of the Executive Committee, a special meeting may be called. In the event that the petition does not include the date, time or location of the meeting, the Chair, after consultation with the Executive Director, may determine the time, date, or location of the meeting.

(4) The Chair may cancel an Executive Committee meeting if the reasons for the meeting to be held no longer exist, or if there is a lack of business to be considered.

(d) Staff Directors' Advisory Committee. The Staff Directors' Advisory Committee is responsible for providing guidance to the MPOAC Governing Board regarding transportation issues and agency operation. It may assist in the preparation of the MPOAC agenda. In addition, the Staff Directors' Advisory Committee may serve 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 shall relate to statewide concerns regarding all transportation-related issues.

(e) Executive Director. The MPOAC Governing Board shall may appoint an executive director. The executive director shall be responsible for carrying out policy determinations and directives of the MPOAC Governing Board. The executive director shall have authority to hire, supervise, and terminate other subordinate employees of the MPOAC. The executive director reports for day-to-day supervision to the Chair of the Governing Board.

(f) Agency Clerk. As a part of the duties of the position of Executive Director, the executive director shall serve *ex officio* as the agency clerk. The duties and responsibilities of the agency clerk shall be to: index and file agency resolutions, orders, and bylaws in a manner not inconsistent with applicable provisions of the Florida Rules of Appellate Procedure; send notices of workshops and meetings; transcribe minutes of the Governing Board, committee, and subcommittee meetings and workshops; maintain all agency files and records; make certifications

of true copies and actions; attest to the signatures of MPOAC officers; and perform such other duties as determined by the MPOAC Governing Board.

(g) General Counsel. The MPOAC Governing Board may also appoint and retain a general counsel. The general counsel shall be responsible for assisting the MPOAC in legal matters and representation of the MPOAC in legal proceedings. The MPOAC general counsel shall at all times be a member of the Florida Bar and shall have been a practicing attorney for at least five (5) years prior to assuming the position of general counsel. The Governing Board may also retain special legal counsel from time to time as necessary for the handling of specialized legal matters.

### **Section 3. MPOAC Governing Board.**

(a) The MPOAC Governing Board consists of one representative from each of the duly designated MPOs in Florida ~~the following MPOs~~. As of 2016 the MPOs are:

- (1) Bay County Transportation Planning Organization;
- (2) Broward Metropolitan Planning Organization;
- (3) Capital Region Transportation Planning Agency;
- (4) Charlotte County-Punta Gorda Metropolitan Planning Organization;
- (5) Collier Metropolitan Planning Organization;
- (6) Florida-Alabama Transportation Planning Organization;
- (7) Forward Pinellas;
- (8) (7) Heartland Regional Transportation Planning Organization;
- (9) ~~(8)~~ Hernando/Citrus Metropolitan Planning Organization;
- (10) ~~(9)~~ Hillsborough County Metropolitan Planning Organization;
- (11) ~~(10)~~ Indian River County Metropolitan Planning Organization;
- (12) ~~(11)~~ Lake-Sumter Metropolitan Planning Organization;
- (13) ~~(12)~~ Lee County Metropolitan Planning Organization;
- (14) ~~(13)~~ Martin Metropolitan Planning Organization;

(15) ~~(14)~~ MetroPlan Orlando;  
(16) ~~(15)~~ Metropolitan Transportation Planning  
 Organization for the Gainesville Urbanized Area;  
(17) ~~(16)~~ Miami-Dade Metropolitan Planning  
 Organization;  
(18) ~~(17)~~ North Florida Transportation Planning  
 Organization;  
(19) ~~(18)~~ Ocala-Marion County Transportation  
 Planning Organization;  
(20) ~~(19)~~ Okaloosa-Walton Transportation Planning  
 Organization;  
(21) ~~(20)~~ Pasco County Metropolitan Planning  
 Organization;  
(22) ~~(21)~~ Palm Beach Metropolitan Planning  
 Organization;  
~~(22) Pinellas County Metropolitan Planning  
 Organization~~  
(23) Polk Transportation Planning Organization;  
(24) River to Sea Transportation Planning  
 Organization;  
(25) Sarasota/Manatee Metropolitan Planning  
 Organization;  
(26) Space Coast Transportation Planning  
 Organization; and  
(27) St. Lucie Transportation Planning  
 Organization.

(b) Appointment of Governing Board representatives.

(1) Each MPO ~~or TPO~~ shall appoint one (1) representative and may appoint at least one (1) and not more than two (2) alternate representatives ~~representative~~ to serve on the MPOAC Governing Board. Regular Governing Board members or alternate members may be reappointed from time to time by their appointing MPO ~~or TPO~~.

(2) The term for a representative and an alternate representative shall be from January 1st to December 31st of each calendar year. By no later than December 31st of each calendar year, each MPO ~~or TPO~~ shall appoint its representative to the MPOAC to serve for the succeeding calendar year.

(3) No individual shall be eligible to vote on the MPOAC until the appointing MPO ~~or TPO~~ certifies in writing or electronically by e-mail to the MPOAC that such individual is authorized to act as the representative or

alternate representative of the certifying MPO ~~or TPO~~.

(4) Each representative and each alternate representative of a MPO ~~or TPO~~ shall serve at the pleasure of the appointing MPO ~~or TPO~~; provided, that a representative or an alternate representative on the MPOAC Governing Board must at all times be a representative sitting on the Governing Board of the appointing MPO ~~or TPO~~.

(4) Vacancies shall be filled only by an appointment by the original appointing MPO ~~or TPO~~.

(c) Upon the creation of a new MPO pursuant to Section 339.175, Florida Statutes, said MPO ~~or TPO~~ is entitled to the appointment of one representative and, at its option, one (1) primary alternate representative, and one (1) secondary alternate representative, to serve as a member of the MPOAC Governing Board in the absence of the regular voting delegate to the Governing Board.

#### **Section 4. Organization of the Governing Board.**

(a) The MPOAC Governing Board shall at its first meeting of the calendar year elect a Chair ~~chairperson~~ and Vice-Chair ~~vice chairperson~~ as its officers. The Chair ~~chairperson~~ and Vice-Chair ~~vice chairperson~~ shall take office upon election as of the time and date set for the MPOAC Governing Board regularly scheduled meeting in the third quarter of the calendar year (historically the meeting held in July), or as soon thereafter as possible, and shall serve until the completion of next regular election which shall be held at the first meeting in the first quarter of the calendar year time and date set for the beginning of the regularly scheduled MPOAC Governing Board meeting in the third quarter of the next calendar year, or until a successor is thereafter elected, whichever event shall first occur. The Chair ~~chairperson~~ and Vice-Chair ~~vice chairperson~~ must at all times during their term of office be members of the MPOAC Governing Board.

(b) If a vacancy occurs in any MPOAC Governing Board office, the MPOAC Governing Board shall fill the vacancy, and the individual filling the vacancy shall serve until the time set for the beginning of the MPOAC Governing Board meeting held in the third quarter of the calendar year, or until a successor is thereafter elected, whichever event

shall first occur.

(c) Chair; Vice-Chair Chairperson; Vice Chairperson. The Chair chairperson of the MPOAC shall call and preside at all meetings of the MPOAC Governing Board. The Chairperson chairperson is authorized to execute on behalf of the MPOAC all documents which have been approved by the MPOAC Governing Board. The Vice-Chairperson vice-chairperson shall act as Chair chairperson in the absence of the Chair chairperson.

(d) Agenda preparation. After consultation with the Chair Chairperson of the Governing Board, the Executive Director is responsible for the preparation of agendas for future meetings.

(e) Quorum. At least nine (9) of the voting members of the MPOAC Governing Board must be present for the MPOAC Governing Board to conduct business. All votes must pass by a vote of a majority of those members present and voting or by seven (7) votes, whichever number shall be greater.

(f) Meetings.

(1) The MPOAC shall meet no less often than once each calendar quarter during the year based on an annual schedule established by the Governing Board which schedule may be amended from time to time by the Governing Board, unless said meeting is cancelled or rescheduled by the Chair chairperson. The Chair chairperson shall be empowered to cancel any of the foregoing regular meetings, as necessary. Regular meetings, may be held at a location, date, and time, to be determined annually by a majority of the Governing Board members voting.

(2) Special meetings may be called by the Governing Board Chair chairperson at a date, location, and time in the Chair's call for the special meetings or through a letter of petition from at least four (4) members of the Governing Board; provided, that all public notice requirements are satisfied. The letter shall state the purpose of the special meeting and may propose a time, location, and date for the special meeting. In the event of any petition which does not set a time, location, and date for a special meeting, the Chair, after coordinating with Executive Director, shall set the time, location, and date of the meeting.

(3) Emergency meetings may be called as provided in Section 9.

(4) Joint meetings of the Governing Board and the Staff Directors' Advisory Committee. At the call of the Governing Board Chair or after consultation between the Governing Board Chair and the Staff Directors' Advisory Committee Chair at the call of the Staff Directors' Advisory Committee Chair, meetings of the Staff Directors' Advisory Committee may be held simultaneous with a Governing Board meeting.

(g) Committees ~~Subcommittees~~, other than the Executive Committee and the Staff Directors' Advisory Committee.

(1) Committees, as necessary to assist the Governing Board may be established by the Chair, Chairperson or by a majority vote of those present and voting at a Governing Board meeting. A vote of the Governing Board shall take precedence over an appointment by the Chair.

(2) Committee ~~Sub-committee~~ members and alternate members shall be appointed by the Governing Board Chair ~~Chairperson~~, or a majority of the Governing Board voting at a duly called meeting. The vote of a majority of the Governing Board members shall take precedence over an appointment by the Chair. There shall be no limit on the number of alternates that may be appointed; provided, that appointment of an alternate is specifically conditioned upon which regular member the alternate may serve in place of. Additionally, in the event that two or more individuals are appointed as alternate members for a specific member, the alternate members must be designated as first alternate, second alternate, or otherwise, to designate the order in which alternates may serve in place of a regular member.

(3) The Governing Chair, or a majority of the Governing Board membership voting at a duly called meeting, may select the committee Chair and Vice-Chair. The vote of a majority of the Governing Board members shall take precedence over an appointment by the Chair. If the MPOAC Chair or Governing Board membership does not appoint a committee Chair and a Vice-Chair, the selection of the committee chair shall be left to the committee membership. The term of the Chair and Vice-Chair shall run commensurate with the regular term of the Governing Board Chair.

**Section 5. Staff Directors' Advisory Committee and other MPOAC Committees Subcommittees.**

(a) Appointment of Committee representatives.

(1) The MPOAC Staff Directors' Advisory Committee is comprised of one staff person from each MPO ~~of the MPOs or TPOs listed in Section 2.~~ One (1) member representative to serve on the Staff Directors' Advisory Committee shall be designated by each MPO ~~or TPO~~. In addition, each MPO that designates a member representative to the Staff Directors' Advisory Committee may shall also designate at least one (1) alternate member representative. Each MPO may appoint a primary alternate representative and, at its option, a secondary alternate representative to the Staff Directors' Advisory Committee. Alternate member representatives shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member representative of the Staff Directors' Advisory Committee only in the absence of the member representative that the alternate has appointed to serve in place of; provided, however, that alternate member representatives may always attend committee meetings and participate in debate. A secondary alternate representative shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the Staff Directors' Advisory Committee, only in the absence of the Staff Directors' Advisory Committee member, and primary alternate representative, of the MPO that the secondary alternate represents.

~~(2) Regular Staff Directors' Advisory Committee Member representatives or alternate member representatives may be reappointed from time to time by their appointing MPO or TPO.~~

(2) ~~(3)~~ Each Staff Directors' Advisory Committee Member representative and each alternate member representative of a MPO ~~or TPO~~ shall serve at the pleasure of the appointing MPO ~~or TPO~~. Vacancies shall be filled only by an appointment by the original appointing MPO ~~or TPO~~.

(3) ~~(4)~~ Upon the creation of a new MPO pursuant to Section 339.175, Florida Statutes, said MPO ~~or TPO~~ is entitled to the appointment of one member representative and one (1) primary and one (1) alternate member

representative to serve on the Staff Directors' Advisory Committee.

(b) The term of service for a member representative on the Staff Directors' Advisory Committee shall be for a period of time beginning on January 1st and ending on December 31st of each year. Members and alternate members are eligible for reappointment. By no later than December 31st of each calendar year, each MPO ~~or TPO~~ shall designate its representative and any ~~an~~ alternate representatives ~~representative~~ to the MPOAC.

(c) No individual shall be eligible to vote on the Staff Directors' Advisory Committee until the appointing MPO ~~or TPO~~ certifies in writing or electronically by e-mail to the MPOAC that such individual is authorized to vote as the representative, or alternate, of the certifying entity. Each member and alternate member of the committee shall serve at the pleasure of the appointing MPO ~~or TPO~~. Each individual appointed to serve, as a regular member or an alternate member of the Staff Directors' Advisory Committee, as a representative of a MPO ~~or TPO~~ must be an employee of the MPO ~~or TPO~~ represented or the ~~governmental~~ agency staffing a MPO ~~or TPO~~.

(d) Officers. The officers of the Staff Directors' Advisory Committee shall be the Chair ~~chairperson~~ and the Vice-Chair ~~vice chairperson~~. The Chair ~~chairperson~~ and Vice-Chair ~~vice chairperson~~ shall be selected by a majority vote of the membership of the Staff Directors' Advisory Committee ~~present and~~ voting. The Chair ~~chairperson~~ and Vice-Chair ~~vice chairperson~~ shall take office upon election at the first Staff Directors' Advisory Committee in the first quarter as of the time and date set for the MPOAC Staff Directors' Advisory Committee meeting in July (or as soon thereafter as possible if a meeting is not held in the first quarter July) and shall serve until the completion of the next regularly scheduled election, which shall be held at the first meeting in the first quarter of the calendar year time and date set for the beginning of the Staff Directors' Advisory Committee meeting usually preceding the Governing Board meeting in July (or as soon thereafter as possible if a meeting is not held in July) of the next succeeding year, or until a successor is thereafter elected, whichever event shall first occur. The Chair ~~chairperson~~ and Vice-Chair ~~vice chairperson~~ must be members of the Staff Directors' Advisory Committee.

(e) Chair; Vice-Chair Chairperson; Vice Chairperson. The Chair chairperson of the Staff Directors' Advisory Committee shall call and preside at all meetings of the Staff Directors' Advisory Committee. The Chair chairperson is authorized to implement on behalf of the Staff Directors' Advisory Committee all decisions which have been approved by the Staff Directors' Advisory Committee, and the Chair chairperson is authorized to execute on behalf of the Staff Directors' Advisory Committee all documents which have been approved by the Staff Directors' Advisory Committee. The Vice-Chair vice-chairperson shall act as Chair chairperson in the absence of the Chair chairperson.

(f) Agenda preparation. After consultation with the Chair chairperson of the Staff Directors' Advisory Committee, the Executive Director is responsible for the preparation of agendas for future meetings.

(g) Quorum. At least nine (9) of the voting members of the Staff Directors' Advisory Committee must be present for the Staff Directors' Advisory Committee to conduct business. All votes must pass by a vote of a majority of those members ~~present and~~ voting or by seven (7) votes, whichever number shall be greater.

(h) Meetings. Regular meetings of the Staff Directors' Advisory Committee shall be held at least once each calendar year quarter based on an annual schedule established by the MPOAC Governing Board ~~which schedule may be amended from time to time by the MPOAC Governing Board,~~ unless cancelled or rescheduled by the Staff Directors' Advisory Committee Chair chairperson. A regular meeting schedule shall be set by the Staff Directors' Advisory Committee annually by a majority of those members voting at a meeting. The Chair chairperson may cancel a meeting as a result of a lack of business to bring to the committee. Regular meetings shall usually be held immediately prior to, or at the option of the Chair, chairperson simultaneous with the meetings of the Governing Board. Joint meetings of the Staff Directors' Advisory Committee and Governing Board may be conducted, and those meetings may be called as provided in Section 4.(f)(4). Joint meetings of the Governing Board and the Staff Directors' Advisory Committee Meetings shall be held in the same location as the Governing Board meeting. Special meetings, which are not joint meetings, may be held at a date, time, and location

to be determined by the Chair or a majority of the committee members voting. A vote of a majority of the members voting shall take precedence over a decision of the Chair. The Chair chairperson shall set the time and location of regular and special meetings. In addition, special Special meetings may shall be called by the Staff Directors' Advisory Committee chairperson or through a letter of petition from at least four (4) members; provided, that applicable public notice requirements are satisfied. This letter shall state the purpose of the special meeting and may propose a time, location, and date for the special meeting. In the event of any petition which does set a time, location, or date for a special meeting, the Chair, after coordinating with Executive Director, shall set the time, location, or date of the meeting.

(i) Subcommittees may be established by the Chair chairperson or by a majority vote of those present and voting at a Staff Directors' Advisory Committee meeting as necessary to assist the Staff Directors' Advisory Committee. Sub-committee members, including a Chair and Vice-Chair, shall be appointed by the Staff Directors' Advisory Committee committee Chair chairperson, or a majority of those voting at a meeting. A vote of the Staff Directors' Advisory Committee shall take precedence over an appointment by the Chair.

(j) Other MPOAC Committees.

(1) Other committees established by the MPOAC Governing Board (other than the Executive Committee), including but not limited to the Freight Committee and the Policy and Technical Committee, shall consist of the number of members and alternate members appointed to the committee by the MPOAC Chair or the MPOAC Governing Board as provided in Section 4.(g).

(2) A committee may be composed of members and alternate members of the Governing Board and of the Staff Directors' Advisory Committee, as Committee members or alternate members, and may have non-member advisers to serve the Committee. Appointment to a committee is considered an appointment to a position and not an office and is an ex officio part of the duties of a Governing Board Member or the Staff Director's Advisory Committee, or alternate members.

(3) There shall be no limit on the number of alternates that may be appointed; provided, that

appointment of an alternate is specifically conditioned upon which regular member that the alternate may serve in place of. Additionally, in the event that two or more individuals are appointed as alternate members for a specific member, the alternate members must be designated as first alternate, second alternate, or otherwise, to designate the order in which alternates may serve in place of a regular member.

(4) The quorum of other committees established by the MPOAC Governing Board (other than the Executive Committee), including but not limited to the Freight Committee and the Policy and Technical Committee, shall consist of one-third of the Committee's membership.

(5) Meetings of the committee established (other than the Executive Committee or the Staff Directors' Advisory Committee) shall occur at the call of the Chair, setting the date, time, and location of said meeting. Alternatively, a vote of a majority of the committee may set a meeting time, date, and location for an Executive Committee meeting. A vote of the committee shall take precedence over a determination to call a meeting by the Chair. In addition, upon petition of the three (3) of the members of the committee, a special meeting may be called. In the event that the petition does not include the date, time or location of the meeting, the Chair, after consultation with the Executive Director, may determine the time, date, or location of the meeting.

(6) The Chair may cancel a committee meeting if the reasons for the meeting to be held no longer exist, or if there is a lack of business to be considered.

**Section 6. Open Meetings; Public Records; and Principal Office of the MPOAC.**

(a) Open Meetings. All meetings of the Governing Board, ~~and any committees its advisory committee, and any sub-committee,~~ will be open to the public, except as provided by applicable federal or Florida law, if any.

(b) Records. All MPOAC records shall be open to the general public, unless such records are subject to an exemption from Chapter 119, Florida Statutes, or are confidential as required by law. The general public can review, or obtain copies of records (provided said public records are not non-reproducible pursuant to 17 U.S.C. §101 et seq.), unless said records are exempt or confidential pursuant to Section 119.071, Florida Statutes, or other

provisions of federal or Florida law. Charges for copies may be made pursuant to Chapter 119, Florida Statutes. Public records shall be made available to the public for inspection at the principal office of the MPOAC.

(c) Principal Office of the MPOAC. The principal office of the MPOAC is located at such location as designated from time to time by the Governing Board. The address, e-mail address, and telephone number of the principal office shall be displayed on the MPOAC Internet web-site. The MPOAC executive director and staff are located at the principal office. MPOAC official records, other than records of the general counsel, shall be maintained in the principal office of the MPOAC. Interested parties may receive copies of agency records from the agency clerk at the principal office of the MPOAC.

#### **Section 7. Setting the Agenda.**

(a) Governing Board meeting. At least ten (10) ~~fifteen (15)~~ days prior to a meeting or workshop, the MPOAC executive director, in consultation with the Governing Board Chair ~~Chairperson~~, shall prepare the agenda for the Governing Board meeting.

(b) Staff Directors' Advisory Committee ~~or other committee~~. ~~(1)~~ At least ten (10) ~~fifteen (15)~~ days prior to a meeting or workshop or sub-committee meeting or workshop, the MPOAC executive director, in consultation with the Staff Directors' Advisory Committee Chair ~~Chairperson~~, shall prepare the agenda for the Staff Directors' Advisory Committee meeting.

(c) ~~(2)~~ At least ten (10) ~~fifteen (15)~~ days prior to a meeting or workshop of any MPOAC committee, the MPOAC executive director, in consultation with the committee Chair ~~Chairperson~~, shall prepare the agenda for the committee meeting.

~~(c) Subcommittees. At least fifteen (15) days prior to a meeting or workshop of a subcommittee, the MPOAC executive director, in consultation with the subcommittee Chairperson, shall prepare the agenda for the subcommittee meeting.~~

(d) Upon completion of the preparation of an agenda

for the Governing Board, or any committee, ~~or any subcommittee~~, the agency clerk shall make available the agenda for the meeting for distribution on request by any interested person who pays the reasonable cost for a copy of said agenda; to any person named in said agenda; and to any class of individuals to whom intended action is directed.

(e) Any person desiring to have an item placed on the agenda of a meeting of the MPOAC Governing Board, an advisory committee, or a Staff Directors' Advisory Committee or any subcommittee, shall request in writing that the item be considered at the next regularly scheduled meeting of the Governing Board, advisory committee, or a subcommittee, as appropriate; provided, however, such request must be received thirty (30) days in advance of said regularly scheduled meeting. Written requests for placing an item on the agenda must describe and summarize the item and shall be mailed, e-mailed, or hand delivered to the MPOAC executive director.

(f) The agenda shall be specific as to items to be considered. All matters involving the exercise of agency discretion and policy making shall be listed on the agenda. The agenda shall include a disclaimer as required pursuant to Sections Section 286.0105 and 286.26, Florida Statutes. Any items added to an agenda after its publication should be for information or reporting and not for action, unless the item is added as an emergency business item, an item that must be acted on because of a time deadline and which item was not known or available at the time that the agenda was prepared, or for consideration of solely ministerial or internal-administrative matters, which do not affect the interests of the public generally.

(g) The order of business for a regular meeting of the Governing Board or the Staff Directors' Advisory Committee shall be as follows:

1. Call to Order & Pledge of Allegiance
2. Approval of Minutes
3. Public Comments (non-agenda items)
4. Executive Director's Report
5. Agency Reports
  - A. Florida Department of Transportation
  - B. Federal Highway Administration
  - C. Federal Transit Administration

6. Business Items & Presentations
7. Communications
8. Member Comments
9. Adjournment

In preparing the agenda, the Executive Director may vary the order of items.

(h) The agenda shall list the items in the order they are to be considered; provided, however, that for good cause stated in the record by the person who is designated to preside at the event, items may be considered out of their listed order.

**Section 8. Notice of Meetings and Workshops.**

(a) Governing Board Meetings.

(1) Except in the case of an emergency meeting, the MPOAC agency clerk shall give written notice that will ensure receipt of said notice by all members and the general public at least seven (7) days prior to any non-emergency meeting or workshop of the Governing Board or the Executive Committee. In addition, the agency clerk shall prepare and make available a copy of said notice: for distribution on request to any interested person who pays the reasonable cost for a copy of said notice; to any person named in said notice; and to any class of individuals to whom action is directed. Meeting notices shall be advertised on the MPOAC web-site and in the Florida Administrative Register at least seven (7) days prior to any non-emergency meeting. Meeting notices given pursuant to this paragraph shall include a copy of the meeting agenda. All notices to members and alternate members shall be sent to the official address of the member or alternate member's MPO or such other current address on file with the agency clerk.

(2) Notices of regular meetings and travel and accommodation information shall be sent to Governing Board members at least thirty (30) days prior to the meeting date.

(3) The notice of meetings or workshops shall, at a minimum, provide:

A. The date, time, and place of the meeting

or workshop.

B. Advise the general public that at the meeting or workshop the agency will accept written or oral comment from the public with regard to agenda items; that agenda items may be reviewed by the public; the location, days, and time during which the agenda items may be examined by the public; ~~and~~ that anyone who wishes to appeal any action of the agency with regard to a decision made at the meeting may need a verbatim transcript of the hearing and that said person shall be responsible for furnishing said transcript, as well as the cost of furnishing the transcript; and that at least 48 hours prior to the meeting, a written request by a physically handicapped person to attend the meeting, directed to the Chair of such board or committee or the MPOAC Executive Director, such Chair or the Executive Director shall provide a manner by which such person may attend the meeting at its scheduled site or reschedule the meeting to a site which would be accessible to such person.

(4) Except as otherwise provided herein, notice may be given by regular U.S. mail, postage paid, by nationally recognized overnight courier (delivery prepaid), or by e-mail. Governing Board agenda packages, including backup information for all agenda items, shall be provided by regular U.S. mail, postage paid or nationally recognized overnight courier (delivery prepaid), or unless otherwise requested by a member or alternate member, by e-mail.

(b) Staff Directors' Advisory Committee, other MPOAC committees, and Staff Directors' Advisory Committee subcommittees. The provisions of sub-section (a) above shall apply to the Staff Directors' Advisory Committee, any other MPOAC committee, and any Staff Directors' Advisory Committee subcommittees.

## **Section 9. Emergency Meetings.**

(a) The MPOAC Governing Board, the Executive Committee, an advisory committee, or ~~one of~~ the Staff Directors' Advisory Committee or its subcommittees, may hold an emergency meeting, notwithstanding the provisions of any other section of these bylaws for the purpose of acting upon matters affecting the public health, safety, aesthetics, economic order, or welfare. The form of notice shall be as set forth in Section 8. The form of the agenda

shall be as prescribed in Section 7. ~~(g)~~ and (h).

(b) Whenever an emergency meeting is scheduled to be held, the agency clerk shall notice said meeting ~~notify~~, as soon as possible prior to the meeting, in the Florida Administrative Register and the MPOAC web-site ~~stating at least one major newspaper of general circulation in the area~~ where the meeting will take place and, ~~stating~~ the time, date, place and general purpose of the meeting or workshop.

(c) Following an emergency meeting the agency clerk shall cause to be published on the MPOAC web-site, notice as set forth in Section 8(a)(3), a statement setting forth the reasons why an emergency meeting was necessary, and a statement setting forth the action taken at the meeting.

#### **Section 10. Rules of Procedure; Action by Consent.**

(a) Rules of Procedure. All meetings of the Governing Board, any advisory committee, or the any Staff Directors' Advisory Committee sub-committee, shall be governed by Robert's Rules of Order as most recently revised.

(b) By general, unanimous, or silent consent, the Governing Board, or the Staff Directors' Advisory Committee, can do business with little regard for the rules of procedure, as they are made for the protection of the minority, and when there is no minority to protect, there is little need for the restraint of the rules, except such as to protect the rights of absent members. In the former case the consent of the absentees cannot be given. A single objection defeats a request for general consent. By the legitimate use of the principle that the rules are designed for the protection of the minority, and generally need not be strictly enforced when there is no minority to protect, business may be greatly expedited. When there is evidently no opposition, except in the case of state law requiring a recorded vote or when a written resolution is being adopted in final form, the formality of voting can be avoided by the Chair ~~Chairman~~ asking if there is any objection to the proposed action, and if there is none, announcing the result. The action thus taken is said to be done by general consent, or unanimous or silent consent. Thus, after an order has been adopted limiting the speeches to three minutes each, if a speaker is so interesting that

when said speaker's ~~his~~ time has expired, there is a general demand for the speaker to be permitted to continue making remarks ~~him to go on~~, the Chair ~~Chairman~~ as the presiding officer, instead of waiting for a motion and taking a vote, could accept it as the will of the assembly that the speaker's time be extended, and would direct the speaker ~~him~~ to proceed. Or, the speaker's time ~~he~~ might say that if there is no objection, the member's time will be extended two minutes, or some other time. (Excerpted from Robert's Rules of Order).

## **Section 11. Public Comment.**

(a) Public Comment with regard to Non-Agenda Items.

(1) In the early stages of a Governing Board, ~~or~~ Staff Directors' Advisory Committee, the Executive Committee, or other MPOAC advisory committee, meeting, time will be reserved for comment by members of the general public and other non-agency individuals. Individuals speaking during "Public Comment" will limit their comments to items not on the agenda. Members of the public and non-agency personnel comments are limited to not more than three (3) minutes per person, although the speaker is permitted to submit commentary in writing of any length provided that copies are made for all members of the board or committee being addressed by the speaker and the board secretary. No members of the public or non-agency personnel may lend speaking time to another speaker. The "Public Comment" period is limited to not more than 15 minutes duration. The Chair ~~Chairman~~ of the Governing Board, ~~or~~ Staff Directors' Advisory Committee, the Executive Committee, or other MPOAC advisory committee, as applicable, may extend the time for an individual person speaking, or the overall "Public Comment" period, for limited periods and for good cause shown.

(2) During a presentation by a member of the public or other non-agency personnel, other members of the public, non-agency personnel, Governing Board Members, Members of the Staff Directors' Advisory Committee, or agency staff members (other than the meeting Chair ~~Chairman~~ in said individual's role as the presiding officer) shall avoid interrupting the speaker. After all speakers have completed comments or a presentation, the Chair ~~Chairman~~, Governing Board Members, members of the Staff Directors' Advisory Committee, and agency staff may question the speakers. Time for question and answer of a speaker will

not be deducted from the speaker's three (3) minute speaking limitation.

(b) Public Comment with regard to Agenda Items.

(1) With regard to an agenda item, time will be reserved for comment by members of the public ~~comment~~ and other non-agency personnel. Members of the public and non-agency individuals will limit their comments to the specific agenda item under consideration or the individual's comments will be considered to be out of order. Comments by members of the public and non-agency personnel are limited to not more than three (3) minutes per person, although the speaker is permitted to submit commentary in writing of any length provided that copies are made for all members of the board or committee being addressed by the speaker and the board secretary. No members of the public or non-agency individuals may lend speaking time to another speaker making comment. The Chair ~~Chairman~~ of the Governing Board, the ~~or~~ Staff Directors' Advisory Committee, the Executive Committee, or other MPOAC advisory committee, as applicable, may extend the time for an individual making comment for limited periods for good cause shown.

(2) During a presentation by a member of the public or other non-agency personnel, other members of the public, non-agency personnel, Governing Board Members, members of the Staff Directors' Advisory Committee, or agency staff members (other than the Chair ~~Chairman~~ in said individual's role as the presiding officer) shall avoid interrupting the speaker. After all speakers have completed comments or a presentation, the Chair ~~Chairman~~, Governing Board Members, and agency staff may question the speakers. Time for question and answer of a speaker will not be deducted from the speaker's three (3) minute speaking limitation.

(c) Addressing the Governing Board; Decorum.

(1) Members of the public or non-agency personnel seeking to address the Governing Board, the Executive Committee, or ~~the~~ Staff Directors' Advisory Committee, or another MPOAC committee, should prepare their remarks before addressing the Governing Board, the Executive Committee, or ~~the~~ Staff Directors' Advisory Committee, or another MPOAC committee, in an effort to be concise and to the point. Speakers must come to the lectern to speak, but they may come to the lectern only after they have been recognized by the presiding Chair

~~Chairperson~~ man. Members of the public shall not address individual members of the Governing Board, the Executive Committee, or individual members of the Staff Directors' Advisory Committee, or another MPOAC committee, but shall address the board or committee being addressed as a whole through the presiding ~~Chair~~ Chairman.

(2) Any speaker, or member of the audience at a meeting, who becomes unruly, screams, uses profanity, or shows poor conduct, may be asked to leave the lectern and return to the speaker's seat, or to refrain from further outbursts, by the presiding Chair ~~Chairman~~. Should the speaker, or member of the audience, refuse to leave the lectern and return to speaker's seat, or to refrain from further outbursts, the Chair ~~Chairman~~, as the presiding officer, may rule the speaker "out of order." Should the speaker, or member of the audience, still refuse to leave the lectern and return to the speaker's seat, or to refrain from further outbursts, the Chair ~~Chairman~~ may ask a law enforcement officer to remove the speaker from the meeting.

(d) Sign-up Sheets to be used. Sign-up sheets will be provided for each member of the public or non-agency personnel addressing the Governing Board, the Executive Committee, or the Staff Directors' Advisory Committee, or another MPOAC committee, as applicable, during public comment on non-agenda items or during public comment on an individual agenda item. For public comment on non-agenda items, the person seeking to speak must present a sign-up sheet to the board or committee secretary not later than the beginning of the public comment on non-agenda items. For public comment on an agenda item, the person seeking to speak must present a sign-up sheet to the board or committee secretary not later than the beginning of the agenda item. Sign up sheets shall provide that the speaker identify the speaker's name, address, who the speaker is representing (if anyone), the agenda item that the speaker wishes to address, and the sign-up sheet must include the signature of the person seeking to comment. If a speaker wishes to speak with regard to more than one agenda item, individual sign up sheets must be submitted for each agenda item. The street address for individuals under the age of eighteen (18) may be omitted from being completed on a sign up sheet.

## **Section 12. Amendment of Bylaws.**

(a) These policies and procedures may be adopted, amended, or repealed by amending the adopting resolution. These policies and procedures shall supplement and supervene Robert's Rules of Order to the extent of a conflict.

(b) These policies and procedures may be adopted, amended, suspended, or repealed by a two-thirds vote of the Governing Board members voting.

**Effective Date.** These rules are effective immediately upon adoption.

Resolution Section 2. This Resolution is effective upon adoption.

**PASSED AND ADOPTED** by the Florida Metropolitan Planning Organization Advisory Council at a regular meeting this 26th day of January, 2017.

\_\_\_\_\_  
Susan Haynie, Chair

ATTEST:

(AGENCY SEAL)

\_\_\_\_\_  
Carl Mikyska,  
Agency Clerk



This item will be provided at the meeting





# The Florida Metropolitan Planning Organization Advisory Council

*Mayor Susan Haynie*  
*Chairperson*

January 26, 2017

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

Re: Funding for MPO Long Range Transportation Plan Review

Dear Secretary Boxold:

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) requests Florida Department of Transportation financial assistance to conduct a study of the complete Long Range Transportation Plans of the Florida MPOs. This study has been used in the past by Florida DOT to determine the level of unfunded needs in our urbanized areas of the state, to identify the state of metropolitan long range transportation planning practice in Florida and to suggest improvements to the planning practice.

This study, which was conducted after each round of LRTPs were completed in 1997, 2002, 2008 and in 2013, has benefited the MPOs in Florida also by suggesting improvements in public involvement, documentation, finance and cost-feasible project selection. The most recent review conducted in 2013 also documented changes in practice over time and the expansion of the estimated statewide funding shortfall – a cumulative growth since 1997 of approximately 300 percent.

This effort will replicate the research CUTR conducted previously in 1997, 2002, 2008, and 2013. It is expected that useful information will be collected describing the evolution of the planning process and financial planning and reporting practices. CUTR's review will be based on available documents provided by the state's 27 MPOs, supplemented by telephone conversations with MPO professional staff as needed.

The MPOAC, as well as the Florida DOT, will benefit from this project. Thank you for your attention and we respectfully request your favorable consideration of MPOAC's request for financial assistance to undertake the MPO Long Range Transportation Plans Review and Estimate of Statewide 2040 Metropolitan Area Financial Shortfall.

Sincerely,

Mayor Susan Haynie, Chairperson  
MPOAC



**Scope of Service**

**REVIEW OF MPO LONG RANGE TRANSPORTATION PLANS AND  
ESTIMATE OF STATEWIDE 2040 METROPOLITAN AREA FINANCIAL  
SHORTFALL**

**Submitted to**

**The Florida MPO Advisory Council  
and  
The Florida Department of Transportation  
605 Suwannee Street, MS 28 and MS 28B  
Tallahassee FL 32399**

**C/O Yvonne Arens and Carl Mikyska**

**Submitted by**

**Jeff Kramer**

**Center for Urban Transportation Research (CUTR)  
University of South Florida  
4202 E. Fowler Ave. CUT 100  
Tampa, Florida, 33620-5375**

Since 1997, the Center for Urban Transportation Research (CUTR) at the University of South Florida (USF) has conducted four comprehensive reviews of the long range transportation plans (LRTPs) of Florida's metropolitan planning organizations (MPOs). The first was conducted in 1997, the second in 2002, the third in 2008 and the fourth in 2013 – each timed with the completion of the LRTP update cycles of the MPOs in Florida. These studies have identified the state of metropolitan long range transportation planning practice at that respective time. Qualitative assessments of planning practices were provided as was an estimate of the statewide funding shortfall in Florida's metropolitan areas. Suggestions were made for improving planning practice in a variety of areas including public involvement, documentation, finance and cost-feasible project selection. The most recent review conducted in 2013 also documented changes in practice over time and the expansion of the estimated statewide funding shortfall -- a cumulative growth since 1997 of approximately 300 percent.

Several of the suggestions made by CUTR over the years have been reflected in many of the MPO LRTPs during the next planning cycle, indicating that Florida's MPOs have been receptive to constructive criticism and confirming the value of conducting such reviews. In 2013, in part as a result of CUTR suggestions, MPO LRTPs in Florida tackled increasingly complex planning issues in an organized manner. Funding challenges coupled with public desire for more travel choices guided planning efforts to be more strategic. Plan development became increasingly interwoven with other planning efforts, particularly those of the larger region. Detailed studies such as freight and hurricane evacuation served to more clearly define certain needs. MPOs also paid closer attention to issues of environmental justice and increased the use of social media to expand public participation opportunities. The Florida MPO Advisory Council (MPOAC) revised a comprehensive set of voluntary financial reporting guidelines for 2040 Florida LRTPs, guidelines originally developed in 2008 as a direct result of suggestions made as part of previous LRTP reviews.

The MPOAC and the Florida Department of Transportation (FDOT) have requested that CUTR again perform a review of all the MPO long-range transportation plans adopted since 2014, including an estimate of the statewide funding shortfall in Florida's metropolitan areas in 2040. As of October 2016, all but one MPO has adopted a new LRTP, and the remaining MPO (Okaloosa-Walton TPO) is scheduled to adopt a 2040 LRTP in March 2017.

This effort will replicate the research CUTR conducted previously in 1997, 2002, 2008, and 2013. It is expected that useful information will be collected describing the evolution of the planning process and financial planning and reporting practices. CUTR's review will be based on available documents provided by the state's 27 MPOs, supplemented by telephone conversations with MPO professional staff as needed.

## Tasks

The research approach will involve the following tasks:

### Task 1: Review of MPO Long Range Transportation Plans

This effort will replicate the research CUTR conducted previously in 1997, 2002, 2008, and 2013. CUTR researchers will collect all 27 MPO LRTPs in Florida (including executive summaries, technical appendices, etc.). It is anticipated that the majority of documentation will be available online. CUTR research staff will contact individual MPOs to request any supplemental information that is not available on MPO websites. Qualitative and quantitative information will be compiled and aggregated based on a detailed review of all 27 MPO LRTPs and associated documentation.

The review of individual MPO LRTPs will focus on, but not be limited to, such issue areas as:

- plan document organization and appearance;
- public involvement;
- performance measurement;
- safety and security;
- regional and intergovernmental coordination;
- intermodalism/multi-modalism;
- freight movement and connections to freight facilities;
- sociocultural effects and livability;
- aging road user safety, access and mobility;
- environmental protection and sustainability;
- project prioritization and selection, including financial feasibility;
- planning approaches and methods;
- economic competitiveness;
- planning for Strategic Intermodal System facilities;
- land use and transportation integration; and
- system management and operations.

### Task 2: Estimate the Statewide 2040 Transportation Funding Shortfall

Previous projects have estimated the 20-year statewide shortfall between transportation needs and reasonably available revenues in Florida's metropolitan areas. This project will follow a similar methodology for estimating the statewide shortfall through 2040, consistent with the agreed upon horizon year for MPO LRTPs during the current updating cycle. A moving 20-year estimate will also be calculated to facilitate comparison between the estimated shortfalls over the four iterations of LRTP reviews. Previous projects have shown an exponential increase in the shortfall as demonstrated by an estimated 46 percent increase between 2002 and 2008 compared to an estimated increase between 2008 and 2012 of 84 percent with an estimated cumulative 300 percent increase from 1997 to 2012.

LRTPs will be analyzed for financial information in order to estimate the moving statewide 20-year transportation funding shortfall for the horizon year 2040. If the data collected is sufficiently detailed, the research team may be able provide additional shortfall calculations by mode or other relevant characteristics. Challenges and barriers developing a statewide funding shortfall estimate will be documented and suggestions will be made for improving MPO LRTP financial planning and reporting practices.

### Task 3: Final Report and Presentation

The results of the review of LRTPs (Task 1) and the statewide transportation funding shortfall (Task 2) will be documented and summarized in a final report. Particularly creative and innovative practices will be highlighted, general comparisons with earlier research findings will be made, and suggestions for future efforts will be identified. The target audience for the report will be professional MPO staff, governing board members, and other MPO stakeholders. The report will be released in electronic version to all 27 MPOs and made publicly available on the MPOAC website.

The research team will develop a Powerpoint presentation based on the results of the project. The presentation will be delivered at a meeting of the MPOAC. Further, the presentation will be delivered at a meeting of the Florida Transportation Commission (FTC) or other statewide meeting as selected by the MPOAC and FDOT.

### Task 4: Project Management

The principal investigator will manage project activities to ensure timely and efficient completion of project deliverables. In addition, the principal investigator will coordinate ongoing project activities with the FDOT Project Manager and the MPOAC Executive Director.

### Deliverables

The deliverables for this project are as follows:

- One (1) electronic copy of the final report (PDF format)
- One (1) presentation to the MPOAC
- One (1) presentation to be assigned by the MPOAC/FDOT

**Project Budget**

<b>Review of MPO LRTPs and Estimate of Statewide 20-Year MPO Financial Shortfall</b>		
<b>TASK</b>	<b>Labor</b>	<b>Exp/Travel</b>
<b>1. LRTP Review</b>		
Collect MPO LRTPs	\$4,379.44	
Review and Document MPO LRTPs	\$67,244.52	
<b>Task Subtotal</b>	<b>\$71,623.96</b>	<b>\$0.00</b>
<b>2. Shortfall Estimate</b>		
Estimate Individual MPO Shortfalls	\$28,596.40	
Estimate Statewide MPO Shortfall	\$14,537.44	
Document Method/Challenges/Issues	\$8,099.44	
<b>Task Subtotal</b>	<b>\$51,233.12</b>	<b>\$0.00</b>
<b>3. Final Report/Presentations</b>		
Final Report Preparation	\$22,567.20	
Presentations	\$7,822.64	\$1,500.00
<b>Task Subtotal</b>	<b>\$30,389.84</b>	<b>\$1,500.00</b>
<b>4. Project Management</b>		
Project Management	\$4,469.28	
<b>Task Subtotal</b>	<b>\$4,469.28</b>	<b>\$0.00</b>
	<b>Total Labor</b>	<b>\$157,716.20</b>
	<b>Travel</b>	<b>\$1,500.00</b>
	<b>10% Indirect</b>	<b>\$15,921.62</b>
	<b>Project Total</b>	<b>\$175,137.82</b>

The cost for performing this research is \$175,137.82. The project team will include faculty, students and administrative support staff who will work directly on the project and whose costs are reflected in the direct costs of the project as listed above.

## **Project Schedule**

The project will be completed over 18 months. The project will begin within 30 days of an executed contract.

## **Research Team**

The CUTR Principal Investigator (PI) will be Jeff Kramer, AICP. Other contributing members of the CUTR research team include Kristine Williams, AICP and Christen Miller. Graduate students will also be asked to assist in the completion of this research project.

## **Project Management and Oversight**

The CUTR PI, in coordination with the FDOT Project Manager and the MPOAC Executive Director, will be responsible for day-to-day management and oversight of this project. Quarterly invoices will be submitted throughout the project and be based on project completion. Invoices will be accompanied by a project progress report.

An electronic copy of the final report will be forwarded to the FDOT Project Manager and the MPOAC Executive Director at the end of the project period. Electronic copies of the final report will be distributed to members of the MPOAC Staff Directors' Advisory Committee, members of the MPOAC Governing Board and members of the FTC. Additionally, the final report will be made publicly available as a downloadable electronic file on the MPOAC website.

**Contact Information**

Principal Investigator: Jeff Kramer, Senior Research Associate  
Phone: (813) 974-1397  
E-mail: [kramer@cutr.usf.edu](mailto:kramer@cutr.usf.edu)

Institution: Center for Urban Transportation Research  
University of South Florida, CUT 100  
Tampa, Florida 33620

MPOAC Project Manager: Carl Mikyska  
Florida MPO Advisory Council  
605 Suwanee Street, MS 28B  
850/414-4062  
[carl.mikyska@mpoac.org](mailto:carl.mikyska@mpoac.org)

FDOT Project Manager: Yvonne Arens  
Florida Department of Transportation  
Office of Policy Planning  
605 Suwanee Street, MS 28  
850/414-4814  
[yvonne.arens@fdot.gov](mailto:yvonne.arens@fdot.gov)



# FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL

## 2017 ~~2016~~ DRAFT LEGISLATIVE POLICY POSITIONS

### Priority Policy Positions

#### *The MPOAC supports State Legislation that:*

1. Implements the recommendations from the MPOAC transportation revenue study and other options for expanding transportation revenue sources.

#### Key Recommendations:

- Expand the Charter County and Regional Transportation System Surtax to allow municipalities over 150,000 in population (or the largest municipality in a county) and all counties located in MPO areas to enact up to a one cent local option surtax by referendum.
  - Index local option fuel taxes to the consumer price index in a manner similar to the current indexing of state fuel taxes.
  - Direct the Florida Department of Transportation to develop a plan and conduct one or more pilot tests to move Florida toward a Mileage Based User Fee, which protects individual privacy, in lieu of the traditional fuel tax.
2. Regulates distracted driving as a *primary* offense by prohibiting the use of electronic wireless communications devices and other similar distracting devices while operating a moving motor vehicle.

The 2013 Florida legislature enacted the “Florida Ban on Texting While Driving Law.” The law prohibits operation of a moving motor vehicle while manually typing, sending or reading interpersonal communication (texting, e-mailing, instant messaging, etc.) using a wireless communications device, with certain exceptions. The law provides for enforcement of the ban as a secondary offense, meaning a driver would have to be pulled over for some other violation to get a ticket for violating the ban on texting. The 2014, ~~and~~ 2015, ~~and~~ 2016 Florida Legislatures underscored the severity of distracted driving by considering bills that would have substantially increased the penalty for distracted driving. This legislative proposal would seek to strengthen the enforcement mechanism for the texting while driving ban by making it a primary offense.

3. Restores funding to 2007 levels for the Transportation Regional Incentive Program (TRIP). The TRIP leverages state documentary stamp tax proceeds in order to promote regional planning and project development through sustainable funding mechanisms, in addition to documentary stamp revenues by providing state matching funds for improvements to regionally significant transportation facilities identified and prioritized by regional partners. This proposal seeks to restore TRIP funding by reducing diversions of documentary stamp proceeds for non-transportation purposes.

Include Updated Chart here

## Additional Policy Positions

### *The MPOAC supports State Legislation that:*

4. Allows Strategic Intermodal System (SIS) funds to be used on roads and other transportation facilities not designated on the SIS if the improvement will enhance mobility or support freight transportation on the SIS.

Current state law does not permit SIS funds to be spent on roads or other transportation facilities that are not part of the SIS, even if proposed improvements would directly benefit users of SIS facilities by enhancing mobility options or supporting freight movement in a SIS corridor. This legislative proposal would broaden the State's ability to improve passenger and freight mobility on SIS corridors by making eligible the expenditure of SIS funds on non SIS roads and other transportation facilities where the benefit to users of SIS facilities can be demonstrated.

- ~~5. Establishes state funding for railroad crossings to improve safety and establish quiet zones.~~

~~This proposal recognizes growing economic activity at Florida's ports and provides financial support to ensure the continued quality of life and safety in communities along increasingly busy rail corridors.~~

5. Establishes flexible and predictable funding for transit projects (capital and operating) identified through the metropolitan transportation planning process.

Current state law limits the amount of funding that can be made available from the STTF for transit projects for both capital and operating expenses. These limitations, which are not in place for roadway funding, makes transit funding from the STTF less predictable for the purposes of planning and project implementation and artificially limits the ability of MPOs to implement priority transit projects. This proposal recognizes the critical role transit plays in moving people and goods within and between Florida's metropolitan areas by removing the distinction between transit and highway projects for the purpose of spending funds from the STTF.

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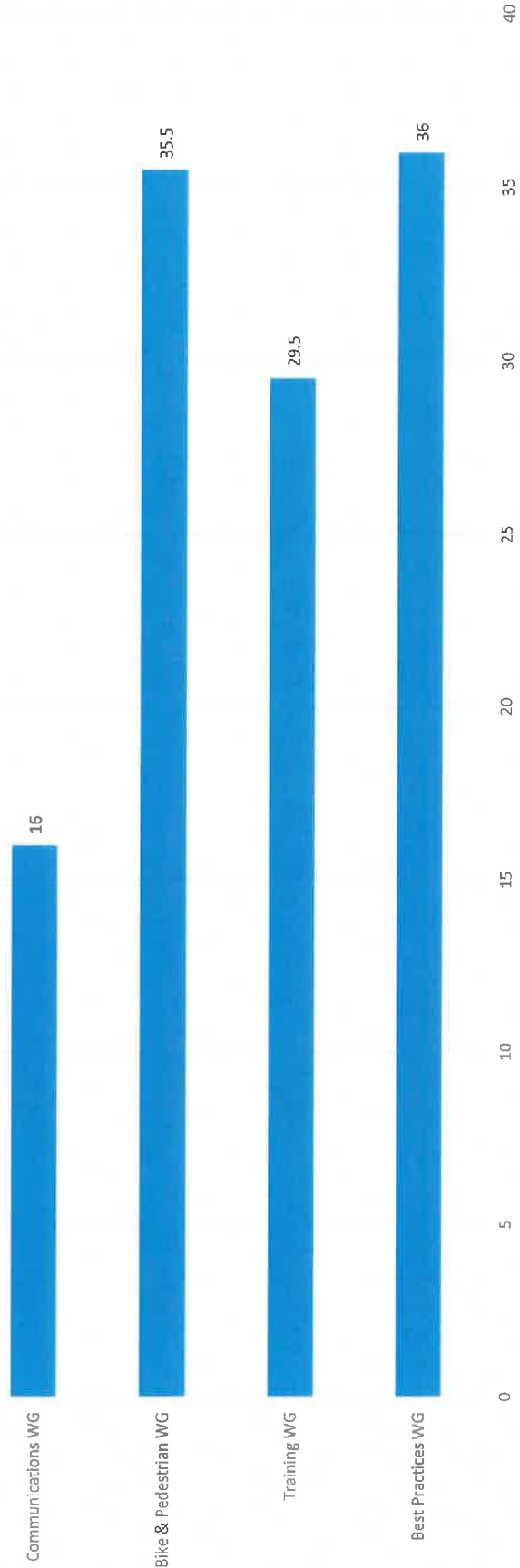
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# MPOAC Strategic Plan Working Groups

Strategic Directions Working Groups  
Survey Results





## **MPOAC Strategic Directions Committee Membership**

### **Best Practices Working Group**

Beth Alden, Committee Host

#### **Members**

- Peter Buchwald – St. Lucie TPO
- Beth Beltran – Martin MPO
- Bob Herrington – Charlotte County - Punta Gorda MPO
- Dave Hutchinson – Sarasota/Manatee MPO
- Lois Bollenback – River to Sea TPO
- Denise Bunnewith – North Florida TPO
- Whit Blanton – Forward Pinellas
- Nick Uhren – Palm Beach MPO
- Paul Calvaresi – Broward MPO
- Bob Kamm – Space Coast TPO

### **Bike & Pedestrian Working Group**

Nick Uhren, Committee Host

#### **Members**

- Michelle Ogilvie - Hillsborough MPO
- Mighk Wilson - MetroPlan Orlando
- Elizabeth DeJesus - North Florida TPO
- Ed DeFini - St. Lucie TPO
- Whit Blanton – Forward Pinellas
- Steve Diez - Hernando/Citrus TPO
- Valerie Neilson - Palm Beach MPO
- Greg Stuart – Broward MPO



# New Calendar Dates for 2017 Meetings

**Background** – At the last meeting of the MPOAC Policy and Technical Subcommittee, the decision was made to look into holding the Staff Director’s Advisory Committee one month prior to the Governing Board meeting so that the decisions and input of the Staff Directors could shape the agenda and materials presented to the MPOAC Governing Board. This change would require a change to the MPOAC bylaws.

At the April 2015 meeting of the MPOAC Staff Director’s Advisory Committee and the MPOAC Governing Board a decision was made to hold the quarterly meetings of the MPOAC on the first Thursday of the months of January, April, July and October. During the July 2015 meetings of MPOAC, 2016 meeting dates were selected. A few variations were made to the first Thursday methodology so that MPOAC could hold our quarterly meetings in conjunction with other events. Those meeting dates and events are:

- January 26<sup>th</sup> – MPOAC meetings held in conjunction with the Safe Streets Summit
- July 19<sup>th</sup> – MPOAC meetings held in conjunction with the Floridians for Better Transportation Summit
- November 6<sup>th</sup> and 7<sup>th</sup> – MPOAC meetings held in conjunction with the Emerald Coast Symposium

Assuming we would continue to use the first Thursday methodology the proposed new dates of the Staff Directors Advisory Committee would be as shown below. There would be no change to MPOAC Governing Board meeting dates.

## 1<sup>st</sup> Quarter

- January – No change in meeting dates

## 2<sup>nd</sup> Quarter

- April 6<sup>th</sup> Governing Board Meeting
- March 2<sup>nd</sup> Staff Directors Meeting

## 3<sup>rd</sup> Quarter

- July 19<sup>th</sup> Governing Board Meeting
- June 1<sup>st</sup> Staff Directors Meeting

## 4<sup>th</sup> Quarter

- November 6-7 – Planned Governing Board Meeting and Staff Directors
- October 12<sup>th</sup> Staff Directors Meeting (altered from 1<sup>st</sup> Thursday at the December 20<sup>th</sup> Policy and Technical Subcommittee meeting)



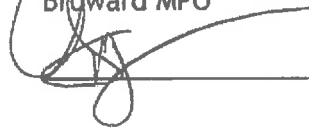
September 27, 2016

To: Florida MPOAC Members

From: Harold Barley  
Executive Director  
MetroPlan Orlando



Greg Stuart  
Executive Director  
Broward MPO



Subject: NARC Membership Dues

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The purpose of this memo is to (1) let you know of a change that has been approved in the membership dues structure for the National Association of Regional Councils (NARC), (2) explain how this will affect the membership dues for the Florida MPOAC and (3) make a recommendation for its implementation.

#### Background

We both serve as members of NARC's Executive Directors Council. We also provide staff support to two of our Board members who serve on the NARC Board of Directors -- Councilmember Bryan Caletka from the Broward MPO and Commissioner Bob Dallari from MetroPlan Orlando. Commissioner Dallari is currently NARC's Vice President; he is expected to become NARC's President in 2017.

NARC has had a complex dues structure with deals having been negotiated over the years for very large entities, very small entities and groups of entities such as the Florida MPOAC. It was recognized by the NARC Board of Directors that the membership dues structure needed to be revamped to be consistent and fair for all members.

#### New Membership Dues Structure

The new dues structure was approved by the NARC Board of Directors on September 20, 2016 for implementation effective January 1, 2017. Here is a summary of its key provisions:

- All members will be charged a population-based membership fee (0.005 per capita)
- There is a \$1,000 minimum and a \$25,000 maximum membership fee for individual entities.

- Memberships are still available to statewide associations (such as the Florida MPOAC) but dues will be based on total population served. It is up to each association to determine if membership dues are split between the association and individual members.
- There will be a two-year transition period to phase in the change for those who experience an increase in membership dues and for those who will see a decrease in membership dues.
- Membership dues payments will be invoiced on a calendar year basis.
- The new membership dues structure was designed to be a revenue neutral action for NARC. Again, its purpose is to implement a fair and consistent membership dues structure.

#### Florida MPOAC Membership Dues

As most of you know, we handle dues for NARC and AMPO (the Association of Metropolitan Planning Organizations) by taking these expenses “off the top” of our annual statewide PL allotment, along with other expenses such as the operation of the MPOAC and CUTR support.

Our Florida MPOAC membership dues to NARC for all 27 members and the MPOAC itself is currently \$50,000. Our membership dues to AMPO (again, for all 27 members and the MPOAC) increased in 2015 from \$34,000 to \$85,000.

The table showing population figures for FY2016/2017 that was used to distribute PL funds among Florida’s MPOs reported a total MPO area population figure of 17,100,000. When the new membership dues rate of \$0.005 per capita is applied, our new membership dues will become \$85,500 (subject to a small adjustment for population growth when figures for the new year are released). This is in line with our current AMPO membership dues.

#### Recommendation

It is recommended that the following actions be taken by the Florida MPOAC at our next meeting in January 2017:

1. The Florida MPOAC acknowledges the new NARC membership dues structure and that this be used in preparing future UPWPs and budgets for the organization.
2. The UPWP budget for FY2017/2018 be updated to reflect a NARC membership dues expense of \$67,750 (which is mid-way between our current dues of \$50,000 and the \$85,500 that it would be using the new formula) to take advantage of the two-year transition period provided for in the new membership dues structure.
3. NARC will be informed that Florida MPOAC funding is based on a fiscal year starting July 1 and our annual payments for each calendar year will be made in the July-August timeframe.



<b>Inspires confidence, establishes credibility with the Governing Board, Staff Directors, MPO Staff and partners</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Maintains a "big picture" outlook and is aware of industry issues</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Exhibits diligence in leading the MPOAC</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Forecasts trends, responds to change, and invites innovation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Solicits and acts upon the ideas of others when appropriate</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Demonstrates excellence in carrying out job responsibilities and accomplishing goals</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Participates in relevant and worthwhile professional organizations</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Additional Comments:**

## MPOAC Executive Director Accomplishments June 2015 to January 2017

### General

- Designed and printed Notecards for MPOAC use
- Published an article in the Eno Transportation Weekly opposing the proposed Federal rule on MPO Collaboration.
- Published a short article in the Eno Transportation Weekly after the Final Rule was published on MPO Collaboration
- Designed a new style of Legislative Policy Positions Brochure for MPOAC (made two options, took it around and asked for votes on which style was preferred).
- Completed Florida Certified Contract Manager Training
- Participated in the USDOT Statewide Review of FDOT in both 2015 and 2016
- Participated in the Beyond Traffic Forum in Orlando with Secretary Foxx and MPOAC Governing Board Chair Mayor Haynie
- Working with Paul Gougelman and Jeff Kramer, rewrote the MPOAC Bylaws to be more flexible and responsive to the requests of the MPOAC membership.
- Updated and launched the new MPOAC website with a more lively and colorful format.

### Advocacy

- Developed a set of MPOAC Policy Positions for advocacy purposes.
- Registered as a lobbyist for both 2016 and 2017
- Registered MPOAC lobbying issues with the Lobbyist House Appearance Record
- Met with Senate Transportation Staff before and during the Florida legislative session
- Met with Senators and Representatives before and during session
- Coordinated legislative advocacy with MPOAC Partners
  - Florida League of Cities
  - Florida Public Transportation Association
  - Florida Association of Counties
  - Participated in weekly meetings hosted by FPTA to talk legislative developments, strategies and concerns during session.
- Attended the MPO Empowerment roundtable discussion at the White House

### Member Services

- Traveled to Collier County to welcome Anne McLaughlin as the new MPO Executive Director – Explained the role of MPOAC and its value to the MPO.
- Participated in the North Florida TPO (Jacksonville) and Collier MPO (Naples) Federal Certification Reviews. Was active in speaking up for the MPOs and pointing out their good work.

- Worked closely with Paul Gougelman and Staff Directors on developing a new Joint Participation Agreement (was required by changes through Florida Department of Financial Services)
- Traveled to the West Florida TPO offices to welcome new staff and meet the new TPO Executive Director – Explained the role of MPOAC and its value to the new staff.
- Responded to customer service requests
  - Primarily information collection and research as requested
- Attended the opening of the MPOAC Weekend Institute for Elected Officials, made opening remarks and thanked attendees for participating.
- Collected MPO job descriptions and began a library of this information for member use.
- Organized a delegation of Florida MPOs to represent Florida MPO interests at the USDOT MPOwerment Roundtable discussion in Atlanta, GA

## Partnerships

- Have partnered with FDOT staff to collaborate on issues of importance to MPOAC. Have developed a report with the FDOT team.
- Participated in the Florida Bicycle/Pedestrian Partnership Council
- Participated in the Florida Safe Mobility for Life
- Attended the annual NARC Conference
- Attended the annual AMPO Conference
- Attended the annual Florida League of Cities Conference (at their request)
  - Presented at the FLC Conference
- Have been very active with National Association of Regional Councils (NARC).
- Attended the White House Roundtable on MPOwerment - Before the White House visit, I visited with staff at the NARC offices that morning along with the Executive Directors of Delaware Valley, Kansas City and XXXXXXXX
- Presented at the NARC annual Executive Directors Conference at their request
- Provided concepts and narratives for the NARC policy positions and comments to the Federal Register
- Wrote the Eno Transportation Weekly opinion piece per NARC's request
- Talk with Erich Zimmerman at least every other week, have developed a report with the staff of NARC
- Through our partnership with Erich Zimmerman, MPOAC was able to strongly influence the comments NARC made on the three Notice of Proposed Rulemakings during 2016
- Represented MPOAC at the Florida Automated Vehicles conference in Jacksonville, FL
- Attended meetings of Florida Association of Regional Councils – have been active in their meetings
- Partnered with Floridians for Better Transportation – held the July MPOAC meetings with FBT's Transportation Summit

- Attended the meetings of the Florida Greenways and Trails Foundation – have been active in their meetings and have developed a personal report with the Executive Director
- Submitted MPOAC for an award in conjunction with the 2016 AMPO annual conference.
- Active in the Florida SunTrail meetings to track develop of the system and programming of funds
- Attended FPTA meetings throughout the year, have been active at their meetings and have developed a report with the Executive Director
- Met with FTC staff throughout the year and developed a report with the FTC team
- Assisted FDOT Staff with the completion of the Annual CMAQ project funding report for submittal to USDOT
- Attended and presented at FTC meetings
- Participated in the Florida Automated Vehicles Stakeholder Working Group

### Meetings

- Held quarterly meetings of the MPOAC Governing Board, Staff Directors and Freight Committee.
- Held meetings of the Policy and Technical Subcommittee.

### Notice of Proposed Rulemakings (NPRM)

- Three separate NPRMs – very time consuming
- Researched issues, advocated nationally and within Florida, influenced comments submitted by NARC, AMPO, AASHTO and Florida DOT.
- Developed and submitted comments on behalf of MPOAC
- Assisted MPOAC membership on their individual comments as requested
- Presented to various groups the MPOAC concerns with the *MPO Collaboration and Planning Area Reform NPRM* and advocated for the support of other organizations to oppose this rulemaking.

### Presentations

- Lee MPO – presented on project selection and the role of local funds in the MPO process
- NAMTEC in Miami
- University of Florida Graduate Class
- NARC Conference
- NARC Executive Directors Conference
- Central Florida MPO Alliance
- The Data Symposium in Orlando
- Chairs Coordinating Committee
- FDOT Statewide Federal Aid Videoconference

- Florida Transportation Commission
- FDOT Intermodal System Managers meeting
- Florida Public Transportation Association
- Northwest Florida Regional TPO
- North Florida TPO
- Automated Vehicles Summit (both 2015 and 2016)

### Strategic Planning

- Launched the Strategic Planning effort
- Hired a consultant to facilitate discussion and managed the consultant and process
- Organized meetings of the Strategic Directions Advisory Committee
- Completed the Strategic plan effort
- Produced and printed an MPOAC Strategic Plan Brochure
- Surveyed membership for next steps
- Formed two committees to advance the implementation of the Strategic Plan (pending our January 26, 2017 meeting)

## **Item Number 7**

### **Communications**

#### **DISCUSSION:**

MPOAC Comments to the Federal Register Docket

- a. Performance Measures
- b. MPO Merger

Thank you note from Florida League of Cities

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENTS:**

1. MPOAC comments to the Federal Register Docket for Performance Measures.
2. MPOAC comments to the Federal Register Docket for MPO Collaboration and Planning Area Reform.
3. Thank you note from Florida League of Cities





# The Florida Metropolitan Planning Organization Advisory Council

*Mayor Susan Haynie  
Chairperson*

Docket Management Facility  
United States Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

RE: Docket Number FHWA-2013-0054  
FHWA RIN 2125-AF54  
Notice of Proposed Rulemaking (NPRM); Request for Comments  
*National performance management measures; assessing performance of the national highway system, freight movement on the interstate system, and congestion mitigation and air quality improvement program.*  
As published in the Federal Register, Friday, April 22, 2016

Dear Secretary Foxx,

On behalf of the 27 member Metropolitan Planning Organizations (MPOs) of the Florida MPO Advisory Council (MPOAC), I want to thank you for the opportunity to comment on the proposed national performance management measures; assessing performance of the national highway system, freight movement on the interstate system, and congestion mitigation and air quality improvement program.

The MPOAC supports the positions and comments submitted by the Florida Department of Transportation (FDOT), the National Association of Regional Councils (NARC) and the Association of Metropolitan Planning Organizations (AMPO). In addition to their comments, the MPOAC is providing additional specific comments.

## Generalized Comments

**Overall Support.** The Florida MPOAC supports the use of performance measures to tell a national story, as FHWA has stated as a purpose in the beginning sections of the NPRM. We look forward to seeing national data which will hopefully demonstrate the need for continued and additional investment in national, state and local transportation systems.

**Align the various due dates.** While each item may not launch at the same time, please set a future point in time when all reporting of measures will align to fall on the same day.

**Establish segment lengths based on logical termini.** We suggest that segment length should be based on logical termini – not mandated maximum lengths as proposed in the NPRM.

**Separate managed lanes data and general use lanes data.** FHWA has stated that at this time there is not a way to separately measure managed lanes from the traffic occurring on the general use lanes of the interstate system. This will produce two very different data sets which will be merged into one data set with very unusual characteristics. It is very important that a methodology be developed soon to collect the data as two distinct sets and evaluate each separately so that we have an honest evaluation of the system performance where both managed lanes and general use lanes exist on the interstate system.

**Provide flexibility in evaluating long term progress.** The reliability measure as written would reward the slow implementation of certain strategies such as the introduction of road rangers on the Interstate. The purpose of road rangers is to remove traffic incidents and resume free flow conditions of all lanes in an expeditious manner, minimizing the time a traffic incident creates traffic disruptions. The region-wide implementation of a strategy, such as road rangers, over the course of several years would spread out the benefit across many reporting periods and help to insure that each reporting period showed improvement over the previous reporting period. The opposite approach, implementing a strategy such as road rangers across the entire system in one year, would provide a larger positive impact, but only for one reporting period. At the conclusion of that reporting period, the implementing agency/agencies would need to find new ways to show improvement to the system performance. One of the unintended consequences of the System Performance Measures may be encouraging the slow, multi-year implementation of strategies which would be a disservice to the traveling public. We don't believe this is the intended outcome Federal Highway Administration (FHWA) desires. The MPOAC suggests that FHWA consider changes to the proposed rule that will allow large-scale efforts to be credited over a period of several years or reporting periods so that the incentive for slow implementation is removed.

**Maintain Local Control Over Transportation Decision-Making.** The MPOAC requests that the final rule state clearly that at no point now or in the future will FHWA or the Federal Transit Administration (FTA) direct or demand how funds are to be invested in the state or local transportation network based on the system performance measures. It would undermine local decision-making if states or local agencies were forced by federal agencies to dedicate funding to specific projects or project categories in a manner that would attempt to change a specific performance measure.

**Punitive Use of System Performance Measures.** The final rule must clearly state that FHWA and FTA are prohibited from using the results of the Performance Measures in MPO Certification Reviews (please see 23 USC 450.334(b)) to generate recommendations or corrective actions. Due to the statewide nature of the measures and the difficulty in changing the system performance of a region that an MPO is

responsible for, especially when considering the numerous factors beyond the control of the MPO, it would be punitive at best to use the results of performance measures to generate corrective actions or recommendations in the federal Transportation Management Area (TMA) MPO certification review process. To use these performance measures for corrective actions would force an MPO to program funds to improve specific system performance measures, likely to the detriment of other aspects of transportation. Additionally, the state may wish to commit funds to another performance measure that is generally failing across the state, but not in the geographic area of the MPO. This could set-up a situation where local priorities would be in direct conflict with statewide priorities and damage the existing state/MPO partnership. Additionally, because MPO Executive Directors are commonly evaluated by the number of corrective actions in the federal MPO certification review process (informally in all cases and formally in several cases), any corrective action identified on the basis of performance measurement could have a direct impact on their salary or employment status..

- a. State DOTs shall be prohibited from using the system performance measures in the joint state/MPO certifications of MPOs (please see 23 USC 450.334(a)) for the same reasons stated above.
- b. FHWA and FTA shall be prohibited from using the system performance measures in the assessment of statewide planning that is conducted when approving the statewide transportation improvement program (STIP) (23 USC 450.218(b)) for the same reasons stated above.

**Do Not Use System Performance Measures to Determine Federal Funding Levels.**

The final rule must expressly state that these performance measures shall not be used, and were not intended to be used, as a mechanism to determine funding levels to states. If the US Department of Transportation (USDOT)/Congress were to shift to this practice, then states that have not managed their systems well would be “rewarded” with additional funding for their poor management. Further, states like Florida that have proactively implemented additional transportation projects by generating local and state sources of transportation funds would be harmed by such a policy by rewarding states that did not take similar measures to improve their own transportation networks. We are simply asking that those who have taken the initiative to help themselves should not be harmed by receiving less federal funding.

**Recognize the limitations of the proposed measures.** Because these performance measures are focused only on certain elements of the transportation system and do not represent the whole transportation system, we ask that FHWA and FTA take a cautious approach to implementation by doing the following:

- Establish a comprehensive strategic plan that details how these measures are to be used to reach the federal vision and to provide context for states and MPOs to apply the results of the performance measures. The plan would also offer an understanding of which elements of the performance measures are most important.

- Please consider unintended consequences. If an effort by a state to improve travel time reliability (TTR) results in that state diverting funding away from safety programs, there could be lives lost. The following performance reporting period, the state improves their TTR measure and measured deaths stay the same. However, the death rates could have gone down if the funding had not been diverted. Is this the result FHWA and FTA are intending to achieve? We ask that great caution be taken when implementing the proposed rule and that a periodic evaluation be undertaken for all performance measures in partnership with states and MPOs. This reevaluation should take place every five years to determine how performance measures are being used, if any unintended consequences have resulted, what measure remain relevant, and if any new measures should be established, particularly in the areas of transit and non-motorized transportation.
- Recognize that travel patterns and the resulting congestion (and thus travel time reliability) are products of many individualized decisions. These decisions are based on factors well beyond the scope of transportation, such those that families use when selecting a neighborhood to live in (school quality, crime rates, and distance to shopping and amenities, proximity to more than one employment center, etc). Also, traffic levels will fluctuate based upon the health of the national and local economies, the relative costs of fuel, and the seasonal fluctuations of travel patterns. These and other factors may alter how the data performs in the structure proposed by FHWA. Therefore, we must acknowledge and factor into our review of the performance measures that these are simply one set of indicators of performance and that they do not capture all essential elements of a healthy transportation network. An over-reliance on these performance measures will create a value system that does not represent the larger set of values of the general public.

**Account for Localized Conditions, including Seasonal and Regional**

**Characteristics.** Some regions and states have unique travel characteristics that will affect how they manage their systems and the data used in the proposed performance measures will not tell the whole story. From one state to another, the data will not always be comparable as well as from region to region. This makes the ability of FHWA to tell a national story much more difficult. We believe this a comment representative of all states and regions across the United States. An example to better explain our request follows:

- System performance in Florida will suffer during the winter months when retirees and vacationers come to Florida in great numbers to escape the cold weather conditions of northern climates. During the summer months when school-aged children are typically out of school, Florida sees another spike in visitors and again, system performance suffers. As a result of these travel trends, Florida manages the transportation system differently than other states. Last year Florida

hosted over 100 million visitors. This is a tremendous boon to the Florida economy. However, to achieve “good” performance numbers under the proposed rule, we would be rewarded if we discouraged visitors from coming to Florida. This, of course, will not happen. The point to keep in mind is that localized conditions are exactly that – localized. It is difficult to compare one state to another, or even one region to another, without accounting for the differences and unique characteristics of each. Also, it is important to note from this example, transportation does not perform or exist in a vacuum. Therefore, it is unfair to evaluate it in a vacuum and with broad measures.

We ask that the final rule provide some form of evaluation of system performance reporting which expressly includes consideration of unique localized conditions.

We have included specific comments below that are very similar to this generalized comment. They are not to be confused as being the same issue repeated in our comments.

### **Specific Comments and Responses to Requests for Comments by FHWA**

**System Performance Measure Transparency and Data Availability on the World Wide Web.** The NPRM on page 23853 notes FHWA’s desire “to provide for transparency by communicating the content of the report to the public on an externally facing Web site in a downloadable format.” Because the FHWA website can be difficult to navigate and is not always easy to find information on, we ask that the referenced website be easily found on the USDOT website. We also ask that the data in the website be downloadable, be searchable, offer the public the ability to sort the data and have the capability to export the data to some commonly available software so that researchers, students, MPOs, DOTs and the general public can review and analyze the data. We also ask that all performance measures, reports, and USDOT reviews, comments, letters and approvals/disapprovals be posted to this website and that all state and MPO specific performance measures, reports, and USDOT reviews, comments, letters and approvals/disapprovals be posted to each FHWA division and FTA region websites. This would facilitate public involvement and is consistent with the stated purpose (page 23807 of the NPRM) of FHWA to “...provide FHWA the ability to better communicate a national performance story...”. The transportation community may also realize a benefit from research performed using the data. Through academia, research may find improved investment strategies and techniques that had not been previously considered or studied in transportation circles.

**Green House Gases.** The NPRM mentions potentially considering some form of a performance measure related to green house gases (GHG). There is a lack of detail and making comments that would be constructive, either positive or negative, is difficult with any specificity. Therefore, we ask that FHWA develop a separate proposal that provides specific details at a level similar to the Travel Time Reliability performance measure NPRM, This would allow interested parties a detailed understanding of the proposal and the ability to provide comments specific to GHG issues.

**Avoid Burdening Attainment Areas.** One of the stated goals of the System Performance NPRM is to "...Avoid Imposing Burdens on Areas in Attainment..." (Page 23817) and the MPOAC agrees with this approach completely and encourages FHWA to carry this approach into the final rule.

**CMAQ Comments.** Because Florida is currently attaining all National Ambient Air Quality Standards and thus would not be subject to the CMAQ performance measures, we are minimizing, and in some cases withholding altogether, specific comments on these sections of the NPRM. We did note that there is a desire to measure the effectiveness of CMAQ projects by looking at the CMAQ dollars expended on a project and comparing that to the amount of emissions reductions achieved. We would caution that CMAQ projects typically have several sources of funding and looking at only CMAQ dollars on projects would overstate the impact of CMAQ dollars to achieve emissions reductions. A better measure would be to look at CMAQ funded projects and consider all funds on the project when comparing it to the emissions reduction. The MPOAC requests that the final rule require a complete funding picture of CMAQ projects when evaluating dollars to emissions reductions.

**Fiscal Constraints.** The MPOAC fully agrees with the statement found on page 23822 of the NPRM, "Recognize Fiscal Constraints – provide for an approach that encourages the optimal investment of Federal funds to maximize performance but recognize that, when operating with scarce resources, performance cannot always be improved." We ask that this philosophy be carried into the final rule.

**Future Data Collection and Technology Advancements.** FHWA requests comments on page 23824 of the NPRM relating to anticipated future advancements in technology which may allow for additional data collection related to Trip Information Data as well as Throughput Data and Survey Data. In an earlier MPOAC comment, a suggestion was made to revisit the whole performance measures structure every five (5) years for relevance and appropriateness. The discussion of future data collection capabilities would be best addressed at one of the future reviews when we have a better understanding of opportunities created by technology advancements related to and impacting data collection.

**Freight Performance and the Multi-Modal Nature of Freight.** On page 23828 of the NPRM, FHWA recognizes that "...a true picture of freight performance must reflect the multi-modal nature of freight." The MPOAC agrees completely and asks that the final rule recognize that too much focus on highway freight may hinder investment in rail freight capacity. When rail freight crosses a roadway, the performance measures may favor slowing the rail freight or disrupting the rail operations in order to achieve better roadway performance. While the better public investment may be directed at rail systems in some regions, an investment in rail may negatively affect the system performance measures in this NPRM. We ask that caution be used when reviewing and measuring on-road freight without a corollary measure for rail freight.

**Preserving Local Decision-Making.** The MPOAC was pleased to see FHWA's recognition on page 23831 of the NPRM that transportation strategies are local decisions and that FHWA desires to "...avoid any measures that would impact the ability of a state DOT or MPO to make decisions that work for the local area." We ask that this philosophy be carried forward into the final rule.

**Data Outliers.** The MPOAC generally agrees with the logic and proposal on page 23832 of the NPRM to eliminate from the data pool any data outliers (travel times at speeds less than 2 mph and over 100 mph). We did note that this only applies to the System Performance Measure and not to the Freight Performance Measure. We suggest that the data be consistent between the two measures and that the approach of eliminating data outliers be applied to both the System Performance Measure and the Freight Performance Measure. We do not know how much data will fall into the outlier category and find it difficult to provide detailed comment on this specific provision. We do agree that data indicating over 100 mph is likely incorrect and should be eliminated.

**Population Thresholds for Applying Travel Time Reliability.** FHWA requested comment on population thresholds for where to measure travel time reliability. On page 23835 of the NPRM, FHWA suggested 1 million population would be an appropriate number and the MPOAC agrees. This comment is correlated to our next comment and we ask that they be considered together.

**Travel Time Reliability, Transportation User Expectations and Measuring the Right Metric.** The NPRM on Page 23839 explains: "...Travel Time Reliability is consistency or dependability of travel times from day to day or across different times of day." On page 23873, FHWA proposes that a roadway segment would be considered unreliable when travel times are 50% longer than normal travel times. On page 23874 of the NPRM, FHWA requests comment on this methodology to define and measure Level of Travel Time Reliability. The MPOAC respectfully disagrees with portions of this definition and the overall approach.

In large urban areas, time of day is known to impact expected travel times and system users adjust accordingly. When asking how much time is required to travel from one point to another in a small urban or rural area, normally an answer is provided in minutes or hours. In a large urban area, this same question is answered with a clarifying question asking what time of day the trip is going to occur because residents know to allow additional time for trips during the highest system usage periods of the day. In many urban areas, a 20 mile trip that takes over one hour during rush hour is considered "normal.". During non-rush hour times, the same trip may only take 20 minutes. By the measure proposed, the referenced rush hour trip would be considered un-reliable, but residents would think it average.

The MPOAC suggests that the reliability measure can be better addressed by comparing average travel times by hour during the year. To explain further, the idea would be to compare the same time block across the year. For example, the 4 to 5PM travel times of weekdays (minus holidays) for each day of the year would be measured

and the reliability would look at the variability of the travel time for that one hour period over the course of a year. Higher variability would indicate a lack of reliability. The comparison of the variability of peak travel times across a one-year period will encourage state DOTs and MPOs to minimize the travel time variability and will still address the intent of FWHA to determine travel time reliability.

By comparing peak hour travel times over a one year, two year or longer period of time, system operators will focus on more operational strategies such as ITS and improving incident response times. These are strategies that are affordable and effective, whereas adding additional lanes to the interstate system in hopes of eliminating all congestion is not cost feasible. The MPOAC questions why we would measure system performance in a manner that would seem to suggest taking an action that we know we cannot easily afford? Additionally, comparing peak travel times to non-peaks travel times seems to suggest that any and all congestion is bad. Some level of congestion promotes dense land use development, promotes taking discretionary trips during non-peak times, encourages transportation demand management strategies such as teleworking, and increases the value of transit – particularly rail transit. Instead let us focus our data collection, implementation and measuring efforts on something that is within our financial abilities and control. Additionally, we believe that even if revenues were substantially increased, making large projects capacity expansion on our urban interstates financially feasible, that local decision-makers would rank such projects as the top transportation priority for their region. It is also quite likely that environmental approval for such a project would be difficult to secure. Therefore, for environmental and financial reasons, projects such as the FHWA proposed measure would seem to promote, are not a possibility or potentially even desirable and we ask FHWA to reconsider the proposed travel time reliability measure.

On page 23873, FHWA proposes to establish a peak hour travel time measure for the NHS, including Interstate System and non-Interstate NHA within urban areas of over 1 million population. The MPOAC agrees with this concept and proposes that this be the only measure of travel time reliability for the entire system.

FHWA asks on page 23873 of the NPRM if the 1.5 threshold is appropriate for comparing travel times between “normal conditions” (the 50<sup>th</sup> percentile) and the 80<sup>th</sup> percentile travel times. Please see the comments provided in this section and confirm that we do not believe that this is an appropriate threshold or approach.

**Use of the Posted Speed Limit as a Default Value Travel Speed.** In response to FHWA’s request for comment on page 23876 of the NPRM, the MPOAC opposes the use of the posted speed limit as a data point when no data is available. This may create two impacts to the measured data and both have the possibility of substantially altering the Level of Travel Time Reliability measure to the point of being useless. Even though the MPOAC opposes using the 50<sup>th</sup> and 80<sup>th</sup> percentile for comparative purposes, it may end up being the choice made by FHWA in the final rule and, therefore, we feel compelled to provide comment on this portion of the NPRM. First, too many missing data points could result in having the 80<sup>th</sup> percentile and 50<sup>th</sup> percentile data points be

the posted speed limit. While we are opposed to using the 50<sup>th</sup> and 80<sup>th</sup> percentile points for comparative measures, adding this second variable would be further altering the representation of the actual conditions and system user expectations. The substitution of the posted speed limit as the travel time when no data is available would further defeat the purpose of the measure. The second possibility would be one where the posted speed limit/missing data points would fall between the 80<sup>th</sup> percentile and 50<sup>th</sup> percentile data points, pushing the actual measured data points further apart and resulting in a performance measure that is not representative of reality.

Instead, we suggest that missing data points be eliminated from the pool of data points and not substituted with a “replacement” number. In another section of the NPRM, FHWA suggests eliminating any data that indicates a travel speed of over 100 mph or under 2 mph. FHWA has shown a willingness to eliminate data points when the data appears erroneous, please expand this approach to missing data points. We believe that there will be sufficient data over the course of a year to reliably make comparative evaluations without having to rely on default values.

**Locally Available Data.** FHWA discusses in the NPRM the use of local data that may be available. On page 23840 FHWA states “If more detailed and accurate travel time data exists locally, FHWA is proposing that this data could be used in place of, or in combination with the NPMRDS provided it is first approved by FHWA.” The MPOAC supports this flexibility. That said, we ask the FHWA to clarify what the approval process will look like, who will have the authority to grant the approval, how quickly will the approval be granted after a formal request is made, what information will be required in order for a FHWA approval to occur and how frequently can requests be made by each state? We also support inclusion of a time limit in the final rule for such requests and a provision be added clarifying that the request will be considered approved if a request is made and no action is taken after the time limit specified in the rule. Similarly, on the same page and the next page of the NPRM there is a discussion of “equivalent data sources” and the same comments apply.

**Changes to measured roadways and boundaries.** The NPRM discusses the ability of states to adjust the NHS limits and the MPOAC suggests that when NHS limits are adjusted that targets may also be adjusted in response to the change to the NHS limits. A similar discussion takes place later in the NPRM related to Metropolitan Planning Area (MPA) boundary changes and how MPA changes could affect targets (see page 23861-23862 of the NPRM). FL MPOAC believes the two issues are similar and should be treated in the same manner.

**Target setting flexibility.** On page 23844 of the NPRM, FHWA requests comments on establishing optional additional targets and any other flexibility that FHWA could provide to state DOTs related to optional additional targets. The MPOAC supports this concept and would ask that FHWA convene a series of workshops four (4) to five (5) years after implementation of the system performance measures to learn what experiences states have had and how these additional optional targets may assist state DOTs in their system management. We ask that FHWA commit to no fewer than eight (8) workshops

around the country and a concluding webinar to share the input and insights learned from the workshops so that the information may be shared nationwide.

**Target Setting agreement among MPOs and State DOTs.** It is generally thought, and implied, in the NPRM that state(s) and MPO(s) in a region will agree on the targets to be set. Certainly in some future point it seems inevitable that there will occur an occasion where local units of government and a state DOT will not agree on a target. The NPRM does not address what shall be the course of action to resolve differences in target setting. We ask that the final rule leave the issue of resolving differences to the states and locals.

**Attainment States and adjacent non-attainment or maintenance areas.** On pages 23848 and 23849 of the NPRM FHWA suggests that "...if a State is in attainment for the applicable criteria pollutants, but that state is part of a multistate urbanized area with more than 1 million in population and another part of that urbanized area contains an applicable nonattainment area or maintenance area then the State that is in attainment would be required to work with the other States and establish a traffic congestion target." We completely disagree with this approach. States that are in attainment need to remain exempt from traffic congestion measures and targets.

**NPMRDS lacking data.** On page 23850 of the NPRM, FHWA states that they are aware that the NPMRDS is lacking data on the non-Interstate NHS roadways in the short-term. FHWA also states that the missing data will make it difficult for states to establish reasonable traffic congestion targets stating, "By the time the 2-year condition/performance are calculated, FHWA expects the NPMRDS data to have improved to an acceptable level for this measure." We ask FHWA to consider either delaying implementation until FHWA is absolutely sure sufficient data populates the NPMRDS database or develop an alternative approach using alternative data sources so that states may establish reasonable traffic congestion targets. Leaving this to a likely, but not guaranteed, future is concerning and requires an alternative approach.

**Challenges and Trade-Offs in Achieving Targets.** On page 23863 of the NPRM, FHWA states, "The FHWA recognizes that there may be factors outside of a state DOT's control that could impact its ability to achieve a target." Later on the same page appears, "The FHWA recognizes that the state DOTs and MPOs have to consider multiple performance priorities in making investment trade-off decisions and that there are challenges with balancing local and national objectives." The MPOAC appreciates this discussion and fully agrees with the comments provided by FHWA. We thank you for this acknowledgement and ask that this language be brought into an introductory section of the final rule.

**Evaluation by FHWA of Progress Toward Achieving Targets.** The NPRM explains on page 23864 how FHWA would look at performance and evaluate "...if a State DOT has made significant progress toward the achievement of its NHPP and NHFP targets." In Step 3 of the identified process, population is identified as a factor to be considered. The MPOAC asks that locations experiencing high levels of tourism be included in the

list of factors FHWA considers. Tourists are a temporary population that create a “shadow population”. Tourists are not counted in the population figures published by the Census, but large numbers of tourists/visitors do place a significant demand on the transportation system and affect the system performance that is experienced by users and reflected in the transportation data collected. Florida experienced over 100 million visitors last calendar year. Just looking at the Census defined population, we would be counted for approximately 20 million persons. The 100 million visitors to Florida last year, if each stayed an average of one week, would be the equivalent of approximately another 2 million permanent persons or a 10% increase in population. This is a significant increase over the indicated population figures available from the Census and we ask that this “shadow population” be considered as an influencing factor in evaluating performance.

**Recognizing Financial Limitations of State DOTs and MPOs.** In the NPRM (page 23866), FHWA recognizes the financial limitations of State DOTs. FHWA goes on to state “...in some cases, anticipated condition/performance could be projected to decline from (or sustain) the baseline condition/performance due to lack of funding, changing priorities, etc.” We thank FHWA for recognizing the practical implementation aspects of system performance measurement and we ask that this statement and implementation philosophy be carried forward to the final rule.

**Use of 5 Minute Time Bins.** FHWA has suggested using 5 minute time bins in the NPRM. The MPOAC questions if this level of granularity will produce meaningful additional benefit in comparison to using 15 minute or longer time bins. The MPOAC recommends, as does the Florida DOT, the use of 15 minutes, 30 minutes, hourly or peak-period travel times, used in a consistent manner. Given the size of the transportation system, which will produce a large number of measured segments, and then the large number of time bins over the course of the year, the data collection effort will produce a massive amount of data. We can make the assessment of the data much easier by going to 15 minute time bins (or longer) and theoretically this should reduce the number of instances where there is no data in a time bin. Conceptually, a 15 minute time frame will offer three times as many opportunities for detection equipment to capture a unit passing by and record the information when compared to a 5 minute time bin. The 15 minute time bin is advantageous over 5 minute time bins given the reduced data storage required, fewer data points requiring quality control/quality assurance efforts and reduced difficulty that would be experienced by the public who may wish to export this data and evaluate it. Moving to longer time segments to establish time bins seems to be a sensible approach. Florida has estimated that under the 5 minute time bins, there would be approximately 1 billion data points per year for Florida alone.

**Freight Travel Time Data.** FHWA proposed in the NPRM collecting and measuring truck travel speeds on the interstate system. We ask that this measure be removed as it will essentially measure the interstate which is already being assessed as a performance measure under the title of travel time reliability. The trucks proposed to be measured on the interstate system will be in the same traffic that is being measured through system reliability. This seems to actually double count the reliability of the

interstate system. Freight congestion is commonly found at the first and last mile portions of a freight trip which are not being measured. We see little to no additional value by collecting freight travel time data separately from overall interstate system performance data.

Thank you again for providing us with the opportunity to comment on these proposed rules. We look forward to working with the FDOT and our transportation partners across the state to implement the resulting performance measures.

Sincerely,

Carl Mikyska, Executive Director  
Florida MPO Advisory Council



# The Florida Metropolitan Planning Organization Advisory Council

*Mayor Susan Haynie*  
Chairperson

October 20, 2016

Docket Management Facility  
United States Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

RE: Docket Number FHWA-2016-0016  
FHWA RIN 2125-AF68; FTA RIN 2132-AB28  
Notice of Proposed Rulemaking (NPRM); Reopening of Comment Period  
*Metropolitan Planning Organization Coordination and Planning Area Reform*  
As published in the Federal Register, Friday, September 23, 2016

Dear Secretary Foxx,

On behalf of the 27 member Metropolitan Planning Organizations (MPOs) of the Florida MPO Advisory Council (MPOAC), I want to thank you for extending the comment period for the proposed metropolitan planning organization coordination and planning area reform rules on September 23, 2016. Specifically, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) reopened the comment period to receive public comment on certain issues raised by the original NPRM, including:

1. Comments that contribute to the understanding of the impact of the proposed requirements for unified planning products where multiple MPOs serve the same urbanized area,
2. Comments on potential exceptions that should be included in the final rule and criteria for applying such exceptions, and
3. Comments on the expected costs of implementing the proposed rule.

The MPOAC submitted official comments to the original notice of proposed rulemaking (issued on June 27, 2016) on August 25, 2016. The comments contained in this letter address the three specific issue areas asked in the extension, but in no way supplant or supersede our original comments. Rather, they provide clarity and otherwise enhance our original comments.

That said, we continue to believe that the proposed rules will not result in improved planning decisions or more efficient processes. We believe that the proposed rules will make transportation planning less accessible to the general public by increasing MPOs' size and scope and mute the voice of locally elected officials in the metropolitan transportation planning process, undermining the original purpose for the creation of MPOs. We, therefore, continue to strongly stand in opposition to the proposed metropolitan planning organization coordination and planning area reform rules and respectfully request that they be withdrawn without further action.

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*Carl Mikyska, Executive Director*

Our comments to the three specific areas are:

**1. Impacts created by the proposed requirements for unified planning products where multiple MPOs serve the same urbanized area.**

**Loss of Coordination Between Transportation and Other Planning Processes**

One of the primary functions of MPOs is to coordinate transportation planning with other forms of planning. This is emphasized in multiple locations in federal law and rule, including as a planning factor. MPA boundaries in Florida are frequently drawn to correspond to the same geography as other planning processes, particularly land use planning. Revising the definition for a Metropolitan Planning Area (MPA) and then forcing MPOs in the same MPA to adopt unified planning and programming documents will dramatically complicate the ability to coordinate transportation planning with land use, economic development and other planning processes in many metropolitan areas.

**Complications of State Open Government Laws**

Florida has very strong and very specific open government laws. These laws require most transportation planning related discussions and decisions to be made during noticed meetings and pertain to members of MPO governing boards and advisory committees, committees comprised primarily of local and state agency employees. As written, the proposed rule would greatly complicate the ability of staff to coordinate planning activities across political boundaries where more than one MPO currently exists and would, under the proposed rule, be required to produce unified planning and programming documents. This would be particularly true for transit agencies that are currently covered by different MPOs, but which would fall in the same MPA under the proposed rule.

**Loss of Local Perspective**

The original motive behind the creation of MPOs was to incorporate the local perspective into transportation decisions. This proposal will result in fewer, but larger, MPAs in Florida. The decision-making process that will be required to produce unified planning and programming products at the new MPA-level will, by necessity, be further removed from local communities and the people for whom the metropolitan transportation planning process was originally intended to serve.

**Polycentric and Monocentric Regions: Not All UZAs are Alike**

The proposed rule treats all UZAs as if they are the same, with the same historical and projected growth patterns. But each UZA or group of contiguous UZAs has a specific character and nature, with some growing outward from a singular urban core (monocentric) and others starting as individual urbanized areas that grew together over

time (polycentric). These two types of regions (monocentric and polycentric), are fundamentally different from each other in a variety of ways that are important to transportation planning and programming. Many of these polycentric areas in Florida, for example, have multiple commercial airports, transit agencies, expressway authorities, seaports and intermodal logistic centers. They do not share an identity and behave like a series of separate areas, not like one cohesive metropolitan area. We believe that forcing areas like these to produce unified planning and programming documents would not promote more effective or efficient regional decision-making, but would instead make them significantly more complicated, time consuming and resource intensive.

## **2. Potential exceptions that should be included in the final rule.**

The MPOAC believes that coordination across MPO boundaries is very important. We recognize and embrace the value of partnerships and collaboration in transportation decision-making. We do not believe that providing “exceptions” to a one-size fits all approach to cooperative planning and programming will create workable solutions to solve problems that are unique to each metropolitan area. Instead, the MPOAC believes that the proposed rule as written should be withdrawn and a national conversation should begin that focuses on voluntary and incentivized mechanisms for improving collaborative decision-making where it is warranted and would be most beneficial.

## **3. Expected costs of implementing the proposed rule.**

The MPOAC sees two difficulties in providing specific and detailed comments on the issue of cost:

- There are very few real world examples of MPOs merging to use for the purpose of analysis, and it is unclear how mergers would be implemented if this rule were finalized for Florida.
- If MPOs did not merge, it is equally unclear what the additional cost would be for MPOs to adopt unified planning products with multiple neighboring MPOs.

The MPOAC has been made aware of a voluntary merger of two MPOs in Connecticut. This voluntary merger took four years to complete and the cost associated with the merger was approximately \$1.7 million. This is the only MPO merger we are aware of for which associated costs estimates are available. In a similar situation, the MPOAC is aware of the FHWA effort to merge division offices in Maryland and Delaware, a merger that appears to no longer be in place based on a review of the FHWA Division websites. We would be interested in learning the costs associated with that merger effort and the reason why the merger was reversed. We believe that the FHWA merger experience would shed light on the potential costs and operational pitfalls of merging MPOs. For example, did operational efficiency decrease, did operating costs increase, or both?

Our other concern related to potential MPO mergers deals with the number and proximity of UZAs in Florida. As you may know, there are 30 designated UZAs in Florida as of the 2010 Census. The vast majority of these UZAs cross county boundaries, are not overly distant from neighboring UZAs, and often fall partially within the same counties. Land use and other planning activities in Florida typically occur at the county level. MPO boundaries in Florida have therefore often been drawn to coincide with county boundaries. The resulting 27 Florida MPOs cover all or portions of UZAs and are well coordinated through interlocal agreements and MPO alliances.

Given this complex UZA and MPO geography, compounded with the requirement in the proposed rule to draw MPA boundaries to include UZAs in their entirety plus areas anticipated to be urbanized over the next 20 years, it is extremely difficult to predict where new MPA boundaries will be drawn. Once the new MPA boundaries are drawn, it is likely that many MPOs would choose to merge. Not knowing how many MPOs might merge makes it nearly impossible to estimate the overall expected cost of implementing the proposed rule in Florida. The best estimate we can make is to assume a cost of approximately \$1.7 million per MPO merger (based on the experience in CT) and apply that cost figure to the potential number of MPOs that may merge in Florida (22 based on an estimate by FHWA of Florida MPOs impacted by the proposed rule). Based on those assumptions, the potential cost of implementation of the proposed rule in Florida will be nearly \$19 million.

However, it is equally plausible that all or most of the existing MPOs in Florida may decide to remain separate, but produce unified planning documents. If that were the case, Florida's 27 MPOs would be required to produce unified planning products for all 30 UZAs and likely more in the future as new UZAs are designated following each decennial Census. Clearly the addition of three and potentially more sets of unified planning products (Long Range Transportation Plan (LRTP), Transportation Improvement Program (TIP), and performance targets) would result in an increased cost of metropolitan transportation planning in Florida. Additionally, individual costs for unified products will likely increase relative to the cost to produce the same planning product for a single MPO, including costs associated with public involvement and intergovernmental coordination. The increased costs associated with this scenario are impossible to calculate, but would likely be on a scale comparable to the merger scenario.

Thank you again for the opportunity to provide additional comments on specific areas of the proposed metropolitan planning organization coordination and planning area reform rules. We look forward to our continued work with the FHWA and FTA and our transportation partners at the state and local levels to plan and implement our nation's

Secretary Foxx  
Page 5

transportation system. Please feel free to call me at 850-414-4062 should you have any questions.

Sincerely,

Carl Mikyska  
Executive Director





CARL,

THANK YOU FOR TAKING THE TIME TO  
PRESENT TO THE TRANSPORTATION AND  
INTERGOVERNMENTAL RELATIONS POLICY COMMITTEE  
MANY OF MY MEMBERS APPROACHED ME  
AFTER THE MEETING AND EXPRESSED HOW  
BENEFICIAL THEY THOUGHT YOUR PRESENTATION  
WAS. AGAIN, THANK YOU! P.S. I WILL BE  
SURE TO INVITE YOU TO THE HOUSE WARMING  
PARTY ☺

—Megan S. Johnson

## **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 Governing Board will be held on Thursday, April 06, 2017. The meeting will be held at the DoubleTree by Hilton Cocoa Beach Oceanfront, 2080 North Atlantic Ave, Cocoa Beach, Florida 32931.

A meeting notice and hotel reservation information will be provided prior to the meeting.

