

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

• **ATTENDANCE**

GOVERNING BOARD MEMBERS IN ATTENDANCE:

Chair, Commissioner Nick Maddox, Capital Region TPA
Vice Chair, Councilmember Bryan Caletka, Broward MPO
Commissioner Rodney Friend, Bay County TPO
Councilmember Reg Buxton, Collier MPO
Commissioner Rob Bender, Florida-Alabama TPO
Commissioner Dave Eggers, Forward Pinellas
Commissioner Don Elwell, Heartland TPO
Commissioner Jeff Kinnard, Hernando/Citrus MPO
Commissioner Pat Kemp, Hillsborough MPO
Mayor Nick Girone, Lake-Sumter MPO
Mayor Tracey Gore, Lee County MPO
Commissioner Cheryl Grieb, MetroPlan Orlando
Mayor Dick Rynearson, Okaloosa-Walton TPO
Commissioner Robert Weinroth, Palm Beach TPA
Mayor Pro Tem Nat Birdsong, Polk TPO
Commissioner Vanessa Baugh, Sarasota/Manatee MPO
Mayor Kathy Meehan, Space Coast TPO
Ms. Kathryn Hensley, St. Lucie TPO

OTHERS IN ATTENDANCE:

Councilmember, Rocky Randels, Space Coast TPO
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
Carmen Monroy, Florida Department of Transportation, Office of Policy Planning
Greg Slay, Capital Region TPA
Gary Harrell, Charlotte County - Punta Gorda MPO
Whit Blanton, Forward Pinellas

Michael Escalante, Gainesville MTPO
Steve Diez, Hernando/Citrus MPO
Beth Alden, Hillsborough County MPO
Michael Woods, Lake-Sumter MPO
Donald Scott, Lee County MPO
Elizabeth Whitton, MetroPlan Orlando
Tom Deardorff, Polk TPO
Tina Mann, Polk TPO
Lois Bollenback, River to Sea TPO
Dave Hutchinson, Sarasota/Manatee MPO
Georganna Gillette, Space Coast TPO
Peter Buchwald, St. Lucie TPO
Al Garcia, Polk County Government Television
Tricia Pichette, Polk County Communications
Jim Wood, Kimley Horn

• **CALL TO ORDER**

Commissioner Nick Maddox, Chair, Capital Region TPA, called the meeting to order at 3:05 p.m. The Chair welcomed those in attendance. All stood for the Pledge of Allegiance and self-introductions were made.

Vice Chair, Councilmember Bryan Caletka, Broward MPO, moved to remove Item 6b to a later date. Commissioner Vanessa Baugh, Sarasota/Manatee MPO seconded. The motion carried.

• **APPROVAL OF MINUTES: AUGUST 02, 2018 MEETING**

Councilmember Reg Buxton, Collier MPO, moved to approve the minutes of the November 01, 2018 MPOAC Governing Board meeting. Mayor Kathy Meehan, Space Coast TPO, 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 for the second quarter of state fiscal year 2019. Currently, the MPOAC is slightly over budget. However, Mr. Mikyska stated that the MPOAC would finish the fiscal year on, or slightly under, budget.

Mr. Mikyska shared a list of activities and accomplishments of the MPOAC from November 2018 through January 2019, including:

- The First Legislative Newsletter of 2019 was distributed.
- The MPOAC coordinated with the Florida League of Cities and presented twice to their Transportation Committee.
- The MPOAC worked with FDOT and FHWA to revise the Transportation Performance Measures Consensus Planning Document.
- The MPOAC Executive Director participated in FDOT/MPOAC Leadership meetings.

B. COMMITTEE UPDATE

The MPOAC adopted a Strategic Plan in April of 2016 and the plan directed staff to undertake a number of activities. Four working groups are discussed in the plan, covering the following topic areas:

- Complete Streets (originally Bicycle and Pedestrian).
- Noteworthy Practices (originally Best Practices).
- Training.
- Communications.

The MPOAC launched the Complete Streets Working Group and the Noteworthy Practices Working Groups in 2016. The Complete Streets Working Group completed their work plan during the 2018 calendar year and made a close-out presentation at the November 2018 MPOAC quarterly meeting. The 2019 work plan for the Noteworthy Practices Working Group was presented and included in the meeting agenda package (Item 4B). Building on their work during the previous year, the Noteworthy Practices Working Group will focus on sharing noteworthy practices from across the state in calendar year 2019 by having two MPOs present on projects/activities identified by the Working Group as a noteworthy practice. The remaining two Working Groups have not yet been launched.

The MPOAC has held regular meetings of the Freight Committee since 2013. The committee's main focus of the previous calendar year was developing a Freight Project Priority List to be used by FDOT while programming freight projects. Overall, the Freight Committee has submitted 37 projects from 16 MPOs for programming consideration. While none of the prioritized MPOAC projects were programmed in the FDOT Work Program, four projects prioritized by individual MPOs were funded. The Freight Committee intends to continue the prioritization process in 2019 and to update the selection criteria in an effort to improve the programming results.

C. 2019 LEGISLATIVE UPDATE

The Florida Legislative Session officially begins on March 05, 2019. Prior to the 60-day session, committees meet and bills are advanced through these committees. These pre-session meetings have begun and Mr. Mikyska has been providing the membership with an email update of the committee meetings as well as an overview on the transportation related bills being considered. Mr. Mikyska described a number of bills that the MPOAC will be following during the session, including:

- HB 71/SB 158 – Vulnerable Road Users: provides criminal penalties for a person who commits a moving violation that causes serious bodily injury to, or causes the death of, a vulnerable road user; outlines a variety of specific penalties.
- HB 75/SB 132 – Drones for Police: Expanded Uses of Unmanned Aircraft; permits use of drones by law enforcement agencies and other specified entities.
- HB 6003/SB 306 – Red Light Cameras: Traffic Infraction Detectors: repeals provisions relating to the installation and use of traffic infraction detectors to enforce specified provisions when a driver fails to stop at a traffic signal.
- HB 311 – Autonomous Vehicles: Autonomous Vehicles; exempts autonomous vehicles and operators from certain prohibitions; provides that a human operator is not required to operate fully autonomous vehicle; provides that an automated driving system is deemed the operator of autonomous vehicle operating with the system engaged; authorizes the Florida Turnpike Enterprise to fund and operate test facilities for autonomous vehicles; provides requirements for operation of on-demand autonomous vehicle networks; revises registration requirements for autonomous vehicles.
- HB 341 – Car and Railroad Crashes: Motor Vehicles and Railroad Trains; requires that, in event of a crash involving a railroad train, collection of certain information be at the discretion of law enforcement having jurisdiction to investigate the crash; specifies that certain persons are not considered passengers for the purpose of making crash reports.
- HB 385 – Related to Transportation: requires certain authority members to comply with financial disclosure requirements; limits levy of and revises authorized uses of

charter county and regional transportation system surtaxes; revises provisions relating to FDOT design plan approval, transportation project programs, toll collection and use, and membership for specific MPOs.

- HB 453 – Micromobility Devices and Motorized Scooters; authorizes county or municipality to regulate operation of micromobility devices and for-hire motorized scooters; authorizes county or municipality to require licensure; requires proof of certain insurance coverage; provides that regulation of micromobility devices and for-hire motorized scooters is controlled by state and federal law; provides that operator has all rights and duties applicable to a bicycle rider; exempts micromobility device or motorized scooter from certain requirements; provides that person is not required to have a valid driver license to operate micromobility device or motorized scooter; authorizes parking on sidewalks; removes requirements for sale of motorized scooters.
- HB 107/SB 76 – Texting and Driving: Use of Wireless Communications Devices while Driving; Revises legislative intent; prohibits a person from operating a motor vehicle while using a wireless communications device for purpose of nonvoice or voice interpersonal communication; removes the provision requiring that enforcement be accomplished only as secondary action.

A discussion took place about how HB 385 proposes to restructure the Miami-Dade TPO. Chair, Commissioner Nick Maddox, Capital Region TPA, stated that he is an advocate of home rule and believes that HB 385 may infringe on Miami-Dade TPO's home rule. Chair, Commissioner Nick Maddox, Capital Region TPA, suggested that the MPOAC develop a resolution from the Board stating that the MPOAC does not approve of the proposed the change to the Miami-Dade TPO Board structure without the consent of the TPO and to support and strengthen MPO home rule in general. Ms. Kathryn Hensley, St. Lucie TPO made a motion to create and send a resolution. Councilmember Reg Buxton, Collier MPO, seconded. Motion carried.

A discussion took place about MPO home rule and how it expanded to other House Bills such as HB 453, the electronic scooter and red light bill. Chair, Commissioner Nick Maddox, Capital Region TPA, suggested revisiting the motion to add additional items to the resolution. Ms. Kathryn Hensley, St. Lucie TPO made a motion to revisit. Councilmember Reg Buxton, Collier MPO, seconded. Motion carried.

Ms. Kathryn Hensley, St. Lucie TPO made a motion to send a resolution that voices the MPOs opposition to any House Bill that could impact home rule, three examples include MPO board structures, electronic scooters, and red lights. Councilmember Reg Buxton, Collier MPO, seconded. Motion carried.

Vice Chair, Councilmember Bryan Caletka, Broward MPO, recommended three different resolutions on home rule. Commissioner Vanessa Baugh, Sarasota/Manatee MPO, agreed.

Chair, Commissioner Nick Maddox, Capital Region TPA, asked staff to take direction to put together three separate resolutions addressing the three separate issues all in the name of home rule.

The MPOAC Freight Committee recommended to the MPOAC Governing Board that a letter of support be submitted for three projects sponsored by FDOT for funding through the Infrastructure for Rebuilding America (INFRA) Grant Program. The three projects each appear in an MPO long-range transportation plan and are supported by an individual MPO. The MPOAC Staff Directors' Advisory Committee endorsed the recommendation made by the Freight Committee at their meeting earlier in the day.

Mayor Kathy Meehan, Space Coast TPO, moved to approve the Freight Committee and Staff Director's recommendation to submit a letter supporting projects being submitted for federal INFRA Grant funding with FDOT's application to USDOT. Mayor Pro-term Nat Birdsong, Polk TPO, seconded. The motion carried unanimously.

Mr. Mikyska reminded the membership that registration is open for the 2019 MPOAC Weekend Institute for Elected Officials. Those dates and locations are:

- Florida League of Cities (FLC) University Training Center in Orlando – March 29 to 31, 2019
- Renaissance Hotel International Plaza in Tampa – May 31 to June 02, 2019

Chair, Commissioner Nick Maddox, Capital Region TPA concluded this section of the meeting by requesting that staff create a "job description" for new MPOAC Governing Board members.

• AGENCY REPORTS

A. FLORIDA DEPARTMENT OF TRANSPORTATION

Ms. Carmen Monroy, Director, Florida Department of Transportation (FDOT), Office of Policy Planning, updated the members on FDOT activities as follows:

- Alex Gramovot is departing from FDOT. Erica Thompson is taking his position and FDOT will fill her empty position.
- The Office of Inspector General completed an audit of the metropolitan transportation process as managed by MPOs and FDOT: The Office of Inspector

General serves as a central point for coordination of and responsibility for activities that promote accountability, integrity and efficiency in the Department of Transportation. They conduct audits, investigations and management reviews relating to the programs and operations of the agency.

- Both the Lee County MPO and Capital Region TPA were audited.
- The issue of car allowances was a topic that came up during the audit.
- The Florida Transportation Plan (FTP) update will kick off formally at TransPlex 2019. The program is in development.
- A new FDOT Secretary was appointed following a national search. Kevin J. Thibault, a former longtime FDOT employee, started work in January.
 - FDOT is continuing to receive comments from the MPOs on Transportation Performance Management (TPM) and the Consensus Planning Document.
- Ms. Monroy discussed the availability of transit related performance target resources including factsheets, model language, and a timeline document.
- The 2019 TransPlex save-the-date card was distributed.
 - The Transportation Planning Exchange (TransPlex) is a free three-day conference to be held at the Omni Jacksonville Hotel in Jacksonville, Florida on May 7-9, 2019.

B. FLORIDA DIVISION OF FEDERAL HIGHWAY ADMINISTRATION

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

- There will be upcoming FHWA staff changes.
- Alternative Fuel Corridors nominations are due 1/31/19.
- The Planning Excellence Award nomination due date has been extended to 3/1/19.
- Responses to the Transportation Performance Measurement (TPM) Implementation Review Survey are requested by 2/11/19.
- New Safety Planning and Zero Deaths Vision Guidance were published 12/18.
- Better Utilizing Investments to Leverage Development (BUILD) Transportation Grant awards were announced 12/18 and included the following FL projects:
 - Jacksonville – Urban Core Riverfront Revitalization and Complete Streets (\$12.5 mill).
 - Jacksonville – Bay Street Innovation Corridor (\$12.5 mill).
 - Miami-Dade County – South Dade Transitway Park and Ride Improvements (\$9.5 mill).
- Infrastructure for Rebuilding America (INFRA) Grants Notice of Funding Opportunity – Applications due 3/6/19.

- Automated Driving System (ADS) Demonstration Grants Notice of Funding Opportunity – Applications due 3/21/19.

Ms. Karen Brunelle, Director, Office of Project Development, Federal Highway Administration (FHWA), Florida Division, presented on the results of the 2018 Transportation Management Area (TMA) Certifications Risk Assessment process and Transportation Performance Measurement (TPM).

She announced that there is a new website for TMA Certification Public Comments <https://www.fhwa.dot.gov/fldiv/tma.cfm>. Then she reviewed the results of the 2018 Florida TMA certification risk assessment process. She described the history for the process, stating that FHWA has been using risk in construction project oversight for over 10 years. FHWA has now formalized their business practices through internal division procedures and the 2014 FHWA risk based stewardship and oversight (RBSO) implementation memo. RBSO was applied at the project level and manifested through:

- Review of projects by location/funding level.
- Review of a topic area for selected projects through the state.
- PoDIs and PoCIs (Projects of Division or Corporate Interest).

Adapting that approach, the FL TMA certification risk assessment addresses risk at the program level versus the project level. It individualizes certification reviews instead of a one size fits all and provides a consistent approach to risk tolerance. The assessment works with traditional stewardship and oversight practices while still providing technical assistance.

Ms. Brunelle outlined differences that the MPOs can see as a result to the FL TMA certification risk assessment, including:

- A new appendix in the Certification Report.
- Streamlined Certification Report sections.
- Improvements in the timing and quantity of Certification Review questions.
- Shortened site visits.

Ms. Brunelle then presented a table quantifying the improved results attributed to the risk assessment approach including significant reductions in total hours spent on the process, the number of questions asked, the site visit length, and the length of the report.

Ms. Brunelle concluded her discussion of the Florida TMA certification risk assessment approach by outlining positive comments received from the MPOs and opportunities for improvement. She indicated that FHWA and FTA would review the opportunities for improvement and set up follow up action items, as appropriate.

Ms. Brunelle continued her presentation by providing an update on Transportation Performance Measurement (TPM):

- MPOs set their Bridge, Pavement and System Performance Targets on Nov. 14, 2018 and FDOT completed their first evaluation of facilities repeatedly requiring repair and reconstruction due to emergency events (23 CFR 667) on Nov. 23, 2018.
- FHWA provided feedback on draft TIP templates for PM1, PM2 and PM3 and on the draft System Performance Report Framework in Dec. 2018 and is currently reviewing the draft proposed statewide transportation improvement program (STIP) language associated with the transit asset management (TAM) performance measures.
- FHWA Florida division TPM webpage has been updated to include several recent presentations.
- Clarifying Implementation Requirements Associated with 23 CFR 667 in the form of Q&A's <https://www.fhwa.dot.gov/tpm/faq.cfm>.
 - FDOT must update the requirements every 4 Years.
 - FDOT is encouraged to consider the evaluation during FTP and STIP development and during the Environmental Review Process. MPOs are also encouraged to consider the evaluation during LRTP and TIP development.
 - Beginning Nov. 23, 2020, evaluation must include all roads, highways and bridges eligible for assistance under 23 USC (except on Federal or Tribal lands).
- Final TAMP and MPO Coordination: Coordination is required with all National Highway System (NHS) asset owners. Each MPO has member jurisdictions with locally owned NHS assets (Non-Interstate NHS off the State Highway System).
- Currently: S/TIP Amendments Include TAM (Transit Asset Management) Targets, TAM Plans and Transit Related performance based planning and programming (PBPP) metrics.
- MPO must set their 2019 safety targets by Feb 27, 2019.
- Any S/TIP amendments made after May 20, 2019 must address bridge, pavement and system performance targets.

FDOT must submit final transit asset management plan by June 30, 2019.

• BUSINESS ITEMS & PRESENTATIONS

A. APPROVAL OF LEGAL SERVICES CONTRACT

Carl Mikyska presented the proposed Legal Services Agreement to the membership. Paul Gougelman serves as the legal counsel to the MPOAC and his one-year contract is renewed annually. The contract would be effective July 01, 2019. Mr. Gougelman presented the contract, which is similar to his previous contract.

Mayor Pro Tem Nat Birdsong, Polk TPO, made a motion to approve the contract for legal services provided by Paul Gougelman for the coming state fiscal year. Mayor Kathy Meehan, Space Coast TPO, seconded. The motion carried unanimously.

B. FLORIDA LEAGUE OF CITIES PRESENTATION

This item was removed from the agenda.

C. POLK TPO "PLEDGE TO SLOW DOWN" PSA SERIES

Tom Deardorff, Polk TPO, introduced the Pledge to Slow Down Campaign to further its goal of a future with zero traffic-related fatalities. Over 650 citizens have taken the pledge to date, and local outreach efforts continue to grow that number.

The public service announcements, produced in coordination with Polk County Government Television, include a series of five short (30-second) videos that were shown to members. The videos include following topics: Local Dignitaries Taking the Pledge; Speed Kills; Everyone is Someone's Love One; Time to See and Stop; and Getting There Safe. The videos can be found on the Polk TPO website.

The pledge campaign is designed to be portable to other communities and MPOs are able to place their own logos and branding at the end of the videos. The Polk TPO staff offered to make the base videos available to other MPOs in Florida for free and to have the appropriate logos added at the cost of labor.

A discussion took place amongst members praising the campaign. Jeff Kramer, CUTR, asked about the source of funding for the campaign. Tom Deardorff, Polk TPO, said that the campaign was partially funded using federal planning (PL) funds and that the rest of the funding came from the Polk County Board of County Commissioners working with Polk Government Television (PGTV).

D. ELECTION OF OFFICERS FOR 2019

Commissioner Nick Maddox, current chair of the MPOAC Governing Board, Capital Region TPA, relinquished the Chair position to Mr. Mikyska, MPOAC Executive Director, who introduced the election of officers – Chair, Vice Chair, and At-Large Executive Committee Member – for the MPOAC Governing Board. Mr. Mikyska noted for the record that the election was for a one-year term to begin immediately.

Mr. Mikyska asked Commissioner Maddox if he would be willing to continue to serve if nominated. Commissioner Maddox responded that he serves at the will of the Governing Board and would certainly do so again. Councilmember Bryan Caletka, Vice Chair, Broward MPO, nominated Commissioner Nick Maddox, Capital Region TPA, to continue to serve as Chair and moved to close the nominations. Commissioner Rob Bender, Florida-Alabama TPO, seconded. Mr. Mikyska closed the nominations and called the question by unanimous acclimation. The motion passed.

Commissioner Maddox asked Councilmember Bryan Caletka if he would be willing to continue to serve as Vice Chair of the MPOAC Governing Board if nominated and Councilmember Bryan Caletka indicated that he would. Mayor Pro Tem Nat Birdsong, Polk TPO, nominated Councilmember Bryan Caletka, Broward MPO, to continue serving as Vice Chair of the Governing Board and moved to close the nominations. Mayor Tracey Gore, Lee County MPO, seconded. Commissioner Maddox closed the nominations and called the question by unanimous acclimation. The motion passed.

Commissioner Maddox asked Mayor Kathy Meehan, Space Coast TPO, if she would be willing to continue to serve as the At-Large Governing Board Member of the MPOAC Executive Committee if nominated. Mayor Meehan, responded that she would. Mayor Nat Birdsong, Polk TPO, nominated Commissioner Mayor Kathy Meehan, Space Coast TPO, to continue serving as the At-Large Governing Board Member of the MPOAC Executive Committee and moved to close the nominations. Commissioner Don Elwell, Heartland TPO, seconded. Commissioner Maddox closed the nominations and called the question by unanimous acclimation. The motion passed.

• COMMUNICATIONS

N/A

• MEMBER COMMENTS

Commissioner Vanessa Baugh, Sarasota/Manatee MPO, presented a memorandum by Florida Senate President Bill Galvano calling on the Florida Senate to take the lead in developing innovative approaches to the infrastructure needs of the state. Senator Galvano stated that the Legislature has, "... a responsibility to not only meet today's needs, but also to anticipate tomorrow's demands, including a focus on revitalizing historic rural Florida communities." In the memo, he asked for the development of legislation to expedite the creation of three new multi-use corridors in Florida's rural areas of regional economic significance.

- Polk County to Collier County.

- Suncoast Parkway Extension to Georgia.
- Northern Turnpike Connector (Florida Turnpike northwest to the Suncoast Parkway).

A comprehensive discussion took place amongst members about the memo, with some members supporting Senator Galvano's proposal and others opposed. Members voiced concerns about not having an adequate amount of time to read and review the memo. Others stated that Florida's current infrastructure needs improvement before constructing new corridors. All members welcomed new and inventive ways to obtain infrastructure funding.

Commissioner Vanessa Baugh, Sarasota/Manatee MPO, agreed that Florida's current infrastructure needs improvements, but asked members for a letter of support for the approach mentioned in the memo.

After discussion members, agreed to support paragraphs 2 and 3 of the memorandum that focused on the need for innovative approaches to infrastructure funding and to consider future infrastructure investments in a broader fashion to include utility and communications resources needs. Commissioner Vanessa Baugh, Sarasota/Manatee MPO, made a motion to send a letter of support for the concepts included in paragraphs 2 and 3 of the memo. Councilmember Reg Buxton, Collier MPO, seconded. Motion carried.

• ADJOURNMENT

The meeting was adjourned at 4:50 p.m. The next meeting of the MPOAC Governing Board will be held at 3:00 pm on April, 30, 2019 at the Orlando Airport Marriot Lakeside, 7499 Augusta National Drive, Orlando, FL 32822. MPOAC has reserved a block of rooms for \$135 per night. The meeting notice will be sent out at least one month prior to the meeting date.