

**Florida MPO Advisory Council
Meeting of the Governing Board
July 30, 2019
Orlando, Florida
Meeting Minutes**

Governing Board Members in Attendance:

Chair, Commissioner Nick Maddox, Capital Region TPA
Vice Chair, Councilmember Bryan Caletka, Broward MPO
Commissioner Bill Dozier, Bay County TPO
Commissioner Paul Andrews, Charlotte County-Punta Gorda MPO
Councilmember Reg Buxton, Collier MPO
Commissioner Robert Bender, Florida-Alabama TPO
Commissioner Dave Eggers, Forward Pinellas
Commissioner Jeff Kinnard, Hernando/Citrus MPO
Charles Klug, Hillsborough MPO
Mr. Charles Klug, Hillsborough MPO
Mayor Nick Girone, Lake-Sumter MPO
Commissioner Vinny Barile, Martin MPO
Mayor Dick Rynearson, Okaloosa-Walton TPO
Commissioner Robert Weinroth, Palm Beach TPA
Commissioner Keith Cowie, Polk TPO
Councilmember Billie Wheeler, River to Sea TPO
Commissioner Vanessa Baugh, Sarasota/Manatee MPO
Mayor Kathy Meehan, Space Coast TPO
Ms. Kathryn Hensley, St. Lucie TPO

OTHERS IN ATTENDANCE:

Carl Mikyska, MPOAC
Brigitte Messina, MPOAC
Paul Gougelman, MPOAC General Counsel
Jeff Kramer, Center for Urban Transportation Research, USF
Christen Miller, Center for Urban Transportation Research, USF
Karen Brunelle, Florida Division, Federal Highway Administration
Cathy Kendall, Florida Division, Federal Highway Administration
Mark Reichert, Florida Department of Transportation
Erika Thompson, Florida Department of Transportation
Paul Calvaresi, Broward MPO
Gary Harrell, Charlotte County - Punta Gorda MPO

Greg Slay, Capital Region TPA
Whit Blanton, Forward Pinellas
Pat Steed, Heartland TPO
Steve Diez, Hernando/Citrus County MPO
Michael Woods, Lake-Sumter MPO
Donald Scott, Lee County MPO
Beth Beltran, Martin MPO
Gary Huttman, MetroPlan Orlando
Nick Uhren, Palm Beach TPA
Ronnie Blackshear, Polk TPO
Lois Bollenback, River to Sea MPO
Dave Hutchinson, Sarasota/Manatee MPO
Laura Carter, Space Coast TPO
Peter Buchwald, St. Lucie TPO
Carl Hensley, St. Lucie County
Dave Bottomley, RED

• CALL TO ORDER

Vice Chair, Councilmember Bryan Caletka, Broward MPO, called the meeting to order at 3:02 p.m. The Chair welcomed those in attendance. All stood for the Pledge of Allegiance and self-introductions were made.

Vice Chair Caletka announced the passing of former MPOAC member Councilman Ray Goodgame at the age of 85.

New members were asked to introduce themselves and were welcomed.

• APPROVAL OF MINUTES: APRIL 30, 2019 MEETING

Ms. Kathryn Hensley, St. Lucie TPO, moved to approve the minutes of the April 30, 2019 Meeting Governing Board meeting. Councilmember Reg Buxton, Collier MPO, seconded. The motion carried unanimously.

• PUBLIC COMMENTS

No public comments were made.

• EXECUTIVE DIRECTOR'S REPORT AGENCY REPORTS

A. UPWP REPORT

Mr. Carl Mikyska, MPOAC Executive Director, presented the UPWP Report showing expenditures and budget through the end of state fiscal year 2019 as well as a list of activities and accomplishments of the MPOAC from May through July 2019.

- Mr. Mikyska has presented to Florida League of Cities (FLC) twice and has continued coordination with the National Association of Regional Councils (NARC) and the Association of Metropolitan Planning Organization (AMPO). The consolidated planning grant is continuing to be developed within FDOT. The MPOAC Weekend Institute graduated a new class since the last meeting of MPOAC.
- The MPOAC finished the fiscal year under budget.

B. MPOAC WEEKEND INSTITUTE OVERVIEW

This year's two sessions of the MPOAC Weekend Institute for Elected Officials took place in Orlando and Tampa. This year set a record attendance of 40 attendees. The sessions were well received by attendees. The Institute continues to function at a high level and received an overall score of 4.82 on a 5.0 scale for the 2019 sessions.

Mr. Carl Mikyska recognized Jeff Kramer, CUTR, and Christen Miller, CUTR, for their excellent work on the Institute.

Commissioner Robert Weinroth, Palm Beach TPA, made a comment about making the Institute available to more people, perhaps through webinars or livestreaming the Institute.

• AGENCY REPORTS

A. FLORIDA DEPARTMENT OF TRANSPORTATION

Mr. Mark Reichert, Administrator for Metropolitan Planning, Office of Policy Planning updated the members on FDOT activities as follows:

- The May 2019 MPOAC Leadership meeting was a success. Kevin Thibault, FDOT Secretary, was in attendance for the first two days.
- The FDOT MPO Transportation Performance Management (TPM) Consensus Planning Document was formally submitted to FHWA in May 2018. The revised

version was approved in March 2019. It is suggested that each MPO adopt it as part of their Transportation Improvement Program (TIP).

- The concept of a Consolidated Federal Planning Grant is moving forward. FHWA and the Federal Transit Administration (FTA) are offering state DOTs and MPOs the option to consolidate individual grants into a one single grant. This change is intended to make the management of the grants more efficient. So far, 31 state states have exercised this option. The Consolidated Planning Grant will be presented formally at the MPOAC meeting in October 2019.
- Revisions have been made to the Joint Certification Risk Assessment based on liaisons and task team feedback.
- A Technical Memorandum was distributed to MPOs related to the review of MPO Executive Directors' timesheets and expenses. The memo explains how and why the MPO Executive Director's timesheets and expense reimbursement invoices must be reviewed by someone other than the Director's direct subordinate.
- Florida Federal Planning Finding Review: FHWA and FTA met with FDOT and made recommendations and addressed the issue with tracking non-PL funds used for planning purposes.
- MPO Document Portal Update: Auto generated messages from the portal are often ending up in junk email folders of recipients. FDOT is working to fix this problem.
- FDOT MPO Program Management Handbook updates will be issued quarterly. The most current version is on the FDOT website on the Metropolitan Planning Support page. The most current revisions were made to Chapter 9: Transportation Performance Measures. All changes are noted at the front of the document.
- The annual Florida Metropolitan Planning Partnership (FMPP) Meeting is planned to take place during the first or second week of December 2019.
- Mr. Reichert suggested that FDOT consider creating a planner of the year award. The selection of an awardee would be done through a committee which would be created to review nominations.

B. FLORIDA DIVISION OF FEDERAL HIGHWAY ADMINISTRATION

Karen Brunelle, Florida Division, Federal Highway Administration, brought forward information on the following topics:

Transportation Performance Measures announcements:

- USDOT has a TPM website showing a national performance measure dashboard and the PM2 and PM3 measures are available on the website (<https://www.fhwa.dot.gov/tpm/reporting/state/>).
- FHWA has available a free web-based training course: NHI 138016 - Implementing Performance-Based Planning and Programming. The goal of this web-based course is

to provide learners with an introductory overview of the key elements and requirements of TPM and the performance-based planning and programming (PBPP) framework. The course will give participants the information and resources necessary to begin understanding PBPP to implement it effectively. The website is: <https://www.fhwa.dot.gov/tpm/resources/training.cfm>.

- FHWA Facebook “Wow Wednesday!” factoid: It is the 100-year anniversary of the Transcontinental Convoy of 1919. Ms. Brunelle shared a few details of this historic journey across America.

Cathy Kendall, Florida Division, Federal Highway Administration, brought forward information on the following topics:

- Michael Sherman has been hired as the new Transportation Planning Specialist for Districts 1 and 3.
- Alternative Fuel Corridor Pilot program – nominations are due September 09, 2019.
- The Value Capture Webinar Series features presenters who have successfully used Value Capture techniques, such as transportation impact fees, special assessments, tax increment financing, transportation utility fees, joint development, and value capture from existing assets to fund previously unfunded infrastructure projects. The webinar series is available from June to November 2019.
- Planning and Environmental Linkages: New training links are now available that are specifically for local public planning agencies.
- The Statewide Assessment Meeting was held in early July. If any MPOs want to provide input, it is due August 09, 2019.
- FHWA and FTA training has traditionally had low participation levels. Ms. Kendall is working with Carl Mikyska and FDOT to notify MPOs of these opportunities and pass on information about trainings in hopes of increasing participation.

• BUSINESS ITEMS & PRESENTATIONS

A. STATE LEGISLATIVE POLICY POSITIONS

The 2020 Florida legislative session will start in January of 2020. Legislative committees will begin meeting in early October of 2019. So that MPOAC may have adopted policy positions available for distribution prior to the start of legislative committee meetings, the MPOAC Governing Board will need to formally adopt a platform of positions at this meeting.

The MPOAC Policy and Technical Committee and the MPOAC Staff Directors' Advisory Committee reviewed the 2019 policy positions and considered new policy positions for the 2020 legislative session. Mr. Mikyska presented the recommended policy positions.

Editing was done live during the meeting. The following changes and recommendations were made.

*Note: * indicates a motion was made.*

Policy Position #1 and Key Recommendations:

1. MPOAC supports state legislation that will expand transportation revenue sources and stabilize transportation funding levels.

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.
- Charge alternatively fueled vehicles a fee equal to the fuel tax paid by gasoline or diesel fueled vehicles.
- Use the existing MPO and local planning processes to select individual transportation projects rather than legislative appropriations (commonly referred to earmarks). Ensure that all legislative appropriations that do happen come from non-transportation funding sources such as general revenue funds.

Seeing that there was general consensus for this policy position, the group moved the next policy position. The Chair stated that an overall motion would be taken at the end of discussion on all policy positions to adopt the 2020 policy positions of MPOAC.

2. Establish a predictable funding level of \$250 million per year for the Transportation Regional Incentive Program (TRIP).

*Ms. Kathryn Hensley, St. Lucie TPO, made a motion to move policy position number 2 to the end (after number 7). Commissioner Robert Bender, Florida-Alabama TPO seconded. Motion carried.

*Mayor Kathy Meehan, Space Coast TPO, made a motion to change the requested funding level to \$250 million. Commissioner Robert Weinroth, Palm Beach TPA, seconded.

- 3. Allows Strategic Intermodal System (SIS) funds to be used on roads, transit, 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, transit, 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. The newly created Federal Transportation Performance Measures (TPM) apply to more than just the Strategic Intermodal System. It is appropriate to direct SIS funding to transit and roadway projects that relieve the SIS and are part of the TPM system.

The consensus of the group was to accept the recommendation of the Staff Directors for this policy position.

- 4. 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.

A brief discussion followed debating if the language in this policy position would protect the continuation of funding for Tri-Rail and transit in general adequately. The group decided the language as presented would and the consensus of the group was to accept the policy position as recommended by the Staff Directors.

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

The United States Department of Transportation (USDOT) provides funding to metropolitan planning organizations (MPOs) to carry out their federally required duties. Those federal funds are given to states who in turn distribute them to MPOs based upon a formula agreed upon by the Florida Department of Transportation (FDOT) and the Florida MPOs and then approved by the Federal Highway Administration (FHWA). The Florida Department of Financial Services (DFS) 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.

The consensus of the group was to accept the policy position as recommended by the Staff Directors.

6. Supports the advancement of innovative transportation mobility solutions and policies that promote creative approaches to addressing transportation needs, while simultaneously protecting citizens from malicious tampering with such technologies by making tampering a punishable offense.

Transportation technologies have undergone a revolutionary leap forward over the past several years. A variety of transportation technologies are under development including autonomous vehicles and the hyperloop. It is the responsibility of the Florida legislature to ensure that state laws and funding mechanisms support the development and implementation of these technological advances in the way people and freight will move in and between our metropolitan areas. At the same time, it is incumbent upon the Florida legislature to ensure that the health and welfare of Florida's citizens and visitors are protected from possible harm presented by these new technologies, including the malicious and intentional interference of the proper functioning of transportation vehicles and systems. This proposal supports legislative efforts to implement innovative mobility solutions and polices while protecting the health and welfare of Florida's citizens and visitors.

The consensus of the group was to accept the policy position as recommended by the Staff Directors.

7. Regulates distracted driving by prohibiting the handheld use of electronic wireless communication devices and other similar distracting devices while operating a motor vehicle on any roadway.

The 2018 Florida legislature enacted the “Wireless Communications While Driving” law that makes texting while driving a primary offense. One of the expressed concerns of opponents of this law is the potential of racial profiling during enforcement. This legislative proposal would increase roadway safety by prohibiting the handheld use of electronic wireless devices for any purpose, making enforcement easier and reducing the potential for racial profiling.

Commissioner Baugh made a motion to adopt the policy position on distracted driving as modified by the Governing Board. Commissioner Buxton seconded, motion passed.

Commissioner Robert Weinroth, Palm Beach TPA, moved to approve the seven policy positions as amended by the Governing Board. Commissioner Vanessa Baugh, Sarasota/Manatee MPO, seconded. The motion carried.

B. FEDERAL POLICY POSITIONS

In 2017, MPOAC adopted a set of federal policy positions in anticipation of a possible infrastructure package. The federal policy positions also served as a set of talking points for a new federal transportation bill to replace the Fixing America's Surface Transportation (FAST) Act which, at the time, was still about three years away. The expiration of the FAST Act is now just over one year away and discussions have begun on the shape of a new transportation bill. The transportation and political landscape have changed some since 2017 and it is appropriate to update our transportation policy positions to reflect these changes. It is also very important that Florida speak with a unified voice about our transportation needs. This document will be made available to the MPOAC membership and all partners to use in guiding discussions with colleagues and decision-makers. An updated federal policy positions document has been developed and reviewed by the MPOAC Policy and Technical Committee and the MPOAC Staff Directors’ Advisory Committee. Prior to the meeting, staff had been directed to compare the MPOAC federal policy positions to those of AMPO (staff took the liberty of also comparing the NARC federal policy positions as well). These comparisons were reviewed with the group.

Editing was done live during the meeting and the following changes and recommendations were made.

MPOAC: FEDERAL TRANSPORTATION POLICY POSITIONS | 2019 edits

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) represents the twenty-seven MPOs in the State of Florida. These policy positions are intended to serve as guidance to the United States Congress, ~~the Florida Legislature,~~ the United States Department of Transportation, ~~the Florida Department of Transportation,~~ and the MPOAC’s partner organizations.

MPO ADMINISTRATION AND FUNDING

- The MPOAC supports distributing federal ~~planning (PL)~~ funds to states using the most recently available ~~annual~~ census data.
- The MPOAC supports policies that streamline the federal-aid process by directly allocating and increasing Federal Surface Transportation Block Grant (STBG) Program funds to Metropolitan Planning Organizations (MPOs) in Transportation Management Areas (TMAs) for planning, programming and implementation purposes.
- The MPOAC supports policies ~~which recognize that federal metropolitan transportation planning funds are not to be regarded as state funds for purposes of expenditure. whereby the federal government promotes local home rule authority by guarantying membership for local units and transportation providers of government on an MPO Governing Board; and requires that federal planning funds shall be limited to only the restrictions placed upon them by the federal government.~~

ROLES, RESPONSIBILITIES AND PROGRAMS

- The MPOAC supports the continued development of a multi-modal National Freight Network funded, in part, by a dedicated stream of fees and taxes on freight shipments and freight vehicles.
- The MPOAC supports toll projects and public/private partnerships that are consistent with the federally established metropolitan transportation planning process.
- The MPOAC supports policies that reward states for attaining federally mandated performance measures and targets, and do not redistribute funding among the states based on poor performance.
- The MPOAC supports policies that direct revenues generated from new tolls instituted on federal-aid facilities toward transportation improvements within that metropolitan area.
- ~~The MPOAC supports maintaining the federal, state and MPO roles in transportation policy and funding, and allocating funding in an amount that supports these roles.~~
- The MPOAC supports allowing Metropolitan Planning Organizations (MPOs) to express metropolitan transportation plan (MTP) project costs in either current year dollars or year of expenditure dollars.
- ~~The MPOAC supports maintaining the 5-year update cycle for metropolitan transportation plans (MTPs).~~
- Align the Transportation Performance Management Reporting dates for DOTs and MPOs. (New)

TRANSPORTATION PROJECT FINANCE AND FUNDING

- The MPOAC supports indexing existing and all future federal transportation revenue streams (such as Vehicle Miles Traveled, User Fees, etc.) to the Consumer Price Index (CPI) in order to keep pace with inflation.
- The MPOAC supports addressing future transportation funding needs through new and innovative mechanisms (such as Vehicle Miles Traveled, User Fees, etc.).
- ~~The MPOAC supports the continuation of the federal Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program.~~
- The MPOAC supports the Transit Capital Grant program (e.g., New Starts, Small Starts and Core Capacity) and ask that these programs be expanded for metropolitan areas. (New)
- The MPOAC supports greater funding for non-motorized projects and programs which reduce VMT per capita and improve safety. With expanded funding of the Transportation Alternatives Program and fully sub-allocating these funds to MPOs transportation can better address the non-motorized needs while reducing emissions and safety concerns. (New)
- MPOAC supports performance measures and targets that reduce per capita VMT. (New)
- Supports the advancement of innovative transportation mobility solutions and policies that promote creative approaches to addressing transportation needs, while simultaneously protecting citizens from malicious tampering with such technologies by making tampering a punishable offense.

The group had a discussion about the need to include a policy position in support of autonomous vehicles. The direction given to the staff was to model a federal policy position upon the state policy position related to autonomous vehicles. The group reviewed the state policy position and agreed it was the direction the Governing Board wished to take. It was added as the last bullet point.

Commissioner Robert Weinroth, Palm Beach TPA, moved approval of the updated federal policy positions. Commissioner Robert Bender, Florida-Alabama TPO, seconded. The motion carried.

C. FLORIDA DOT STATEWIDE SURVEY RESULTS AND COMMUNITY OF PRACTICE

Item moved to 6E.

Mr. Frank Collins, Manager of the Systems Forecasting and Trends Office (FTO), Florida Department of Transportation (FDOT), presented the work of his office and team. FTO has been providing to Florida MPOs the data used in Transportation Performance Measures (TPM) as well as additional data that provides a more complete picture of the Florida transportation system for each MPO. They have been providing the data in tabular and infographic format for each MPO.

Since 2000, FTO has been asking Florida residents and visitors to share their opinions of FDOTs successes and what can be improved to better to provide a safe transportation system that ensures the mobility of people and goods, enhances economic prosperity, and preserves the quality of our environment and communities.

In 2016 the FDOT Resident Survey received 1,969 responses, which was a 6% response rate; a \$140,915.00 cost overall or \$69.55 per response. In 2018, the FDOT Resident Survey received 3,144 responses at a total cost of \$127,760 or \$40.64 per response. 97% of respondents were full time Florida residents. Members can view all results from the 2018 Satisfaction Survey for Florida Residents at <https://www.fdot.gov/planning/customers>

D. CAV IMPACTS TO TRANSPORTATION REVENUE

Mr. Mark Reichert, State Policy Programming Coordinator, Florida Department of Transportation (FDOT), shared the results of efforts by the department to better understand the impacts to transportation revenue as connected and automated vehicles become a part of the overall vehicle fleet.

Mr. Reichert provided information on how transportation infrastructure is funded in Florida and the fiscal challenges Florida is facing. He shared that the transportation community, and MPOs, should no longer rely on the fuel tax as a primary source of transportation funding for the future and to begin the discussion of replacing it with a more sustainable option.

Commissioner Bill Dozier, Bay County TPO, asked about charging autonomous vehicles. Mr. Reichert replied that there are about 20,600 charging stations. Legislation was passed to add charging stations at all Florida rest stops.

E. FORMATION OF A TRAINING COMMITTEE

Mr. Carl Mikyska presented this topic item. In 2016, MPOAC developed and adopted a Strategic Plan. This plan was designed and intended to assist MPOAC in advancing the role and influence of the organization, as well as strengthening partnerships with other transportation organizations. One of the committees specifically identified to be formed in the Strategic Plan was a Training Committee.

A Training Committee would consider, and potentially develop, products and resources for educating new MPO board members, new employees at an MPO, as well as Florida DOT MPO liaisons. The committee may also identify other needs within the MPO community.

Commissioner Vanessa Baugh, Sarasota/Manatee MPO, moved to approve the formation of an MPOAC Training Working Group with Dave Hutchinson, Sarasota/Manatee MPO, serving as chair. Councilmember Reg Buxton, Collier MPO, seconded. The motion carried.

• COMMUNICATIONS

N/A

• MEMBER COMMENTS

Commissioner Robert Weinroth, Palm Beach TPA, made a comment that he will be pushing for the support of technology moving forward.

Vice Chair, Councilmember Bryan Caletka, Broward MPO informed the membership that he will not be attending the next meeting. Chair, Commissioner Nick Maddox, Capital Region TPA, indicated that he will also not be attending the next meeting.

• ADJOURNMENT

The next meeting of the MPOAC Governing Board will be held at 3:00 PM on October 29, 2019 at the Orlando Airport Marriott Lakeside Hotel, 7499 Augusta National Drive, Orlando, FL 32822. MPOAC has arranged for a room block at a rate of \$125 per night. A meeting notice will be sent out at least one month prior to the meeting date.

Meeting adjourned at 5:30 pm.