



# The Florida Metropolitan Planning Organization Advisory Council

*Mayor Susan Haynie*  
*Chair*

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

**Date:** Thursday, June 01, 2017

**Time:** 1:30 p.m. – 4:30 p.m.

**Location:** Hillsborough County Center, 601 E. Kennedy Blvd, 26<sup>th</sup> Floor, Rooms A & B  
Tampa, FL 33601

**Peter Buchwald, Presiding**

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- 1. Call to Order & Pledge of Allegiance**
- 2. Approval of Minutes: March 02, 2017 Meeting**
- 3. Public Comments (non-agenda Items)**
- 4. Executive Director's Report**
  - A. UPWP Report**
  - B. Florida Legislative Update**
  - C. Federal Infrastructure Package Efforts**
- 5. Agency Reports**
  - A. Florida Department of Transportation**
    - 1. Safety Performance Targets**
    - 2. MPO Risk Assessment**
    - 3. Safety Project Coordination with MPOs**
    - 4. MPO Mobility Performance Measures**
  - B. Federal Highway Administration**
- 6. Business Items & Presentations**
  - A. Revenue Forecasting Effort**
  - B. MPOAC Financial Guidelines for LRTPs**
  - C. Exploratory Scenario Planning in LRTPs: Atlanta's Innovations**
  - D. Scenic Byways**
  - E. 2018 Legislative Policy Positions**
  - F. Automated Vehicles/Connected Vehicles Guidance**
- 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: March 02, 2017**

#### **DISCUSSION:**

Review and comments from members.

#### **REQUESTED ACTION:**

Approval of Meeting Minutes from the March 02, 2017 Staff Director's Committee Meeting.

#### **ATTACHMENT:**

March 02, 2017 MPOAC Staff Director's Committee Meeting Minutes



**Florida MPO Advisory Council  
Meeting of the Staff Directors' Committee  
March 02, 2017  
Draft Meeting Minutes**

**STAFF DIRECTORS IN ATTENDANCE:**

Peter Buchwald, Chair, St. Lucie TPO  
Mary Beth Washnock, Bay County TPO, Florida-Alabama TPO, Okaloosa-Walton TPO  
Austin Mount, Bay County TPO, Florida-Alabama TPO, Okaloosa-Walton TPO  
Dawn Schwartz, Bay County TPO, Florida-Alabama TPO, Okaloosa-Walton TPO  
James Cromar, Broward MPO  
Bob Herrington, Charlotte County-Punta Gorda MPO  
Eric Ortman, Collier MPO  
Whit Blanton, Forward Pinellas  
Michael Escalante, Gainesville MTPO  
Pat Steed, Heartland Regional TPO  
Beth Alden, Hillsborough MPO  
T.J. Fish, Lake-Sumter MPO  
Donald Scott, Lee County MPO  
Alice Bojanowski, Martin MPO  
Harold Barley, MetroPlan Orlando  
Carlos Roa, Miami-Dade MPO  
Michael Daniels, Ocala/Marion County TPO  
Nick Uhren, Palm Beach MPO  
Leigh Holt, Sarasota/Manatee MPO

**OTHERS IN ATTENDANCE:**

Carl Mikyska, MPOAC  
Jeff Kramer, Center for Urban Transportation Research  
Christen Miller, Center for Urban Transportation Research  
Hal Beardall, FCRC Consensus Center  
Karen Brunelle, Federal Highway Administration  
Lee Ann Jacobs, Federal Highway Administration  
Mark Reichert, Florida Department of Transportation  
Chris Edmonston, Florida Department of Transportation  
Ned Baier, Jacobs Engineering  
Ray Chiaramonte, TBARTA

- CALL TO ORDER

Mr. Peter Buchwald, Chair, St. Lucie TPO, called the meeting to order at 1:45pm. The Chair welcomed those in attendance and self-introductions were made. All stood for the Pledge of Allegiance.

- APPROVAL OF MINUTES

Mr. David Hutchinson, who was not in attendance, sent an email to Mr. Mikyska, MPOAC Executive Director, requesting a change to the January 2017 Staff Directors' Advisory Committee Meeting minutes. Mr. Hutchinson requested that the minutes reflect his request that National Association of Regional Councils (NARC) and the Association of Metropolitan Planning Organizations (AMPO) take legislative positions that future federal transportation authorization bills specify the use of the most recent census population data in developing federal planning funding distribution formulas, particularly in light of NARC and AMPO recently adjusting their dues calculations to reflect the latest population figures.

Mr. T.J. Fish, Lake-Sumter MPO, moved to approve the minutes of the January 2017 Staff Directors' Advisory Committee Meeting. Mr. Whit Blanton, Forward Pinellas, seconded the motion. The motion carried unanimously.

- PUBLIC COMMENTS

No public comments were made.

- EXECUTIVE DIRECTOR'S REPORT

- A. UPWP REPORT

Mr. Carl Mikyska, MPOAC Executive Director, presented the MPOAC Quarterly UPWP Report for the January through March 02, 2017 timeframe. He noted that the reporting time period is a shortened due to the new schedule of the Staff Directors' Advisory Committee meetings.

Ms. Karen Brunelle, Federal Highway Administration, asked if Mr. Mikyska will be continuing to present the dollar amount expenditure along with the UPWP Report. Mr. Mikyska replied that he will be reporting it at the Governing Board meeting and it will be included in future packets.

## B. FLORIDA LEGISLATIVE UPDATE

Mr. Carl Mikyska, MPOAC Executive Director, presented an update on legislation before the Florida House of Representatives and the Florida Senate. He noted that the official start of the 60 day legislative session was March 07, 2017, that committees and sub-committees had already been meeting and that bills had already been filed by members. He then provided a brief summary of legislative proposals of interest to the MPOAC membership that had been filed to date.

A discussion took place amongst the members about the various items that Mr. Mikyska presented. A few members voiced their concerns over the potential LRTP cycle change being considered by the US Congress. Mr. Michael Escalante, Gainesville MTPO, mentioned that it may cost a lot more to extend the cycle in terms of amendments, etc..

Mr. T.J. Fish, Lake-Sumter MPO, stated that the Transportation Regional Incentive Program (TRIP) needs to be reformed and suggested that the number of drawdowns to the program be reduced. Mr. Mikyska replied that the drawdowns could be taken from a different program. Mr. Nick Uhren, Palm Beach MPO, suggested taking drawdowns from the SIS.

## C. MPO COLLABORATION AND PLANNING AREA REFORM RULE UPDATE

Mr. Carl Mikyska, MPOAC Executive Director, presented a form letter prepared jointly by the National Association of Regional Councils (NARC) and the Association of Metropolitan Planning Organizations (AMPO) relating to the potential repeal of the MPO Collaboration and Planning Area Reform rule which went into effect on January 19, 2017. He noted that legislation had been introduced in both the US House of Representatives and the US Senate that would repeal the final rule and prohibit US Department of Transportation from introducing similar rulemaking in the future. NARC and AMPO prepared the form letter for individual members to send to their members of Congress encouraging their support for proposed legislation.

A discussion took place between the members about whether the MPOAC should sign such the form letter and prepare a cover letter adding more detail supporting repeal of the final rule. Discussion ensued and the committee determined that the MPOAC should not sign the form letter, instead allowing individual Florida MPOs to sign the form letter themselves if they so choose.

## • AGENCY REPORTS

### A. FLORIDA DEPARTMENT OF TRANSPORTATION

Mr. Mark Reichert, Transportation Planning Manager, Office of Policy Planning, updated the members on FDOT activities and brought forward topics of interest to the MPOs.

- FDOT has hired Mr. Alex Gramovot as the new Statewide Metropolitan Planning Coordinator focusing on long range planning and programming, statewide planning and research.
- The MPO handbook is not yet completed and the estimated completion date has been extended by two months.
- A risk assessment update will be provided during the April Governing Board meeting.

Mr. Reichert continued by giving an update on safety performance measurement.

- FDOT is still in the process of developing safety performance targets.
- FDOT targets must be adopted, as a part of the Highway Safety Improvement Plan, by August 31, 2017.
- MPOs must set their targets by February 27, 2018.
  - MPOs have the option of adopting FDOT's targets, creating their own, or having a mix of both.

Mr. Reichert finished his presentation by making some additional announcements.

- There is a new MPO Liaison discussion board on the FDOT intranet. This board provides FDOT MPO liaisons a resource where they can post questions and receive answers.
- A task work order has been issued on Autonomous Vehicle and Connected Vehicle issues to HNTB, a general consultant working for the FDOT. HNTB will be determining the transition rate to autonomous vehicles in the state for use in planning efforts across the state.
  - Mr. Reichert will be compiling a more detailed summary that will be distributed to the MPOAC membership at a later date.
- Mr. Martin Markovich, FDOT Office of Policy Planning, will be moving forward with the long range revenue estimates and report back to the MPOs once he has completed this effort.

A discussion took place about autonomous vehicles and their possible influence on the next cycle of long range transportation plan (LRTP) updates. Ms. Beth Alden, Hillsborough MPO,

mentioned that the FDOT District 7 had engaged the Center for Urban Transportation Research (CUTR) looking at a related issue that may be of interest to the group – what roadway infrastructure will be required to support a transition to autonomous vehicles.

Mr. Nick Uhren, Palm Beach MPO, responded to the report on revenue estimates by suggesting that the following information needs to be taken into account while developing the revenue forecasts:

- Identifying details on how the funding programs used to make forecasts were established, how the funds were being used to create the estimated revenues, and what projects could be implemented within those programs.
- The potential to change the funding programs to better align with program fund codes in order to create a cleaner line between the existing five years of the Transportation Improvement Program (TIP) and the new fifth year of the TIP when MPOs start looking at forecast and implementing projects.

## B. FEDERAL HIGHWAY ADMINISTRATION

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

- According to the Best Places to Work in the Federal Government survey the Federal Highway Administration was voted one best places to work in the Federal Infrastructure Agencies category.
- A Federal Register notice was published on February 13, 2017 that delays the effective date of the System Performance Measures and the Pavement Management Performance Measures. The new effective date is March 21, 2017. No webinars are currently available on this subject.

Ms. Karen Brunelle, Director, FHWA Office of Project Development, then discussed implementation of federal regulations, including guidance that FHWA was developing with Federal Transit Administration (FTA) and FDOT clarifying the language and information required to process a Statewide Transportation Improvement Program (STIP) amendment.

## BUSINESS ITEMS & PRESENTATIONS

### A. APPROVAL OF LEGAL SERVICES CONTRACT

Mr. Carl Mikyska, MPOAC Executive Director, presented a proposed legal services agreement to the membership. Each year, the MPOAC considers a contract renewal for Mr. Paul

Gougelman, MPOAC General Counsel. Mr. Mikyska noted that the contract presented to the membership for their consideration is similar to previous legal counsel contracts.

- There is no change in his hourly rate or the total amount of the agreement.

Mr. Harold Barley, MetroPlan Orlando, made a motion to approve the legal services agreement. Mr. Bob Herrington, Charlotte County-Punta Gorda MPO, seconded. Motion carried.

A question was asked if there were any changes to the documents language. Mr. Mikyska answered that there were no major changes.

#### B. SIS PROJECT PRIORITIZATION CRITERIA AND FUNDING POLICY

Mr. Chris Edmonston, FDOT Office of Systems Planning, presented the process by which Strategic Intermodal System (SIS) projects are selected. This presentation was for information to benefit the membership.

The SIS is Florida's high priority network of transportation facilities important to the state's economy and mobility. The Governor and Legislature established the SIS in 2003 to focus the state's limited transportation resources on the facilities most significant for interregional, interstate, and international travel. The SIS is the state's highest priority for transportation capacity investments and a primary focus for implementing the Florida Transportation Plan (FTP), the state's long-range transportation vision and policy plan.

A discussion took place amongst the members bringing forward the following topics:

- SIS funding.
- SIS statewide project prioritization.
- Liaisons working with MPOs.
- SIS versus Emerging SIS.

#### C. REQUIREMENT TO INCLUDE FL TURNPIKE ENTERPRISE PROJECTS IN THE TIP

Mr. Harold Barley, MetroPlan Orlando, provided an overview of the requirements to include Florida Turnpike Enterprise projects (and other toll agency projects) in the Transportation Improvement Program (TIP) for informational purposes. Florida statutes also state that these informational toll projects cannot be removed from a TIP by an MPO once the project reaches the preliminary engineering phase.

- “The transportation improvement program must, at a minimum ... Include projects and project phases to be funded with state or federal funds within the time period of the transportation improvement program and which are recommended for advancement during the next fiscal year and 4 subsequent fiscal years. Such projects and project phases must be consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. For informational purposes, the transportation improvement program shall also include a list of projects to be funded from local or private revenues.” (Section 339.175(8)(c)(1), F.S.)
- “Projects included in the transportation improvement program and that have advanced to the design stage of preliminary engineering may be removed from or rescheduled in a subsequent transportation improvement program only by the joint action of the M.P.O. and the department. Except when recommended in writing by the district secretary for good cause, any project removed from or rescheduled in a subsequent transportation improvement program shall not be rescheduled by the M.P.O. in that subsequent program earlier than the 5th year of such program.” (Section 339.175(8)(d), F.S.)

Mr. Barley noted that in rare cases there are tolls that are placed inside pre-existing toll areas, leading to a double toll fee structure (a toll within a toll). Mr. Barley wanted to make MPO members aware this situation and to consider ways to prevent unnecessary tolling.

Discussion ensued on this subject. The discussion touched on the following questions:

- What is the role of the MPO related to Turnpike (and other toll agency) projects, particularly if those projects are included in the TIP only for informational purposes?
- When, specifically, is the design phase of preliminary engineering?
- Would it be of value if the projects included only for informational purposes in the TIP are identified as such?

#### D. REQUEST FOR FDOT FUNDING FOR REVIEW OF LRTPS

Mr. Peter Buchwald, Chair, St. Lucie TPO, reminded members of the request to request FDOT funding for a study entitled *Review of MPO Long Range Transportation Plans (LRTPs) and Estimate of Statewide Metropolitan Area Financial Shortfall*.

At the direction of the MPOAC Governing Board at their January 2017 meeting, the MPOAC Executive Director asked FDOT about their ability and interest to fund this study. He was told that the Department would not be able to fund the study at this time. The MPOAC Governing Board also directed the project scope of services to the Best Practices Working Group for consideration and to make any changes desired by the Working Group

membership. The Working Group was also directed to report a summary of the discussion to the MPOAC Governing Board and Staff Directors' Committee.

Ms. Beth Alden, Hillsborough MPO and chair of the Best Practice Working Group, said that the Working Group had discussed the project scope and funding. She indicated that the Working Group had identified changes to the scope that would enhance the benefit of the project to the members and that the Working Group would support project funding by FDOT, but were inconclusive regarding funding by the MPOs.

Mr. Whit Blanton, Forward Pinellas, made a motion to have the MPOs fund the research project using their distributed PL excess funds subject to review and approval of the scope and cost estimate. Ms. Beth Alden, Hillsborough MPO, seconded the motion. The motion failed by a vote of 4 to 6.

Mr. James Cromar, Broward MPO, mentioned that Mr. Greg Stuart, Broward MPO, who was not in attendance, wanted to comment that he did not want to use the distributed PL Funds and did not see the overall value of the project to the MPOs.

Mr. James Cromar, Broward MPO, made a motion to write a letter to FDOT requesting funding, Whit Blanton, Forward Pinellas, seconded the motion. The motion passed unanimously.

#### E. AMOUNT OF PL RESERVE DISTRIBUTION BY MPO

Mr. Peter Buchwald, Chair, St. Lucie TPO, stated that at the MPOAC meetings of January 26th, direction was given to have the \$2 Million of PL funds held in reserve distributed to the MPOs based upon population, as defined in the statewide PL funding formula. This additional distribution of funds is expected to be available to the MPOs after the beginning of the new State Fiscal Year (July 1, 2017).

Ms. Alice Bojanowski, Martin MPO, made a comment for the record about how the St. Lucie TPO and the Martin MPO have historically split federal funds directed to their shared Transportation Management Area (TMA). She indicated that there has been recent discussion related to the long range transportation plan update(s) on whether the funding spilt should change in the future. The Governing Boards of both MPOs have discussed if the funding spilt should be based on population or other criteria.

#### F. SAFETY PERFORMANCE MEASURE TARGET SETTING BY FDOT

Mr. Peter Buchwald, Chair, St. Lucie TPO, returned to the subject of safety performance measures already discussed by Mr. Mark Reichert, FDOT, as part of his agency report. Mr.

Buchwald reminded the membership that the FDOT will be adopting safety performance measure targets as a part of the Highway Safety Improvement Plan (HSIP), by August 31, 2017. MPOs then have to adopt their own safety performance targets no more than 180 days later (February 27, 2018) and that MPOs have the option of adopting the state safety performance targets or adopting their own, or adopting a mix of both.

The safety performance management final rule established five performance measures as the five-year rolling averages to include:

1. Number of Fatalities
2. Rate of Fatalities per 100 million Vehicle Miles Traveled (VMT)
3. Number of Serious Injuries
4. Rate of Serious Injuries per 100 million VMT
5. Number of Non-motorized Fatalities and Non-motorized Serious Injuries

Discussion ensued on this subject. The discussion touched on the following issues:

- Funding for safety projects, specifically whether a program can be established allowing MPOs to apply for safety projects.
- The potential target of zero fatalities.
- Future regulations for distracted driving.
- Driver safety education

Ms. Beth Alden, Hillsborough MPO, mentioned how targets are short-term and that nothing prevents MPOs from setting a long-term target in addition to the short-term target. She continued by stating that MPOs do not know what funding and resources are available for improving the safety record for their metropolitan area.

Mr. Nick Uhren, Palm Beach MPO, made a motion to ask the MPOAC Governing Board to request that FDOT create an open funding process allowing MPOs to identify projects to be funded with federal Highway Safety Improvement Program funds based on the targets outlined in the HSIP. MPOs would also be encouraged to add a section about safety to their annual MPO Project Priority List. Mr. T.J. Fish, Lake-Sumter MPO, seconded the motion. The motion was approved unanimously.

## • COMMUNICATIONS

Mr. Carl Mikyska, MPOAC Executive Director, noted that while no communications were included in the agenda package, a letter from the Tampa Bay Regional Planning Council had been received thanking him for participating as part of a panel during their regional transportation summit held on February 16, 2017.

Mr. Mikyska then asked if the members were interested in having the Florida Transportation Commission (FTC) make a presentation about their annual report during the MPOAC Governing Board meeting in April or to delay it until a later date. The members agreed to have the FTC present to the MPOAC Governing Board at their April meeting.

• MEMBER COMMENTS

Mr. Peter Buchwald, Chair, St. Lucie TPO, asked for member comments:

- Ms. Mary Beth Washnock, Bay County TPO, Florida-Alabama TPO, Okaloosa-Walton TPO, mentioned the save-the-date cards for the November MPOAC meeting in Panama City. She also expressed concern about the cost of holding the Staff Directors' Advisory Committee meeting a month before the MPOAC Governing Board meetings and suggested that the meeting days be held back to back instead.
- Mr. Michael Escalante, Gainesville MTPO, asked if MPOs are required to have a transit target by the end of the summer. Mr. Mark Reichert, FDOT, said that it is recommended.
- Ms. Beth Alden, Hillsborough MPO, responded to Mr. Escalante by explaining the methods and discussions that have been taking place in the Tampa Bay Area. They are discussing a one page report that lays out all the statistics that shows trend lines and the performance target.
- Ms. Karen Brunelle, Federal Highway Administration, explained that MPOs do not have to change their long range transportations plans (LRTPs) to reflect the transit targets until after May and then only when the LRTP is amended.

• ADJOURNMENT

The meeting was adjourned at 4:49pm. The next meeting of the MPOAC Staff Directors' Advisory Committee will be held in Tampa on June 01, 2017.

## **Item Number 3**

### **Public Comments**

#### **DISCUSSION:**

Recommendations or comments by the public.

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENTS:**

None



## **Item Number 4A**

### **Executive Director's Report UPWP Report**

#### **DISCUSSION:**

Mr. Carl Mikyska, MPOAC Executive Director, will be presenting the UPWP Report for the current fiscal year through May 19, 2017 timeframe and a list of activities of the Executive Director from January to March.

#### **REQUESTED ACTION:**

None requested. For discussion and action as may be desired.

#### **ATTACHMENTS:**

1. Current Fiscal Year report through May 19, 2017
2. UPWP Activities Report – January through March 2017



**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	\$ 40,448	\$ 39,117	\$ 170,661	\$ -
<b>Expense</b>	\$ 42,624						
Travel	\$ 19,544	\$ 8,006	\$ 3,126	\$ 3,795	\$ 4,027	\$ 18,954	\$ 590
Meetings	\$ 18,000	\$ 1,000	\$ 2,738	\$ 6,679	\$ 6,316	\$ 16,733	\$ 1,267
Administrative	\$ 5,080	\$ 2,835	\$ 734	\$ 1,068	\$ 443	\$ 5,080	\$ -
Membership Dues *	\$ 1,920	\$ 500	\$ -	\$ -	\$ -	\$ 500	\$ 1,420
<b>Contracted Services</b>	\$ 22,000						
General Counsel	\$ 22,000	\$ 1,100	\$ 286	\$ 14,916	\$ 2,771	\$ 19,073	\$ 2,927
<b>Transportation Planning</b>	\$ 165,000						
Univ. South FL (CUTR)	\$ 80,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 12,000	\$ 72,000	\$ 8,000
MPOAC Institute	\$ 85,000	\$ 18,700	\$ 9,350	\$ 14,450	\$ 39,625	\$ 82,125	\$ 2,875
<b>Strategic Plan</b>	\$ 6,500						
Florida State University	\$ 6,500	\$ -	\$ -	\$ -	\$ 6,500	\$ 6,500	\$ -
<b>Total Federal Funds</b>	\$ 406,785	\$ 95,725	\$ 83,746	\$ 101,356	\$ 110,799	\$ 391,626	\$ 15,159
<b>Advocacy Activities Local Funds</b>	\$ 10,500	\$ -	\$ 740	\$ 1,363	\$ 5,731	\$ 7,834	\$ 2,666
<b>Total Budget</b>	\$ 417,285	\$ 95,725	\$ 84,486	\$ 102,719	\$ 116,530	\$ 399,460	\$ 17,825

\* FBT, FPTA, ITSFL  
**\*\*\* AS OF MAY 19, 2017**



# MPOAC Quarterly UPWP Report

## January 2017 – March 2017

### Task 1.2 – Quarterly Reports

- Quarterly reports are on track – included in your meeting package

### Task 1.3 – Research and Support Services

- Reviewed and advised the Executive Director on correspondence
- Advised the Executive Director in the development of MPOAC meeting content and materials
- Prepared meeting minutes of the January Staff Director's Committee Meeting and the MPOAC Governing Board Meeting
- Produced a final version of Legislative Policy Positions brochure for printing

### Task 1.4 – Legal Services

- Completed meeting minutes and materials for the January MPOAC Executive Committee Meeting
- Represented MPOAC at the January quarterly meetings of the Staff Director's Committee and the Governing Board
- Advised the Executive Director on Sunshine Laws related to establishing two new committees of the MPOAC.

### Task 1.5 – Membership Dues

- ITS FL membership bill received and paid
- Processed and paid the AMPO membership dues
- Processed and am working through Florida Department of Financial Services on the NARC membership dues

### 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 MPO membership, MPOs outside of Florida, FDOT, FTC, FBT, FRCA, FLC, FAC, AMPO and NARC on potential federal legislation to revoke the MPO Collaboration and Planning Area Reform Rulemaking.
- Spoke at the Tampa Bay Regional Transportation Summit on a panel with FDOT and FHWA
- Gave the Keynote address at the Gulf Coast Regional Trails Summit
- Attended the NARC National Conference of Regions in Washington DC

### Task 2.2 – MPOAC Agenda Packages & Meetings

- Hosted the January 2017 meetings
- Produced the agenda packages for the March 2017 meeting of the Staff Directors and the April 2017 meeting of the MPOAC Governing Board

#### Task 2.4 – MPOAC Freight Committee

- Hosted the January 2017 meeting
- Produced the agenda for the April 2017 meeting

#### Task 3.2 – MPOAC Website

- Maintained and updated as necessary the MPOAC.org website

#### Task 3.3 – MPOAC Institute Training Activities

- Continue to register attendees for the two 2017 trainings
- Continued the update of institute materials

#### 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
- Printed Legislative Policy Positions brochure and distributed the brochure to legislators and partners

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

- Established the Best Practices and Bike/Ped Working Groups
- Hosted the March 2017 meetings
- Produced the agenda packages for the March 2017 meetings for the Best Practices and Bike/Ped Working Groups

## **Item Number 4B**

### **Executive Director's Report Florida Legislative Update**

#### **DISCUSSION:**

Mr. Carl Mikyska, MPOAC Executive Director, will be presenting an update on legislation that was considered by the Florida House of Representatives, the Florida Senate and the Governor.

#### **REQUESTED ACTION:**

None requested. For discussion and action as may be desired.

#### **ATTACHMENTS:**

None – to be provided at the meeting



## **Item Number 4C**

### **Executive Director's Report Federal Infrastructure Package Efforts**

#### **DISCUSSION:**

Earlier this year Erich Zimmerman reached out to MPOAC asking for our input on a legislative proposal to alter the update cycle of MPO Long Range Transportation Plans from a 5 year update cycle to a 10 year update cycle. MPOAC proposed additional changes to federal planning rules which would complement the additional flexibility afforded by a 10 year update cycle.

A follow up conversation with Congressman McCarthy's legislative staff resulted in MPOAC offering additional legislative suggestions.

#### **REQUESTED ACTIONS:**

None requested. For discussion and action as may be desired.

#### **ATTACHMENT:**

List of MPOAC suggested legislative modifications



## **Proposed Changes to MPO Long Range Plan Requirements**

**Problem Statement:** Long Range Plans are expensive and take a lot of staff time. They were originally intended to be visionary and provide an overview of the region's future. Years of incremental federal requirement additions have made Long Range Transportation Plans (LRTPs) expensive, burdensome and very long documents. Some much needed fixes are suggested below.

### **Suggested Changes**

**10 year update cycle** – Currently LRTPs must be updated every 5 years in attainment areas and every 4 years in non-attainment areas. Florida MPOs have found that LRTPs are costing between \$300K and \$1M per update. The LRTP was intended to be a visionary document which would describe what an area will look like in 20 (or more) years. For areas that retain their vision over a number of years, a longer timeframe between updates would be appropriate and the savings could be used on other planning efforts that would more directly lead to project implementation. Offering the option of updating every 10 years would not preclude an MPO from updating their LRTP more frequently if that is the desire of the MPO staff and board. Florida fully supports the additional planning flexibility that a 10 year update cycle would provide.

**Offer Net Present Value Option to MPOs** – Starting in 2007, MPOs were required to use Year-Of-Expenditure (YOE) in their LRTPs. The net effect of the YOE requirement is to make the LRTP a long range TIP. Also, moving a project across a 5 year time block may require a new transportation conformity determination (more on this later) which is an expensive exercise. The option described in the next paragraph would aid in project and environmental streamlining.

The solution proposed is not complex. By offering MPOs the option to put all project costs into present day value and to determine the present day value of all revenue sources over the life of the plan, MPOs could greatly simplify their LRTPs by matching up revenues and costs in present day numbers.

**All money is green** – FHWA and FTA require MPOs to identify in first 10 years of a LRTP which projects will use federal funds. Commonly monies are moved around on projects for a variety of reasons. As States and MPOs have refined, improved and become much more savvy in their ability to use all of their financial resources in the best and highest manner for the benefit of our tax payers, the requirement to identify which projects will and will not use federal funds is counter-productive. It would be most helpful to States and MPOs to provide flexibility in determining funding for projects.

Please allow MPOs to identify projects in their LRTPs as simply having money attached to the project. When the MPO goes through the effort to identify revenues available, it

is appropriate at that time to determine the amount of federal and non-federal sources. Then all sources of revenue should be summed and the total amount available becomes simply “money”. Not federal money, not state money, just green money – because all money spends the same. Yes, there are specific requirements for the use of certain federal funds and that should be handled on a project level basis, not at a system-wide basis. Please keep in mind that we are looking at a Long Range Transportation Plan which looks out 20 years and Federal funding bills for transportation have historically been 6 years in length. Each new Federal funding bill has the opportunity to change the requirements for using federal dollars. A change of Federal requirements would make the planning of Federal money usage on projects useless in a 10 year update cycle.

**Transportation conformity determinations don’t provide benefits** – The Clean Air Act Amendments of 1990 introduced a concept called “conformity”. A determination of “conformity” means that your transportation plan conformed to the emission limits within your State Implementation Plan (SIP). The SIP is the game plan which describes how a region will lower their harmful emissions to improve air quality to the point that the region will attain the air quality standard. The SIP serves as the document where the various sources of pollutants are brought together in one unified plan which will lead the region into attaining the air quality standards as set by USEPA. The SIP contains three basic parts: Point Sources, Stationary Sources and Mobile Sources. Transportation is contained within the Mobile Sources. Within Mobile Sources are not only the on-road transportation pollutants created by vehicles, but there are also off-road sources such as lawn mowers, portable generators, etc. For the on-road sources, MPOs are required to show that the improvements being made by their Transportation Improvement Plan and their Long Range Transportation Plan will contribute to fixing the region’s air quality issues as outlined in the SIP.

I will not debate the merits of the SIP as I realize that I do not know enough about it to provide expert advice on the topic. What I do know is the transportation conformity element. Transportation conformity is an expensive undertaking for MPOs and the only change to MPO operations resulting from conformity is more time and more money being spent. Every MPO is able to “pass” conformity every time. It was an idea that back in 1990 seemed like a good idea because automobiles were a significant part of the emission problem to our air quality problems. It was an innovative concept that appeared to hold the potential to be a real game-changer in protecting public health. It turns out that transportation conformity did not live up to the intended benefits. Transportation conformity has not been a game changer because technology has provided the needed “fix”. Automobiles today are much cleaner thanks to the advances that manufacturers have achieved in cleaning up their automobiles. These improvements to vehicle emission reductions have allowed MPOs to pass conformity each and every time. There have been over the past 25 years, a few instances where the formal adoption of a LRTP or TIP has been delayed by a few months while the MPO staff has gone back and reviewed the assumptions used in determining conformity. The net result is always the same though, the MPO passes conformity. Transportation

conformity has become a paperwork exercise that costs States and MPOs a lot of money while delivering no actual realized change in air quality benefit. Now is the time to do away with transportation conformity and allow the monies currently being spent on transportation conformity to be used for efforts which will produce benefits for the public.

The efforts to reduce transportation based air pollutants is not a bad idea, unfortunately it has been assigned to the wrong entities. State DOTs and MPOs do not have much, if any, effect on vehicle emission reductions. Reducing auto emissions has been demonstrated to be the bailiwick of manufacturers and specifically their abilities in engineering as well as technological advancements which have been very effective in reducing automobile emissions. It would be best to focus our national efforts at the auto manufacturer level and combine that with regular testing of auto emissions of individual vehicles in non-attainment areas. These have been shown to be the most effective strategies. The third area that has proven effective is the work that fuel producers have done to develop cleaner burning formulas in gasoline and diesel. The low-sulfur diesel that became the standard about 10 years ago and the oxygenated gasoline that made its entrance into the marketplace before that have made a significant contributions to air quality improvements. There may be more unrealized benefits in the fuel industry. This is another area that I acknowledge has many people who know much more about this topic than I do and those individuals are more qualified to advise the Congressman on potential air quality improvements that may be realized by the fuel industry.

I will note that I represent the MPOs in Florida. Florida is in full attainment of the air quality standards and therefore none of Florida must deal with transportation conformity. We have no dog in this fight, I bring this to your attention as a matter of seeing a national problem in need a fix. This fix would greatly benefit California, it will do nothing for Florida.



## **Allow Local Units of Government to Invest in Infrastructure Without State Imposed Financial Restrictions**

**Problem Statement:** In Florida, and this may be the case in other states, the legislature has placed a cap on the amount of taxing authority that local units of government may implement. The gas tax is limited to nine cents per gallon for local units of government and it is not indexed to inflation. The State gas tax is just over 36 cents per gallon and the legislature did vote to allow the State gas tax to be indexed to inflation, while refusing to consider allowing the local gas taxes to be indexed to inflation.

**Solution:** As Congress advances an infrastructure package, one of the publicly stated approaches is to encourage funding from more than just federal sources. This proposal would be part of that funding strategy. If we wish to encourage investment in infrastructure, we must stop state legislatures from restricting the ability of local units of government to raise funds necessary to build infrastructure and improve their communities. Please place into federal transportation legislation a clause that will prohibit states from restricting the ability of counties, parishes, townships, municipalities and other forms of local government to collect taxes, fees or surcharges for the purposes of maintaining and improving infrastructure. If a local unit of government is willing to raise funds locally to pay for their own improvements, then we must give them the ability to do so and we should be encouraging these actions.

**Opposition:** I expect that some states will oppose this idea because they will be ceding some power over counties and municipalities. Local units of government will greatly appreciate being allowed to have some self-determination of their community and future.

## **Direct Funding from FHWA to MPOs**

**Problem Statement:** Many MPOs are “hosted” by a county or municipality and this is due to the need for upfront cash and the cash flow issues that exist with the reimbursement nature of the Federal PL program through FHWA. In order for an MPO to be paid, they must first perform the work, incur the expense and then seek reimbursement for the expenses which were incurred. Bills must be paid in a timely manner and so some cash on hand is necessary to allow the MPO to operate in the time between incurring the expense and when they are reimbursed. Typically MPOs seek reimbursement about once a month or once a quarter. The cash on hand is typically referred to as “the float” – it keeps the MPO financially afloat.

The need for “the float” sometimes means that an MPO is housed within a county or municipal organization for ease of cash flow. This also sometimes means that the host county or municipality can exercise undue influence over the MPO staff and their recommendations to the overall board. MPOs are intended to be independent, objective bodies.

Another issue that comes about is the influence a state may have on the MPOs because the PL funds go from FHWA to the State and then to the MPOs. The states have been allowed to place additional restrictions or limitations on MPOs. This allows states to put additional pressures on MPOs because they control the flow of money. This exact situation played out in Illinois between the state and the Chicago MPO several years ago. Finally, Congress had to step in and demand through legislation that MPO invoices must be paid within 15 business days of being received by the state. This is due exclusively to what happened with the State of Illinois trying to control the Chicago MPO. Additionally, the former USDOT Secretary complained that he felt the North Carolina DOT controlled the MPOs too much.

**Solution:** MPOs need to be truly independent and to achieve this MPOs need to have the option of receiving their funds directly from FHWA and FTA as a grant at the beginning of the fiscal year. This will take the control of local units of government and states away from the MPOs and allow the MPOs to truly operate independently and make objective recommendations to their boards without fear of reprisal. To make the MPOs fully independent, PL funds should be allowed to be used as 100% funds. This would mean that no match is required.

**Opposition:** I anticipate that FHWA will oppose this idea. Their line of reasoning will be that oversight should remain with the states for this program and that MPOs should be required to put some money (matching funds) into their operations, and thus some skin in the game.

### **Use of Current Census Data in Determining the Distribution of Federal Funds**

**Problem Statement:** Funding distribution for certain federal transportation programs are tied back to the 2000 census as a basis for determining how much funding each state receives. This has the net effect of taking funds from high growth states such as California and distributing those funds to low growth states. The past two federal transportation funding bills/packages have included provisions that locks in the percent of funding each state received in 2009 as the percent each state will receive going forward. This distribution methodology ignores the fact that some states have grown rapidly and now are a larger percentage of the nation's population than they were in 2009. At the time of the 2009 distributions the most recent census was the 2000 census. The FAST Act will carry us past 2020. That is 20 years of using old census data which deprives high growth states of their fair share of funding. Here is the series of steps that take us back to 2009 funding percentages:

- FY2017 funding levels tie back to FY2015 levels – See FHWA Notice 4510.810 dated December 21, 2016
- FY2016 funding levels tie back to FY2015 levels – See FHWA Notice 4510.802 dated January 08, 2016

- FY2015 funding levels tie back to FY2014 levels – See FHWA Notice 4510.788 dated August 14, 2015
- FY2014 funding levels tie back to FY2012 levels – See MAP21 fact sheet for Apportionment and FHWA Notice 4510.774 dated June 27, 2014
- FY2012 funding levels tie back to FY2011 levels – See FHWA Notice 4510.756 dated August 24, 2012
- FY2011 funding levels tie back to 2009 levels – See FHWA Notice 4510.745 dated December 23, 2011

This carry-back to 2009 funding percentages affects both PL funds (monies provided to fund MPOs) and surface transportation programs (construction funds).

**Solution:** Tie federal transportation funding distributions to the most recently available data. The FTA funding that is provided to MPOs for planning purposes (5305D) is based upon the last decennial population data.

**Opposition:** Low growth and no growth states. Speaker Ryan is from Wisconsin and his state would not benefit from this proposed new distribution formula.

### **States may not place restrictions or impose additional requirements on MPOs**

**Problem Statement:** Related to the first issue, some states have begun placing restrictions on MPOs or imposing additional requirements on MPOs. Some of this is well-intentioned, but it nonetheless removes some of the independence that MPOs are supposed to have and provide to their membership and region. MPOs that are not tethered or harnessed by state or local controls are better able to fully serve their region, members and citizens and consider the full range of transportation solutions. The federal requirements and limitations more than adequately protect the public's money when it is used by MPOs.

**Solution:** Place in federal law a prohibition on the imposition of additional requirements or limitations by states and local units of government on MPOs. When states and local units of government place additional burdens on MPOs, it impinges on their ability objectively to carry out their responsibilities as outlined in federal rule.

**Opposition:** States may oppose this, I would suggest that they are opposing the concept because states want to exercise control over MPOs and impose the wishes of the State priorities upon the local decision-making process that occurs in MPOs which has the effect of reducing the objectivity of the MPO process.



## **Item Number 5A**

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

#### **DISCUSSION:**

Mr. Mark Reichert, Transportation Planning Manager will update the members on the activities of FDOT and bring forward information on the following topics:

- Safety Performance Targets
- MPO Risk Assessment
- Safety Project Coordination with MPOs
- MPO Mobility Performance Measures

#### **REQUESTED ACTION:**

None requested. For discussion and action as may be desired.

#### **ATTACHMENT:**

Draft MPO Risk Assessment Form and Instructions



# Florida Department of Transportation

## Office of Policy Planning

### MPO/TPO Risk Assessment

Review Period:

MPO/TPO Name:

Date Assessment Completed:

Risk Level:

Risk Score:

<b>(1) Single Audit</b>	Check appropriate box:	
a) Results of the FDOT Office of Comptroller's Review of the Single Audit	Low (0)	
	Moderate (5)	
	Elevated (10)	
	High (15)	
<b>(2) FDOT Annual Certification</b>	Yes (5)	No (0)
a) Were any Corrective Actions issued relating to the use or management of federal funds, resulting from FDOT's Annual Certification of the MPO/TPO?		
<b>(3) MPO Subaward Experience</b>	Yes (5)	No (0)
a) Have invoices been returned to the MPO/TPO for ineligible expenses within the past year?		
b) Has the MPO/TPO submitted invoices to FDOT or the proper review agency or agencies no later than 30 calendar days after completion of the invoicing period within the past year?		
c) Has the MPO/TPO shown mismanagement of the UPWP budget, the PL fund balance, or incurred expenses, resulting in emergency payments outside of the contract, or other situations of financial concern?		
<b>(4) New Personnel or Substantially Changed Systems</b>	Yes (5)	No (0)
a) Has the MPO/TPO undergone a change in Executive Director within the past year?		
b) Has the MPO/TPO undergone a change in financial management staff within the past year?		
c) Has the MPO/TPO undergone a change in financial management system, as defined in 2 CFR §200.302(b), within the past year?		
<b>(5) Federal Awarding Agency Monitoring</b>	Open Answer:	
a) Does the MPO/TPO (or host agency) <b>directly</b> receive federal funding? If yes, answer question 4b.		
b) What have been the results of monitoring by the federal agency awarding direct federal funding?		

Risk Score: \_\_\_\_\_ Risk Level: \_\_\_\_\_

Risk Level Scale: Low (0-10), Moderate (11-20), Elevated (21-30), High (31+)



# Methodology

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## **Introduction**

From here forward, MPO/TPO and MPO will be used interchangeably.

Pursuant to 2 CFR §200.331, all pass-through entities must:

*(b) Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring described in paragraphs (d) and (e) of this section, which may include consideration of such factors as:*

*(1) The subrecipient's prior experience with the same or similar subawards;*

*(2) The results of previous audits including whether or not the subrecipient receives a Single Audit in accordance with Subpart F—Audit Requirements of this part, and the extent to which the same or similar subaward has been audited as a major program;*

*(3) Whether the subrecipient has new personnel or new or substantially changed systems; and*

*(4) The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).*

As the pass-through entity for all MPO program funds, FDOT has a requirement and an obligation to perform a risk assessment of each MPO (as the subrecipient), which will then influence the level of monitoring performed on each MPO. Further information on risk assessment and monitoring can be found in Chapter 3 of FDOT's MPO Program Management Handbook.

## **Process**

The risk assessment begins with a review of each MPO's annual single audit by FDOT Office of Comptroller staff. Any MPOs which do not have a single audit, such as those that are exempt per 2 CFR §200.501(d), will not be required to undergo this review.

The Office of Comptroller is responsible for receipt and review of the Single Audit for all FDOT subrecipient agencies, including MPOs. Upon review, the Office of Comptroller enters the Single Audit results into the Single Audit Reporting Application, which generates a point value score based on the findings described in the Single Audit. Depending on this point value, each MPO (or their host agency) is assigned a risk assessment on a scale of Low, Moderate, Elevated, or High. This risk assessment is then communicated to the Office of Policy Planning for further assessment.

The methodology employed by the Office of Comptroller in reviewing and scoring Single Audit results is reviewed on an annual basis, following each Single Audit cycle. For more information, please contact the Office of Comptroller.

Following the Office of Comptroller's risk assessment based on the Single Audit, the Office of Policy Planning works with the District Liaisons to answer the remaining questions in the Risk Assessment. Once the questions are completed, the answers are scored based on the values listed in the Risk Assessment table and totaled, to create the MPOs Risk Score. The Risk Score is then compared to the Risk Level Scale, and a level of risk is assigned to the MPO accordingly. Questions 1-4 in the Risk Assessment are intended to satisfy the requirements



in 2 CFR §200.331(b)(1-4). The Risk Assessment is to occur on an annual basis following receipt of the results of each MPO's Annual Joint State-MPO Certification by the Office of Policy Planning. The results of the Risk Assessment will be transmitted to the MPOs by Central Office Policy Planning staff, and followed up with a conference call or meeting if necessary.

The results of the MPO Risk Assessment dictate the frequency of which the MPO's supporting documentation for their invoices is reviewed by FDOT District Liaisons. The frequency of review, based on the level of risk is below:

- Low- Annually (once per year)
- Moderate- Semiannually (twice per year)
- Elevated- Triannually (three times per year)
- High- Quarterly (four times per year)

Pursuant to 2 CFR §200.331(h), if an MPO exhibits poor performance, FDOT and/or FHWA have the option of initiating one or more of the following actions, as described in 2 CFR §200.338(a-f):

*(a) Temporarily withhold cash payments pending correction of the deficiency by the non-Federal entity or more severe enforcement action by the Federal awarding agency or pass-through entity.*

*(b) Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.*

*(c) Wholly or partly suspend or terminate the Federal award.*

*(d) Initiate suspension or debarment proceedings as authorized under 2 CFR part 180 and Federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a Federal awarding agency).*

*(e) Withhold further Federal awards for the project or program.*

*(f) Take other remedies that may be legally available.*

For more information on the invoicing process, please view Chapter 3 of FDOT's MPO Program Management Handbook.

## **Timeline**

The single audits are due to the Office of Comptroller 9 months after the recipient's fiscal year ends, which is either June 30 or September 30. Generally, the Office of Comptroller provides the single audit results to the Office of Policy Planning by the end of December. Once the single audit results are received, the Office of Policy Planning incorporates the results into Question 1 of the MPO/TPO Risk Assessment. The Office of Policy Planning staff work with the FDOT District Liaisons to answer Questions 2, 3 and 4 of the MPO/TPO Risk Assessment for each of Florida's 27 MPOs. The Final MPO/TPO Risk Assessments are to be completed and transmitted to the MPOs by June 30 of each year, for the prior fiscal year.

**Example:** the FY 2015/2016 MPO/TPO Risk Assessment will be transmitted to the MPO no later than June 30, 2017.



## **Risk Assessment Question Guidance**

### **(1) Single Audit**

- a) Results of the FDOT Office of Comptroller Single Audit
- b) Has the MPO/TPO undergone an audit within the past 5 years, other than the Single Audit, which resulted in findings of noncompliance?

**Guidance:**

- For more information on Question 1 (a-b), please contact the Office of Comptroller.

### **(2) FDOT Annual Certification**

- a) Were any Corrective Actions issued relating to the use or management of federal funds, resulting from FDOT's Annual Certification of the MPO/TPO?

**Guidance:**

- For more information on Question 2, please contact the Office of Policy Planning.

### **(3) MPO Subaward Experience**

- a) Have invoices been returned to the MPO/TPO for ineligible expenses within the past year?
- b) Has the MPO/TPO submitted invoices to FDOT or the proper review agency no later than 30 calendar days after completion of the invoicing period within the past year?
- c) Has the MPO/TPO shown mismanagement of the UPWP budget, the PL fund balance, or incurred expenses, resulting in emergency payments outside of the contract, or other situations of financial concern?

**Guidance:**

- "Past year" means the fiscal year prior to that of the Risk Assessment. Example: for the FY 2016/2017 Risk Assessment, "past year" means for the time period from July 1, 2015 – June 30, 2016.
- For MPOs who must submit their invoices to the County or another entity before submission to FDOT: submission to the County within 30 days of the end of the invoicing period satisfies question 3b as long as FDOT is copied on the transmission of the invoice. Please make the MPOs aware to copy FDOT on these transmittals so that they will not be penalized for submitting a late invoice.
- "Mismanagement" includes, but is not limited to, unplanned deficits or other activities resulting in emergency payments or reallocation of funds to avoid a deficit. PL fund advances outside of the contract when budget and funds are available to the MPO do not constitute mismanagement.

### **(4) New Personnel or Substantially Changed Systems**

- a) Has the MPO/TPO undergone a change in Executive Director within the past year?
- b) Has the MPO/TPO undergone a change in financial management staff within the past year?
- c) Has the MPO/TPO undergone a change in financial management system, as defined in 2 CFR §200.302(b), within the past year?

**Guidance:**

- "Past year" means the fiscal year prior to that of the Risk Assessment. Example: for the FY 2016/2017 Risk Assessment, "past year" means for the time period from July 1, 2015 – June 30, 2016.



- “Financial management staff” means any employee or staff member whose main or partial responsibility involves management of the MPOs finances or financial management system.
- “Financial management system” means any system used to track and manage the MPOs finances, including but not limited to funding sources and allocations, budget, and employee time tracking.

**(5) Federal Awarding Agency Monitoring**

- a) Does the MPO/TPO (or host agency) directly receive federal funding? If yes, answer question 4b.
- b) What have been the results of monitoring by the direct federal funding awarding agency?

**Guidance:**

- “Directly receive federal funding” means funding awarded from any Federal Agency and dispersed directly to the MPO or its host agency.
- Question 4 does not affect the score or ranking of the MPO Risk Assessment.



## **Item Number 5B**

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

#### **DISCUSSION:**

Ms. Lee Ann Jacobs, Planning Team Leader will present items of interest to the MPOs.

#### **REQUESTED ACTION:**

None requested. For discussion and action as may be desired.

#### **ATTACHMENTS:**

None



## **Item Number 6A**

### **Business Items & Presentations Revenue Forecasting Effort**

#### **DISCUSSION:**

Martin Markovich will present the work to date on developing revenue forecasts for the MPO Long Range Transportation Plans.

#### **REQUESTED ACTIONS:**

None requested. For discussion and action as may be desired.

#### **ATTACHMENTS:**

None



## **Item Number 6B**

### **Business Items & Presentations MPOAC Financial Guidelines for LRTPs**

#### **DISCUSSION:**

Each Long Range Transportation Plan update cycle the MPOs of Florida agree upon a common base year, horizon year and other data points which are used for developing revenue forecasts and project cost inflationary factors. The attached document is the same one which was presented to the MPOAC Policy and Technical Committee at the December 20, 2016 meeting in Orlando.

#### **REQUESTED ACTIONS:**

Recommend approval to the MPOAC Governing Board of the attached document.

#### **ATTACHMENT:**

Financial Guidelines for MPO 2045 Long Range Plans document



## Financial Guidelines for MPO 2045 Long Range Plans

### Background

The MPOAC adopted financial guidelines in 2008 to guide the update of MPO 2035 Long Range Transportation Plans (LRTPs) and revised those guidelines in 2013 to guide the development of 2040 LRTPs. The purpose of the guidelines was to improve uniformity in the reporting of financial data in MPO LRTPs, to assist MPOs to better define transportation needs, to aid FDOT to prepare long range revenue forecasts for state and federal funds, and to facilitate a statewide estimate of unfunded transportation needs. This document provides guidelines for the next update of LRTPs.

### Long Range Transportation Plan Needs and Cost Feasible Plan

#### Guidelines for Defining and Reporting Needs

- All MPOs will include a cost estimate of needs in base year dollars in their adopted LRTP. The needs estimate should include all costs (operations, maintenance, capacity expansion, etc.) associated with all modes. Estimated needs should be reported by mode.
- The MPO Needs Plan should include only transportation projects that are necessary to meet identified future transportation demand or advances the goals, objectives and policies of the MPO, the region and the state. Cost should be given significant consideration when choosing among various alternatives (mode or alignment) to meet an identified need. Compelling policy or practical reasons for selecting alternatives that exceed the identified transportation need may include increasing the availability of premium transit options, overwhelming environmental benefit or the need to use compatible technology to expand an existing transportation asset.
- Certain types of projects should not be considered “needed” if they represent projects that are extremely unlikely to be implemented and unnecessarily inflate the estimated transportation needs in the metropolitan area. The cost of such a project should not be included in an MPO Needs Plan. Such projects may include:
  - Projects that cannot be implemented due to policy constraints
  - Projects that cannot be implemented due to physical constraints
  - Projects that are unlikely to be implemented due to potential significant environmental constraints
  - Projects that are unlikely to be implemented due to potential significant environmental justice or civil rights impacts
- All MPOs will include an estimate of unfunded costs in base year dollars in their adopted LRTP.

#### Guidelines for Financial Reporting for Cost Feasible Long Range Transportation Plans

- Reasonably available revenue should be reported in year of expenditure dollars.
- An estimate of the cost of all projects and all phases, regardless of mode, should be included in the cost feasible LRTP.
- The costs of operating and maintaining the existing and future transportation system should be clearly stated in the cost feasible plan, in a manner agreed upon by the MPOAC, FDOT and FHWA/FTA.
- MPOs should include full financial information for all years covered by the LRTP, including information from their Transportation Improvement Program (TIP).
- For their next adopted cost feasible LRTP, MPOs will use:
  - FY 2018/2019 as the base year.
  - FY 2044/2045 as the horizon year.
- The recommended Base and Horizon Years are for financial reporting purposes only and do not impact individual MPO selection of alternative Base and Horizon Years for socioeconomic, modeling and other purposes.

## **Long Range Revenue Forecast for Long Range Transportation Plan Updates**

FDOT, in cooperation with the MPOAC and Florida's MPOs, prepares long range revenue forecasts for state and federal funds that "flow through" the FDOT Work Program and other financial planning guidance. FDOT will, in cooperation with the MPOAC and Florida's MPOs, develop an updated revenue forecast through 2045 and guidance for the next updates of metropolitan transportation plans and the Florida Transportation Plan (FTP). The following is guidance for developing and reporting financial estimates in those plans.

### **Guidelines for Revenue Estimates**

- The recommended Base Year is FY 2018/2019 (State Fiscal Year) and recommended Horizon Year is FY 2044/2045 for all metropolitan long range transportation plans.
- The recommended Time Period for revenue estimates is 5 years between the Base Year and the year 2035 (2019-2020, 2021-2025, 2026-2030, 2031-2035) and 10 years for the remaining years of the plan (2036-2045). This is essentially consistent with previous forecasts and simplifies reporting. The use of 5- and 10-year periods increases flexibility and reduces the need to "fine tune" project priorities.
- For estimates of State and Federal Revenues:
  - FDOT will provide Year of Expenditure (YOE) estimates for state capacity programs for individual MPOs, similar to prior forecasts.
  - FDOT will provide system level estimates of the cost of operating and maintaining the State Highway System at the FDOT District level. MPOs should include the material in long range transportation plan documentation.
  - FDOT will work with the MPOAC to develop the detailed assumptions required for these estimates.
- For estimates of local revenues, FDOT will provide guidance for development of estimates of traditional sources.

### **Guidelines for Developing Project Costs**

- Project Cost Estimates are typically expressed in Present Day Cost (PDC) dollars and will have to be adjusted with inflation factors for the time period during which they are planned to be implemented.
- To adjust costs from PDC to Year of Expenditure:
  - FDOT has developed estimates of inflation factors through 2045 that MPOs are encouraged to use. FDOT will provide documentation of the assumptions used to develop those factors.
  - MPOs should document alternative inflation factors, with an explanation of assumptions.
- The recommended Time Period for cost estimates is 5 years between the Base Year and the year 2035 (2019-2020, 2021-2025, 2026-2030, 2031-2035) and 10 years for the remaining years of the plan (2036-2045). Annual inflation factor estimates will be used to estimate "mid-point" factors for project costs during each respective 5- or 10-year period.
- FDOT will provide YOE cost estimates, phasing and project descriptions for projects included in the SIS Cost Feasible Plan to each MPO.

### **Guidelines for Distribution of Next Long Range Revenue Forecast**

- The long range forecast of state and federal revenues will be needed by all MPOs for modeling and financial planning for their next updates. FDOT will provide the new revenue forecast, including the SIS Cost Feasible Plan, by (May 2018).

## Financial Guidelines for MPO ~~2040~~ 2045 Long Range Plans

### Background

The MPOAC adopted financial guidelines in 2008 to guide the update of MPO 2035 Long Range Transportation Plans (LRTPs) and revised those guidelines in 2013 to guide the development of 2040 LRTPs. ~~“Financial Guidelines for MPO 2035 Long Range Plans” in 2008 as a part of the “MPOAC 2025 Florida Transportation Plan Implementation Action Plan.”~~ The purpose of the guidelines was to improve uniformity in the reporting of financial data, ~~including an estimate of transportation needs in MPO Long Range Transportation Plans LRTPs, to assist MPOs to better define transportation needs, to aid FDOT to prepare long range revenue forecasts for state and federal funds,~~ and to facilitate a statewide estimate of ~~both total and unfunded~~ transportation needs. This document provides guidelines ~~to continue improvements in uniformity~~ for the next update of ~~these long range plans MPO LRTPs.~~

### Long Range Transportation Plan Needs and Cost Feasible Plan Guidelines for Defining and Reporting Needs

- All MPOs will include a cost estimate of needs in base year dollars in their adopted LRTP. The needs estimate should include all costs (operations, maintenance, capacity expansion, etc.) associated with all modes. Estimated needs should be reported by mode.
- The MPO Needs Plan should include only transportation projects that are necessary to meet identified future transportation demand or advances the goals, objectives and policies of the MPO, the region and the state. Cost should be given significant consideration when choosing among various alternatives (mode or alignment) to meet an identified need. Compelling policy or practical reasons for selecting alternatives that exceed the identified transportation need may include increasing the availability of premium transit options, overwhelming environmental benefit or the need to use compatible technology to expand an existing transportation asset.
- Certain types of projects should not be considered a “needed” ~~project~~ if they represent projects that are extremely unlikely to be implemented and unnecessarily inflate the estimated transportation needs in the metropolitan area. The cost of such a project should not be included in an MPO Needs Plan. Such projects may include:
  - Projects that cannot be implemented due to policy constraints
  - Projects that cannot be implemented due to physical constraints
  - Projects that are unlikely to be implemented due to potential significant environmental constraints
  - Projects that are unlikely to be implemented due to potential significant environmental justice or civil rights impacts
- All MPOs will include an estimate of unfunded costs in base year dollars in their adopted LRTP.

### Guidelines for Financial Reporting for Cost Feasible Long Range Transportation Plans

- Reasonably available revenue should be reported in year of expenditure dollars.
- An estimate of the cost of all projects and all phases, regardless of mode, should be included in the cost feasible LRTP.
- The costs of operating and maintaining the existing and future transportation system should be clearly stated in the cost feasible plan, in a manner agreed upon by the MPOAC, FDOT and FHWA/FTA.
- MPOs should include full financial information for all years covered by the LRTP, including information from their Transportation Improvement Program (TIP).
- For their next adopted cost feasible LRTP, MPOs will use:
  - FY 2018/2019 ~~2013/2014~~ as the base year.

- FY ~~2044/2045~~ ~~2039/2040~~ as the horizon year.
- The recommended Base and Horizon Years are for financial reporting purposes only and do not impact individual MPO selection of alternative Base and Horizon Years for socioeconomic, modeling and other purposes.

### **Long Range Revenue Forecast for Long Range Transportation Plan Updates**

FDOT, in cooperation with the MPOAC and Florida's MPOs, prepares long range revenue forecasts for state and federal funds that "flow through" the FDOT Work Program and other financial planning guidance. FDOT will, in cooperation with the MPOAC and Florida's MPOs, develop an updated revenue forecast through ~~2045~~ ~~2040~~ and guidance for the next updates of metropolitan transportation plans and the Florida Transportation Plan (FTP). The following is guidance for developing and reporting financial estimates in those plans.

### **Guidelines for Revenue Estimates**

- The recommended Base Year is FY ~~2018/2019~~ ~~2013/2014~~ (State Fiscal Year) and recommended Horizon Year is FY ~~2044/2045~~ ~~2039/2040~~ for all metropolitan long range transportation plans.
- The recommended Time Period for revenue estimates is 5 years between the Base Year and the year ~~2035~~ (~~2019-2020, 2021-2025, 2026-2030, 2031-2035~~) ~~2030~~ (~~2014-2015, 2016-2020, 2021-2025, and 2026-2030~~) and 10 years for the remaining years of the plan (2036-2045) (~~2031-2040~~). This is essentially consistent with previous forecasts and simplifies reporting. The use of 5- and 10-year periods increases flexibility and reduces the need to "fine tune" project priorities.
- For estimates of State and Federal Revenues:
  - FDOT will provide Year of Expenditure (YOE) estimates for state capacity programs for individual MPOs, similar to prior forecasts.
  - FDOT will provide system level estimates of the cost of operating and maintaining the State Highway System at the FDOT District level. MPOs should include the material in long range transportation plan documentation.
  - FDOT will work with the MPOAC to develop the detailed assumptions required for these estimates.
- For estimates of local revenues, FDOT will provide guidance for development of estimates of traditional sources.

### **Guidelines for Developing Project Costs**

- Project Cost Estimates are typically expressed in Present Day Cost (PDC) dollars and will have to be adjusted with inflation factors for the time period during which they are planned to be implemented.
- To adjust costs from PDC to Year of Expenditure:
  - FDOT has developed estimates of inflation factors through ~~2045~~ ~~2040~~ that MPOs are encouraged to use. FDOT will provide documentation of the assumptions used to develop those factors.
  - MPOs should document alternative inflation factors, with an explanation of assumptions.
- The recommended Time Period for cost estimates ~~are~~ is 5 years between the Base Year and the year ~~2035~~ (~~2019-2020, 2021-2025, 2026-2030, 2031-2035~~) ~~2030~~ (~~2014-2015, 2016-2020, 2021-2025, and 2026-2030~~) and 10 years for the remaining years of the plan (2036-2045) (~~2031-2040~~). Annual inflation factor estimates will be used to estimate "mid-point" factors for project costs during each respective 5- or 10-year period.
- FDOT will provide YOE cost estimates, phasing and project descriptions for projects included in the ~~2040~~ SIS Cost Feasible Plan to each MPO.

**Guidelines for Distribution of Next Long Range Revenue Forecast**

- The long range forecast of state and federal revenues will be needed by all MPOs for modeling and financial planning for their next updates. FDOT will provide the new revenue forecast, including the SIS Cost Feasible Plan, by (May 2018) ~~May 2013~~.



## **Item Number 6C**

### **Business Items & Presentations Exploratory Scenario Planning In LRTPs: Atlanta's Innovations**

#### **DISCUSSION:**

Mr. David Haynes of the Atlanta Regional Commission will provide the membership with an overview of the scenario planning process that was implemented in the Atlanta metropolitan area.

#### **REQUESTED ACTIONS:**

None requested. For discussion and action as may be desired.

#### **ATTACHMENT:**

Information Sheet on the presentation and speaker



## **“Exploratory” Scenario Planning in the LRTP: Atlanta’s Innovations**

The Atlanta Regional Commission recently completed an 18-month scenario planning process to refine the vision for the future of the 20 county Atlanta metropolitan planning area. That vision, dubbed “Winning the Future”, was adopted in February 2016 and aims to achieve three interrelated outcomes: world class infrastructure, a competitive economy, and healthy livable communities.

In today’s rapidly changing world, the policies and strategies which must be implemented to achieve those outcomes could be radically different from the same approaches which served the Atlanta region well over the past several recent decades. From autonomous and connected vehicles to the greying of our population to uncertainties surrounding climate change and finance, planners and elected officials are faced with enormous challenges in determining the types and locations of transportation investments which can meet the needs of today, as well as those of tomorrow.

ARC’s approach involved the identification of nine key “drivers of change” which have the greatest potential to shape the region’s long term future, then weaving those disruptive influences into four distinct alternate futures. In this session, you’ll learn about the process used to develop those scenarios, how they were analyzed, and major themes which emerged during outreach with key stakeholder groups. The benefits and challenges of this type of scenario planning, based on ARC’s experiences, will be highlighted. And as the agency turns its focus to the next major update of its multi-disciplined long range plan, hear how this information will be used to inform and guide policy discussions with elected officials, agency partners, and the general public.



David Haynes has been with the Transportation Division of the Atlanta Regional Commission since June 2001. In his current role as the Long Range Planning Manager, he is responsible for overseeing development of the Regional Transportation Plan for the 20 county Atlanta metropolitan planning area and coordinating those efforts with other agency initiatives. The group he manages works directly with city, county, state and federal agencies, transit operators, elected officials, consultants and the public to define regional goals, policies and priorities for transportation funding.

David has recently played a lead role in developing and testing four possible futures for the Atlanta region through a federal planning grant. The scenarios are based on nine major drivers of change identified through an extensive engagement process. An online gaming tool has been developed to share analysis results and allow stakeholders to create and explore their own futures. This work will form the foundation for the next major transportation plan update due in 2020.

Prior to joining ARC, David worked in the private sector as a transportation planning consultant with the firms of PBS&J and Day Wilburn Associates for a combined nine years. David earned his Bachelor's and Master's degrees in Civil Engineering, with an emphasis on transportation, from Auburn University.



## **Item Number 6D**

### **Business Items & Presentations Scenic Byways**

#### **DISCUSSION:**

Mr. Jeff Caster of Florida DOT will present to the Staff Director's Committee the Scenic Byways program.

#### **REQUESTED ACTIONS:**

None requested. For discussion and action as may be desired.

#### **ATTACHMENTS:**

None



## **Item Number 6E**

### **Business Items & Presentations 2018 Legislative Policy Positions**

#### **DISCUSSION:**

The 2018 Legislative Session will be starting in January. Committees will begin meeting prior to the general session and in order for MPOAC to have adopted policy positions in time for committee meetings, the Staff Directors will need to have a recommended set of policy positions presented to the MPOAC Governing Board at the July 19<sup>th</sup> meeting.

#### **REQUESTED ACTIONS:**

Recommend adoption of the draft 2018 Legislative Policy Positions to the MPOAC Governing Board.

#### **ATTACHMENT:**

Draft 2018 Policy Positions



**FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL**  
**2018 DRAFT LEGISLATIVE POLICY POSITIONS**

**Priority Policy Positions**

*The MPOAC supports State Legislation that:*

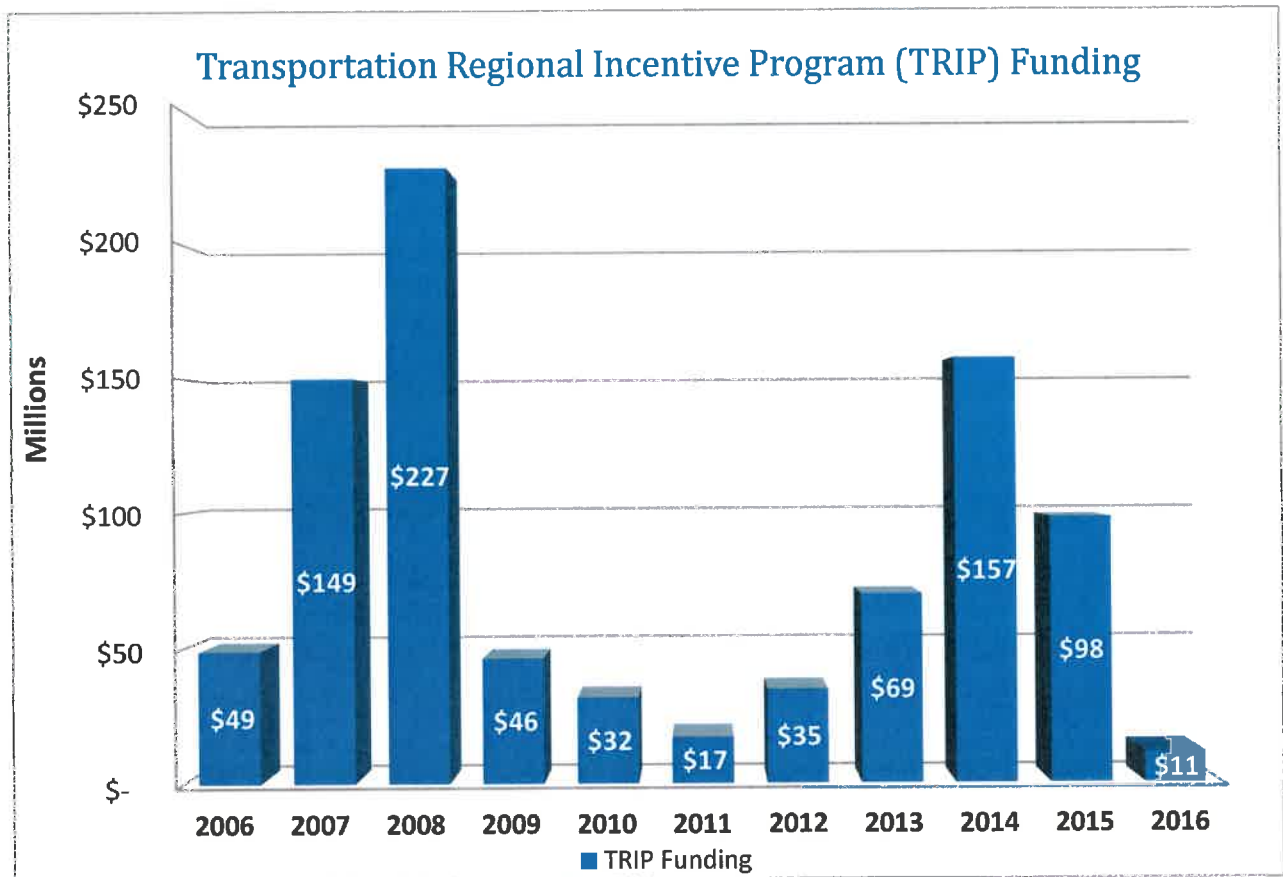
1. Implements the recommendations from the MPOAC transportation revenue study and other options for expanding transportation revenue sources.

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.
  - Identify potential revenue replacement sources for the current motor fuels tax which is no longer able to fully support the current or future needs of the transportation system.
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, 2015, 2016 and 2017 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 to promote regional planning and project development 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.



## 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 flexible and predictable funding for transit projects (capital and operating) identified through the metropolitan transportation planning process by removing various funding limitations for the State Transportation Trust Fund (STTF).

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.

6. Recognizes that federal metropolitan transportation planning funds shall not be regarded as state funds for purposes of expenditure.

The USDOT provides federal funding to metropolitan planning organizations (MPOs) to carry out their federally required duties. Those federal funds are given to states who in turn distribute the federal funds to the MPOs based upon a formula agreed upon between the Florida DOT and the Florida MPOs. The Florida Department of Financial Services has determined that the expenditure of federal funds by MPOs shall be subject to all state requirements, laws and regulations even where such laws conflict with federal laws, regulations and requirements. This limits the ability of the Florida MPOs to use federal funds for their intended purpose and impinges on their ability to carry out their responsibilities as outlined in federal rule. This proposal would clarify that federal monies passed through the State of Florida to MPOs and the Florida MPO Advisory Council (MPOAC) shall not be regarded as state funds for purposes of expenditure.



## **Item Number 6E**

### **Business Items & Presentations 2018 Legislative Policy Positions**

#### **DISCUSSION:**

The 2018 Legislative Session will be starting in January. Committees will begin meeting prior to the general session and in order for MPOAC to have adopted policy positions in time for committee meetings, the Staff Directors will need to have a recommended set of policy positions presented to the MPOAC Governing Board at the July 19<sup>th</sup> meeting.

#### **REQUESTED ACTIONS:**

Recommend adoption of the draft 2018 Legislative Policy Positions to the MPOAC Governing Board.

#### **ATTACHMENT:**

Draft 2018 Policy Positions



## **Item Number 6F**

### **Business Items & Presentations Automated Vehicles/Connected Vehicles Guidance**

#### **DISCUSSION:**

Last year, the Florida Legislature placed into law a requirement that MPOs consider AV/CV technology when developing their LRTPs. The Florida DOT has contracted with a consultant to estimate the levels of AV/CV market penetration at various points in the future. The result will be to provide a common set of assumptions for use in LRTPs.

There is not a requirement to use the FDOT developed predictions, MPOs may still develop their own forecasts if desired.

#### **REQUESTED ACTIONS:**

None requested. For discussion and action as may be desired.

#### **ATTACHMENTS:**

None



**Item Number 7**  
**Communications**

**DISCUSSION:**

Comments or recommendations by MPOAC members.

**REQUESTED ACTION:**

As may be desired.

**ATTACHMENTS:**

None



## **Item Number 8**

### **Member Comments**

#### **DISCUSSION:**

Comments or recommendations by MPOAC members.

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENTS:**

None



## **Item Number 9**

### **Adjournment**

The next meeting of the MPOAC Staff Directors' Committee will be held Thursday, October 12, 2017 at 1:00PM. The location will be the Mission Inn Resort & Club located at Howey-in-the-Hills, FL.

