



The Florida Metropolitan Planning Organization Advisory Council

Commissioner Nick Maddox
Chair

MPOAC Governing Board Meeting

Date: Thursday, October 29, 2020
Time: 3:00 p.m. – 5:00 p.m.
Location: Orlando Airport Marriott Lakeside
7499 Augusta National Drive, Orlando, FL 32822

Teams Meeting Link: [Join Microsoft Teams Meeting](#)

Phone: 850-739-5589, ID number: 109 706 764#

Commissioner Nick Maddox, Presiding

- 1. Call to Order & Pledge of Allegiance**
 - 2. Presentation by the Florida DOT Secretary Kevin Thibault**
 - 3. Approval of Minutes: January 30, 2020 Meeting**
 - 4. Public Comments (non-agenda items)**
 - 5. Executive Director's Report**
 - A. UPWP Report**
 - B. MPOAC Staff Directors Leadership meeting**
 - 6. Agency Reports**
 - A. Florida Department of Transportation**
 - B. Federal Highway Administration**
 - 7. Business Items & Presentations**
 - A. Approval of the MPOAC Final UPWP**
 - B. Approval of the MPOAC Bylaws Amendment**
 - C. Approval of the 2021 Legislative Policy Positions**
 - D. Approval of the 2021 MPOAC Meeting Dates**
 - 8. Member Comments**
 - 9. Adjournment**
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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 John Waldron at (850) 414-4037 or by email to John.Waldron@mpoac.org.

Item Number 1

Call to Order & Pledge of Allegiance

DISCUSSION:

The Chair will open the meeting and a quorum will be determined. All are asked to rise for the Pledge of Allegiance.

REQUESTED ACTION:

None

ATTACHMENT:

None

Item Number 2

Presentation by the Florida DOT Secretary Kevin Thibault

DISCUSSION:

Secretary Thibault will be joining our meeting and will update members on transportation issues facing the Florida DOT.

REQUESTED ACTION:

None requested.

ATTACHMENT:

None.

Item Number 3

Approval of Minutes: January 30, 2020

DISCUSSION:

Review and comments from members.

REQUESTED ACTION:

Approval of Meeting Minutes from the January 30, 2020 meeting of the MPOAC Governing Board Meeting.

ATTACHMENT:

January 30, 2020 MPOAC Governing Board Meeting Minutes.

**Florida MPO Advisory Council
Meeting of the Governing Board
January 30, 2020
Orlando, Florida
Draft Meeting Minutes**

Governing Board Members in Attendance:

Vice Chair, Councilmember Bryan Caletka, Broward MPO
Commissioner Bill Dozier, Bay County TPO
Commissioner Betsy Barfield, Capital Region TPA
Commissioner Paul Andrews, Charlotte County-Punta Gorda MPO
Commissioner Robert Bender, Florida-Alabama TPO
Commissioner Dave Eggers, Forward Pinellas
Commissioner Terry Burroughs, Heartland Regional TPO
Commissioner Susan Adams, Indian River County MPO
Councilmember Fred Forbes, Lee County MPO
Commissioner Mayra Uribe, MetroPlan Orlando
Commissioner David Moore, Ocala/Marion County TPO
Councilmember J.B. Whitten, Okaloosa-Walton TPO
Commissioner Robert Weinroth, Palm Beach TPA
Mayor Pro Tem Nat Birdsong, Polk TPO
Commissioner Rob Gilliland, River to Sea TPO
Commissioner Vanessa Baugh, Sarasota/Manatee MPO
Councilmember Andrea Young, Space Coast TPO
Ms. Kathryn Hensley, St. Lucie TPO

OTHERS IN ATTENDANCE:

Commissioner Sandy Johnson, Broward MPO
Commissioner Suzy Sofer, Member, Forward Pinellas
Carl Mikyska, MPOAC
Johnathan Waldron, MPOAC
Paul Gougelman, MPOAC General Counsel
Jeff Kramer, Center for Urban Transportation Research, USF
Christen Miller, Center for Urban Transportation Research, USF
Sisinnio Concas, Center for Urban Transportation Research, USF
Karen Brunelle, Florida Division, Federal Highway Administration
Cathy Kendall, Florida Division, Federal Highway Administration
Alison Stettner, Florida Department of Transportation
Mark Reichert, Florida Department of Transportation
Scott Phillips, Florida Department of Transportation

Gerald Goosby, Florida Department of Transportation
Thomas Hill, Florida Department of Transportation
Gary Harrell, Charlotte County - Punta Gorda MPO
Greg Slay, Capitol Regional TPA
Whit Blanton, Forward Pinellas
Mike Escalante, Gainesville MTPO
Pat Steed, Heartland Regional TPO
Phil Matson, Indian River MPO
Donald Scott, Lee County MPO
Gary Huttman, MetroPlan Orlando
Dave Hutchinson, Sarasota/Manatee MPO
Lois Bollenback, River to Sea MPO
Georganna Gillette, Space Coast TPO
Peter Buchwald, St. Lucie TPO
Zachary Teders, CDM Smith, Inc.
Carl Hensley, St. Lucie County, private citizen
Kenneth Odom, Marion County
Louis Johnson, Okeechobee County, private citizen

• CALL TO ORDER

Vice Chair, Councilmember Bryan Caletka, Broward MPO, 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.

• APPROVAL OF MINUTES: OCTOBER 29, 2019 MEETING

Commissioner Bill Dozier, Bay County TPO, moved to approve the minutes of the October 29, 2019 Governing Board meeting. Councilmember J.B. Whitten, Okaloosa-Walton 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 the budget through the end of the second quarter of state fiscal year 2020 as well as a list of activities and accomplishments of the MPOAC from November through January 2020. Currently, the budget is on track.

Mr. Mikyska gave an update on the MPOAC Weekend Institute for Elected Officials. Currently, 8 individuals are registered to attend the Orlando Institute and 4 are registered to attend in Tampa.

B. LEGISLATIVE UPDATE

The 2020 Florida Legislative Session has started. The Executive Director provided an overview of transportation related legislation introduced to date and happenings at the Capitol.

Florida Gov. Ron DeSantis recently released his proposed Bolder, Brighter, Better Future budget for fiscal year 2020-2021, and it includes \$9.9 billion in funding for the Florida Department of Transportation (FDOT).

Mr. Mikyska, along with representatives of the Florida Association of Counties and Florida League of Cities, met with the Governor's staff on January 29, 2020, including with Legislative Affairs Director and former Secretary of Transportation Stephanie Kopelousos. A variety of subjects were discussed including water quality, teachers' pay, issues related to the appropriate level of decision-making (such as short-term rentals), and transportation.

Florida convened its legislative session on January 14, 2020, and legislators are scheduled to remain in session until March 13, 2020. 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 1371/SB 1000: Traffic and Pedestrian Safety: Requires pedestrian crosswalk on public highway, street, or road which is located at any point other than at intersection with another public highway, street, or road to be controlled by traffic control signal devices & pedestrian control signals that conform to specified requirements. Alternatively, the mid-block crossing could be removed.

- HB 395/SB 1172: General Transportation Bill: Deals with a lot of contracting issues. Requires the Florida Transportation Commission to conduct a study and evaluate the appropriate level of compensation for the FDOT Secretary and establish a minimum salary.
- HB 971/SB 1148: Electric Bicycles: States that wherever a pedal bicycle may travel, a motorized bicycle may use the same route. Three different classes of bicycles are covered in the bill including pedal bicycles, motorized bicycles, and pedal assist-motorized bicycles capable of achieving a speed up to 28 mph.
- SB 1192/HB 6061: Aviation Fuel Tax: Repeals the Aviation Fuel Tax. Currently, airport improvements are funded through the transportation trust fund. Aviation fuel tax estimate to generate around \$ 30 million/year. FDOT is expending about \$300 million/year on aviation.
- SB 1352/HB 1039: Transportation Network Companies: Uber, Lyft, etc. Allows an electronic changeable message sign to be mounted atop a vehicle engaged in transportation network company business, like Uber and Lyft so that the driver can generate additional revenue.
- HB 1315: Transportation Bill: No senate companion bill yet. A clean-up bill for FDOT and does mention MPOs, changing the submittal date for lists of project priorities from October 1 to August 1.

A question was asked by Commissioner Barfield about internet infrastructure that could be placed within the corridor of toll roads and if this was a creative way to advance funding for M-CORES? Mr. Mikyska asked if Commissioner Barfield knew the bill number for this issue, she could not recall the bill number, she did not and neither did Mr. Mikyska. He stated he would find the bill number and make sure it was included in the weekly MPOAC Legislative Newsletter.

Coming up at the April 2020 Meeting:

- Upcoming MPOAC 2021 & 2022 meeting dates discussion.
- Approval of a Staff Directors' Leadership Committee.
- Approval of the MPOAC FY 2020/2021 – FY 2021/2022 Unified Planning Work Program (UPWP), a draft of which will be presented later in the meeting.
- Florid Transportation Plan (FTP) Workshop.

• AGENCY REPORTS

A. FLORIDA DEPARTMENT OF TRANSPORTATION

Mr. Mark Reichert, Administrator for Metropolitan Planning, Office of Policy Planning, Florida Department of Transportation (FDOT), updated the members on the activities of FDOT and brought forward information of importance to the membership about FDOT efforts.

Mr. Reichert introduced Alison Stettner as the new Director of the Office of Policy Planning.

- FDOT is currently working on the Document Portal (the way MPO documents are submitted for collection and review). From the feedback received last June, they discovered that there was no document review process. They are currently working on a fix, with an estimated June 2020 launch date.
- Movement to a Consolidated Planning Grant (CPG) is paused due to budget issues and will not be implemented during the upcoming UPWP cycle. It is hoped that conditions will be right for a move to a CPG model with the following UPWP cycle.
- FDOT discussed the CPG with the FDOT Executive Leadership team.
- Planning Emphasis Areas for new MPO UPWPs were issued on January 10, 2020, including:
 - Safety.
 - System Connectivity.
 - Resilience.
 - Automated, Connected, Electric, and Shared vehicles (ACES).
- Developing an FDOT quick guide for incorporating resilience in MPO Long Range Transportation Plans (LRTPs). The guide should be available for MPO use soon.
- A template intended to assist MPOs with addressing the Multi-use Corridors of Regional Economic Significance (M-CORES) program in their LRTP is awaiting final approval.
- The Florida DOT was informed of an issue with adopting the Transportation Performance Management (TPM) Consensus Document as part of the MPO Transportation Improvement Program (TIP). FHWA determined that the approval of the TPM expires annually when the TIP expires. Instead, FDOT recommends that MPOs formally approve the consensus document (Governing Board approval) as a stand-alone item, thus separating it from the TIP and the issue of annual expiration.
- Release of Transportation Improvement Plan (TIP) Files.
- Overview of Tentative Work Program:
 - \$47.3 Billion in value over 5 years.

- Funds 681 additional lane miles, 8,244 improved lane miles, 249 repaired bridges and 70 replaced bridges.
- Federal aid accounts for 23.8%.
- Fuel consumption in Florida will peak fiscal year 2025/2026.

Commissioner Vanessa Baugh, Sarasota/Manatee MPO, requested that a document discussed during the presentation be sent to her and expressed curiosity as to why FDOT states that fuel consumption will peak FY 2025/2026. Mr. Reichert responded that he will send the document to Commissioner Baugh. FDOT used Revenue Estimating Conference (REC) figures as a basis for anticipated of revenue streams from fuel consumption, looking ten years out.

Commissioner Robert Weinroth, Palm Beach TPA, asked if the MPOs are receiving less federal aid funding due to self-funding more projects? Mr. Reichert responded; Currently, Florida is receiving more funding back than usual, it's uncertain as to why, but that having less reliance on federal funds and investing in our state is great. Carl Mikyska added that MPOs will not receive more federal funding, if state funding is reduced.

- Hurricane Impacts to the Work Program:
 - The following figures are based on Hurricane Michael: 13 out of 16 counties in District 3 were affected by the hurricane. FDOT employees logged +40,000 hours under emergency project numbers. Over \$1 Million in debris tickets were processed and 435K feet of fence replaced on Interstate 10. 189 intersections were damaged and over \$490 million dollars were expended.
- Update on the Joint Certification Process in FL – the Joint Certification Process is not required in federal or state law. However, the federal annual risk assessment is required and is completed as part of the joint certification review in Florida. Per feedback at the Florida Metropolitan Planning Partnership (FMPP) workshop held in December 2019, MPOs and FDOT find a lot of value in conducting the annual joint certification review. As a result, that process will continue.

Other Reminders:

- Safety Targets are due February 27, 2020.
 - 8 MPOs have established their own independent safety targets.
- Public Transportation Agency Safety Plan (PTASP): Transit agencies have to submit their PTASP to the Federal Transit Administration (FTA) by July 20, 2020; this will start the 180-day period in which the MPO's must adopt the transit agencies safety targets or submit their own independent transit safety targets. The first LRTP or amendment to be approved on or after July 20, 2021 is required to include the MPO transit safety targets.
- Final tentative work program is scheduled to be released February 28, 2020.

- TransPlex registration is open – there is no registration fee and MPO staff are encouraged to participate. Forms are available to nominate the planning professional of the year, planning organization of the year, and innovative planning project of the year. March 15, 2020 is the deadline for nominations. Winners will be announced at TransPlex.

Mr. Gerald Goosby, Strategic Intermodal System (SIS) Planning Manager, Florida Department of Transportation, discussed the SIS Long Range Cost Feasible Plan (CFP).

The purpose of the CFP is to meet the statutory requirements of FLA. STAT. § 339.64(4)(D) to evaluate SIS needs while considering future revenues. The FDOT Systems Implementation Office produces a document set known as the SIS Funding Strategy. The combined document set illustrates projects that are funded (Year 1), programmed for proposed funding (Years 2 - 5), planned to be funded (Years 6 - 10), and considered financially feasible based on projected State revenues (Years 11 - 25). The Systems Implementation Office also produces a 4th document which is related to the SIS Funding Strategy, the Multimodal Unfunded Needs Plan. The SIS Policy Plan objectives are to promote Interregional Connectivity, Intermodal Connectivity, and Economic Development.

Currently, FDOT Districts review and update project features for priorities that have not been advanced in the 10-year work program, but are a part of the CFP update. Districts are looking at cost, refining cost, and also refining project segmentation and project limits. If they are refined, the Roadway ID will be updated.

Central office staff will meet with District SIS coordinators to track progress and provide resources to ensure everyone stays on track.

B. FLORIDA DIVISION OF FEDERAL HIGHWAY ADMINISTRATION

Ms. Cathy Kendall, Planning Team Leader, and Ms. Karen Brunelle, Director of Program Development, Florida Division, Federal Highway Administration (FHWA), shared with the membership the following:

General Announcements:

- All MPO LRTPs must be adopted every 5 years from the previous adoption date and then posted online within 90 days following adoption (as described in the 2012 FHWA expectations letter and reinforced in a 2018 letter). This was stated to correct any misconceptions that LRTPs updates could be adopted 5 years and 90 days following the previous adoption date.

- The FHWA conducted a Program Accountability Review on the PPPs of non-TMA MPOs. The review found that PPPs were a bit spotty in the measure of effectiveness for the outreach to underserved humans. They noted the LRTPs offer an opportunity for improvement when determining LRTP benefit analysis related to traditionally underserved populations.
- Project nominations for the 2020 Infrastructure for Rebuilding America (INFRA) discretionary grant program are due by Feb 25, 2020.
- Three Florida projects were awarded funding as part of the Better Utilizing Investments to Leverage Development (BUILD) discretionary grant program:
 - Jacksonville – Jax Port \$20M
 - Miami – Miami Underline \$20M
 - Orange County – Lake Nona \$20M
- Additionally, FDOT and the City of Orlando were awarded funding as part of the Accelerated Innovation Deployment grant program.

FHWA then discussed a July 2019 memo (included in the agenda package) discussing Statewide Transportation Improvement Program (STIP) fiscal constraint provision and flexibilities. The memo explained STIP modifications, giving more timing and flexibilities to MPOs. FHWA also discussed a memo highlighting flexibilities on how to include Advance Construction (AC) in STIP/TIP documents. FHWA plans to coordinate with FDOT and MPOs to discuss any issues for technical assistance related to these two areas of discussion.

FHWA then provided a variety of updates related to transportation performance management (TPM):

- The FHWA TPM website was recently updated and reorganized.
- Three new resources were discussed that may be helpful for MPO's as they work on TPM updates. The first, FHWA has added five TPM training videos called "TPM Essentials." The second, FHWA updated performance measures and safety targets for all the United States; and third, FHWA updated data regarding annual travel time reliability and congestion maps.
- FHWA reviewed a sample of LRTPs in the state looking at how TPM regulations were addressed and noting that consistency with the regulations varied. They indicated that they would like to see more consistency among MPOs. Ms. Brunelle suggested that MPOs use the TIP and LRTP templates that FHWA has made available on the TPM website (FDOT OPP will also make the templates available).
- MPOs will need to adopt new safety performance targets by February 27, 2020. MPOs can adopt FDOT's safety target, which is zero, or adopt their own safety targets.
- FDOT is required to adopt adjusted system performance, bridge, and pavement targets in October 2020. MPOs will then have to adopt adjusted targets of their own.

- All MPOs in the state adopted the FDOT performance targets in the past, but will have an opportunity to assess and adjust their own targets if FDOT adjusts theirs.
- After developing Public Transportation Agency Safety Plans (PTASP), transit providers are required to adopt transit safety targets and share them with MPOs and FDOT by July of 2020. MPOs then have 180 days to adopt the transit agency targets or adopt their own.

• BUSINESS ITEMS & PRESENTATIONS

A. DRAFT STATE FISCAL YEARS 2020-21-22 UPWP FOR PRESENTATION

Mr. Carl Mikyska presented the draft Fiscal Year 2020/2021 and 2021/2022 Unified Planning Work Program (UPWP) for review. The MPOAC will ask for final approval of the UPWP at the April 30, 2020 meeting. The UPWP is the business plan of MPOAC for a two-year period and outlines the work expected to be completed by the staff of MPOAC. This UPWP covers the 2-year period beginning July 01, 2020 and concluding on June 30, 2022.

The draft UPWP was based on the current UPWP with a few changes, including: the anticipation of M-CORES involvement in MPO activities, the pending census, and the anticipated public comment period related to the methodology used to create urbanized areas. Lastly, MPOAC is requesting a larger expense amount for annual dues in the second year of the UPWP to align national membership dues payments to the Association of Metropolitan Planning Organizations (AMPO) and the National Association of Regional Councils (NARC) with their dues periods which are based on calendar years. Membership dues begin on January 1st but the MPOAC budget period reflected in the UWP is based on the state fiscal year which starts July 1 of any given year. The result is that when MPOAC receives funding to pay membership dues, it is already halfway through the AMPO and NARC membership cycles. Paying membership dues is a cumbersome process which typically takes several months, further delaying payment to the national associations. To alleviate the difference between membership renewal and the subsequent payment, MPOAC proposes scheduling a cash flow where funds will be available for membership dues at the beginning of the calendar year (January 1st) instead of the beginning of the state fiscal year (July 1).

A discussion took place among members. Commissioner Vanessa Baugh, Sarasota/Manatee MPO, asked about the new national dues approach in the UPWP. Carl Mikyska responded that he was originally unaware of how lengthy the process time is for payment. Since then, he has now learned the process and decided it was best to bring payment forward and to plan for it. He said that he would schedule a vote on the UPWP at the next MPOAC Governing Board meeting scheduled to be held on April 30, 2020. MPOAC would like to give the Governing Board members enough time to think about NARC and AMPO dues.

Information will be posted on the MPOAC website. Ms. Kathryn Hensley, St. Lucie TPO, said that this is a large amount to be spent on a small budget and asked how will this be funded. Mr. Mikyska explained that the national dues are funded using federal planning (PL) funds and are an off the top allocation in the statewide PL formula. When budget is originally encumbered, the state removes the off the top allocations and sends the rest to the 27 MPOs, as called for in the statewide formula. Carl Mikyska responded that he would like to use the PL funding to align the national association membership payments with the calendar year.

B. AUTONOMOUS VEHICLE AND ALTERNATE FUEL VEHICLE FL MARKET PENETRATION RATE AND VMT ASSESSMENT STUDY BY CUTR

CUTR staff member Sisinnio Concas, Ph.D., presented the Autonomous Vehicle (AV) and Alternative Fuel Vehicle (AFV) Florida Market Penetration Rate and Vehicle Miles Travelled (VMT) Assessment Study.

The report summarizes a comprehensive market penetration analysis of AV and AFV and their impact on Florida's VMT. The VMT projections were used to assess the impact on the state's transportation revenues. Fuel consumption is predicted to decrease by FY2039. The combined cumulative effect of increased AFV and AV market shares on total revenues over the period between FY2017/2018 and FY2047/2048 is projected to be \$18.3 billion (8.6%), including a \$5.3 billion loss in federal taxes, \$9.7 billion loss in state taxes, and \$3.3 billion loss in local taxes. By the end of FY2047/2048, annual revenue losses from state fuel taxes are projected to be about 26% of federal, state and local fuel taxes because an estimated 15% vehicle fleet conversion to AFV.

No discussion took place.

C. HURRICANE EVACUATION BEHAVIOR STUDY

Thomas Hill, State Modeling Manager, FDOT Central Office, was introduced to speak about a hurricane evacuation route behavior study being conducted by the FDOT. "TIME" is the name of the current hurricane evacuation analysis model used by the Department of Emergency Management. FDOT combined data from that model with statewide traffic model data to identify the potential impact of hurricanes to the roadway system. Mr. Hill is currently conducting a survey of Florida residents residing in coastal counties to understand their response to hurricane evacuation orders during Hurricanes Matthew, Irma, and Michael to better understand where the road-way demand was located and the effect on evacuation times. The goal of this study is to produce a statewide evacuation plan to improve hurricane evacuation procedures. The Department's goal is to understand the behavioral preferences of people evacuating from major hurricanes to determine how the

use of information via smartphone technology might change a person's route during an evacuation event.

Information from this survey will assist with the development of a hurricane evacuation component to the Florida Statewide Model which is posted online. FDOT is actively creating a tourist component to the statewide model. FDOT has been monitoring air and rail movements and is actively creating an urban emergency evacuation model. FDOT wants to be able to identify who would be in an urban area at any point in time. FDOT is also considering the impact of the shift to connected and autonomous vehicles (CAV), particularly freight CAV, the potential impacts when creating revenue forecasts given that the most expensive component of travel is the driver. The goal is to determine what happens when drivers are taken out of the equation, how do costs change? Is freight moved to automated electric vehicles? Is gas tax revenue lost?

FDOT plans to complete more research about the impact of a person driving a truck versus an automated system relative to cost feasibility and road impact. FDOT is currently researching the tourism program with the University of Florida (UF) and plans to update tourist models through heat maps. He suggested that MPOs consider freight infrastructure and down the line revenue benefits when developing their LRTPs.

No discussion took place.

D. ELECTION OF OFFICERS

The MPOAC bylaws require at the first meeting of each calendar year, the election of officers. The Chair, Vice-Chair and at large member of the MPOAC Executive Committee each serve a term of one year. MPOAC will be seeking nominations of members to serve in each of these roles for 2020. The MPOAC Staff Directors' Committee Chair and Vice-Chair, along with the three MPOAC Governing Board representatives, complete the membership of the MPOAC Executive Committee.

Councilmember Bryan Caletka, Broward MPO, current Vice Chair of the MPOAC Governing Board, thanked the Governing Board for the honor of being an officer the past several years, but stated that that he would be stepping down from his position due to several schedule conflicts during 2020. Therefore, he would be able to oversee the election of officers without conflict. Mr. Caletka then introduced the election of officers for the MPOAC Governing Board.

Councilmember Caletka stated that Commissioner Maddox would be willing to continue to serve as Chair if nominated. Mayor Pro Tem Nat Birdsong, Polk TPO, nominated Commissioner Nick Maddox, Capital Region TPA, to continue to serve as Chair and moved to

close the nominations. Commissioner Vanessa Baugh, Sarasota/Manatee MPO, seconded. Mr. Caletka closed the nominations and called the question by unanimous acclimation. The motion passed.

Councilmember Caletka asked Mayor Kathy Meehan, Space Coast TPO if she would serve as Vice-chair. She indicated that she would. Mayor Pro Tem Nat Birdsong, Polk TPO, nominated Mayor Kathy Meehan, Space Coast TPO, to serve as Vice-Chair and moved to close the nominations. Commissioner Vanessa Baugh, Sarasota/Manatee MPO, seconded. Mr. Caletka closed the nominations and called the question by unanimous acclimation.

Commissioner Robert Weinroth, Palm Beach TPA, stated that he would be interested in serving as the At-Large Governing Board Member of the MPOAC Executive Committee if nominated. Mayor Pro Tem Nat Birdsong, Polk TPO, nominated Commissioner Robert Weinroth, Palm Beach TPA, to serving as the At-Large Governing Board Member of the MPOAC Executive Committee and moved to close the nominations. Vanessa Baugh, Sarasota/Manatee MPO, seconded. Mr. Caletka closed the nominations and called the question by unanimous acclimation.

• COMMUNICATIONS

Communications can be found in the agenda packet.

• MEMBER COMMENTS

- Vanessa Baugh, Sarasota/Manatee MPO – Stated that it was an honor to serve with Councilmember Bryan Caletka.
- Commissioner Robert Weinroth, Palm Beach TPA, asked an open question to the body; Do other MPOs/TPAs allow amending of the final LRTP at the final approval meeting or is it voted yes or no? He would like to hear some advice to avoid any halts in progress. Councilmember Bryan Caletka, Broward MPO, replied that the Broward MPO will host four meetings about six months before adoption, so the LRTP can be presented and open for comments and amendments. A final LRTP draft is then presented at the last meeting before adoption for a yes or no vote with no changes. Nick Uhren, Palm Beach TPA Executive Director added details and provided the membership with more background on the Palm Beach TPA LRTP adoption. Karen Brunelle, FHWA, also provided some general comments on typical LRTP adoption procedures.

- **ADJOURNMENT**

The next meeting of the MPOAC Governing Board will be held at 3:00 pm on April 30, 2020 at the Orlando Airport Marriott Lakeside Hotel, 7499 Augusta National Drive, Orlando, FL 32822. A meeting notice will be sent out at least one month prior to the meeting date.

The meeting was adjourned at 5:02 pm.

Item Number 4

Public Comments (non-agenda items)

DISCUSSION:

Recommendations or comments by the public.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None

Item Number 5

Executive Director's Report

DISCUSSION:

For presentation is a table showing the MPOAC Budget from last fiscal year and another table showing expenditures to date for State Fiscal Year 2021 which began July 01, 2020. Also included is a report of the MPOAC Staff Leadership Meeting which was held with the Florida DOT staff on September 21 and 22, 2020.

REQUESTED ACTION:

As may be desired.

ATTACHMENTS:

Budget Table for State Fiscal Year 2020 which ended on June 30, 2020.

Budget Table for State Fiscal Year 2021 to date.

Meeting notes from the Staff Leadership Meeting of September 21 and 22, 2020.

Florida Metropolitan Planning Organization Advisory Council
FY 2019/2020 Budget
July 1, 2019 to June 30, 2020

Category	Annual Allocation	1st Qtr Expenditures 7/1/19-9/30/19	2nd Qtr Expenditures 10/1/19-12/31/19	3rd Qtr Expenditures 1/1/20-3/31/20	4th Quarter Expenditures 4/1/20-6/30/20	Expenditures to Date	Remaining Balance
Salaries/Benefits	\$ 177,000	\$ 41,319	\$ 45,730	\$ 48,716	\$ 42,085	\$ 177,850	\$ (850)
Expense	\$ 55,661						
Travel	\$ 25,000	\$ 3,620	\$ 3,762	\$ 2,898	\$ -	\$ 10,280	\$ 14,720
Meetings	\$ 23,274	\$ 7,078	\$ 6,220	\$ 6,111	\$ -	\$ 19,409	\$ 3,865
Administrative	\$ 5,887	\$ 386	\$ 423	\$ 625	\$ 490	\$ 1,925	\$ 3,962
Membership Dues *	\$ 171,826	\$ 1,000	\$ 170,826	\$ -	\$ -	\$ 171,826	\$ -
							\$ -
Contracted Services							\$ -
General Counsel	\$ 22,000	\$ 3,125	\$ 2,770	\$ 3,568	\$ 4,708	\$ 14,170	\$ 7,830
							\$ -
Transportation Planning							\$ -
Univ. South FL (CUTR)	\$ 92,500	\$ 13,750	\$ 13,750	\$ 32,500	\$ 32,500	\$ 92,500	\$ -
MPOAC Institute	\$ 85,000	\$ 21,250	\$ 21,250	\$ 21,250	\$ 21,250	\$ 85,000	\$ -
							\$ -
Strategic Plan							\$ -
Florida State University	\$ 5,000	\$ -	\$ -	\$ -	\$ -	0	\$ 5,000
							\$ -
Total Federal Funds	\$ 607,487	\$ 91,528	\$ 264,731	\$ 115,668	\$ 101,033	\$ 572,961	\$ 34,526
							\$ -
Advocacy Activities							
Local Funds	\$ 10,500	450	935	\$ 7,265	\$ 1,070	9720	\$ 780
							\$ -
Total Budget	\$ 617,987	\$ 91,978	\$ 265,666	\$ 122,933	\$ 102,103	\$ 582,681	\$ 35,306

* FBT, FPTA, NARC & AMPO

Florida Metropolitan Planning Organization Advisory Council
FY 2020/2021 Budget
July 1, 2020 to June 30, 2021

Category	Annual Allocation	1st Qtr Expenditures 7/1/20-9/30/20	2nd Qtr Expenditures 10/1/20-12/31/20	3rd Qtr Expenditures 1/1/21-3/31/21	4th Quarter Expenditures 4/1/21-6/30/21	Expenditures to Date	Remaining Balance
Salaries/Benefits	\$ 182,310	\$ 39,882	\$ -	\$ -	\$ -	\$ 39,882	\$ 142,428
Expense	\$ 55,661						
Travel	\$ 25,000	\$ 242	\$ -	\$ -	\$ -	\$ 242	\$ 24,758
Meetings	\$ 23,274	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,274
Administrative	\$ 5,887	\$ 506	\$ -	\$ -	\$ -	\$ 506	\$ 5,381
Membership Dues *	\$ 171,826	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 171,826
							\$ -
Contracted Services							\$ -
General Counsel	\$ 22,000	\$ 1,914	\$ -	\$ -	\$ -	\$ 1,914	\$ 20,086
							\$ -
Transportation Planning							\$ -
Univ. South FL (CUTR)	\$ 92,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 92,500
MPOAC Institute	\$ 85,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 85,000
							\$ -
Strategic Plan							\$ -
Florida State University	\$ 5,000	\$ -	\$ -	\$ -	\$ -	0	\$ 5,000
							\$ -
Total Federal Funds	\$ 612,797	\$ 42,544	\$ -			\$ 42,544	\$ 570,253
							\$ -
Advocacy Activities							
Local Funds	\$ 10,500	0	\$ -			0	\$ 10,500
							\$ -
Total Budget	\$ 623,297	\$ 42,544	\$ -			\$ 42,544	\$ 580,753

* FBT, FPTA, NARC & AMPO

MPOAC Executive Leadership Meeting

September 21-22, 2020

Microsoft Teams Online

Meeting Objectives

This is a meeting of the Metropolitan Planning Organization Advisory Council (MPOAC) Leadership Team (Chair, Vice-Chair, Recent Past Chair, and two other MPO Staff Directors) and Florida Department of Transportation (FDOT) Central Office Staff. The committee meets twice per year to discuss issues related to the Metropolitan Planning Program.

The objective of this meeting is to discuss topics and issues that affect the Metropolitan Planning Program. This includes optimizing the MPOAC structure to improve communication and coordination of program goals. The meeting also allows MPOAC Leadership to gain access to Central Office staff, providing feedback, and identify opportunities for efficiencies and innovation.

For additional information, please contact Erika Thompson at (850) 414-4807 or Erika.Thompson@dot.state.fl.us.

Meeting Agenda

Monday, September 21, 2020

Time	Topic
1:00 p.m.	Welcome and Introductions Status of Action Items from Fall 2019 MPOAC Leadership Meeting
1:30 p.m.	UPWP Discussion - Challenges this Cycle - Regional Planning Efforts - Template Development Plan
2:30 p.m.	Transportation Performance Management (TPM)-Tracking Progress
3:00 p.m.	Break
3:15 p.m.	Revenue Projections Impacts on Preservation/Maintenance, Capacity, Transit, Legislative Mandates SIS Cost Feasible Plan
4:00 p.m.	Florida Transportation Plan Update
4:15 p.m.	23 CFR Part 667 (Double Dippers)
4:45 p.m.	Managed Lanes Policy Discussion

Tuesday, September 22, 2020

Time	Topic
8:30 a.m.	Welcome and Day 1 Recap
9:00 a.m.	SU Fund Swap Study
9:30 a.m.	Consolidated Planning Grant Update
10:00 a.m.	Break
10:15 a.m.	Planning for the 2020 Census
10:45 a.m.	SU Funds – Effective Use of Funds
11:00 a.m.	MPO Document Portal Discussion
11:15 a.m.	Open Forum Discussion
11:45 a.m.	Wrap Up

Meeting Attendees

Meeting attendees are listed in the table below.

Attendee	Office / Agency
Austin Mount	Emerald Coast Regional Council
Beth Alden	Hillsborough MPO
Don Scott	Lee County MPO
Greg Stuart	Broward County MPO
Lois Bollenback	River to Sea TPO, Chair of the MPOAC Staff Directors Group
Carl Mikyska	MPOAC
Stacey Miller	Assistant Secretary of Finance and Administration
Huiwei Shen	Office of Chief Planner
Allison Stettner	Office of Policy Planning
Erika Thompson	Office of Policy Planning
Mark Reichert	Office of Policy Planning
Samantha Parks	Office of Policy Planning
Scott Philips	Office of Policy Planning
Raj Ponnaluri	Office of Traffic Engineering & Operations
Trey Tillender	Office of Traffic Engineering & Operations
Chris Bratton	Office of Work Program and Budget
Kendra Sheffield	Office of Work Program and Budget
Sean McAuliffe	Office of Work Program and Budget
Stephanie Certain	Office of Work Program and Budget
Chris Wigglesworth	Public Transit Office
Gabe Matthews	Public Transit Office
Gerald Goosby	Systems Implementation Office
John Kaliski	Cambridge Systematics
Richard Denbow	Cambridge Systematics
Macy Fricke	Kimley-Horn

Meeting Summary

Day 1: Introductions

Mark initiated introductions by welcoming everyone to the meeting and reviewing the agenda. He requested flexibility with agenda items as staff may need to leave and rejoin the call. He also noted the MPOAC Leadership Team added two new staff directors. Those present announced themselves.

Carl thanked everyone for making time in their schedule for this meeting, and Alison highlighted the importance of collaboration and offered the Department's support.

Status of Action Items from the Fall 2019 MPOAC Leadership Meeting

Action Item	Person	Status	Notes
Develop and share a more predictable schedule and process for the Tentative Work Program		On list of legislative priorities	The Department seeks to be on the early legislative session schedule permanently. If you send the Department information as soon as possible, it helps the Department's programming process.
Remind the Metropolitan Planning Organization (MPO) Liaisons of their role in Federal Highway Administration (FHWA) contract review	Mark/Erika	Complete	We have reminded the District MPO Liaisons.
Identify exactly what FHWA requires in contracts with MPOs	Mark/Erika	In progress	- We are still working on this action item and need to clarify if this is about third party contracts or the MPO Agreement. Currently, the District MPO Liaison role is minimal in reviewing third party contracts. We will coordinate with FHWA on the District MPO Liaison role in reviewing third party contracts. - Yes, we were wondering if District MPO Liaisons should review the contracting

Action Item	Person	Status	Notes
			process and supporting documents for competitive procurements.
Update the MPO Handbook to better describe MPO Liaison roles in timesheet review	Erika	Complete	- We have provided a copy of this to everyone. - We set up a process for the Chair's timesheet approval.
Dedicate a session to MPO and transit agency coordination at the next Florida Public Transit Association (FPTA) Annual Conference	Gabe	In progress	The FPTA conference is October 6-9, 2020. I am coordinating panelists and Jeff Kramer is presenting about the CUTR's research on transit agency coordination.
Share the Federal Transit Administration (FTA) Circular 8100.1C for additional guidance on the consolidated planning grant (CPG)	Scott	Complete	We sent this fall of 2019.
The MPOs would like a graphic that can be easily shared through social media to illustrate to the Department's Resilience efforts	Jennifer/Erika	Complete	We shared the resilience subject brief and other information gathered through the resilience peer exchange. We also have a resilience SharePoint that anyone can access.
Research if the MPOs can use the new state travel management system	Mark	No	No, they cannot.
Research if MPOs can use CITS to process invoices for consultant management	Mark	No	- No, but I will ask again. - Thank you, this would help the District MPO Liaisons as well.
Confirm with FHWA that Consensus Documents are required to be adopted annually	Mark	Yes	Yes, this was the case. If you take it before your Board as an individual action, it can be done once.
Include a guarantee that MPOs will be held harmless during the transition into the	Mark/Scott	In progress	- This was always the intent. - Work with OGC to develop language to be added to the MPO Agreement.

Action Item	Person	Status	Notes
CPG in the new MPO agreement in January			
Develop an FAQ for the CPG based on questions and comments received from MPO staff	Scott	Complete	Done
A roundtable for the CPG will be included on the FMPP agenda	Erika	Complete	May not be a roundtable, but the CPG will be a major part of the FMPP.
Identify an example Unified Planning Work Program (UPWP) and illustrate potential changes before and after the adoption of the CPG	Scott/Erika	Complete	Done
Share the Florida Transportation Plan (FTP) Safety Subcommittee Friends list signup information	Dana/Carl	Complete	Done
Create a place on the FTP website that MPOs can pull social media content information from	Dana	In progress	Will provide link to the MPOs. There is much content on the FTP website, they can use.
Share the official Resilience definition from the Chief Resilience Officer	Erika	Complete	The definition is available in LRTP resilience quick guide.
Discuss Transportation Performance Management (TPM) date alignment with FHWA	Mark	On hold	We are holding off on this.
Develop a subgroup of MPOs to draft language for the Dispute Resolution Process	Erika/Carl	Not scheduled yet	We will do this when we update the MPO Agreement. The detailed process outlined in the MPO Handbook elevates issues less quickly than the process in MPO Agreement. Let's discuss this at the next MPOAC meeting.

Action Item	Person	Status	Notes
Update or draft a process for updating the Planning (PL) Formula Allocation at the next MPOAC Policy and Technical Meeting	Carl	No meeting scheduled	- How do we want to address census derived funding in anticipation of the new census and transportation bill? Do we want to tackle this now or later? - We don't have historical data older than the early 2000s. The last 10 years have been \$350,000 base, plus population.
Share history of the PL funding distribution formula and detailed instructions on calculation amounts with the MPOs	Carl	In progress	- We have the last four distribution formulas. - Does Jeff have any information? - Let's revisit this based on how the federal government is providing the funding, then consider how we are doing it. We could use the Census as the data source, rather than Bureau of Economic and Business Research (BEBR) estimates. - Florida is getting short changed. - Let's document what we did in the past and consider if there is a more appropriate way to distribute the funding. Let's go forward sooner rather than later.
Confirm with FHWA that there is no federal requirement to complete the Joint Certification annually	Mark/Carl	Complete	There is not.
Determine potential interest for a four-year frequency of Joint Certifications	Mark/Carl	In progress	- We have to keep doing the risk assessment annually. - In favor of continuing, if we make it more meaningful. There are valuable components. - Invoicing was a challenge during the assessment, and it is following us.

Action Item	Person	Status	Notes
			- There is a six month lag. We are happy to consider improving the process. - Recommend Carl bring this up at an MPOAC meeting so that we can make this a two-sided, partner review. - Recommend we start this now, so that we can make adjustments before January when the process starts again.
Share the link to Trena McPherson's map and information for how law enforcement can apply for Safety funding	Erika/Carl	Complete	Completed.
Trena will be invited to speak at Florida Metropolitan Planning Partnership (FMPP)	Carl	Complete	She presented.
Confirm with all MPO liaisons that all (Long Range Transportation Plan) LRTP updates are scheduled to be submitted	Erika	Complete	- About 15 LRTPs are due between now and December. Liaisons are staying on top of due dates and everyone seems to be on schedule. - What do we know about the timing of LRTP approval and is there a chance to change our adopt date in the future, other than adopting it earlier? - You can adopt early to change the date. - Correct, five years starts on the adoption date. You can always adopt early, but you cannot adopt late.
Share a summary of the MPOAC Executive Leadership Meeting in the next meeting packet	Carl	In progress	- We will share these meeting notes with everyone and make this an agenda item at MPOAC meetings. - Sounds good.

Action Item	Person	Status	Notes
Jeff Kramer will be asked to present the MPO/Transit agency coordination study results at the 2020 Florida Public Transportation Association Annual Conference	Carl	On FPTA agenda	On the FPTA agenda.

UPWP Discussion

The Federal Highway Administration (FHWA) would like regional activities to be described consistently across the Unified Planning Work Programs (UPWP). Central Office met with FHWA to kick off an effort to develop an UPWP template. Any ideas or suggestions?

Discussion

- My MPO developed a draft outline in January when we didn't have much information and submitted a draft to our committees and board in March. If we could get funding estimates and planning emphasis areas earlier, we can better include the information in the draft plan, resulting in less changes. Approvals can be a challenge with a monthly meeting cycle.
- Thank you for the support on how to show regional tasks. The MPO received FHWA's comments with very little time to address them.
- UPWPs can be consistent across the state, no matter the size of MPO. Could Central Office share UPWP best practice research with FHWA?
 - Yes. We reviewed UPWPs across the state and found 25 different formats (the three under the ECRC are similar). The goal is to develop a consistent structure, address challenges with regional tasks, and ensure UPWPs meet federal requirements. The biggest challenge will be developing a consistent budget table that meets everyone's needs. FHWA is supportive of a consistent layout and budget tables.
- My MPO supports this effort. This year, we tried to streamline and focus on terminology. Can another term be used instead of Administration to account for the operations of the MPO?
 - MPO operations is another term that can be used.
- What kind of feedback did Central Office get from FHWA on how to show regional tasks?
 - Regional tasks would be their own category.
 - The regional tasks must be separate and match from MPO to MPO.
- Does the bottom line PL budget amount get changed for each MPO? Or does the PL budget go to the MPO and in the future one MPO invoices the other?

- Central Office agreed it was not off the top, and we are getting FHWA on board. They are concerned with the invoicing process, and we hope a template adds transparency to resolve this. We prefer invoicing because it is more accountable and transparent. The issue was formatting and nomenclature; they were not concerned about the activities.
- FHWA will review the consultant scope of work after MPOs pool resources to hire someone.
 - Yes, they know.
- Central Office will keep everyone informed and develop a product that meets everyone needs for a more efficient process in the future.
- Some MPO Board members that are used to a different template may be concerned. It will be harder to track changes and model trends for a cycle.

Transportation Performance Measures – Tracking Progress

John Kaliski provided some updates on TPM.

Upcoming Milestones: Safety

- On or before February 27, 2021, MPOs must commit to support safety targets, or establish their own safety targets.
- By March 2021, FHWA must notify state DOTs whether they met or made significant progress toward safety targets.
 - FDOT Highway Safety Improvement Program (HSIP) Implementation Plan submitted July 2020.
 - Strategic Highway Safety Plan (SHSP) update to be completed by early 2021.

Discussion

- Does FHWA have a formal review process in place?
 - Yes, there is a standard process. Signification progress for the Safety targets means that four out of five measures are better than the baseline, or targets are being met.
- My understanding is that there is no penalty to Florida if progress is not being made towards our zero-based targets because all of our federal safety funds are already being used for safety projects.
- Is the HSIP plan available online?
 - Not yet, FHWA has not approved it yet.
 - Central Office will let you know when it is posted.

Upcoming Milestones: PM2 and PM3

- The Mid Performance Period Progress Report is due on October 1, 2020.

- It will address 2-year performance and progress towards achieving 2-year targets.
 - FDOT does not intend to Adjust 4-year targets for PM2 (bridge/pavement) and PM3 (system performance).
- In October of 2020, FHWA will notify state DOTs whether they met or made significant progress toward targets for:
 - Bridge condition
 - Non-Interstate NHS pavement condition
 - Interstate travel time reliability
 - Truck travel time reliability
- Central Office will let you know if the MPOs need to take any action.

Upcoming Milestones: Transit Asset Management

- On or before October 1, transit providers (and FDOT for the group transit asset management (TAM) Plan) must report transit asset data to FTA and establish 2021 transit asset targets.
- MPOs may choose to update targets for their planning area when they update their LRTPs or TIPs.

Upcoming Milestones: Transit Safety

- On or before December 31, 2020 (extended from July 20), transit providers subject to requirement must complete Public Transportation Agency Safety Plan and establish applicable targets.
- MPO responsibilities:
 - Within 180 days of transit provider action: must commit to support transit provider targets or establish their own targets.
 - MPOs that update or amend an LRTP or TIP that is approved on or after July 20, 2021 must incorporate the public transit safety performance measures and targets.

Upcoming Milestones: FDOT System Performance Report

- The Performance Element of FTP will be submitted December 2020 in conjunction with FTP Policy Element.
- It focuses on statewide targets.
 - It also identified MPOs that established their own safety targets.
- Future updates may be more comprehensive.

Reporting of Performance Data

- Reporting of performance data to be used in tracking progress toward achievement of critical outcomes for the MPO planning area.

- Roles include:
 - FDOT: Report to FHWA or FTA as applicable, and share with each MPO and transit provider, performance for the state showing progress being made towards attainment of each target established by FDOT.
 - MPO: If an MPO establishes its own targets, the MPO will report to FDOT on an annual basis performance for MPO area showing progress being made towards attainment of each target.
 - Transit provider: Report transit performance annually to MPO(s) covering the provider's service area, showing progress made toward attainment of each target established by provider.

Discussion

- Transit agencies and MPOs will work together on reporting progress. Transit providers must provide performance updates to the MPOs.
- Coordinating with transit providers can be a challenge. The Department may be able to support when reviewing Transit Development Plans (TDPs) or by adjusting the Intergovernmental Coordination and Review (ICAR) agreement to elevate coordination. The timing of safety targets with the TIP can also be a challenge. Could the TIP template be updated to discuss how projects in the TIP help achieve safety targets?
 - Yes, Central Office can do that. The eight MPOs with their own Safety targets have to demonstrate progress towards goals.
 - Yes, Central Office can adjust the TIP template to demonstrate progress towards targets.
- Is there interest by FDOT to have information from MPOs about projects in TIPs that support targets?
 - That would be very beneficial.
- Broward MPO, Miami-Dade TPO, and Tri-Rail all provide transit services. Should all operators present the same information to all MPOs in the region? Who would collect this information and share it?
 - They may not know they need to send it to you, and the Department does not know who is supposed to communicate what to who at what agency. We need to figure out who and what needs to be communicated to each other (MPOs, transit agencies, and FDOT). The next step may be a meeting with each MPO and all of its transit agencies.
 - Let's bring it up at FPTA.
 - Agreed.
- How does the Department want to report progress for MPOs that did not adopt the state targets?
 - If you adopted independent measures, I am not sure how we want to handle data/reporting.

- This may be a federal finding.
- The MPO can provide ample information on how we integrate the targets into our planning. Just let us know what you need.
- Central Office can look into how to address this with the TIP. We may be able to handle this informally the first year.
- The regulation puts onus on the transit provider to give information to MPOs with transit projects in the TIP.

TPM Templates

- Template for discussing TPM in TIPs:
 - Updated June 2020.
 - Will update again early 2021.
- Template for LRTP System Performance Report:
 - Updated June 2020.
 - Will update again October 2020 following Mid-Period Performance Report and early 2021 following completion of Public Transportation Agency Safety Plans (PTASPs).

Revenue Projections

Stacey Miller provided an update on revenue projections based on the COVID-19 Pandemic:

- Projecting lost revenue through 2030.
- As a cash to commitment agency, the Revenue Estimating Conference (REC) generates revenue projections and we convert that to allocations. There is a \$768.3 million dollar impact to state funds in the current year (allocation) and the Department is still trying to figure out where those resources will come from.
- I have no information about specific programs; we are trying to spread it around. We are considering a hierarchy:
 - Everything that is under contract, obligations take precedent. We are not stopping contracts.
 - Pay outstanding debt, debt service.
 - Safety
 - Preservation
 - Capacity
- The Department may be able to mitigate impacts in later years, but is focused on the current year of the Work Program.
- The Department wants to preserve priority process and does not want to move projects from this year to a new year.
- The districts are also reviewing planned/programmed projects for potential cost savings rather than deferring project phases.

- We hope to send allocations to the Districts by the end of the month.
- It may be October before we know where all reductions will occur.
- Hopeful for a quick rebound with an uptick in traffic. Currently, Work Program is not balanced to revenue due to a \$768.3 million dollar loss.

SIS Cost Feasible Plan Update

Gerald Goosby provided an update on the Strategic Intermodal System (SIS) Cost Feasible Plan (CFP) update:

- The SIS CFP update is on hold due to the pandemic.
- Central Office worked with the Districts to pull together priority project lists. This is a good pausing place until the CFP starts again.
- We had a kickoff meeting in January, completed a presentation with the MPOAC, and held coordination meeting in March.
- Once the budget is set, the SIS team will develop the 10 year work program. There will be impacts to the CFP due to a shortage of available funds. Projects will be deferred and captured somewhere in short-, mid-, or long term plans. We will slow down and recalibrate, rather than remove projects.
- We are working through projects deferred out of the Work Program and now in the CFP. We are also waiting for the FTP policy plan to see if there are any shifts in priorities. We will restart the CFP effort in January after the FTP policy document is adopted.

Discussion

- Coordination and communication outlined at the beginning of this effort was not necessarily carried forward at the district level. The establishment of a clear process or approach could help FDOT & MPO's communicate, coordinate, and participate as intended. We suggest FDOT establish/communicate a process for updating the SIS CFP as a way to improve efforts in the future.
- Projects are now very different than what's in updated LRTPs that are about to be, or are already, adopted. There is concern that what was submitted is not consistent with the plan, which includes a lot of public outreach.
 - Nothing is set in stone yet, so we can address any changes. Let's set up a meeting to review the project list together.
- My MPO had sent some correspondence about a particular project that is not consistent with our plan. We did not receive any response and the project is still on the list. A response letter (like District 4) helps communicate choices and decisions to local government.
 - Central Office is sensitive to communicating rebalancing SIS projects.
 - Try to keep SIS coordinators in the loop.

- District MPO Liaisons and District SIS coordinators will better coordinate.

Florida Transportation Plan Update

Dana Reiding provided an update on the FTP:

- We are drafting the policy document to be adopted in December 2020.
- We have been doing targeted outreach by talking to statewide advocacy groups, such as health departments, the Florida Farm Bureau, the Able Trust, etc.
- We are developing a virtual room that will be available on October 1st. We will be pushing it out via social media.
- TransPlex is on Friday mornings throughout October.
- The Department is posting the Strategic Highway Safety Plan (SHSP) and FTP for public comment in November.
- There will be an implementation element developed next year.
 - The Steering Committee (SC) will continue with the short- and near-term implementation element and feedback on SIS Policy Plan in January.
- Carl Mikyska is doing a webinar with the MPOs to discuss the key strategies and objectives. We are seeking feedback on how they align with your plans. We are focusing on a handful of key strategies to shift policy.
- Greg Slay has been doing a great job representing the MPOs and MPOAC. We are open to new suggestions.
- There is a SC meeting next week and one in November to review the FTP policy document. There will be three to four virtual meetings next year.

Managed Lanes Policy Discussion

- My MPO (Hillsborough) requested this item because we are having a workshop on managed lanes soon and the Department issued a new policy in May. There is a lot of flexibility in the approach, but not a lot of information about the decision-making process and how MPOs and the public can participate. Can you share any information before the workshop?
 - What about variable toll rates?
 - How are you considering transportation equity?
 - What about transit alternatives to the highway system?
- It may be best to consider one project at a time, since every region is different. Central Office looks forward to working with each District and MPO. FDOT is developing a guidebook on managed lanes. Flexibility is important.
- A lot of these are planning questions. We can talk in detail about the variable lanes, but it's very context and project specific.

- Thank you for developing a guidebook. Who makes decisions on the management strategy? Is it part of the economic impact statement? Is it part of the design process? What is the process, when does it start, and when does it end?
 - We do not know.
 - Managed lanes is about throughput.
 - If there is not a decision-making process, would you allow the District office to create one?
 - Can Ed McKinney in District 7 connect with Mark Reichert on this?
 - Yes, I'll get with Ed. We hear your concerns.

23 CFR Part 667 Periodic Evaluation of Facilities

23 CFR Part 667 is related to facilities that are repeatedly impacted during disaster declarations. The Department has been considering if there is an impact to the MPOs. Richard Denbow provided an update:

- Requires states to perform statewide evaluations to determine if there are reasonable alternatives to roads, highways, and bridges that repeatedly require repair and reconstruction activities due to emergency events.
- FDOT completed first evaluation on November 23, 2018 for the National Highway System (NHS).
 - Permanent Repairs on NHS Roads & Highways (2 or More Occurrences).
 - Permanent Repairs on NHS Bridges (1-Time Occurrence).
- Tribally owned and federally owned roads, highways, and bridges are not subject to evaluation.
- Non-NHS: Beginning on November 23, 2020, FDOT must complete an evaluation for a repeatedly damaged non-NHS facility before any project relating to that facility can be included in the Statewide Transportation Improvement Program (STIP).
- FDOT will work cooperatively with MPOs and facility owners to carry out evaluations for affected non-NHS facilities.
- FDOT must consider the results of the evaluations in project planning, Project Development and Environment (PD&E), and design.
- FDOT will update the evaluations every four years, as well as add any affected NHS facilities after every emergency event.
- There are no explicit requirements in Part 667 that apply to MPOs.
 - FDOT and MPOs are encouraged to consider evaluations when developing transportation plans and programs and during environmental review.
- Federal MPO planning requirements related to Part 667:
 - Resiliency and reliability planning factors.

- LRTPs must include an assessment of capital investment and other strategies that reduce vulnerability of existing infrastructure to natural disasters.
- When developing a LRTP or TIP, MPOs should consult with agencies and officials responsible for natural disaster risk reduction.

Discussion

- Do Projects that end up in this report have to be addressed before anything is put in the STIP?
 - Evaluation has to be done.
- Is 1997 a hard date?
 - Yes, the evaluation analyzes projects from January 1, 1997 through December 31, 2017.
- Is the Department looking at segments or whole systems?
 - There is guidance out there that I can send you.
- How are/were segments or criteria developed?
 - We did it by roadway ID for the first report. We could use the same methodology.
- Can you share the report with the MPOs?
 - Yes, and sometimes parts of the road are not federal.
- Many MPOs are doing vulnerability assessments now. We don't want to wait for a second event. This is an important conversation to have now, considering the TIP and LRTP impacts.
- My MPO looks forward to seeing how this ties into other resiliency efforts.

Day 2: Welcome and Recap

Mark Reichert welcomed everyone back to the meeting and recapped the previous days discussion.

SU Fund Swap Study

The Center for Urban Transportation Research (CUTR) has been doing some research.

- CUTR has been contacting states that implemented this program. There has been a lot of staff turnover and retirement, so it is not easy to answer the question – Why did you decide to do this program? Some states are not sure why they are doing it, or they are not doing it anymore. Trying to understand why they got rid of it was interesting. CUTR will share a report and case studies soon, covering what worked well and not well. Then, let's discuss what to do here in Florida.

Discussion

- Has anyone reached out to Lorraine Moyles in the Local Administrated Project (LAP) office? She arranged a webinar a year ago that involved representatives from other

states. The District has been interested in this to help create more stability in the work program.

- Projects could be delivered in 2-3 years, rather than 5-7 years.
- My MPO struggles with staff turnover and LAP certification because we have to wait for training. It is also hard to find a LAP sponsor sometimes. Easier access to funds would help implement projects.
- Some of the items being discussing may not be addressed by this because not all funds are captured in LAP.
 - Understood, LAP is broader than SU.
- Could we look into these programs in the future?
 - First, the Department needs to understand intent and overall goal of the SU fund swap.
- Focusing on SU, Washington did a swap of 75 cents to the dollar.
- Could we try a pilot program?
- The funds swap can be with each other, local government to local government. This may be powerful for Transportation Alternatives (TA) funds. Local governments could purchase TA funds from each other.
- We will wait for the CUTR study and go from there.

Consolidated Planning Grant

The Office of Policy Planning has been conducting research since 2018 and intends to continue pursuing the CPG with the recognition that the MPOAC previously moved in support of continued discussion to advance this effort. We are working on a business plan and approach moving forward. We need full buy-in from MPO partners.

- We are quantifying the benefits to the Department and the MPOs. Carl sent out a survey to support this effort. Please help us by completing it. Through our research, we already found that we manage 81 agreements (MPO agreement and Public Transportation Grant Agreement [PTGA]) during a UPWP cycle. We could eliminate the PTGA and expedite approvals and fund authorization. We would maintain the current match scenarios. The CPG would make invoicing easier because you will not need authorization or approval from FTA or transit liaisons.

Discussion

- An MPO expressed support for the CPG. One question– 5305(d) funds are available for three to five years and they roll. The two year agreement doesn't have the same flexibility.
 - The 5305(d) are available for two years, not five. The Department allows the MPOs to extend their grant agreements, but we can't change the purpose of the funds if they are older than three years. We have issues with MPOs not following

- the state procurement guidelines and this goes away if the Department implements the CPG because there will be one set of procurement guidelines.
- That is a one-time issue. As long as funding is available, FHWA should be able to back the 5305(d) funds.
 - FTA doesn't want us keeping the grants open for longer than three years anyways, and we are working towards that.
 - We have time to discuss this at the FMPP where the MPO finance officers will be in attendance. It is important to get people together and discuss implementation and transition. When we transitioned to the two year UPWP, the Department was clear that they would support us, handle any wrinkles, and not hold up funding. We would like to see the same level of support. Let's continue the discussion so that everyone can get comfortable.
 - FTA would close out any open grants. The current grants would not be transferred to the CPG.
 - FTA initiated this effort because they were tired of managing so many grants.
 - My MPO supports this effort and have met professionals in other states that strongly support this.
 - Florida statutes and regulations make this harder for us than other states. We are committed to holding MPOs harmless and are working with the Office of Work Program and Budget (OWPB) to address this.
 - Other states don't have the same restrictions. Funding is available the first day of the UPWP.
 - Florida is exceedingly unique. We cannot use a lot of what the other states use. There were rules imposed on the Department after it went bankrupt in the 1980s. We will try to work through all of this.
 - This is change and some people are cautious of change. The list of pros is longer than the cons. Let's not forget procurement. MPOs could benefit from a discussion on the pitfalls and challenges of procurements.
 - Central Office wants to get into the details and quantify the benefits to help move forward. The details related to change make everyone cautious, so we are doing additional research to make sure benefits are well documented and thought-out. Eliminating contract management is good common sense, but we want to share a consistent message of benefits and changes to move forward.
 - Can the MPAOC Leadership Team help address a response to known concerns/issues?
 - Yes, we are putting that together and will coordinate with you.

SU Funds – Effective Use of Funds

Many states have a use it or lose it policy. If the funds are not used, they are returned to the fund. There are many MPOs with funds that are not encumbered at the end of the year. This would eliminate roll forwards.

Discussion

- Would the Department be providing SU funds to non-Transportation Management Areas (TMAs)? Or just TMAs?
 - We haven't gotten into the details yet, but it could be SN/SA/SL funds.
- It would be a very attractive opportunity for non-TMA MPOs. \$50,000-\$100,000 can be a lot of funding for a small MPO. Alabama does this in conjunction with PL funds. Is there any interest in considering PL funds too?
 - We are just getting the conversation started.
 - Georgia does the same thing with their PL funds. Any unspent PL funds at the end of year get redistributed based on demand. We can discuss in the future.
 - In Alabama, the MPO has to match the competitive PL funds by 20 percent. Florida does the local match.
- As a major SU funds consumer, my MPO had to adjust our approach to spend the funds in the second year of the UPWP budget cycle. A round table related to best practices may help other MPOs understand that they need to spend the money.
- 15 MPOs use SU funds. At some point, all MPOs will be using SU funds.
- A roundtable would help MPOs learn from each other, but we also need to include FDOT staff. We all have a different perception and approach to these funds. It can be a challenge to start a budget cycle with extra funds.
 - Agreed, it was difficult to spend \$3 million in unexpected funds with short notice.
 - This is an ongoing discussion, and the Department is trying to figure out how to handle this statewide. We need clearer policies on spending down funds and how to show these funds are going to meaningful tasks. We understand that short notices can be a challenge.
- This could also affect all MPOs Surface Transportation Block Grant (STBG) funds. The 80/20 rule is one of our biggest challenges.
- The Department has taken the lead on programming the Florida-Alabama MPOs funds based on our priorities. Funds go to design and PD&E, but limited funds go to bike/ped, etc. It may be helpful to see how the other MPOs program their SU funds.
- It would be nice to eliminate the 80/20 rule. SU funds can appear out of nowhere and the MPO has to work closely with the Work Program to spend the funds as desired.
- Central Office will work with Carl to get a roundtable at MPOAC.

Planning for the 2020 Census

There will be no new MPOs, but a few new TMA areas. We have no direction from Florida FHWA yet. FHWA did share a timeline based on the 2010 census.

Schedule of Activities

Date	Activity
August 24, 2011	U.S. Census Bureau published the final criteria for the defining of urbanized areas (UZAs) and urban clusters (UCs) in the Federal Register.
March 27, 2012	The Census Bureau published the new list of UZAs and UCs based on the 2010 Census in the Federal Register and released TIGER/Line geographic Shapefiles for the 2010 UZAs and UCs on the 2010 Census TIGER/Line Shapefiles website.
April 24, 2012	HEPGIS (beta) includes UZA and UC boundaries, including the ability to download shapefiles
July 18, 2012	USDOT (FHWA/FTA) published the new list of Transportation Management Areas (TMAs) in the Federal Register
Before October 2012	States should revisit their Intra-State formulas for metropolitan planning (PL) funds allocations to MPOs to ensure that the new Census 2010 population figures are being used and that any new MPOs are part of the calculation.
Before next regularly-scheduled MTP update, after October 1 st , 2012, or within 4 years of the designation of the new UZA boundary, whichever occurs first	Existing MPOs must expand their Metropolitan Planning Areas (MPAs) to include all territory in Census 2010 UZAs (if necessary)
March 27, 2013	New MPOs must be designated by Governor(s) to represent all new UZAs
January 18, 2014	New TMAs must have a Congestion Management Process (CMP)
June 1, 2014	Any adjustments to UZA boundaries must be approved by the Governor(s) and FHWA Division Office(s). FHWA will consider all boundaries final as of this date and will use the original 2010 Census UZA boundaries for all UZAs that have not been adjusted. The 2014 HPMS data submission must conform to the approved boundary as of June 1, 2014.
March 27, 2016 (4 years after list of UAs is published)	New MPOs must have a formally adopted Long-Range Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP)

Discussion

- Very few of us on the call have gone through a new Census. We need to consider Florida Statutes 339.175 and ICARs. It would be helpful to have regular meetings and a timetable. Last Census, agreements went to FDOT legal very late. Is there any interest in changing the voting member cap? Other items that have come up include: Is there any desire to prohibit weighted voting? A desire to waive or establish term limits? Questions like this might come up.
 - In 2000 and 2010, there was a desire to encourage new MPOs to join existing MPOs. This could come back up.
 - My MPO Board took advantage of the 25 voting member increase previously. Some MPOs may be interested in combining.

- Should this be a regular item on the MPOAC staff director's agenda?
 - Yes, it is important to have continuous discussions on this. It will be important to consider where population will be based so the boards can be rebalanced. We should come in with a proposal, or the legislature may make one. We may also have to deal with inaccurate population counts.
- This is a broad topic. Beyond the Census, boundaries can be an issue. If an approach is taken to the legislature, can we add virtual meeting options into that?
- We will also have to reconsider the boundaries of our urbanized areas. The potential for undercounts is concerning.
 - Agreed, undercounts are concerning.
- Merging may be a difficult conversation with the MPO Boards. Talking points would be helpful.

MPO Document Portal Discussion

The MPO Document Portal was updated to a sequential review process. The Office of Policy Planning developed training. Please have MPO staff take the training for access. We also created a new MPO Partner SharePoint site. The Portal will be here with other resources and tools.

Discussion

- The MPO is really excited to share this with staff. We are working on something similar and this will help us. Thank you!
- This will be very helpful for all of us. Is there a place where invoices and supporting documentation can be uploaded? Those get lost and resent quite a bit.
 - We have accounted for an informal process but have not worked with Districts on their individual processes. We could probably do this in the future.

Open Forum Discussion

- Is the LAP program going to be expanded?
 - We will look into it and get back to you.
- What is the role of District MPO Liaisons? It appears as though their role is changing. Are their roles tailored in each District? Can Central Office provide a description of expectations for that position? Then, if there is tailoring done at a District level what that involves.
 - This is an on-going conversation. Office of Inspector General (OIG) reviewed their role and they issued a report. We have not taken action, but the role is slightly tailored in each District. This is not driven by Central Office.
 - District 5 tailored this position to include more planning responsibilities to the MPO, in addition to contract management. We used to prioritize processing invoices over planning and facilitation. The Districts may have taken different

approaches to the audit. We try to be consistent across the Districts, but planning is not consistent across the Districts because we have to be unique to our MPOs. We could make more progress in this area. The District MPO Liaison should know about all projects in their area and be communicators between FDOT and local governments. Contract management should be a smaller task, just making sure all expenditures are eligible.

- The clear vision is appreciated. Across the state, the role should be clear including what is tailored at the District.
- The Department should tailor the role to meet MPO needs, so it is important to get feedback. Until there are fundamental changes, we may still experience communication issues. It takes a long time to get a District MPO Liaison up to speed.
- The OIG audits two to three MPOs a year. They are closing out the Pasco County MPO audit. The Ocala/Marion TPO audit is underway, and OIG is wrapping up the Hillsborough MPO audit.
 - Have they announced the new candidate MPOs?
 - No.

Wrap Up

Mark thanked everyone for joining the call. He asked everyone to review the notes, add to them, and share them as needed. He noted that everything discussed involves further communication and coordination and that the next MPOAC meeting is on October 29th, 2020.

Action Items

The table below summarizes actions items following the meeting.

Action Item	Person	Status
Identify exactly what FHWA requires in contracts with MPOs	Mark Reichert	
Share a summary of the MPOAC Executive Leadership Meeting in the next meeting packet	Mark Reichert/Carl Mikyska	
Share HSIP when it is online	Mark Reichert	
Update MPOs on when to take action for PM2 and PM3	Mark Reichert	
Adjust the TIP template to demonstrate progress towards targets	Cambridge Systematics	
Determine how to report progress for MPOs that did not adopt the state targets	Cambridge Systematics	
Discuss meeting with each MPO and all of its transit agencies at FPTA	Gabe Matthews	

Action Item	Person	Status
Review project lists	Gerald Goosby	
Follow up on Managed Lanes Policy and touch base with Ed McKinney	Mark Reichert	Done
Discuss SU Fund Swap once CUTR study is published	Mark Reichert/Carl Mikyska	
Add Effective Use of SU Funds to MPOAC roundtable	Carl Mikyska	
Add 2020 Census to MPOAC staff director's agenda	Carl Mikyska	
Follow up on role of MPO Liaison	Mark Reichert	
Share 23 CFR 667 Report with MPOs	Mark Reichert	

Item Number 6A

Agency Reports – Florida Department of Transportation

DISCUSSION:

Ms. Alison Stettner, Director of the Office of Policy Planning and Mark Reichert, Administrator for Metropolitan Planning, will update the members on the activities of Florida DOT and bring forward information of importance to the membership about Florida DOT efforts.

REQUESTED ACTION:

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

ATTACHMENT:

None. Speaking notes will be distributed separately a few days before the meeting.

Item Number 6B

Agency Reports – Florida Division of Federal Highway Administration

DISCUSSION:

Ms. Cathy Kendall, Team Leader of the Planning Team and Ms. Karen Brunelle, Director of Program Development will update the members on the activities of the Florida Division Office of FHWA and bring forward information of importance to the membership.

1. Announcements

- Division Travel Limitations and Work Site Information
- Staffing Updates - Stacie/Teresa are the contacts D1 MPOs and Jim/Cathy for D3 MPOs.
- Tips for Social Media Outreach on TMA Certification Reviews – distributed Feb 2020 (attachment)
- Federal Planning Finding Annual Assessment results – Sept 2020 (attachment)
- Build Grant Awards
- Every Day Counts - State Transportation Innovation Council (STIC) Incentive Program Award
- FY19 Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD)

2. Funding Opportunities

3. Legislation and Regulations

- a. FAST Act 1-year extension; Continuing Resolution through Dec 11th
- b. Transportation Performance Measures Updates (attachment)

REQUESTED ACTION:

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

ATTACHMENTS:

Tips for Social Media Outreach on TMA Certification Reviews
Federal Planning Finding Annual Assessment
Transportation Performance Measures Updates



**Federal Highway Administration
Florida Division Office**

**Federal Transit Administration
Region 4 Office**

Tips for Social Media Outreach for Florida TMA Certification Reviews

Revised 02/20/2020

- Traditional public meetings can still be used to gather public input for the TMA Certification Reviews.
- Social media can supplement the public meeting or be carried out in lieu of the public meeting.
 - If social media is used for the public input to the certification review, it should be because the MPO already uses these methods to reach out to their stakeholders and consistent with the MPO's Public Participation Plan (PPP). The social media outlets or a combination of social media outlets that the MPO typically uses to reach out to their stakeholders, such as Facebook, Twitter, Instagram, website with an email blast, etc., could then be used to gather the input for the certification review. The decision to use social media will be made by the Federal Review Team, in coordination with the MPO, based on assessment of the MPO's social media engagement (i.e. examples of past success is using social media to get public input; references from the PPP on how the MPO currently uses social media for public involvement, etc).
- The adequate time frame to submit the social media posts would align with the timing the MPO typically uses for social media posts to announce other MPO meetings or events. Consideration should be given in providing timely notice and reasonable access to relevant information.
- Social media posts should not be deleted, but revised with updated information if needed. The revision should be clear what has been changed. Making an additional post with the new information should also be considered.
- Whether a public meeting notice and/or social media post,
 - Similar language announcing the opportunity to provide input into the review process should be used.
 - Copies/screen shots of the announcement and any comments need to be captured by the MPO in order to consider the feedback and include in the certification report.
 - A shorter version of the below examples would be acceptable as long as the key points (i.e. who, what, when, where, why and how) are conveyed.
 - Consideration should be given to those traditionally underserved, as applicable. This may also include providing translations, as identified in the MPO's PPP and/or Limited English Proficiency Plan(s).
- The MPO will provide to FHWA and FTA a copy of the public meeting notice, email blast, and/or screenshots of posts/tweets, website, etc. initially made by the MPO, as well as meeting minutes, email responses and/or screen shots from social media comments, and screen shots showing the number of likes and shares, all of which will subsequently be included in the TMA Certification Report.



- A sample post for **social media only** might look like the following:

The Federal Highway Administration and Federal Transit Administration are conducting an evaluation of the {Insert MPO Name} as part of the {Insert TMA Name} Transportation Management Area Certification Review. TMA Certification Reviews are required to be conducted every four years by federal law. As a part of the review, a site visit will be held {Insert date(s)}. Public comments are also a vital element of the certification review, as they allow citizens to provide direct input on the transportation planning process for their transportation planning area. Comments can be submitted through this post, at the site visit, through the FHWA FL Division Website at {Insert direct link to the webpage}, by phone or by email to {Insert FTA Planner name, email, and phone} and {Insert FHWA Planner name, email and phone}. Comments received by {Insert date 30-days from site visit} will be considered in the writing of the report.
- A sample post for **social media with a public meeting** might look like the following:

The Federal Highway Administration and Federal Transit Administration are conducting an evaluation of the {Insert MPO Name} as part of the {Insert TMA Name} Transportation Management Area Certification Review. TMA Certification Reviews are required to be conducted every four years by federal law. As a part of the review, a site visit will be held {Insert date(s)} and a public meeting will be held on {Insert date, time and location}. Public comments are also a vital element of the certification review, as they allow citizens to provide direct input on the transportation planning process for their transportation planning area. Comments can be submitted through this post, at the site visit, during the public meeting, through the FHWA FL Division Website at {Insert direct link to the webpage}, by phone or by email to {Insert FTA Planner name, email, and phone} and {Insert FHWA Planner name, email and phone}. Comments received by {Insert date 30-days from site visit or public meeting, whichever is later} will be considered in the writing of the report.
- A sample post for a **public meeting only** might look like the following:

The Federal Highway Administration and Federal Transit Administration are conducting an evaluation of the {Insert MPO Name} as part of the {Insert TMA Name} Transportation Management Area Certification Review. TMA Certification Reviews are required to be conducted every four years by federal law. As a part of the review, a site visit will be held {Insert date(s)} and a public meeting will be held on {Insert date, time and location}. Public comments are also a vital element of the certification review, as they allow citizens to provide direct input on the transportation planning process for their transportation planning area. Comments can be submitted at the site visit, during the public meeting, through the FHWA FL Division Website at {Insert direct link to the webpage}, by phone or by email to {Insert FTA Planner name, email, and phone} and {Insert FHWA Planner name, email and phone}. Comments received by {Insert date 30-days from the public meeting} will be considered in the writing of the report.



2020
Florida Federal
Planning Finding
(Statewide Annual
Assessment)

Federal Highway Administration

Federal Transit Administration
Region 4

September 2020

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I. BACKGROUND

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) have joint stewardship responsibilities to ensure that both the statewide and metropolitan transportation planning processes satisfy the requirements of 23 U.S.C. 134 and 135, 49 U.S.C. 5303-5305, 23 CFR Part 450 and 500, and 49 CFR Part 613. From a statewide planning perspective, the State certifies the process through the submittal of the Statewide Transportation Improvement Program (STIP), while Metropolitan Planning Organizations (MPOs) and the State jointly certify the metropolitan transportation planning processes through the submittal of the MPOs' Transportation Improvement Programs (TIPs). Based on our review of the STIP, TIPs, our annual program and risk assessments, and our day-to-day stewardship and oversight activities, FHWA and FTA are responsible for issuing the following types of planning findings and approvals:

- A. *Metropolitan planning findings based on review of MPO TIPs and certification statements.* Pursuant to 23 CFR 450.328(a), the FHWA/FTA must jointly find that each metropolitan TIP is based on a "3-C" (continuing, comprehensive, and cooperative) planning process by the MPO, State Department of Transportation, and transit service provider(s). In Florida, this finding primarily has been based on the annual MPO/Florida Department of Transportation (FDOT) joint certification statements on the respective metropolitan planning processes. Information collected from the quadrennial FHWA/FTA certification reviews of the planning processes in Florida's Transportation Management Areas (TMAs), pursuant to 23 CFR 450.334(b), also has provided substantial input for FHWA/FTA to issue these annual "3-C" planning findings.
- B. *FHWA/FTA review of the statewide planning process and issuance of a related statewide planning finding to support FHWA/FTA approval of the STIP.* As outlined under 23 CFR 450.218, the FHWA/FTA statewide planning finding, made in conjunction with the FHWA/FTA approval of the STIP, ensures, at a minimum, that the process from which the STIP was developed is consistent with the provisions of 23 U.S.C. 134 and 135 and 49 U.S.C. 5303-5305. A joint FHWA/FTA planning finding accompanies the annual FHWA/FTA approval of Florida's STIP. In Florida, this process was formerly known as the "annual assessment" of the statewide planning process. It is now known officially as the "Federal Planning Finding" to better align with the regulatory responsibilities.

The primary objective of this report is to substantiate the issuance of the FHWA/FTA Statewide Planning Finding for supporting FHWA/FTA approval of Florida's Fiscal Year (FY) 2020/21 - 2023/24 STIP.

II. FORMAT

The findings in this report are based in part on the information received during the annual statewide assessment meetings held on July 7-8, 2020, with the FDOT staff responsible for the topic area activities. The numerous topics discussed are related to FDOT's statewide planning process and are listed in the Meeting Agenda, shown in Appendix A. A summary of the information conveyed during and after the meeting is provided in Appendix B. The list of meeting attendees is provided in Appendix C. Documentation received from FDOT on the topics covered during the Statewide Assessment Review process meeting was used to support the findings and is on file at the FHWA Division Office.

III. TOPICS OF INTEREST

A. Findings and Recommendations from the 2019 Statewide Annual Assessment

Provided below are the overall findings from the 2019 Annual Assessment Report, and the status of the corrective actions and recommendations.

Corrective Actions

1. Documentation of TPM Coordination

Corrective Action: 23 CFR 450.314(h) requires the MPO(s), State(s), and the providers of public transportation to jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO, and the collection of data for the State asset management plan for the NHS in certain circumstances. These provisions shall be documented either: (i) As part of the metropolitan planning agreements required under paragraphs (a), (e), and (g) of this section; or (ii) Documented in some other means outside of the metropolitan planning agreements as determined cooperatively by the MPO(s), State(s), and providers of public transportation. **For the MPOs that have not adopted the Consensus Document or other coordination documentation, beginning October 1, 2019, FHWA/FTA will not approve S/TIP or LRTP amendments for those MPO areas until they take the appropriate action and provide the documentation to FHWA/FTA.** FHWA/FTA have reached out to the individual MPOs affected to make them aware of this corrective action.

Status: Working through the MPOAC, FDOT and the MPOs agreed that the Consensus Document would be submitted as part of the MPO TIP process. This action would provide the assurance required by the FHWA that the Consensus Document was reviewed and approved by each individual MPO Board. Sixteen MPOs followed this course and included the Consensus Document in their TIPs. Six MPOs adopted the Consensus Document by Resolution or separate Board action. The

remaining five MPOs took no action prior to the beginning of the adoption of the STIP on October 1, 2019. FDOT's Office of Policy Planning (OPP) notified and worked with the five non-conforming MPO/TPOs to seek Board approval as soon as possible. Each non-conforming MPO/TPO adopted the Consensus Document by October 23, 2019. The OPP provided the documentation to FHWA/FTA. FDOT and the MPOs took necessary actions to resolve this corrective action. FHWA/FTA sent a letter dated June 19, 2020, confirming that the corrective action had been satisfied.

For the FY2020/21 TIPs, all MPOs that did not adopt the Consensus Document by resolution or separate Board action included the Consensus Document in the TIP.

2. Transfer (flexed) funds to FTA in STIP

Corrective Action: FDOT and its respective metropolitan planning organizations and transit providers must develop a process and procedure for administering federal transportation funding by March 18, 2020. This should be conducted in a manner that does not require continual amendments and updates to the STIP, particularly if funding is not carried over from the prior year. FDOT and its planning partners must coordinate to make sure that projects proposed to use federal funding, either from FHWA or FTA, are identified in the STIP and implemented in a timely manner, and identify all local, state, and federal funds, consistent with 23 CFR 450.218(f), the STIP shall contain all regionally significant projects requiring an FHWA/FTA action. Currently, there are long standing issues where projects are dropped from the STIP in subsequent updates, before local agencies may apply for the funds, preventing FTA from issuing a grant in a timely manner."

Status: The Federal Aid Management Office (FAMO) within the Office of Work Program and Budget in consultation with the Department's Public Transit Office developed a Federal Aid Technical Bulletin 20-02 to address this corrective action. FAMO had presented draft Bulletins to FTA for review. In order to allow FAMO additional time to address their review comments, FTA extended the deadline in which to satisfy this Corrective Action to March 31, 2020. FDOT took necessary actions to resolve this corrective action. FTA sent email correspondence in March 2020 confirming that the corrective action had been satisfied

Recommendations

1. Outreach and Consultation with Partners and Stakeholders

Recommendation: The Federal Review Team recommends that FDOT provide training and QA/QC on consultation requirements of PPPs, TIPs and LRTPs to all MPOs. Recent examples of MPOs who have developed new PPPs that exemplify consultation with partners and stakeholders include Heartland and Florida-Alabama. Peer exchanges where these exemplary PPPs can be shared may also be helpful.

Status: FDOT Office of Policy Planning, FHWA Florida Division, and FHWA Federal Lands provided PPP training at the annual Florida Metropolitan Planning Partnership Meeting (FMPP) meeting on December 5-6, 2019. FDOT Office of Policy Planning

also shared Florida-Alabama / Heartland PPPs with the all the MPO/TPOs as good examples. FDOT has offered technical guidance and training to any and every MPO/TPO and will continue to provide this upon request.

2. Partner Communication

Recommendation: The Federal Review Team recommends that this collaborative consultation process for communication, as noted in the FHWA/FTA Stewardship and Oversight Agreement, be further enhanced by –

- Including the Federal partners on draft changes to the MPO Program Handbook so that we can similarly coordinate and adjust our procedures, or, if needed, notify FDOT of any concerns regarding the draft changes that could affect an approval process; and
- Provide the final MPO Program Handbook change (or provide notification thereof) to the Federal Review Team so there is a shared understanding of procedural expectations.

Status: The Office of Policy Planning has committed to coordinating with FHWA and FTA prior to publishing an updated MPO Program Management Handbook if the changes are to a process or procedure that will affect them.

The Office of Policy Planning states that they will always notify FHWA and FTA when there are quarterly updates to the Handbook at the time of its release.

No handbook changes were provided to the federal agencies in 2019-2020.

3. ADA Transition Plan

Recommendation: The Federal Review Team appreciates these monitoring commitments and recommends that OPP continue to work with other FDOT offices to ensure that the Roadway Characteristics Inventory (RCI) data base update is sufficient to provide an annual statistically significant sampling of the state's inventory of pedestrian facilities to verify ADA compliance. We recommend that FDOT provide this verification to FHWA/FTA in a timely manner to allow sufficient review and consideration prior FDOT's requested annual STIP approval.

Status: FHWA sent formal correspondence to FDOT on December 16, 2019 that FDOT complies with the ADA and 504 programs.

4. Tracking of STP and Other Non-PL Planning Funding

Observation: In response to the 2018 Planning Finding Corrective Action and Recommendation on this issue, FDOT worked with FHWA and FTA to develop a process for tracking PL and non-PL funding using the STIP tool. This process was rolled out through issuance of a Federal Technical Memorandum in June 2019. FDOT also committed to additional process enhancements in the coming months. There have been at least two instances in which a District and the Work Program staff were

unaware of, or did not understand the new process of having the STIP modified or amended before the UPWP amendment is submitted to FHWA/FTA for approval.

Recommendation: The Federal Review Team recommends additional clarifications be made to the Federal Technical Memorandum as discussed with FDOT as the Federal Technical Memorandum was being finalized. There is still a need for further refinement, particularly with understanding of next year's 1st year UPWP adoption.

- FDOT has an 80/20 spend rule that has resulted in FDOT denial of MPO requested authorization of some non-PL funded tasks in the approved UPWPs. When UPWPs are presented for federal approval, the Federal Review Team considers funding in the UPWP to be approved and available for tasks identified. FHWA and FTA strongly recommend that FDOT apply any additional State criteria as part of their UPWP approval recommendation, rather than after UPWP approval.
- FHWA and FTA recommend that the Federal Technical Memorandum be updated to specify FDOT's role and timing of any needed STIP changes, with training provided to those involved in UPWP, STIP and FMIS approval requests at both Central Office and the Districts.
- FHWA and FTA recommend after concurrence by the federal agencies, the Federal Technical Memorandum should also state what STIP documentation is needed for the initial UPWP approval (i.e. at the start of each new UPWP).
- FHWA and FTA further recommend clarification between the Closeout Deobligation Process and the process to reduce roll forward funds from the second year UPWP before June 30 (or April, if that is FDOT's deadline for roll forward amendments).
- Finally, the Federal Review Team recommends that the FTA program processes and associated coordination that specify roles and responsibilities be included in the Federal Technical Memorandum.

Status: FDOT issued Technical Memorandum 19-03 REV to address this recommendation. They also have been refining tracking mechanisms of the different funds on a monthly basis. FHWA noted that the revised memo was still not clear in a number of areas, and FDOT committed to additional process enhancements in the coming months. Please see Section IV for additional information.

5. Programming of FTA Capital and Operating Activities

Recommendation: To address inconsistencies in the next STIP (FY20/21), the Federal Review Team recommends FDOT identify and document a policy or policies, either Statewide or by FDOT District, to better clarify where and when capital and operating funds are merged. Such efforts will provide greater transparency and understanding to federal partners and the public alike of how and where federal funds are utilized.

Status: Currently, the FDOT Work Program instructions do not indicate the capital and operating be broken into separate categories. Each MPO and transit agency develop their own approach as appropriate for their local conditions; therefore, variability exists in the TIPs and STIP. FDOT will update the Work Program instructions to note that a description be provided to indicate whether capital and

operating are grouped together or are separate.

Collectively, FTA and FDOT will work with our Metropolitan Planning Organization Advisory Council (MPOAC) and Florida Public Transportation Association (FPTA) counterparts to remind/educate on how to collect/provide better information to the MPOs for inclusion in the TIPs.

6. Tracking of Large and Small Urban Apportionment Activities

Observation: It appears that certain FDOT Districts combine both large urban and small urban capital and operating into one project. It is not clear when this occurs, as the project descriptions appear to only include the County of the proposed activity.

Recommendation: The Federal Review Team recommends that FDOT include the relevant urbanized area(s) for each project/FM number.

Status: FDOT will update the Work Program instructions to ask that a description be provided to indicate the breakdown of large and small urban apportionments. Collectively, FTA and FDOT will work with our MPOAC and FPTA counterparts to remind/educate on how to collect/provide better information to the MPOs for inclusion in the TIPs.

7. Sufficient Descriptive Material – FTA Programs

Recommendation: As the STIP is inclusive of capital and non-capital surface transportation projects (or phases) proposed for funding under title 49 USC Chapter 53, the Federal Review Team recommends the STIP projects fully reflect the FTA funding program associated with an activity or activities.

Status: Collectively, FTA and FDOT will work with our MPOAC and FPTA counterparts to remind/educate on how to collect/provide better information to the MPOs for inclusion in the TIPs. FDOT will better reflect FTA funding programs, without losing flexibility by providing guidelines with too much specificity. At a minimum, the TIPs need enough detail to be informative to FTA. Please see Section IV for additional information.

B. FY 2021 - FY 2024 Statewide Transportation Improvement Program

Title 23 U.S.C. requires the State to develop a STIP. The portion of the Program that is urbanized must be developed in cooperation with the MPOs. The State must also have a process for developing priorities with local officials in the rural areas. The STIP is a list of priority projects for the next four fiscal years. The projects are expected to be consistent with the Florida Transportation Plan (FTP), which serves as the statewide plan, and to incorporate the TIPs as adopted from within each metropolitan area. The STIP document has been submitted in Adobe PDF format and is available on the FDOT website at: http://www.dot.state.fl.us/OWPB/Federal/STIP_ProjectDetailListing.shtm. STIP modifications are also captured daily and displayed in the current STIP document as noted online.

Before the STIP was required under Intermodal Surface Transportation Efficiency Act, the state of Florida had developed a process for having a statewide improvement program. This document is the Five-Year Work Program and essentially serves as the STIP. Section 339.135, Florida Statutes, authorizes and sets the guidelines for the FDOT to develop a State Transportation Five-Year Work Program. It is the State's project-specific list of transportation activities and improvements that meets the goals and objectives of the FTP. Although FDOT's Five-Year Work Program serves as the basis for creating the STIP, it is important to note that FHWA and FTA only recognize the four-year element of the STIP, which is derived from FDOT's Work Program, for the purposes of programming federal funds.

Since the FDOT Work Program serves as the basis for creating the STIP, FHWA, and FTA look to the FDOT's Work Program development process to ensure compliance with Federal law. There are summary documents that are helpful in understanding how the Work Program is developed and financed and more detailed documents and procedures that provide specific instructions for Work Program development. Some of these documents are located on FDOT's website: <https://www.fdot.gov/workprogram/WorkProgramResources.shtm>. Other resources are also available upon request from FDOT's Work Program Office.

Public Participation is also a major component in the development of the STIP. The Work Program is developed by the Districts and Central Office, working with the MPOs and local governments. Input is also included from the Legislature, Governor's office, and public hearings. More detailed information related to the Public Involvement Process, utilized by FDOT to develop the Work Program and the STIP, can be found in the STIP Public Involvement Process pdf found at: <https://www.fdot.gov/workprogram/Federal/stip.shtm>

On April 24, 2020, FHWA notified FDOT that they did not meet the Transportation Performance Management (TPM) safety targets for 2018. As such on August 31, 2020, FDOT submitted an implementation plan that addresses the use of Highway Safety Improvement Program (HSIP) funds to meet or better the baseline data for the 5 safety targets. FHWA is current reviewing the implementation plan.

In July 2019, FHWA provided national technical assistance regarding the flexibilities currently in place related to fiscal constraint. FHWA, FTA and FDOT have been periodically meeting over the past year to collaborate on how best to address the technical assistance. FDOT confirmed that Florida was not taking advantage of the additional flexibilities afforded by the technical assistance which stated "Documentation of administrative modifications that adjust the funding amount, sources, or categories that have occurred can be provided after the project(s) are obligated in FMIS." In Florida, the Current STIP is published online and is updated to incorporate administrative modifications before a project is initially authorized in FMIS. As a result, administrative modifications will always be reflected in the Current STIP and this flexibility provided in the technical assistance is not needed.

FDOT updated the STIP website to add language that documents how Advanced Construction (AC) conversions are handled in the STIP. FDOT also added the current PAR Rollup Report as one tool which documents the planned use of AC. We are still working on a mutually agreeable method to document the actual amount of AC conversions in the STIP.

One process change that was made is in regard to the STIP and FMIS modification requests. FHWA identifies FMIS modification requests that are \$2M or greater in change and whether those requests are more than or less than 20% of the project cost. For FMIS project change requests that are greater than \$2M and 20% of the project cost, FHWA will check the STIP at the time of the request to ensure the STIP has enough funds to support the request. For FMIS project change requests that are greater than \$2M and less than 20% of the project cost, at a point post FMIS approval, FHWA will do a spot check to ensure the STIP supports the FMIS modification request. FHWA is currently conducting a review of the 2020 FMIS modifications that are \$2M and less than 20% to assess the magnitude and frequency of the changes.

As part of FHWA's routine oversight activities for the statewide planning process, and in accordance with the Division's Standard Operating Procedure for the STIP, the planning unit conducts both an overall checklist review of the STIP and a spot check review of a few randomly selected projects from each MPO area to assess the consistency in project information between the STIP, TIP, and LRTP planning documents. FHWA randomly reviewed 54 projects in the proposed STIP, at least two from each MPO throughout the State, for general consistency between the TIP, STIP, and LRTP documents. The preliminary results of this year's review indicate that emphasis is still needed in this area to ensure that projects are accurately reflected in both the TIP and STIP and that these projects are flowing from and are found to be consistent with the MPO's LRTP. Consistency between the TIP and STIP was noted in 96% of the projects reviewed which was higher than the findings from the previous year. Identifying/locating an LRTP project or phase associated with a particular STIP project or project phase continues to be a challenge in that only 83% of the projects reviewed were deemed consistent with the LRTP. It is important to note that all the inconsistencies identified were found in three of the seven districts. FHWA has shared the information with the applicable Districts and MPOs.

FTA, responsible for federal review and oversight of transit-related activities, also reviews the STIP to ensure regulatory compliance, in partnership with FHWA. The results of FTA's STIP review are reflected in the appropriate areas of Section IV.

The FY 2020/21-2023/24 STIP needs to be fiscally constrained by year. In an effort to demonstrate how much funding is available for projects, FDOT has developed a process and summary table to show the available funds including balance forward, estimated new funds, and the programmed projects. The 2021 STIP Production Accomplishment Report (PAR) is developed annually by FDOT to demonstrate financial constraint for the new STIP. Ending balances in each of the major categories are positive in each of the years of the STIP. The summary is located in the following table.

Please note the following points regarding these summaries:

1. The FY2021 Statewide Transportation Improvement Program (STIP) is based on the Adopted Work Program as of July 1, 2020.
2. Annual funding amounts are presented net of Obligation Authority Constraints.
3. Funding levels are reasonably expected to continue at the FFY 2020 levels consistent with the FAST Act throughout the four years of the STIP (2021-2024).
4. Once a full year extension or new multi-year Transportation Act is in place, allocations will be adjusted to the levels authorized into law. FDOT will adjust the project programming accordingly if the new act has decreased funding levels below the levels authorized in the FAST Act, to ensure fiscal constraint of the STIP is preserved.
5. Included is a breakout, by major fund rollup category, of the estimated Advanced Construction (AC) conversions anticipated to be done each year to fully consume the annual Obligation Limitation subject to lapse at each fiscal year end.

Based on the summaries and other documentation received throughout the year, the FY 2020/21 – FY 2023/2024 STIP is shown to be fiscally constrained by year given the funding levels that are reasonably expected to be available over the timeframe of the STIP. FDOT has also indicated for FY2019/20, that they converted \$1.4B of AC, which is consistent with the \$1.355B that was planned for AC conversions at the beginning of the FY2019/20.

2021 STIP P.A.R. Rollups**Congestion Mitigation/Air Quality Program**

	Fiscal Years			
	2021	2022	2023	2024
Balance Forward from Prior Year	4,501,697	207,113	-	-
Net Annual Allocations Available	13,509,072	13,481,509	13,476,881	13,475,828
Less: Program of Projects	(17,803,656)	(13,688,622)	(13,476,881)	(13,475,828)
Balance Forward to Next Year	207,113	-	-	-

Discretionary and Other Programs

Balance Forward from Prior Year	170,081,954	63,086,732	1,067,059	1,067,059
Net Annual Allocations Available	5,198,524	6,291,994	3,566,994	3,566,994
Less: Program of Projects	(112,193,746)	(68,311,667)	(3,566,994)	(3,566,994)
Balance Forward to Next Year	63,086,732	1,067,059	1,067,059	1,067,059

National Freight Program

Balance Forward from Prior Year	77,402,574	54,500,801	30,711,754	15,711,754
Net Annual Allocations Available	66,144,989	66,010,039	65,987,381	65,982,220
Less: Program of Projects	(61,046,762)	(74,799,086)	(65,987,381)	(65,982,220)
Funds Available before AC conversions	82,500,801	45,711,754	30,711,754	15,711,754
Planned AC Conversions	(28,000,000)	(15,000,000)	(15,000,000)	(15,000,000)
Balance Forward to Next Year	54,500,801	30,711,754	15,711,754	711,754

National Highway System Performance Program

Balance Forward from Prior Year	432,963,109	426,638,955	279,005,585	199,102,642
Net Annual Allocations Available	1,113,342,976	1,114,610,945	1,114,823,835	1,114,872,326
Less: Program of Projects	(19,667,130)	(62,244,315)	(94,726,778)	(54,720,784)
Funds Available before AC conversions	1,526,638,955	1,479,005,585	1,299,102,642	1,259,254,184
Planned AC Conversions	(1,100,000,000)	(1,200,000,000)	(1,100,000,000)	(1,000,000,000)
Balance Forward to Next Year	426,638,955	279,005,585	199,102,642	259,254,184

Planning and Research Programs

Balance Forward from Prior Year	30,430,253	8,797,502	3,501,018	3,501,018
Net Annual Allocations Available	63,436,378	63,436,378	63,436,378	63,436,379
Less: Program of Projects	(65,069,129)	(68,732,862)	(63,436,378)	(63,436,379)
Balance Forward to Next Year	8,797,502	3,501,018	3,501,018	3,501,018

Safety Programs

Balance Forward from Prior Year	106,976,444	61,314,810	17,524,090	3,427,939
Net Annual Allocations Available	145,213,920	105,213,919	115,548,919	115,548,915
Less: Program of Projects	(22,875,554)	(14,004,839)	(9,645,070)	(9,645,070)
Funds Available before AC conversions	229,314,810	152,524,090	123,427,939	109,331,784
Planned AC Conversions	(168,000,000)	(135,000,000)	(120,000,000)	(109,000,000)
Balance Forward to Next Year	61,314,810	17,524,090	3,427,939	331,784

Surface Transportation Block Grant Program

Balance Forward from Prior Year	293,392,938	48,942,878	283,032	284,625
Net Annual Allocations Available	567,435,470	566,330,015	566,144,404	566,102,136
Less: Program of Projects	(766,885,530)	(605,489,861)	(540,642,811)	(540,600,543)
Funds Available before AC conversions	73,942,878	9,783,032	25,784,625	25,786,218
Planned AC Conversions	(25,000,000)	(9,500,000)	(25,500,000)	(25,500,000)
Balance Forward to Next Year	48,942,878	283,032	284,625	286,218

Grand Totals - All Programs

Balance Forward from Prior Year	1,115,748,969	663,488,791	332,092,538	223,095,037
Net Annual Allocations Available	1,974,281,329	1,935,374,799	1,942,984,792	1,942,984,798
Less: Program of Projects	(1,250,665,953)	(1,028,266,413)	(901,837,223)	(850,782,748)
Funds Available before AC conversions	1,984,488,791	1,691,592,538	1,483,595,037	1,414,652,017
Less: AC Conversions	(1,321,000,000)	(1,359,500,000)	(1,260,500,000)	(1,149,500,000)
Balance Forward to Next Year	663,488,791	332,092,538	223,095,037	265,152,017

C. Summary of the FY 2020 Annual MPO Certifications by FDOT

Each FDOT District and MPO must jointly certify annually that the transportation planning process is addressing the major issues facing the metropolitan area. The purpose of the MPO certification review is to establish that the MPO's planning process is being conducted in accordance with 23 CFR 450.334. The reviews also provide the opportunity

to recognize noteworthy practices, provide recommendations for consideration, and identify corrective actions needing resolution within the timeframe specified in the Certification Report. Many of the joint certification statements listed findings, such as noteworthy achievements and areas for future emphasis. A general compilation of the topic areas from the FDOT/MPO certification reviews conducted this year are noted and do not necessarily apply to every MPO. The following are the findings from the 2019 Certifications.

FDOT/MPO Identified Best Practices/Noteworthy Achievement Areas

- TIP project sheet improvements
- TPM - reporting in Annual Report to the Board and use of TPM in TIP priorities
- Public Outreach/Engagement to assess priorities and update plans via social media, electronic surveys and website updates
- Innovative projects: Installation of a Two Stage Left Turn Bicycle Box; Micro-transit pilot
- Community partnerships and student involvement initiatives
- Resiliency Study with performance metrics/projects for the LRTP, and pilot projects
- Transportation Alternatives application assistance
- Safety: Vision Zero Action Plan, Continued collaboration for reliable, safe and efficient transp. Projects; and Sponsorship of safety summits/conferences and safety target setting
- Environmental Justice National Workshop participation
- Mapping and data efforts for project needs and demonstrating success (TIGER project)
- TMA Certification outreach, noteworthy practices identified and findings
- QA/QC process for invoicing
- Coordination with Turnpike, regional and local planning agencies and regional model partners

FDOT Identified Corrective Actions

A total of five corrective actions were issued during the 2019 annual joint FDOT/MPO certification process. These corrective actions are outlined below.

1. "Please Explain."
2. "The (redacted) TPO submits their invoices on a monthly basis and has improved tremendously."
3. MPO should submit complete invoices with all supporting documentation.
4. MPO should work with County to rectify issues concerning direct/indirect charges. They will need to define direct charge vs. indirect charge and explore options for reimbursement (Direct charge, De Minimus, or Indirect Rate).
5. MPO should work with County on timely submission of charges for invoices.

FDOT Identified Recommendation Topics

- Rental car size justifications
- Travel voucher documentation
- Noting percentage billed on direct expense invoices
- Use of schedule milestone tracking in LRTP development
- Stakeholder engagement and local plan coordination
- Development of contingency plans for delayed or frozen federal funds

- Update website to include amendments and other needed documents
- Spending SU funds to avoid possible redistribution or loss of funds
- Regional TSMO Program
- Elevated review of invoices due to drafts often being submitted
- Need for invoice submittal within 90 days of last invoice date
- List of Priority Projects by rank, group, and funding, with old removed
- Mutually agreed upon ratio for transit v. highway priorities in the LOPP
- Appropriate signatures for consultant work authorizations
- Timely use of PL and FTA funds
- MPO to remain in low category for risk assessment
- Use of spreadsheet software for UPWP task and summary budget tables
- Use single priority list and minimize changes from year to year
- Consolidate UPWP tasks to reduce need for many revisions
- Work with local agencies to submit timely applications for high priority projects

D. Summary of the Fiscal Year 2020 FHWA/FTA Certification Reviews of the Transportation Management Areas

During State FY 2020 (May 2019 – June 2020), FHWA/FTA conducted TMA Certification Reviews for River to Sea TPO, Miami Dade TPO, and Polk TPO. The results of these FHWA/FTA TMA certifications were summarized at the 2020 Florida Federal Planning Certification (Statewide Annual Assessment) Meeting on July 2, 2019. There were three corrective actions identified during these three FY 2020 certifications. These corrective actions relate to document accessibility for ADA Section 508; fiscal constraint – missing 1st 5-year band of projects; and fiscal constraint – need for project costs in year of expenditure.

In the July 2020 Joint Statewide Planning Finding meeting, FDOT indicated that they are working closely with the MPOs on 508 plans. Further, FDOT indicated that they will add the corrective actions to the next FMPP agenda and discuss recommendations for statewide consistency.

E. Performance Year 2020 Program Accountability Review Results

For FY20, the Florida Division Planning and Civil Rights staff conducted (3) Program Accountability Results (PAR) reviews on three of the State's non-Transportation Management Area (TMA) Metropolitan Planning Organizations (MPOs). The purpose of these reviews was to assess the MPOs' self-certification processes to determine their compliance with 23 CFR 450.334 (a). Based on an analysis of the TMA Certification

Reviews' corrective actions and recommendations, this topic was one of the top 3 issues for TMAs and thus selected for this non-TMA review.

FY20 was the third and final year that the annual PAR reviews were geared exclusively towards the non-TMA MPO self-certification processes to ensure that applicable federal requirements are being met. The PAR reviews largely indicate that two of the MPOs reviewed are satisfactorily carrying out the requirements for self-certifications set forth specifically in 23 CFR 450.334(a). One of the MPOs was not consistent in addressing these requirements and could be better focused to identify MPO process refinements to address planning and civil rights requirements. Specifically, one MPO had deficiencies related to not having the self-certification signed by the MPO Chair, not having documentation to support the self-certification, and not having an accessible Title VI/Nondiscrimination complaint filing procedure and an updated LEP Plan. FHWA provided this report to FDOT and the MPOs to encourage these refinements in process and a greater focus on these processes as part of the self-certifications. FHWA will also work with FDOT to ensure technical assistance is provided to the MPO to address the specific deficiencies.

The completion of the FY20 Planning PAR completes the FHWA-Florida Division's focused review of the self-certification process of the nine non-TMA MPOs in Florida. PAR reviews are an effective tool to complete a quick and focused review of various program elements. Beginning in FY21 as part of the FY21 Program and Risk Assessment process, a review of fiscal constraint in each LRTP will be completed for the nine non-TMA MPOs over a three-year period (FY 21, FY 22, and FY 23).

F. Training/Technical Assistance Needs

During the certification review site visits this year, the following technical assistance/training needs were identified:

- Overview of 5303 and 5305 funding programs from FDOT to MPOs
- Title VI (this request was accommodated)
- Automated, Connected, Electric, and Shared vehicles (ACES)
- TPM (data collection)
- Innovative financing and ways to sustain TSMO
- Virtual engagement
- Eligibility and pre-award authority for flexing federal funds

Upcoming training offerings include a statewide truck parking plans and inland ports class. A peer exchange in District 6 for express lanes, and a tolling peer exchange were also recently held. The FDOT and MPOs were asked to send any additional training requests to the FHWA/FTA team by July 30th. No additional training requests were received.

IV. 2020 FINDINGS AND RECOMMENDATIONS

FHWA/FTA highlight the following Noteworthy Activities underway by FDOT this year:

1. **Public Involvement and Outreach** –In response to the Governor issuing a series of executive orders that prohibited public gatherings as well as orders to provide alternatives for local officials to vote remotely as part of administrative actions, FDOT had to develop expectations for when they would conduct public meetings. In addition to developing a new public involvement web page with video tutorials for conducting public meetings, FDOT developed public meeting guidelines for the Districts. These instructions were very much needed by the Districts who were still responsible for holding public outreach for programs and projects. These enhancements to their procedures were also helpful for MPOs, who were also trying to maintain their public outreach compliance during the pandemic in a manner that was considered the safety for all participants. We commend FDOT for acting quickly to provide an enhanced direction for public outreach in Florida.
2. **Emergency Response:** The Federal Review Team commends FDOT for providing support to transit agencies and MPOs while agencies found a new way to do business. FDOT's coordinated response with the FPTA and the Commission for Transportation Disadvantaged (CTD) were particularly helpful to ensure timely and uniform communications, as well as ensuring that critical needs were met amidst these changing conditions.
3. **FDOT-CUTR Transit Partnership:** The FDOT-CUTR transit partnership is an excellent step forward to assist and enhance coordination between the State, transit agencies, and MPOs. The Federal Review Team commends FDOT for the recently completed transit research and look forward to learning more about implementation. Furthermore, the transit planning network and virtual professional development workshops, such as the "Current Practices in the Use of Onboard Technologies to Avoid Transit Bus Incidents & Accidents", "Segmenting the Market to Affect Travel Behavior & Increase Ridership", "Transit Automation & Shared Mobility in Florida", and "Emergency Preparedness" are innovative techniques for enhanced coordination between a State DOT, transit agencies, MPOs, and other transportation stakeholders.
4. **Annual Planning Award** – In 2020, FDOT developed a new recognition for transportation planners that is presented at the annual TRANSPLEX meeting. This award recognizes transportation planning professionals for excellent work and achievements in Florida, providing inspiration to others in the transportation planning field. The Federal Review Team commends FDOT for developing this program and recognizing these deserving Florida professionals in their achievements.

The following Corrective Actions require action for compliance with the federal planning regulations and must be completed within the timeframes noted:

No corrective actions identified.

The following Recommendations are made to continue implementing improvements to the transportation planning process within the State of Florida:

1. Tracking of STP and Other Non-PL Planning Funding

Observation: In response to the 2018 and 2019 Planning Finding Corrective Action and Recommendation on this issue, FDOT worked with FHWA and FTA to develop a process for tracking PL and non-PL funding using the STIP tool. This process was rolled out through issuance of a Federal Technical Memorandum in June 2019. FHWA noted that the new process was still not clear in a number of areas, and FDOT committed to additional process enhancements in the coming months, such as adding additional needed clarifications to the Federal Technical Memorandum to address FDOT's 80/20 spend rule, FDOT's role and timing of any needed STIP changes, STIP documentation needed for initial UPWP approval, Closeout Deobligation Process, the process to reduce roll forward funds from the second year UPWP, and roles and responsibilities for FTA program processes. The MPOs are still unclear in their ability to fully use their authorized funds, so the additional clarifications and process enhancements are very much needed.

Recommendation with Deadline: The Federal Review Team strongly recommends that FDOT puts a priority on clarifying the Technical Memorandum and refining tracking processes to provide these needed enhancements that will provide clarity and transparency for MPOs and the federal partners. **If FDOT has not adopted an updated Technical Memorandum by January 30, 2021, then FHWA/FTA may not be able to approve year 2 of the current UPWPs in a timely manner.**

2. UPWP

a. UPWP Template

Observation: For several years, FHWA has been working with the MPOs to better show how regional tasks are reflected in the UPWPs for both the contributing MPO, and the receiving MPO (or FDOT). There is no consistency between MPOs in how these regional task transfers are reflected, making it difficult to track the funds, identify each MPO's invoice responsibilities, and to easily understand what each MPO is authorized to spend. In the 2020 UPWP approvals, FDOT Central Office

and Districts participated in the review and discussions with FHWA and the MPOs on the UPWP regional transfers and also had difficulty with understanding the documentation when transferring funds for regional tasks. Some of the MPO UPWPs had to be conditionally approved until their budget tables could be amended to more clearly reflect these transfers. In working with FHWA on this issue, FDOT concluded that a UPWP template is needed to provide transparency and consistency to ensure that tasks and funds associated with regional tasks can be tracked and accounted for. FDOT committed to working with FHWA/FTA to jointly develop a UPWP template for the FY22 UPWP submittals for the MPOs to use to not only identify the tasks and funds used in the regional task transfers but to also provide consistent information where needed.

Recommendation: The Federal Review Team recommends that FDOT continue to recognize the importance of this issue and work with FHWA/FTA to develop a schedule and mutually agreeable FY22 template as soon as possible for the MPOs to use that will provide clear budget tables so that all funds and tasks can be adequately tracked and UPWP review and approvals can be streamlined.

b. UPWP Amendment Thresholds

Observation: The Federal Review Team notes that there is no threshold in Florida to distinguish whether a revision to the UPWP should be processed as an amendment or modification. As a result, each MPO uses their own determinations, with no consistency among the Florida MPOs, and no assurance between all parties that the procedure being used is reasonable.

Recommendation: The Federal Review Team recommends that FDOT work with the MPOs and the Federal partners to identify a monetary threshold for UPWP amendments and update the UPWP revision form to reflect the agreed upon threshold to ensure a process that is reasonable and consistent across the State for UPWP revisions.

3. STIP Documentation

a. Sufficient Descriptive Material

Observation: Similar to previous years, there appear to be inconsistencies with how STIP information is presented statewide, resulting in insufficient descriptive material. Instances exist where capital and operating assistance activities are unclear, such as operating assistance included in a “capital” line item. Other observed inconsistencies include not including the urbanized area(s) for which FTA funds are apportioned to, not including the FTA funding program, as well as inaccurately or

insufficiently describing proposed activities. FDOT has recently advised FTA that the work program instructions have been revised to mitigate this challenge by adding this information in the project description, however improvements associated with past recommendations do not appear to be reflected in the FY20/21 – FY23/24 STIP.

Recommendation: To address inconsistencies in the next STIP (FY21/22), the Federal Review Team recommends FDOT confirm that work program instructions include clear direction for describing capital, operating, or other activities (where applicable), as well as the FTA program and corresponding urbanized area(s). Any other details needed to sufficiently describe project activities should also be included. Further, standardized and recurring communication between central office and districts is recommended to ensure district staff understand process and associated requirements. These efforts should ensure adequate coordination between FDOT Central Office and Districts, as well as between Districts, MPOs and transit agencies so that activities are correctly recorded and reflected in the STIP. Additional measures FDOT may explore at their discretion include supplementing the MPO handbook with FTA-specific details, leveraging MPOAC for certain coordination efforts, or others that FDOT deems helpful.

b. Flexibilities in Fiscal Constraint

Observation: As noted previously, FHWA, FTA and FDOT have been periodically meeting over the past year to collaborate on how best to address the July 2019 FHWA national technical assistance regarding flexibilities in fiscal constraint.

Recommendation: The Federal Review Team recommends that the agencies work together on a mutually agreeable method to document the actual amount of AC conversions in the STIP. The Federal Review Team also recommends that the 2020 FMIS modification review be completed by FHWA to assess the magnitude and frequency of the changes. Based on the results of the review, FHWA, FTA and FDOT should also jointly determine if the current process is sufficient or if enhancements for transparency are needed. The agencies previously agreed that the STIP website will be updated to document the mutually acceptable process for changing the STIP post letting and to also think about ways to potentially enhance the transparency for post letting STIP changes.

4. Review Portal

Observation: The review portal continues to be refined to meet the needs of FDOT, the MPOs and the federal agencies. Users continue to experience problems with the portal, however, in uploading information, retaining information that has been uploaded, and notifying those who need to take an action in the portal. Additionally, there is inconsistency in use of the portal. Specifically, many MPOs still forward documents directly to the federal team rather than have the documents

uploaded to the portal for tracking and review. FDOT states that a rollout of Portal 2.0 is in the works.

Recommendation: The Federal Review Team recommends that FDOT clarify policy regarding the use of the portal, prioritize portal improvements to address the identified issues, and provide the necessary training to all who use the portal to ensure consistency in implementation.

5. Transportation Performance (TPM)

a. Public Transportation Agency Safety Plan (PTASP) Final Rule

Observation: on July 19, 2019, FTA published the PTASP Final Rule, which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS). The final rule also outlined the establishment of transit safety targets by qualifying transit agencies and MPOs, for each performance measure, coordination with State DOTs, and integration of PTASP into the planning process.

Recommendation: The Federal Review Team recommends FDOT coordinate with MPOs and Transit Providers to ensure that by January 20, 2021 (or not later than 180 days after receipt of the Agency Safety Plan from public transit providers), MPOs set their initial transit safety targets. By July 20, 2021, specific written provisions for the transit safety measure should be jointly agreed upon and adopted by the MPO(s), State, and providers of public transportation. Please also note that transit safety measures and targets should be included in all LRTPs and TIPs updated or amended after this date. Additional information may be found at FTA's PTASP website: <https://www.transit.dot.gov/PTASP>.

b. Transit Asset Management (TAM) Final Rule

Observation: On July 26, 2016, FTA published the TAM Final Rule to help achieve and maintain a state of good repair for the nation's public transportation assets. The final rule also included the establishment of TAM targets by qualifying transit agencies and MPOs, for each performance measure, coordination with State DOTs, and integration of TAM into the planning process.

Recommendation: As applicable, FDOT should coordinate with MPOs and Transit Providers for any TAM-related updates to the LRTPs and TIPs, including noted progress towards achieving targets. Although MPOs need not update targets annually, they may do so at their discretion and in coordination with the transit agencies, to the maximum extent practicable. Additional information may be found at FTA's TAM website: <https://www.transit.dot.gov/TAM>.

6. FDOT Stewardship and Oversight

a. Planning Products

Observation: The FDOT MPO Liaisons are very involved with the MPOs in helping to ensure that the financial requirements of 2 CFR 200 are met. This is evident in the FDOT Risk Assessment for the MPOs. There does not seem to be a similar level of stewardship and oversight for ensuring that the requirements of 23 CFR 450 are met, particularly related to LRTP, TIP and Public Involvement Plan development. From reviewing corrective actions from federal TMA certifications and conducting PAR reviews, the Federal Review Team observes that the MPO planning products required under 23 CFR 450 are repetitively noncompliant with certain requirements. The Federal Team relies on FDOT's stewardship and oversight of the MPO planning products (LRTPs, TIP, PIPs) to ensure that requirements are being met, particularly since we do not conduct certification reviews on non-TMAs, and may not be involved in the planning products for TMAs until their federal certification review. The continuing noncompliance findings on the same issues from federal certifications and federal PAR reviews indicate a need for additional FDOT stewardship and oversight of the MPO planning products required by 23 CFR 450.

Recommendation: The Federal Review Team recommends that FDOT expand their Risk Assessment beyond topics related to 2 CFR 200 and ensure their stewardship and oversight responsibilities areas clearly defined as to what is a District responsibility. Additional oversight and training on planning product requirements may also clarify expectations. Assisting MPOs in ensuring that the federally-funded planning products, such as LRTPs, TIPs and Public Involvement Plans meet the 23 CFR 450 federal requirements, may eliminate the same corrective actions that are issued across many TMAs during federal certification reviews, as well as federal PAR findings of noncompliance.

b. FDOT Findings in Annual Certifications

Observation: A summary of the 2019 FDOT/MPO Annual Joint Certifications is provided in Section C of this report. The first two corrective actions identified as part of these joint certifications do not seem to provide a clear action to correct a specific problem. These could be written more clearly to ensure understanding in what is needed to meet Federal and State requirements. In addition, one of the recommendations from these annual joint certifications stems from FDOT's opinion that the MPO is prioritizing too many transit projects over highway projects, and further requests the MPO to develop a mutually agreed upon ratio for transit vs. highway project priorities in the annual List of Project Priorities. This recommendation may be counter to Federal requirements to require TMAs to develop project priorities off the NHS through consultative process with the State DOT. State DOT's, on the other hand, are required to set the priorities on the NHS in collaboration with the MPOs. FDOT's recommendation appears to provide judgement on the MPO priorities.

Recommendation: When writing corrective actions, FDOT Districts should be very clear in identifying the problem and the needed solution, and clearly tie to a

requirement. Additionally, FDOT recommendations should be limited to enhancements that fall within the Federal requirements.

7. Partner Communication

Observation: In their written response to the 2018 and 2019 recommendations, FDOT identified a number of strategies they have instituted, many of which have already resulted in improved communication between FDOT, the Federal partners, and the MPOs. FDOT provides notification to the federal agencies, for example, of MPO Handbook changes, and has worked with the federal partners on Fed Tech Bulletins. There are some initiatives underway, however, that had limited federal collaboration such as Consolidated Planning Grants proposals and tracking non-PL funds, including CMAQ, in UPWPs. These initiatives would also benefit from a collaborative consultative process with other program offices within FDOT (i.e., Work Program, Transit Office, and Transit and MPO liaisons, etc). There are also specific directions that FDOT Office of Policy Planning provides to the FDOT liaisons, but which are not copied to the federal partners for their awareness.

Recommendation: The Federal Review Team recommends that FDOT continue to find ways to further enhance this collaborative communication consultation process for all initiatives that affect the federal planning partners, regardless of which program areas within FDOT are leading the initiative.

8. Consultation with MPO Partners

Observation: The Federal Review Team have noted many instances of projects included in the STIP and TIP, but which are not found in the LRTP. Further, several MPOs have expressed concern that they are being asked to include projects in their TIP, even though these projects did not come from a process that first includes these projects in the MPO's LRTP. MPOs have also expressed concern regarding sub-allocated funds and the programming process for TMA TIPs.

Recommendation: The Federal Review Team recommends that FDOT and the MPOs discuss together how the current process is implemented, as well as how it is meeting the needs for a cooperative planning process from a TMA perspective. While the process for project prioritization, selection for funding, and sub-allocation of funds may have worked in the past for FDOT, the TMAs and the non-TMA MPOs, changing needs may require a shared update of the process to ensure that it continues to be a "3-C" process.

Conclusions

Based on routine coordination throughout the year with the various statewide planning participants, discussions at the "annual assessment" meeting, the review of statewide summary and planning documents provided by participating and affected offices, and the status of past "annual assessment" recommendations, FDOT continues to

demonstrate that they address federal questions/concerns, as such concerns are identified.

Therefore, it is hereby determined that Florida's statewide and metropolitan transportation planning processes continues to substantially satisfy the requirements of 23 U.S.C. 134 and 135, 49 U.S.C. 5303-5305, 23 CFR Part 450 and 500, and 49 CFR Part 613. FHWA and FTA will continue working with Florida's various planning partners (e.g., FDOT, the 27 MPOs, local /regional transit service providers, local governments, State/local resource agencies, and the public) to further address and complete the activities and commitments contained in this report.

Appendix A – Meeting Agenda

Meeting Agenda

Office of Policy Planning

Tuesday, July 7 and 8, 2020

Virtual Through TEAMS



2020 Florida Federal Planning Certification

The Federal Planning Certification is required for STP approval by FHWA and FTA. They have joint stewardship responsibilities to ensure that both the statewide and metropolitan planning processes satisfy the federal planning requirements.



TEAMS Meeting or 850-739-5589 Conference ID: 670 295 481#

Point of Contact: Mark Reichert 850-414-4901

Agenda - Tuesday July 7, 2020

Time	Topic	Presenter
9:00 a.m.-9:30 a.m.	Introductions	Mark Reichert, FHWA/FTA
9:30 a.m.-10:30 a.m.	Status of 2019 Annual Certification Overview with Discussion on: • Corrective Actions • Recommendations	FDOT, FHWA, FTA
10:30 a.m.-10:45 a.m.	Break	
10:45 a.m.-11:00 a.m.	Transportation Performance Measures (TPM)- Safety, How to Make Significant Progress Towards Achieving Targets	Lora Hollingsworth
11:00 a.m.-11:15 a.m.	Florida Transportation Plan Update	Jennifer Carver
11:15 a.m.-11:30 a.m.	MPO Risk Assessment Process and Joint Certifications	Erika Thompson
11:30 a.m.-11:45 a.m.	UPWP Revision Form/UPWP Template	Erika Thompson/Scott Philips
11:45 a.m.-12:00 p.m.	FDOT Office of Inspector General Planning Audits	Tim Crellin Michael Dean

Agenda – Wednesday July 8, 2020

8:30 a.m.-9:00 a.m.	Introductions/Recap of Day 1	Mark Reichert
9:00 a.m.-9:30 a.m.	MPO Portal Status	Samantha Parks
9:30 a.m.-9:45 a.m.	MPOAC Update	Carl Mikyska
9:45 a.m.-10:00 a.m.	Comments from MPOs	Lois Bollenback, et al
10:00 a.m.-10:15 a.m.	Break	
10:15 a.m.-10:30 a.m.	LRTP and TIP Content	FDOT/FHWA/FTA
10:30 a.m.-10:45 a.m.	Noteworthy Practices	Mark Reichert
10:45 a.m.-11:00 a.m.	Transit Update	Liz Stutts
11:00 a.m.-11:30 a.m.	Non-TMA PARS/Summary of TMA Certification Corrective Actions	FHWA/FTA
11:30 a.m.-Noon	Wrap Up, MPO Training Requests, Next Steps	FHWA/FTA

Appendix B - Summary of Discussions that Supported the 2020 Planning Finding

The meeting began with general introductions from the Florida Department of Transportation (FDOT), the Federal Highway Administration (FHWA), and the Federal Transit Agency (FTA). This group met to conduct the 2020 Florida Federal Planning Finding review and discuss the status of the 2019 Corrective Action and recommendations. As noted below, the group also discussed the Work Program Integration Initiative (WPPI), Joint Certification Risk Assessment, Rural Planning Initiative, FDOT OIG General Planning Review, Quality Assurance Reviews (QARs), Transportation Management Area (TMA) Certification Review, and other items. The sections below summarize the discussion of each topic.

2020 Florida Federal Planning Certification Meeting

July 7–8, 2020
Teams Meeting

Meeting Objectives

The Federal Planning Certification is required for Statewide Transportation Improvement Program (STIP) approval by Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). They have joint stewardship responsibilities to ensure that both the statewide and metropolitan planning processes satisfy the federal planning requirements.

For meeting information, please contact Mark Reichert, Administrator for Metropolitan Planning (850) 414-4901, Mark.Reichert@dot.state.fl.us.

Meeting Summary

Day One, 9:00 am - Noon

Introductions

Those present and participating remotely announced themselves. Stacey Miller, Huiwei Shen, Alison Stettner, Karen Brunelle, Cathy Kendall, and Rob Sachnin welcomed everyone to the meeting and expressed appreciation for the opportunity to collaborate on program improvements.

Status of 2019 Annual Certification Overview

Corrective Actions

- Mark Reichert, OPP - We received confirmation that FDOT addressed the 2019 corrective actions.
- Cathy, FHWA - We are very happy with the progress on the corrective actions from last year.
- Rob, FTA - Great job, everyone. Currently FTA is satisfied with proposed solutions and recommend coordination during and after the upcoming grant cycle to assess whether or not the solutions achieved the desired result.

Recommendations

Mark, OPP reviewed the status of 2019 recommendations:

- **Recommendation 1: Outreach and Consultation with Partners and Stakeholders**
 - Mark, OPP - FDOT addressed this recommendation by providing Public Participation Plan (PPP) training at the 2019 Florida Metropolitan Planning Partnership (FMPP) meeting.
 - Cathy, FHWA - When MPOs revise PPPs, do they involve the District MPO Liaison? Are there opportunities to remind MPOs to conduct outreach?
 - Alison Stettner, OPP - District MPO Liaisons are involved in all processes and provide input when MPO's develop documents. We also have new resources on our updated public involvement web page.
 - Mark, OPP - Many MPOs are revising their PPPs due to the COVID-19 Pandemic.
- **Recommendation 2: Partner Communication**
 - Mark, OPP - OPP has committed to coordinating on MPO Handbook updates when the changes affect FTA and FHWA. We always notify federal partners when we release an updated MPO Handbook.
 - Cathy, FHWA - Please continue to communicate as much as possible. With the Unified Planning Work Programs (UPWPs) that were just completed, it shows how important communication and understanding of each other's processes are.
 - Erika Thompson, OPP - Yes, we are documenting the UPWP procedural changes now. With this MPO Handbook update, we added specific dates and clarified processes.
 - Alison, OPP - Based on lessons learned this cycle, we may want to adjust the timing of the schedule to allow more review time. A UPWP template will also help address areas of confusion.
 - Cathy, FHWA - Yes, we are looking forward to working together on the UPWP template.
- **Recommendation 3: ADA Transition Plan**
 - Mark, OPP - FDOT is compliant with the Americans with Disabilities Act (ADA) Section 504 programs.
- **Recommendation 4: Tracking of STIP and Other Non-PL Planning Funding**
 - Erika, OPP - Technical Memorandum 19-03 has been revised and OPP tracks funds monthly.
 - Stacie Blizzard, FHWA - The last version we reviewed did not have a finalized tracking method.

- Erika, OPP - We could not fully address the recommendation because we cannot apply the 80/20 rule before the UPWP is approved due to the timing of the state and federal fiscal years. There is a delay between UPWP programming and authorization.
- Kendra Sheffield, OWPB - The OWPB tracks this regularly.
- Stacie, FHWA - We were looking for a mechanism to track planning (PL and non-PL) amounts.
 - Erika, OPP - We capture this information using the Tentative Work Program. We will add language to the technical memorandum and can reconcile programmed funds with UPWPs in July. FDOT is committed to tracking non-PL and PL funds.
 - Karen Brunelle, FHWA - We have made great strides compared to the last two years and appreciate the complexity of the different facets. FHWA still needs an understanding of when the 80/20 rule will be dealt with and how changes would occur if something did happen. There may be an opportunity to address the 80/20 rule when we do the initial authorization.
 - Alison, OPP / Kendra, OWPB - We are constantly monitoring expenditures and UPWPs to make sure PL is spent down first.
 - Stacie, FHWA - We won't know if this is an issue until the second authorization in October.
 - Mark, OPP - Let's discuss in detail later.
- **Recommendation 5: Programming of FTA Capital and Operating Activities**
 - Mark, OPP - FDOT updated the Work Program instructions.
 - Rob, FTA - Recommendations 5, 6, and 7 are all related. We agree that FDOT's approach may help address the recommendations.
 - Gabe Matthews, OPP - The MPOs and transit agencies should put the appropriate information in the Transportation Improvement Program (TIP). We support educating MPOs and transit agencies on the process and requirements.
 - Rob, FTA - FTA is happy to help coordinate; we appreciate efforts to make improvements.
 - Carl Mikyska, MPOAC - I am happy to facilitate coordination.
 - Mark, OPP - The MPOAC is working with MPOs to better reflect FTA programs in the TIP.
- **Recommendation 6: Tracking of Large and Small Urban Apportionment Activities**
 - No additional comments.
- **Recommendation 7: Sufficient Descriptive Material - FTA Programs**
 - No additional comments.

Transportation Performance Measures (TPM) - Safety, How to Make Significant Progress Towards Achieving Targets

Lora Hollingsworth, Safety Office provided an update on how FDOT is addressing safety targets:

- FDOT has a target of zero fatalities. This target is consistent across the Highway Safety Plan (HSP), Strategic Highway Safety Plan (SHSP), and Highway Safety Improvement Program (HSIP). I am working with OPP on the Florida Transportation Plan updates as well.

- The HSIP annual report was provided to the National Highway Traffic Safety Administration (NHTSA) for review. We established zero as a target in 2017, but forecasting real data shows we may not hit our target.
- Most MPOs have adopted the state safety targets, but eight MPOs have developed their own targets while still supporting the state's overall goal.
- Secretary Thibault received a letter regarding performance targets from FHWA.
 - FDOT is in the process of responding to the letter.
 - States with numbered targets also received this letter.
- We want to spend safety dollars where the data show a need, and we are updating an implementation plan.
 - The updated plan will be submitted with the letter.
- We are currently updating the SHSP. Please participate and provide input.
- Complete Streets, Safe Routes to School, and other engineering countermeasures and programs also continue to improve safety.
- John Crocker, FTA - FDOT is very progressive with their targets.
- Alison, OPP - Thank you for sharing this update. The Department is very progressive with this approach.
- Cathy, FHWA - Will you provide this detail related to how FDOT is addressing safety in the letter?
 - Lora, Safety Office - Yes.
- Carl, MPOAC - Thank you for the presentation at FMPP. It was helpful for those managing local roads.

Mark, OPP shared an update on TPM integration into TIPs and LRTPs:

- Mark, OPP - Most MPOs adopted the consensus document with their TIPs this past year. We have been recommending that the MPOs adopt the consensus document as a separate board item this year. We can provide an update on which MPOs have adopted the consensus document later this year.
 - We provided updated templates/language to comply with Transportation Performance Measures (TPM) requirements in the TIP and long range transportation plans (LRTPs). We also recently updated and distributed fact sheets for each measure to the MPOs.
 - We continue to share data on the PM1, PM2 and PM3 performance measures.
- Carl, MPOAC – The senior planner is now on the distribution list for many MPOs, instead of just the Executive Director. This will help ensure that the information gets into the right hands.
- Teresa, FHWA – It would be helpful if we can be copied on what is sent to the MPOs.
- Cathy, FHWA - Can you share the revised templates and the fact sheets? That will be helpful information to have when we review the LRTPs.
 - FTA - Can you share the templates with us too?
 - Mark, OPP - Yes, FHWA reviewed the original versions and we will share the revised.
- Rob - We have a PTASP technical assistance center if there are any questions.

Florida Transportation Plan Update

Jennifer Carver, OPP shared an overview of the Florida Transportation Plan (FTP) update process:

- We started the update in May 2019 with a vision zero workshop and long-range visioning session.
- We already conducted significant partner outreach and are continuing to work with statewide partners.
- We completed a values and preferences survey that showed a diverse group of responses.
- We also completed the vision element which outlines the FTP vision and its seven goals. It is on the FTP website and printed copies will be shared.
- We are working on the policy, performance management, and implementation elements.
- The public outreach approach is being reconsidered due to the COVID-19 Pandemic.
- Cathy, FHWA - It sounds like the FTP is coming together well.

MPO Risk Assessment Process and Joint Certifications

Erika, OPP provided an update of the Joint Certification Risk Assessment:

- We coordinated with District MPO Liaisons, OIG, and the MPOAC to update the risk assessment.
- Major updates included adding statutory language, converting it to a percentage-based scoring system, and updating questions to consider technical memorandums and the review checklists.
- Attachments do not have to be included with the risk assessment because they are available in the MPO Document Portal.
- We do not anticipate making major changes to the risk assessment this year. We may add new questions if there are new recommendations or findings.
- Cathy, FHWA - How do past assessment results compare to current results?
 - Erika, OPP - We applied the new criteria to last year's process. There was not much variation, and the differences that we found were appropriate.
- Michael Dean, OIG - We are auditing the Ocala/Marion Transportation Planning Organization (TPO) now and understand why their risk level may have lowered.
 - Alison, OPP - The District MPO Liaisons have been working hard to educate the MPOs. They have also improved the invoicing process by conducting quality reviews of invoices before submittal.
 - Erika, OPP - Yes, and we were dinging some MPOs more than necessary in the past because some the questions used previously resulted in materially insignificant findings, such as typos.
 - Cathy, FWHA - FHWA and FDOT use different statutes (23 CFR 450 v. 2 CFR 200) as the basis for risk assessments. We may have different findings. Having our agencies use different focus areas in their risk assessment can be good, if the MPOs understand that there are differences in the focused review, that our findings may therefore be different, and that our combined processes achieve the needed results.
 - Alison, OPP - Yes, we should share this with the MPOs to ensure that they understand the differences between the risk assessments.

UPWP Revision Form

Erika, OPP introduced the idea of updating the UPWP Revision Form to FHWA and asked Sandi Bredahl, District 7 to review suggested updates:

- The UPWP Revision Form has been streamlined from three pages to one and is in Microsoft Excel so that checks and balances are built in.
- The form also automatically calculates the difference between original and proposed funding amounts.
- Mark, OPP - FHWA and FTA, please share comments as soon as you can.
- Sandi, District 7 - I will add all STBG options to the fund dropdown list.

UPWP Template

Mark, OPP and Scott, OPP introduced a new initiative to develop a UPWP Template for use by the MPOs.

- Scott, OPP - We are reviewing all of the recent UPWP comments to identify best practices and areas of concern. We are also collecting templates from around the country. Once we complete the preliminary research, we will share it with FHWA and begin coordinating on a template. Then, we can work with the MPOs. The goal is to have consistently formatted budget tables to make UPWP reviews and changes easier. Please send us the list of people who you would like us to work with on this effort.
 - Cathy, FHWA - We are excited about this effort. We will provide a point of contact to Scott. What is the timeframe on this?
 - Alison, OPP - January or spring of next year.
 - Greg Stuart, Broward MPO - I am glad to hear it will be a collaborative process. We appreciate consistency while considering complexities.

FDOT Office of Inspector General Planning Audits

Mark Reichert, OPP introduced Tim Crellin, OIG to discuss the on-going audits on Hillsborough MPO and Ocala/Marion TPO.

- Tim, OIG and Michael Dean, OIG - Hillsborough MPO was selected for audit for two reasons. The MPO's indirect rate was much higher than normal and has a complex government structure.
 - We have one finding and three observations that are in a draft report sent to the MPO on June 15th. The MPO must respond by July 14th. Then, we will share the draft report with OPP before it is final.
 - Finding 1: Indirect Rates: The Department found that the de minimis rate of 10 percent is now being used and is appropriate. Previously, a higher rate was used. The cause of this incorrect rate is identified in our three observations.
 - Observation 1: The indirect rate was incorrectly calculated because vacation and sick leave were double counted. The rate should have been 10.3 percent, not 30 percent. Methodology documentation was lacking, making it difficult to determine what was included in the 30 percent.

- Observation 2: The MPO is double hosted, which could result in confusing roles and responsibilities.
- Observation 3: The MPO relies on the host agency for fiscal compliance, while the MPO handles programmatic compliance.
- Tim, OIG and Keyonis Shack, OIG: The Ocala/Marion TPO was selected for audit by request, and the audit is still underway.
 - Mark, OPP - OIG audits are selected based on past experiences and by request.
 - Keyonis, OIG - Several concerns related to timesheet verification and lack of expenditure transparency lead to this audit. Though the investigation is still underway, we have been able to determine that new management, updated invoice procedures, and better communication have helped to address some concerns. Next steps include coordination with the FDOT management team and report development.

Day Two, 8:30 am - Noon

Introductions/Recap of Day 1

Those present and participating remotely announced themselves. Mark, OPP welcomed everyone back and summarized the discussion from Day 1.

MPO Portal Status

Mark, OPP - We implemented MPO Document Portal version 1.0 last year. Samantha Parks, OPP will be discussing upcoming updates that will address the hiccups in version 1.0.

- Samantha, OPP - For the updated portal, we reviewed each agency's process to determine the new design and workflow. We are wrapping up testing now and have started to develop training. Other updates include:
 - Maintained the look and feel of the portal.
 - Updated processes to allow MPOs to upload documents.
 - Notifications set for state review and federal review based on specific timelines.
- The training will cover how the portal works and the steps to conduct a review or upload a document. The training will be by audience and available online. The training will be required before gaining access and will be available sometime this fall. If possible, people should attend as many different trainings as possible – not just for their specific use – but also to understand the process the other partners will be following.
- Cathy, FHWA - Closing out of a current action to start a new action is not efficient.
 - Samantha, OPP - We resolved this.
- Cathy, FHWA - MPOs send documents to FHWA rather than through the portal.
 - Samantha, OPP - The training should improve this.
- Cathy, FHWA - Notifications do not always come through.
 - Samantha, OPP - The tool that caused this issue has been changed.
- Cathy, FHWA - Multiple/duplicative documents cause confusion in review.

- Samantha, OPP - These communication gaps are being addressed.
- Cathy, FHWA - There are plans that we do not approve, just review, that are showing up for us.
 - Samantha, OPP - This has been addressed.
- Rob, FTA - Cathy covered our comments. It is difficult to tell when action is required versus us being notified. It seems the updated version addresses this. We appreciate the intent and look forward to the updated portal.

MPOAC Update

Carl Mikyska, MPOAC introduced his newest staff member, John Waldron, and provided a quick update:

- Due to the COVID-19 Pandemic, the MPOAC did not hold their last regularly-scheduled quarterly meeting but plans to hold a hybrid meeting in July.
- Carl thanked FDOT Leadership, OWPB, and OPP for their leadership, support, and coordination.

Comments from MPOs

- Lois Bollenback, Chair of the MPOAC Staff Directors - OPP is a very responsive and a great partner. The team is open, accessible, and provides guidance, data, clarification, and more. They are open to feedback, which helps us build stronger partnerships. We are happy to have Alison on board.
 - MPO Executive Directors echoed these sentiments.
- Greg Stuart, Past Chair of the MPOAC Staff Directors - We have seen vast improvements over the past 12 years. We appreciate everyone working together to find common ground when we know a “one size fits all” approach doesn’t work in Florida.
- Beth Alden, Hillsborough MPO - Thank you for pulling together the performance measures data.
- Dave Hutchinson, Sarasota/Manatee MPO - This is a review of the process, not just FDOT. We appreciate everyone working together to improve processes.

LRTP and TIP Content

Cathy, FHWA – Recently, we have started to see some issues that were addressed in the 2012 and 2018 Expectation Letters resurface. For example, some LRTPs are missing details related to total project cost and phasing, inclusion of all regionally significant projects, or don’t properly identify federal projects. We need those elements to complete planning consistency and determine fiscal constraint. This can lead to much larger issues when approving projects.

- Mark, OPP - We can re-emphasize these expectations, as well as discuss them at FMPP. We updated the TPM language.
- Jim, FHWA – Does the FDOT checklist include the items from the Expectations Letters?
- Erika, OPP - We updated the LRTP checklist in 2019 to include the new planning factors and there are references to the 2018 Expectations Letter. We share the checklist with the MPOs, and MPO Liaisons complete the checklist when they review an LRTP. We can share the checklist with you if you would like to make suggestions.
 - Cathy, FHWA - Great, thanks.

- Greg, Broward MPO - We should work together to improve communication and dissemination of the Expectation Letters. The letters were released when OPP staff was in flux and the Districts were taking a stronger role in technical support. The Districts could have interpreted the letters differently. Maybe Carl can help communicate the letters to everyone.
- Carl, MPOAC - Yes, I can help. A virtual meeting would give us the chance to invite staff level positions at the MPOs as well. The group discussed the possibility of an FMPP-like training to address the Expectations Letters.
- Karen, FHWA – Reminded everyone of the purpose of the letters (issued in 2008, 2012, and 2018). Based on what was observed during certification reviews, there were some requirements that were not being interpreted correctly at the state and/or local level. The expectations letters provided a heads-up as to what was the federal interpretation of certain requirements so that MPOs had time to make adjustments during their LRTP updates.
- Cathy, FHWA – Probably want to make sure the training covers the 90-day provision on the collation and posting of LRTP documents in the MPO website, which some MPOs have interpreted as a 90-day extension of adopting the supporting technical studies.
- Dave, Sarasota/Manatee MPO - As we prepare the LRTP, the earlier years of the planning horizon include more detail than the latter years. We support consistency but also want to ensure the appropriate level of detail is included in plans.
- Cathy, FHWA – The certification reviews show similar concerns with the TIPs as the LRTPs, and our annual STIP Check review has identified project differences between the three documents. Let's work on consistent communication of the letters. We will include Samantha in our upcoming consistency review of the LRTPs, TIPs and STIP.

Noteworthy Practices

Mark, OPP - Erika, OPP already went over the update to the risk assessment but other practices we are working on with our partners include:

- Holding monthly webinars with the District MPO Liaisons. Recent topics include the UPWP Amendment process and UPWP Closeout Process.
- Developed LRTP, TIP, UPWP, and Planning Consistency Computer-Based Trainings to train new District MPO Liaisons and partners.
- Updating Desktop Procedures for District MPO Liaisons.
- Updating the UPWP Revision Form with FHWA.
- Developing a UPWP Template with FHWA and FTA. This will help address current issues related to regional tasks and transparency.
- Updating the MPO Handbook quarterly.
- Advertising and presenting Planning Awards at TransPlex.
- Developed TPM and MPO Fact Sheets.
- Conducted research on MPO and transit agency coordination with CUTR. It was found that LRTPs and transit development plan (TDP) updates are often not coordinated. Coordinated transit systems operations planning and integration into LRTPs may be helpful.
 - Gabe Matthews, Transit Office - FFTA is accepting virtual presentations. We could submit the CUTR findings.

- Rob, FTA - Coordination with transit providers is important and helps us award funds in a timely manner. When reviewing grant applications, we need certain documentation and it helps to have that coordination up front to reduce application processing delays.
- Developing MPO guidance for ACES technologies.
 - HNTB developing ACES language for MPOs to use in their planning documents.
- Developing guidance for hybrid virtual and in person public meetings.
 - Alison, OPP - Public hearings are still postponed with the current environment. Leadership is reviewing the draft hybrid meeting guidance. We will share the guidance as soon as we can. Do you have any guidance?
 - Karen, FHWA - We have no additional guidance at this time.
 - Michael Sherman, FHWA - Are you sharing this guidance?
 - Alison, OPP - Yes, it is all available on our public involvement web page.

Transit Update

Liz Stutts, Transit Office - Thank you for the opportunity to highlight what the Transit Office has been working on.

- Liz, Transit Office - With the onset of the COVID-19 Pandemic, we activated our emergency response team to coordinate statewide transit operations and resources.
- John Crocker, FTA - Thank you for the flexibility. Please let us know if you need any assistance.

Non-TMA PARs/Summary of TMA Certification Corrective Actions

Cathy, FHWA introduced Michael, FHWA and Teresa Parker, FHWA to discuss TMA certification reviews and non-TMA PARs.

- Michael, FHWA - We have issued reports for River to Sea TPO, Miami Dade TPO, and Polk TPO. There were three corrective actions and 20 recommendations.
- Corrective actions were related to ADA Section 508 and outreach to interested parties during public outreach; fiscal constraint – missing 1st 5-year band of projects; and fiscal constraint – need for project costs in year of expenditure.
 - Alison, OPP - We are working closely with the MPOs on 504 plans and understand and appreciate your comments.
 - Michael, FHWA – Thanks, let's figure out how to collaborate to support the MPOs.
 - Alison, OPP - We will add the corrective actions to the FMPP agenda and discuss recommendations so we can be consistent statewide.
- Teresa, FHWA - The non-TMA PAR report was released in December. We pick MPOs for review based on their FHWA risk level. This year we reviewed Hernando/Citrus MPO, Bay County TPO, and Okaloosa-Walton TPO.
- Two MPOs were found to be satisfactory. One MPO was not consistently implementing the planning and civil rights requirements. The self-certification was not signed by the MPO Chair, not having an accessible Title VI/ Non-discrimination compliant filing procedure and LEP plan.

- Mark, OPP - We provided Public Participation Plan training and assistance at FMPP, but no other action by FDOT has been taken.
- Teresa, FHWA - A few MPOs reached out to Carey Shepherd (FHWA Civil Rights Program Coordinator) for training.
 - We will review the report and work with Carl Mikyska to see what actions we can take to make improvements.

Wrap-Up, MPO Training Requests, Next Steps

- Mark, OPP - We take this process seriously and appreciate the opportunity to work together to improve the planning process.
- Alison, OPP - Thank you, this dialogue helps us improve our service to MPOs and the State of Florida.
- Stacie Blizzard, FHWA - We seek to identify types of technical training needed. TMA Certifications, MPOAC, and FMPP used to identify needs. A few training needs requested by the MPOs or that we have identified include:
 - Grants (5305 and 5303)
 - Title VI (this request was accommodated)
 - ACES
 - TPM (data collection)
 - Innovative financing and ways to sustain TSMO
 - Virtual engagement
 - Flexing funds
- Stacie, FHWA - Upcoming trainings include a statewide truck parking plans and inland ports class.
 - There was recently a peer exchange in District 6 for express lanes.
 - The FDOT and MPOs were asked to consider if there are any additional training needs, other than those listed in this session, that the federal agencies should be notified of and to send those to the FHWA/FTA team by July 30th.
- Mark, OPP - I sent a save the date for resilience peer exchange.
- Michael, FHWA - Will there be a District 3 TSMO peer exchange?
 - Mark, OPP - Depends if the Emerald Coast Symposium happens.
- Cathy, FHWA - Thank you everyone for participating and addressing corrective actions and recommendations. We have just a bit of coordination left. The MPOs summed up our perception of working with FDOT. We appreciate your willingness to address issues as they pop up, and we have made a lot of progress. Your responsiveness helps us collaboratively improve the program. We will review any documentation sent to us by FDOT, complete the STIP/TIP/LRTP review, and send a report in September.

Action Items

The following table lists action items identified during the meeting, those responsible for completion of the action item, and the status of the action item.

Action Item	Staff Responsible	Status
-------------	-------------------	--------

Share TPM template and fact sheets	Mark Reichert, OPP	Completed
Share FHWA POC for UPWP Template development	Cathy Kendall, FHWA	
Reemphasize FHWA Expectation Letters	Mark Reichert, OPP	Need for meeting/training per discussion
Review non-TMA Report	OPP and MPOAC	Underway
Coordinate with MPOs on FTA Capital and Operating Activities	Carl Mikyska, MPOAC	
Share LRTP Checklist	Alison Stettner, OPP	Complete
Share UPWP Revision Form for comment	Erika Thompson, OPP	Complete
Tracking of STIP and Non-PL funding discussion	Erika Thompson, Stacie Blizzard	

APPENDIX C

2020 Florida Federal Planning Certification - Attendees

July 7-8, 2020, 8:30 A.M. – Noon

The table below summarizes meeting attendees and their organization. * indicates attendees that joined on July 8th only.

Attendee	Organization
Greg Stuart*	Broward MPO
Jeff Cramer*	Center for Urban Transportation Research (CUTR)
Sandi Bredahl	FDOT District 7
Huiwei Shen	FDOT Office of Chief Planner
Stacey Miller	FDOT Office of Finance and Administration
Keyonis Shack	FDOT Office of Inspector General (OIG)
Michael Dean	FDOT Office of Inspector General
Tim Crellin	FDOT Office of Inspector General
Alison Stettner	FDOT Office of Policy Planning (OPP)
Erika Thompson	FDOT Office of Policy Planning
Jennifer Carver	FDOT Office of Policy Planning
Mark Reichert	FDOT Office of Policy Planning
Samantha Parks	FDOT Office of Policy Planning
Scott Philips	FDOT Office of Policy Planning
Chris Bratton	FDOT Office of Work Program and Budget (OWPB)
Kendra Sheffield	FDOT Office of Work Program and Budget
Stephanie Certain	FDOT Office of Work Program and Budget
Lora Hollingsworth	FDOT Safety Office
Chris Wiglesworth	FDOT Transit Office
Gabe Matthews	FDOT Transit Office
Liz Stutts	FDOT Transit Office
Cathy Kendall	Federal Highway Administration
Jim Martin*	Federal Highway Administration
Karen Brunelle	Federal Highway Administration
Michael Sherman	Federal Highway Administration
Stacie Blizzard	Federal Highway Administration
Teresa Parker	Federal Highway Administration
Brittney Lavender	Federal Transit Administration
Courtney Roberts	Federal Transit Administration
Holly Liles	Federal Transit Administration

Attendee	Organization
John Crocker	Federal Transit Administration
Rob Sachnin	Federal Transit Administration
Beth Alden*	Hillsborough MPO
Joe Crozier	Kimley-Horn
Macy Fricke	Kimley-Horn
Gary Huttman*	MetroPlan Orlando
Jason Loschiavo	MetroPlan Orlando
Nick Lepp*	MetroPlan Orlando
Carl Mikyska	Metropolitan Planning Organization Advisory Council (MPOAC)
John Waldron	Metropolitan Planning Organization Advisory Council
Aileen Bouche*	Miami-Dade TPO
Lois Bollenback*	River to Sea TPO
Dave Hutchinson*	Sarasota/Manatee MPO
Nancy Simpson*	Sarasota/Manatee MPO

Transportation Performance Management (TPM)

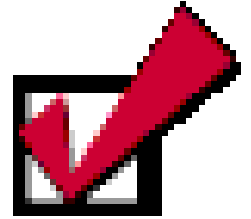
Recent Updates

October 2020



U.S. Department of Transportation
Federal Highway Administration

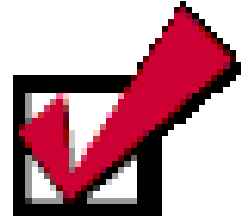
Spring TPM Activities



- Feb 27: MPO Set 2019 Safety Targets
- April 24: FHWA determination regarding FDOT progress toward 2018 Safety Targets
 - » No targets met for the 5 measures
 - » 2 of 5 measures better than baseline
 - » Conclusion: FDOT did not make significant progress toward target achievement
 - » Implementation Plan required
 - » All State Safety Target Determinations Posted at:
https://safety.fhwa.dot.gov/hsip/spm/state_safety_targets/



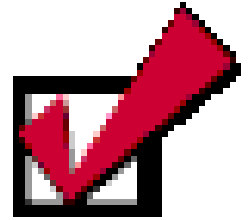
Summer TPM Activities



- July 31: FHWA TAMP Consistency Determination
 - » Determined to be consistent
- Aug 31: FDOT Set 2021 Safety Targets
 - » All were “0”
- Aug 31: FDOT Submitted Safety (PM1) Implementation Plan
 - » Currently under review by FHWA



Recent TPM Activities



- Oct 1: FDOT Submitted Mid Performance Period Progress Report (MPPR)
 - Currently Under Review by FHWA
 - Applies to Systems Performance, Bridge, and Pavement Targets (PM2 and PM3)
 - Non-Interstate NHS system reliability baseline is reported
 - FDOT's option to adjust the FDOT 4-year targets are reported
 - » FDOT to coordinate target adjustment decisions with MPOs
 - » In 2018, all FL MPOs Supported State Targets
 - » FDOT is not adjusting their targets. No further action by MPOs
 - » If FDOT adjusted targets, the MPOs would have an opportunity to assess and adjust their targets by March 30, 2021



What's New in Guidance?

- FAQs on Pavement Data Collection and Reporting

<https://www.fhwa.dot.gov/tpm/faq.cfm/>

- TPM Essential Videos (5-12 minutes)

<https://www.fhwa.dot.gov/tpm/videos/>



New TPM Training Opportunities



- NHI 138021 – Data for TPM
- NHI 138022 – Making the Connection between HPMS Data Items and TPM
- NHI 138023 – Communicating and Reporting on TPM
- NHI 138024 – Monitoring and Adjustment for TPM
- NHI 138025 – Investment Decision Making and TPM

<https://www.nhi.fhwa.dot.gov/>

**Free!
Web Based!**



U.S. Department of Transportation
Federal Highway Administration

Upcoming TPM Activities



- Nov 2: Mid Performance Period Progress Report Finalized
- Nov 23: 23 CFR 667 Evaluation of Facilities
 - » See Next Slides
- Feb 27: MPOs set 2021 Safety Targets



Upcoming TPM Activities



- Nov 23: 23 CFR 667 Evaluation of Facilities
 - Evaluate reasonable alternatives to roads, highways, and bridges that:
 - » Required repair and reconstruction activities
 - » Two or more occasions due to emergency events
 - Prior to including any project relating to the facility in the STIP.



Upcoming TPM Activities



- Nov 23: 23 CFR 667 Evaluation of Facilities
 - 11/23/2018: Evaluation for All NHS Routes
 - Update After Every Emergency Event
 - 11/23/2020: Evaluation for All Routes not previously included
 - FHWA will periodically review FDOT's compliance
 - FDOT must make evaluations available to FHWA upon request



*Whether you are a driver, passenger, or
pedestrian...*

highway safety depends on YOU.

Be observant and be adaptable to be safe.



Item Number 7A

Business Items & Presentations Approval of MPOAC's Final UPWP

DISCUSSION:

The Unified Planning Work Program is the funding application to FHWA and FTA for the use of federal transportation planning funds. The draft of this document was presented to the Governing Board of MPOAC at the January 30, 2020 meeting but has not been adopted due to the inability of MPOAC to meet since the January meeting because of COVID-19. Currently MPOAC is utilizing federal funds by being included in the Florida DOT State Planning and Research (SPR) document. In the event that a problem arises where MPOAC cannot be included in, or funded through, the Florida DOT SPR document this approval by the Governing Board will give MPOAC the ability to continue to be federally funded. At this time, FHWA has determined that the MPOAC Executive Director may not submit for federal approval the final UPWP without Governing Board approval.

REQUESTED ACTIONS:

Approval by the MPOAC Governing Board.

ATTACHMENT:

Draft MPOAC UPWP for State Fiscal Years 2021 and 2022.

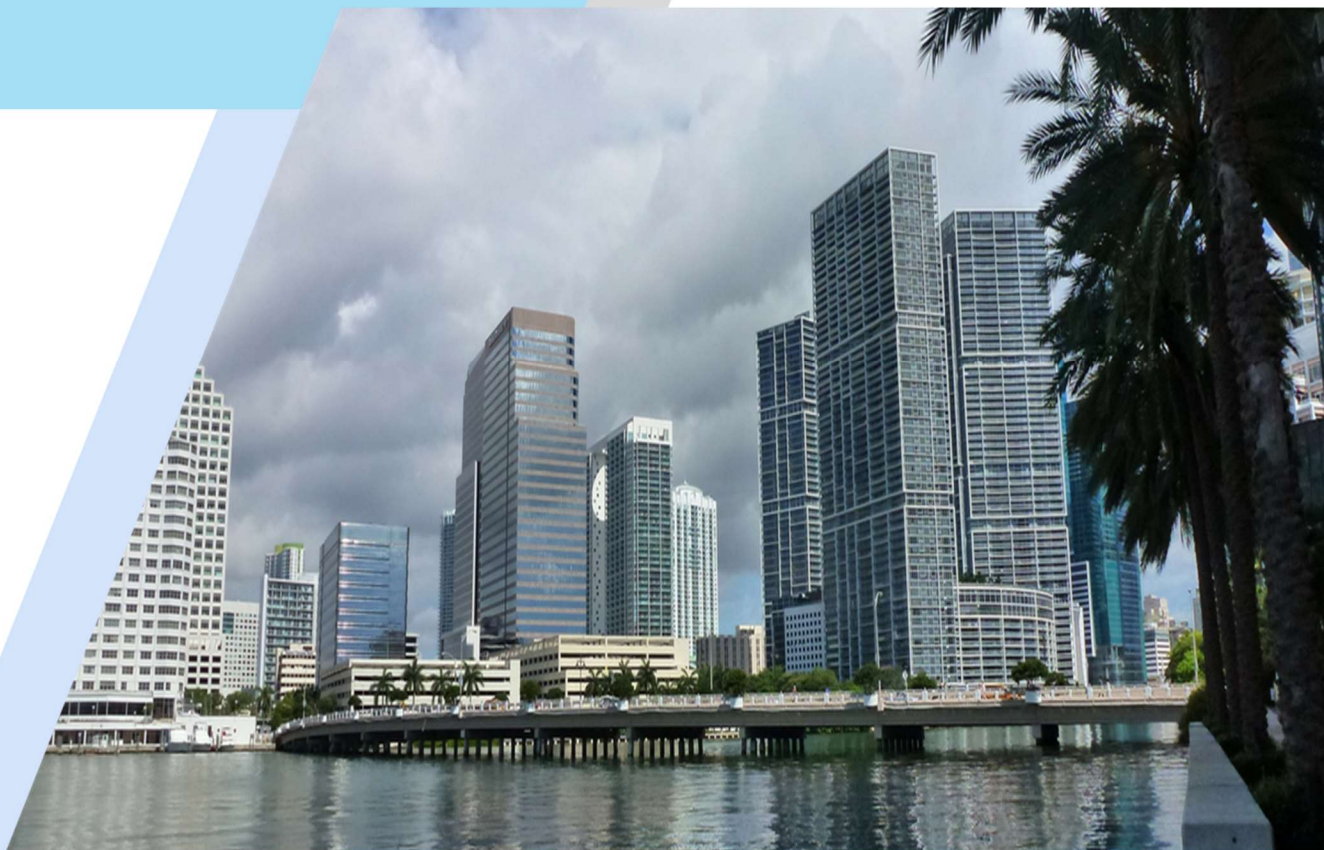
Fiscal Years 2020 – 2022

Unified Planning Work Program

Florida Metropolitan Planning Organization Advisory Council

605 Suwannee Street, MS 28B
Tallahassee, FL 32399-0450
Telephone: (850) 414-4037
www.mpoac.org

Federal Aid Project Number: 00AC-058-M
FM Numbers: 439339-3-11-01 & 439339-3-12-01 & 439339-3-12-02



Prepared By:
Florida Metropolitan Planning
Organization Advisory Council

MPOAC Resolution 2020-01

A RESOLUTION OF THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL (MPOAC) ADOPTING THE MPOAC UNIFIED PLANNING WORK PROGRAM FOR STATE FISCAL YEARS 2020/2021 – 2021/2022.

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

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

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

Whereas, The MPOAC Governing Board authorized Chair Commissioner Nick Maddox to approve the Unified Planning Work Program.

NOW THEREFORE BE IT RESOLVED THIS THIRTIETH DAY OF APRIL 2020 THAT THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL HEREBY ADOPTS ITS UNIFIED PLANNING WORK PROGRAM FOR STATE FISCAL YEARS 2020/2021 – 2021/2022.

PASSED AND DULY ADOPTED this Twenty-Ninth day of October 2020.

MPOAC Governing Board Chair

Attested to:

Carl Mikyska, Executive Director

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FLORIDA DEPARTMENT OF TRANSPORTATION
UNIFIED PLANNING WORK PROGRAM (UPWP)
STATEMENTS AND ASSURANCES

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POLICY PLANNING
05/18

DEBARMENT and SUSPENSION CERTIFICATION

As required by the USDOT regulation on Governmentwide Debarment and Suspension at 49 CFR 29.510

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

Name: Commissioner Nick Maddox
Title: MPOAC Governing Board Chair

October 29, 2020_____
Date

FLORIDA DEPARTMENT OF TRANSPORTATION
UNIFIED PLANNING WORK PROGRAM (UPWP)
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LOBBYING CERTIFICATION for GRANTS, LOANS and COOPERATIVE AGREEMENTS

In accordance with Section 1352 of Title 31, United States Code, it is the policy of the Florida MPOAC that:

- (1) No Federal or state appropriated funds have been paid or will be paid by or on behalf of the Florida MPOAC, to any person for influencing or attempting to influence an officer or employee of any Federal or state agency, or a member of Congress or the state legislature in connection with the awarding of any Federal or state contract, the making of any Federal or state grant, the making of any Federal or state loan, extension, continuation, renewal, amendment, or modification of any Federal or state contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The Florida MPOAC shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts and subcontracts under grants, subgrants, loans, and cooperative agreement), which exceeds \$100,000, and that all such subrecipients shall certify and disclose accordingly.
- (4) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

Name: Commissioner Nick Maddox
Title: MPOAC Governing Board Chair

October 29, 2020_____
Date

FLORIDA DEPARTMENT OF TRANSPORTATION
UNIFIED PLANNING WORK PROGRAM (UPWP)
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DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION

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

The Florida MPOAC, and its consultants shall take all necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work of the Florida MPOAC, in a non-discriminatory environment.

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

Name: Commissioner Nick Maddox
Title: MPOAC Governing Board Chair

October 29, 2020_____
Date

FLORIDA DEPARTMENT OF TRANSPORTATION
UNIFIED PLANNING WORK PROGRAM (UPWP)
STATEMENTS AND ASSURANCES

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TITLE VI/ NONDISCRIMINATION ASSURANCE

Pursuant to Section 9 of US DOT Order 1050.2A, the Florida MPOAC assures the Florida Department of Transportation (FDOT) that no person shall on the basis of race, color, national origin, sex, age, disability, family or religious status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Florida Civil Rights Act of 1992 and other nondiscrimination authorities be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity.

The Florida MPOAC further assures FDOT that it will undertake the following with respect to its programs and activities:

1. Designate a Title VI Liaison that has a responsible position within the organization and access to the Recipient's Chief Executive Officer.
2. Issue a policy statement signed by the Chief Executive Officer, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the Recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
3. Insert the clauses of *Appendices A and E* of this agreement in every contract subject to the Acts and the Regulations
4. Develop a complaint process and attempt to resolve complaints of discrimination against sub-recipients. Complaints against the Recipient shall immediately be forwarded to the FDOT District Title VI Coordinator.
5. Participate in training offered on Title VI and other nondiscrimination requirements.
6. If reviewed by FDOT or USDOT, take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed ninety (90) calendar days.
7. Have a process to collect racial and ethnic data on persons impacted by your agency's programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.

Name: Commissioner Nick Maddox
Title: MPOAC Governing Board Chair

October 29, 2020_____
Date

FLORIDA DEPARTMENT OF TRANSPORTATION
UNIFIED PLANNING WORK PROGRAM (UPWP)
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APPENDICES A and E

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

- (1) **Compliance with Regulations:** The Contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (hereinafter, "USDOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed during the contract, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.
- (4) **Information and Reports:** The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the *Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the *Florida Department of Transportation* shall impose such contract sanctions as it or the *Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration* may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to the Contractor under the contract until the Contractor complies, and/or
 - b. Cancellation, termination or suspension of the contract, in whole or in part.

FLORIDA DEPARTMENT OF TRANSPORTATION
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- (6) **Incorporation of Provisions:** The Contractor shall include the provisions of paragraphs (1) through (7) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Florida Department of Transportation to enter into such litigation to protect the interests of the Florida Department of Transportation, and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.
- (7) **Compliance with Nondiscrimination Statutes and Authorities:** Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq)

Introduction

The Unified Planning Work Program (UPWP) has been prepared to define the tasks to be undertaken and the anticipated funding requirements of the Florida Metropolitan Planning Organization Advisory Council (MPOAC) for fiscal years 2020/2021 – 2021/2022 covering the period from July 1, 2020 through June 30, 2022.

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

The MPOAC utilizes a soft match for its federal funding sources. These soft matches include toll revenues as a credit toward the non-federal matching share of all programs authorized by Title 23 and for transit programs authorized by Chapter 53 of Title 49, U.S.C. The soft match provision allows the federal share to be increased to 100% to the extent credits are available. The soft match to federal dollars is calculated to an 81.93%/18.07% ratio as required and as allowed using the sliding scale provision. For both Fiscal Years 2020/2021 and 2021/2022, there are \$498,548 of federal PL dollars and these funds are soft matched by \$109,957 of toll credits.

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

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

Public Involvement

Development of the UPWP included various public involvement opportunities. The Florida Department of Transportation (FDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and each MPO were provided a copy of the draft UPWP via the internet with a request to submit comments over a two-week period. The draft UPWP was also displayed on the MPOAC website for a similar period of time and was included in the January and April 2020 MPOAC meeting agenda packages. The MPOAC website is updated and maintained by the MPOAC staff and is accessed by the public and MPOAC partner organizations on a regular basis.

Organization and Management

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

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

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

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

The MPOAC bylaws were updated and adopted at the January 2017 meeting of the MPOAC and are available on the MPOAC website. The MPOAC bylaws define the roles and responsibilities of the Governing Board, the Staff Directors’ Advisory Committee, and the Executive Committee and outline the operational procedures of the MPOAC.

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

Governing Board

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

Bay County TPO
Broward MPO
Capital Region TPA
Charlotte County-Punta Gorda MPO
Collier MPO
Florida-Alabama TPO
Forward Pinellas
Gainesville MTPO
Heartland Regional TPO
Hernando/Citrus MPO
Hillsborough MPO
Indian River County MPO
Lake-Sumter MPO
Lee County MPO

Martin MPO
MetroPlan Orlando
Miami-Dade TPO
North Florida TPO
Ocala/Marion County TPO
Okaloosa-Walton TPO
Palm Beach TPA
Pasco County MPO
Polk TPO
River to Sea TPO
Sarasota/Manatee MPO
Space Coast TPO
St. Lucie TPO

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

Staff Directors' Advisory Committee

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

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

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

Executive Committee

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

Policy and Technical Committee

The Policy and Technical Committee consists of any individuals or designees who serve on the MPOAC Governing Board or Staff Directors' Advisory Committee and wish to participate. Representatives from the Florida Department of Transportation (FDOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) are also

invited to participate as advisors to the Committee. The Committee meets in order to identify issues for future action by the MPOAC Staff Directors' Advisory Committee and Governing Board.

Freight Committee

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

Strategic Plan Working Groups

The MPOAC adopted the MPOAC Strategic Directions Plan in April 2016. The Strategic Directions Plan provides the agency with a mission and guiding principles and a set of goals. In order to achieve those goals, the Strategic Directions Plan envisioned the establishment of several working groups. In 2016, the MPOAC established the Best Practices Working Group (now called the Noteworthy Practices Working Group) and the Bicycle and Pedestrian Working Group (now called the Complete Streets Working Group). In 2019, the MPOAC Governing Board endorsed the formation of a Training Working Group to focus on MPO member and staff training and education strategies. The Training Working Group is expected to begin meeting during the 2020 calendar year. The Working Groups meet as necessary throughout the year in concert with the statewide meetings of the MPOAC.

MPOAC Staff

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

1.0 ADMINISTRATION

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

Administration Tasks include:

- Task 1.1 – MPOAC Administration

Task 1.1 – MPOAC Administration

Purpose

Work and products within this task are recurring and predictable by their nature. Those efforts include financing and managing the daily operation of the Metropolitan Planning Organization Advisory Council (MPOAC) in a manner that is necessary to perform its duties. This includes the purchase or leasing of capital equipment, maintaining legal services for MPOAC operations and meetings, arranging for and holding quarterly meetings of the MPOAC Governing Board, the MPOAC Staff Directors Committee, the MPOAC Freight Committee, meetings of the Policy and Technical Committee, maintaining the MPOAC.org website, the payment and processing of invoices and requisitions, the administration of travel funds, conducting personnel actions and evaluations, and all other administrative actions. To maintain memberships with partner organizations nationally and in Florida, namely the Association of Metropolitan Planning Organizations (AMPO), the National Association of Regional Councils (NARC), the Intelligent Transportation Society of Florida (ITSFL), the Florida Public Transportation Association (FPTA) and the Floridians for Better Transportation (FBT) (note: AMPO and NARC dues cover the cost of membership for all MPOs in Florida). This task also retains legal services and contracts for research and support services to the Metropolitan Planning Organization Advisory Council (MPOAC) in order to prepare the necessary work products and services.

MPOAC Policy and Technical Committee – This committee meets to identify and propose issues for future action by the Staff Directors’ Advisory Committee and Governing Board.

MPOAC Freight Committee – This committee meets to identify and investigate state and MPO freight related planning and policy issues. To also propose actions by the Staff Directors’ Advisory Committee and Governing Board to address freight issues of significant relevance to MPO planning and programming activities.

Previous Work Completed

The MPOAC complied with all federal and state standards in the payment and processing of invoices, requisitions and all personnel actions during the past two years. Travel to meetings and conferences were conducted according to all federal and state travel provisions and the purchase of capital equipment followed appropriate procedures. Annual memberships were maintained in AMPO, NARC, ITSFL, FPTA and FBT (note: AMPO and NARC dues cover the cost of membership for all MPOs in Florida) and legal counsel was provided as needed and at meetings of both the MPOAC Staff Directors Advisory Committee and Governing Board. Production of the 2018-20 UPWP and tracking of expenditures was accomplished during the past two years. Legal services have been provided by a contractual employee of MPOAC who attends meetings of the MPOAC Governing Board, MPOAC Staff Directors Advisory Committee and the MPOAC Policy and Technical Committee. Legal advice is sought on an as-needed basis.

MPOAC Website - This task is for hosting, maintaining, upgrading and owning the MPOAC.org website which includes the annual fee to register the domain. CUTR has maintained the MPOAC.org website by keeping membership information updated, posting updated MPOAC meeting agendas, draft meeting minutes, an annual meeting calendar, MPO employment opportunities and refreshing other website content as necessary. Internet searches have been continuously conducted to identify relevant national and state news articles for posting to the website.

MPOAC Policy and Technical Committee - The Metropolitan Planning Organization Advisory Council (MPOAC) Policy and Technical Committee met multiple times in FY 2018/2019 and FY 2019/2020 as needed. The agenda items from the meetings included, but were not limited to, the MPOAC Strategic Directions Plan, proposed federal rules on MPO Coordination and Planning Area Reform, the PL funding and statewide distribution formula, federal infrastructure legislation, performance measurement goals and targets, financial guidelines for MPO long-range transportation plans (LRTPs), automated vehicles in MPO LRTPs, public involvement, MPOAC meeting calendars, and the 2019 and 2020 legislative initiatives and policy positions. In addition to the MPO staff directors who serve on the committee,

representatives of the Federal Highway Administration (FHWA), FDOT, NARC, and the Florida Transportation Commission were also in attendance.

MPOAC Freight Committee - The MPOAC Freight Committee meets as needed in association with the Metropolitan Planning Organization Advisory Council (MPOAC) Governing Board meetings. The MPOAC Freight Committee met multiple times during FY 2018/2019 and FY 2019/2020 to discuss items of relevance to freight movement within and through Florida's metropolitan areas.

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

Since 1994 the MPOAC has had no more than two staff positions, an Executive Director and an Administrative Assistant. The MPOAC provides research and other practical support to Florida's 27 MPOs, monitors legislative and regulatory proposals at both the federal and state level, participates in the policy development activities of various federal and state transportation and related initiatives, and provides its membership continuing education opportunities. In an effort to supplement work conducted by the existing MPOAC staff, the Center for Urban Transportation Research (CUTR) at the University of South Florida (USF) has provided a variety of needed transportation services and expertise to the MPOAC through a transportation planning services agreement that has been in place since Fiscal Year 2001/2002.

Proposed Methodology

Continue to process all invoices and requisitions and expend travel funds in a manner consistent with state and federal provisions relating to the expenditure of federal planning funds (PL) from the Federal Highway Administration (FHWA) and Section 5305(d) funds from the Federal Transit Administration (FTA). Research and support staff of CUTR assists in the development of MPOAC meeting minutes, agenda item materials, PowerPoint presentations and other related activities. Continue annual memberships in AMPO, NARC, ITSFL, FPTA and FBT (note: AMPO and NARC dues cover the cost of membership for all MPOs in Florida). Continue to maintain legal counsel as needed and at meetings of both the MPOAC Staff Directors and Governing Board. Produce a new UPWP for state fiscal years 2023-24 and track the expenditures within the state fiscal years 2021-22 UPWP. Advertise meetings in the Florida Administrative Register as required by Florida's Sunshine Law.

MPOAC Website - This task is for hosting, maintaining, upgrading and owning the MPOAC.org website which includes the annual fee to register the domain. CUTR staff will continue to maintain the MPOAC website with information from the Staff Directors' Advisory Committee, Governing Board, Policy and Technical Committee, MPOAC Freight Committee, MPOAC Strategic Directions Plan Working Groups FDOT, FHWA and the FTA. The transportation news sections of the website will continue to be updated with fresh information of national and state significance. Additionally, MPO and Census Urbanized Area boundary maps will continue to be updated for inclusion on the website using an automated GIS based software package. The MPOAC will provide management and oversight responsibilities for website content and functionality and provide CUTR with new and updated information.

MPOAC Policy and Technical Committee - Staff will conduct MPOAC Policy and Technical Committee meetings that will address complex issues for subsequent decisions by the Governing Board and Staff Directors' Advisory Committee. MPOAC staff will develop, prepare and distribute MPOAC Policy and Technical Committee meeting materials. The funding includes travel costs related to the performance of this task.

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

distribute MPOAC Freight Committee meeting materials. The funding includes travel costs related to the performance of this task.

MPOAC Staff Directors and Governing Board Meetings – Staff will develop agendas and meeting materials for four annual meetings at dates and locations recommended by the Staff Directors Advisory Committee and approved by the MPOAC Governing Board. The agenda packages will contain minutes of the previous meetings, old and new business agenda items, back-up material and other handouts for distribution at the meetings. Agenda packages and other MPOAC meeting information will be posted to the MPOAC website to provide easy access to information by MPOAC members and the public.

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

Included in the financial tables is the State of Florida provided office space. The rate for state office space has been determined by the State of Florida, Department of Management Services to be \$17.00 per square foot per month. This includes all services such as janitorial, printing (in-house only), security, information technology support, postage, utilities, printer paper, common areas, small meeting rooms, communications and communications technology, etc. MPOAC occupies 342 square feet of office space. Because MPOAC does not pay rent, however the State of Florida does incur an expense by hosting MPOAC, this expense is shown as an in-kind match.

Work Products

Meet federal and state requirements in the processing of invoices, requisitions, travel and capital expenditures, personnel actions and evaluations, and other related activities. No capital equipment purchases over \$5,000 are anticipated during this period. Continue annual memberships in AMPO, NARC, ITSFL, FPTA and FBT (note: AMPO and NARC dues cover the cost of membership for all MPOs in Florida). Produce a new UPWP for state fiscal years 2023-24 and track the expenditures within the state fiscal years 2021-22 UPWP. Retain legal counsel for projects and research as needed as well as at meetings of both the MPOAC Staff Directors as well as the MPOAC Governing Board. Advertise meetings in the Florida Administrative Register as required by Florida's Sunshine Law.

Maintain and perform minor updates to the MPOAC website (www.mpoac.org) through Fiscal Years 2020/2021 and 2021/2022. While the tasks described above are performed by the CUTR Principal Investigator, it is done under the direction of the MPOAC Executive Director.

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

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

MPOAC Staff Directors and Governing Board Meetings – MPOAC will hold four quarterly meetings annually at dates and locations recommended by the Staff Directors and selected by the Governing Board. Meeting packages will be distributed at least seven days prior to the meetings.

The MPOAC contract with CUTR to receive the services of CUTR employee(s) who would be assigned to work for and be supervised by the MPOAC Executive Director will allow the completion of developing research reports and studies on subjects of relevance to ongoing and future MPO activities. Preparing best practices reports using examples of excellence developed and implemented by Florida's MPOs as well as other MPOs nationally and national associations such as the Association of MPOs (AMPO) and the National Association of Regional Councils (NARC). Reviewing, analyzing and developing transportation policy statements, letters and papers. Attending and monitoring transportation related meetings, workshops and public hearings conducted by federal, state and local agencies, the Florida Legislature, as well as statewide and national associations, authorities and commissions on behalf of the Florida MPOAC. Conducting analysis on existing and proposed legislation and other regulatory activities and initiatives related to transportation planning, urban development and land use, the delivery and expansion of transit services, global climate change and air quality, and other issues relevant to MPOs. Particular attention will be paid to federal transportation authorization implementation proposals, including further integrating non-SOV modes (transit, pedestrian and bicycle) as viable options in statewide and metropolitan transportation systems and addressing funding sustainability issues in the state's metropolitan areas. Advising and assisting the Executive Director in the development of MPOAC meeting content and materials. Assisting the MPOAC Executive Director in the development of the MPOAC Unified Planning Work Program (UPWP). Preparing minutes of MPOAC Staff Directors' Advisory Committee and Governing Board quarterly meetings. Participating in the update and implementation processes of various statewide transportation plans and planning efforts. Participating in the development of State and MPO performance measurement targets in compliance with federal requirements. The specific deliverables and/or services to be provided under this task will be agreed upon by the MPOAC Executive Director and the CUTR Principal Investigator on an as-needed basis depending upon the immediate transportation planning requirements of the MPOAC. While the tasks described above are performed by the CUTR Principal Investigator and other CUTR staff and graduate assistants, it is done in partnership with the MPOAC Executive Director and under the direction of the MPOAC Executive Director.

Milestones

Ongoing – Operation of MPOAC.org, operation of MPOAC, processing of invoices, requisitions, travel funds and compliance with various fiscal and operational systems in place at Florida DOT (the host agency). Ongoing – Hold MPOAC Policy and Technical Committee meetings as needed throughout FY 2019 and FY 2020. Produce a draft and final 2020-22 UPWP. Membership in ITSFL, FFTA and FBT. Four quarterly meetings of both the Staff Directors and MPOAC Governing Board.

End Products

This task will continue the operation of the MPOAC.org website, the operation of MPOAC, processing of invoices, requisitions, travel funds and compliance with various fiscal and operational systems in place at Florida DOT (the host agency) and Federal agencies. MPOAC will track expenditures and accomplishments of the organization during each fiscal year and report quarterly to the Staff Directors' Advisory Committee and Governing Board. MPOAC will maintain membership in partner organizations such as NARC, AMPO, ITSFL, FFTA and FBT. Under this task, MPOAC will produce a final state fiscal year 2022-24 UPWP. As needed MPOAC will obtain written legal opinions and advice from legal counsel. CUTR will provide research and support services by producing reports, comments in response to state or federal announcements, requests for information, or publications as needed. Staff will participate in statewide and national transportation plans and planning efforts, report development, performance measures development and implementation, and involvement in issues impacting transportation. Four quarterly meetings of both the Staff Directors Advisory Committee and MPOAC Governing Board will be held annually. MPOAC Policy and Technical Committee Meetings and Freight Committee Meetings will be held as needed. MPOAC will also pay to advertise meetings in the Florida Administrative Register as required by Florida's Sunshine Law.

Funding Source

FY 2020/21		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 1.1	MPOAC Administration						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$155,258	\$34,243				
Consultant Services		\$55,000	\$12,130			\$22,800	\$5,700
Travel							
	Travel Expenses	\$22,000	\$4,852				
Other Direct Expenses							
	Office Supplies	\$516	\$114				
	Memberships	\$172,246	\$37,990				
	Copier Rent	\$1,905	\$420				
	Advertising	\$319	\$70				
	Rent			\$69,768			
	Legal Services	\$22,000	\$4,852				
	Website Hosting Services	\$500	\$110				
Totals		\$429,744	\$94,782	\$69,768		\$22,800	\$5,700

Note: AMPO and NARC dues (\$84,826 for AMPO and \$85,500 for NARC) cover the cost of membership for all MPOs in Florida and are included in the Membership line item in the Other Direct Expenses section of the Task budget.

FY 2021/22		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 1.1	MPOAC Administration						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$155,258	\$34,243				
Consultant Services		\$55,000	\$12,130			\$22,800	\$5,700
Travel							
	Travel Expenses	\$22,000	\$4,852				
Other Direct Expenses							
	Office Supplies	\$516	\$114				
	Memberships	\$172,246	\$37,990				
	Copier Rent	\$1,905	\$420				
	Advertising	\$319	\$70				
	Rent			\$69,768			
	Legal Services	\$22,000	\$4,852				
	Website Hosting Services	\$500	\$110				
Totals		\$429,744	\$94,782	\$69,768		\$22,800	\$5,700

Note: AMPO and NARC dues (\$84,826 for AMPO and \$85,500 for NARC) cover the cost of membership for all MPOs in Florida and are included in the Membership line item in the Other Direct Expenses section of the Task budget.

2.0 REGIONAL COOPERATION AND INFORMATION DISSEMINATION

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

Dissemination of MPOAC Information Tasks include:

- Task 2.1 – MPOAC Policy Positions
- Task 2.2 – MPOAC Institute Training Activities

Task 2.1 – MPOAC Policy Positions

Purpose

To disseminate information to elected officials regarding issues of importance to metropolitan planning organizations (MPOs), including recommendations on how best to coordinate and integrate federal and state transportation planning requirements. All time charged to this task will be paid for with local funds only, no federal funds shall be used on this task and these types of activities per Federal Regulations 2 CFR 200.450.

Previous Work Completed

The Metropolitan Planning Organization Advisory Council (MPOAC) Policy and Technical Committee met multiple times in 2018 and 2019 to discuss legislative policy positions and a variety of other statewide policy issues. Upon adoption, the MPOAC distributed its adopted policy positions to affected parties in February 2018 and December 2019.

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

Proposed Methodology

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

Work Products

Adopt and distribute before the annual session of the Florida Legislature, the MPOAC's Legislative Priorities and Policy Positions to the Governor, the Florida Legislature, MPOAC members, Florida Department of Transportation, Florida Division of the Federal Highway Administration, Region 4 of the Federal Transit Administration, Florida Association of Counties, Florida League of Cities, Florida Transportation Commission, Florida Public Transportation Association and other stakeholders. The MPOAC will also produce and distribute a weekly newsletter at the conclusion of each week the legislature meets.

The MPOAC will use non-federal local funds for advocacy activities such as legislative initiatives to be advanced during Florida's legislative session. These funds may be used for travel expenses if needed.

Milestones

Summer 2020 through Spring 2021 and Summer 2021 through Spring 2022 – Development of MPOAC policy positions for use during the 2021 and 2022 Florida Legislative Sessions. Production of a weekly legislative newsletter at the end of weeks the Florida legislature meets.

End Products

Summer 2020 to Spring 2021 and Summer 2021 to Spring 2022 – Florida MPOAC Policy Positions, weekly legislative newsletters.

Funding Source

FY 2020/21		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 2.1	MPOAC Policy Positions						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits				\$6,900		
Printing					\$600		
Totals		\$0	\$0	\$0	\$7,500	\$0	\$0

FY 2021/22		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 2.1	MPOAC Policy Positions						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits				\$6,900		
Printing					\$600		
Totals		\$0	\$0	\$0	\$7,500	\$0	\$0

Task 2.2 – MPOAC Institute Training Activities

Purpose

To provide on-going training for metropolitan planning organization (MPO) Governing Board Members in the many activities that encompass the MPO planning process.

Previous Work Completed

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

As of January 2018, the MPOAC Weekend Institute has been held 26 times (twice by special request) since 2007, with a total attendance of 393 MPO Governing Board members coming from all of Florida's 27 MPOs. Additionally, MPOAC Institute workshops have been held many times during the past several fiscal years, providing MPO-related training to local elected officials, county and municipal officials and MPO staff and committee members across Florida.

Proposed Methodology

The MPOAC will actively manage the delivery of MPO-related training opportunities through the MPOAC Institute initiative. The primary training venue will be at two weekend training institutes. The training will be delivered in a retreat environment where MPO elected officials can concentrate on learning the basics of MPO practices and processes away from the normal interruptions and demands placed on local elected officials. Training will also be delivered as part of the FAC County Commissioner Voluntary Certification program. Training dates are anticipated to be in the spring of 2021 and 2022. All training materials will be continuously updated to reflect any changes in federal or state laws, regulations and guidance and be made available to Florida MPOs for their use on the MPOAC website.

Work Products

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

A fee is charged to each participant who attends the MPOAC Weekend Institute. This fee is not intended to cover the cost of the weekend institute, but instead is used to cover the cost of food and refreshments provided during the weekend institute. The fee is currently \$300 per participant but may change if needed to cover the costs incurred to provide food and refreshments.

While the tasks described above are performed by the CUTR Principal Investigator and staff, it is done in partnership with the MPOAC Executive Director and under the direction of the MPOAC Executive Director. A portion of the budget is set-

aside for the time of the MPOAC Executive Director and Administrative Assistant to participate in the work products and overall direction of this task.

Milestones

The MPOAC updates the training materials used in the Weekend Institute each year and in preparation for the training, staff arranges for printing of training materials, training facilities and conducts two training sessions per year.

End Products

Four total training sessions. MPOAC Weekend Institutes will be held twice between March and June in 2021 and in 2022.

Funding Source

FY 2020/21		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 2.2	MPOAC Institute Training Activities						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$10,660	\$2,351				
Consultant Services		\$85,000	\$18,747				
Totals		\$95,660	\$21,098	\$0		\$0	\$0

FY 2021/22		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 2.2	MPOAC Institute Training Activities						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$10,660	\$2,351				
Consultant Services		\$85,000	\$18,747				
Totals		\$95,660	\$21,098	\$0		\$0	\$0

3.0 PROJECT PLANNING AND REPORTS

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

Project Planning and Reports Tasks include:

- Task 3.1 – Assessment of Documents, Regulations, Policies and Legislation
- Task 3.2 – Performance Measures Implementation
- Task 3.3 – Public Transportation, Environment & Community Planning
- Task 3.4 – Safety, Operations and Management
- Task 3.5 – MPOAC Strategic Plan Implementation

Task 3.1 – Assessment of Documents, Regulations, Policies and Legislation

Purpose

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

Previous Work Completed

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

The MPOAC during the previous two fiscal years reviewed and provided detailed comments as they relate to MPOs on various state and federal documents and reports. For example, detailed summaries of state legislation are prepared annually following the close of Florida legislative sessions. Additionally, the MPOAC submitted comments to appropriate officials on various proposed rules and guidance documents including, but not limited to, the Notice of Proposed Rulemaking (NPRM) for National Performance Management Measures, Statewide and Nonmetropolitan Transportation Planning and Metropolitan Transportation Planning, and MPO Coordination and Planning Area Reform.

Proposed Methodology

Compile and review proposed and adopted documents, regulations, policies, and legislation in a format that is clearly presented and useful to each MPO. The funds associated with this task are for MPOAC staff time. In addition, MPOAC staff will conduct national and statewide research to collect data pertaining to industry practices and standards. Unique to this UPWP cycle will be a new Federal Transportation Bill and the compilation of US Census data. The Census data is assembled into urbanized areas based upon methodologies that are publicly noticed in the federal register and the public has an opportunity to provide feedback about the methodology. MPOAC expects to look at the notice(s) carefully and provide information to the membership about the potential impacts of the methodology suggested.

Work Products

Following the 2021 and 2022 Florida legislative sessions, the MPOAC will distribute to the MPOAC membership a summary of approved state legislation of interest to metropolitan planning organizations. The MPOAC will provide review comments on documents, regulations policies and legislation relating to issues of interest to metropolitan planning organizations.

Milestones

This is an ongoing activity that is performed on an as-needed basis.

End Products

MPOAC submittal of comments on proposed federal rules, participation in efforts to craft new policies, and to educate MPOs in Florida about proposed legislation, policies, regulations or documents when they are produced.

Funding Source

FY 2020/21		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 3.1	Assessment of Documents, Regulations, Policies and Legislation						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$44,774	\$9,875				
Consultant Services							
Totals		\$44,774	\$9,875	\$0		\$0	\$0

FY 2021/22		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 3.1	Assessment of Documents, Regulations, Policies and Legislation						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$44,774	\$9,875				
Consultant Services							
Totals		\$44,774	\$9,875	\$0		\$0	\$0

Task 3.2 – Statewide Plans, Programs, and Performance Measures Implementation

Purpose

To participate and assist in the implementation of statewide plans and programs (the Florida Transportation Plan (FTP), the Florida Strategic Highway Safety Plan (SHSP), the Florida Highway Safety Implementation Plan, the Florida Freight Mobility and Trade Plan, the Strategic Intermodal System (SIS) Plan, etc.). The Florida Metropolitan Planning Organization Advisory Council (MPOAC) will promote coordination between statewide planning and programming with Metropolitan Planning Organization (MPO) planning activities. To participate and assist Florida's 27 MPOs, in partnership with the Florida DOT, to implement the Federal Transportation Performance Management Measures while maintaining consistency in the data sets used and information shared with the public. MPOAC will also participate in the planning, consideration and environmental review of the recently legislated MCORES corridors as needed and as opportunities for participation are made available.

Previous Work Completed

The MPOAC participated in the policy and technical committees organized by the FDOT to develop the 2060 FTP and the SIS Plan. Also, the MPOAC provided detailed comments to USDOT on the NPRMs for performance measures and worked closely with Florida DOT staff to begin the implementation of the early federal transportation performance measures. With the implementation of the federal transportation measures, MPOAC has coordinated efforts between the Florida DOT and the Florida MPOs. MPOAC has also presented the Florida partnership with transportation performance measures to New York AMPO, Minnesota DOT, USDOT, SASHTO, AASHTO, AMPO, NARC, TRB and Florida APA. The partnership has been recognized as one of the best, if not the best, model of cooperation in the nation. MPOAC also coordinated with the Florida DOT to assemble a full set of transportation performance measure reporting data sets for use by the individual MPOs in multiple formats for consistency and ease of use across the state.

Proposed Methodology

The MPOAC will participate in the review of the SIS facility eligibility requirements and serve as a member of appropriate working groups or steering committees. The MPOAC will facilitate coordination between the implementation efforts for statewide plans/programs and MPO planning activities by providing a forum for education and discussion between the MPOAC membership, the FDOT, and representatives of MPOAC partner organizations.

The MPOAC will coordinate and collaborate with the Florida DOT and the Florida MPOs so that the federal transportation performance management measures continue to be presented using an identical data set, format and manner which is expected to reduce confusion and increase credibility among the public, elected officials and the press. MPOAC will also participate in the planning, consideration and environmental review of the recently legislated M-CORES corridors as needed and as opportunities for participation are made available.

Work Products

Develop the necessary reports, documents and guidance to coordinate the implementation of statewide plans/programs and MPO planning activities. Work with the 27 MPOs, through the MPOAC, to incorporate the performance management measures into MPO plans and programs. This task will consist of staff time and may involve travel, as needed.

Milestones

This is an ongoing activity as the FDOT implements statewide plans/programs and performance management measurement. It is expected that during the timeframe of this UPWP, the USDOT may update or issue new guidance related to performance management measurement and further define how information is to be displayed and used by MPOs. Should this occur, the MPOAC will provide written comments if the opportunity is made available.

End Products

Ongoing planning and programming activity.

Funding Source

FY 2020/21		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 3.2	Statewide Plans, Programs and Performance Measures Implementation						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$30,459	\$6,718				
Consultant Services							
Totals		\$30,459	\$6,718	\$0		\$0	\$0

FY 2021/22		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 3.2	Statewide Plans, Programs and Performance Measures Implementation						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$30,459	\$6,718				
Consultant Services							
Totals		\$30,459	\$6,718	\$0		\$0	\$0

Task 3.3 – Public Transportation, Environment & Community Planning

Purpose

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

Previous Work Completed

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

Proposed Methodology

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

Work Products

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

The tasks described above are performed by the CUTR Principal Investigator and the MPOAC Executive Director, supported by staff of both organizations. These tasks are performed under the direction of the MPOAC Executive Director. The funds shown for the CUTR Principal Investigator (and staff) are to assist and support the MPOAC Executive Director in any aspect of this task as needed under the planning contract the MPOAC has with the University of South Florida, Center for Urban Transportation Research.

Milestones

This is an ongoing activity. Presentations at quarterly meetings of the MPOAC and at Technical and Policy Committee meetings will take place as needed or requested by MPOAC membership.

End Products

This is an ongoing activity. Presentations at quarterly meetings of the MPOAC and at Technical and Policy Committee meetings will take place as needed or requested by MPOAC membership.

Funding Source

FY 2020/21		FHWA	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	State Match
Task 3.3	Public Transportation, Environment &						
	Community Planning						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$18,293	\$4,035				
Consultant Services						\$7,200	\$1,800
Totals		\$18,293	\$4,035	\$0		\$7,200	\$1,800

FY 2021/22		FHWA	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	State Match
Task 3.3	Public Transportation, Environment &						
	Community Planning						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$18,293	\$4,035				
Consultant Services						\$7,200	\$1,800
Totals		\$18,293	\$4,035	\$0		\$7,200	\$1,800

Task 3.4 – Safety, Operations and Management

Purpose

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

Previous Work Completed

Previous work under this task includes transmitting Intelligent Transportation System (ITS), autonomous vehicle, and safety information to MPOs and participating on the Florida Department of Transportation (FDOT) Strategic Highway Safety Plan Steering and Executive Committees, the Transportation Asset Management Plan Steering Committee, the Bicycle and Pedestrian Partnership Council, and the FDOT's Safe Mobility for Life Coalition and initiatives. The MPOAC Executive Director is a member of the Intelligent Transportation Society of Florida and was a participant in the Safe Streets Summit, the Annual Florida Automated Vehicles Summit, the Florida Metropolitan Planning Partnership, the MPO Leadership meetings, and the FDOT Freight Leadership Forum.

Proposed Methodology

Given the recent implementation of the federal safety performance management measures which has brought focus to this topic, MPOAC staff expects to work with MPOs, the Florida DOT Safety Office, and the Office of Policy Planning in this area. MPOAC staff will work with FDOT, Federal Highway Administration (FHWA) and other partners to bring before the MPOAC the latest information regarding transportation safety, automated/connected vehicles, operations and management that can be used by MPOs in support of the urbanized transportation planning process. The MPOAC will work with the FDOT Safety Office to amend the Strategic Highway Safety Plan, as needed, and integrate the goals of the plan into the MPO planning process. Additionally, the MPOAC will work with the Transportation Research Board (TRB), FHWA, the Federal Transit Administration (FTA), and other partner organizations to address the issues facing older road users and other mobility concerns facing a growing senior population.

Work Products

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

Milestones

This is an ongoing activity. Presentations at quarterly meetings of the MPOAC and at Technical and Policy Committee meetings will take place as needed or requested by MPOAC membership.

End Products

This is an ongoing activity. Presentations at quarterly meetings of the MPOAC and at Technical and Policy Committee meetings will take place as needed or requested by MPOAC membership.

Funding Source

FY 2020/21		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 3.4	Safety, Operations and Management						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$14,022	\$3,093				
Consultant Services							
Totals		\$14,022	\$3,093	\$0		\$0	\$0

FY 2021/22		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 3.4	Safety, Operations and Management						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$14,022	\$3,093				
Consultant Services							
Totals		\$14,022	\$3,093	\$0		\$0	\$0

Task 3.5 – MPOAC Strategic Plan Implementation and Working Groups

Purpose

To carry out the action items contained in the MPOAC Strategic Directions Plan and update the adopted vision statement, guiding principles and goals if needed. The MPOAC Strategic Directions Plan identified several working groups which will increase the value of MPOAC to Florida DOT, the MPOs and the citizens of Florida. These working groups are topic area specific and are intended to address areas which can benefit from the statewide collective forum provided by the MPOAC.

Previous Work Completed

During FY 2015/16, the MPOAC conducted a strategic planning process in an effort to ensure organizational effectiveness in meeting member needs and expectations. The process, guided by the Strategic Directions Advisory Committee (SDAC) and mediated by the Florida CRC Consensus Center, concluded in 2016 and resulted in the completion of the MPOAC Strategic Directions Plan and an associated Implementation Action Plan. The MPOAC identified four working groups to implement over the following four years. The Complete Streets Working Group completed the “Complete Streets Best Practices” report in 2018 and the final report is posted to the MPOAC website. The Noteworthy Practices Working Group has been formed and is meeting regularly to achieve the goals and objectives in the Strategic Directions Plan. The Noteworthy Practices Working Group has also assembled a Share Point site for use by the membership. In addition, the Working Group has begun holding presentations at the quarterly MPOAC meetings where selected MPOs share details of their efforts. The presentations are selected by the membership through an annual balloting process.

Proposed Methodology

Staff anticipates launching the Training and Communications working groups during the timeframe of this UPWP. The Noteworthy Practices working group is expected to continue to meet. The Complete Streets working group completed their planned work during the last UPWP and may reconvene to evaluate if there is additional work to undertake. Much of the staffing work is provided by member organizations. The final products of the working groups, along with potential changes in federal or state laws and rules, may result in the necessity to modify or amend the existing MPOAC Strategic Directions Plan. Additionally, the deliberations of the working groups may result in the development of new work products (reports, brochures, etc.).

Work Product

Each working group will produce a product or products depending on the nature of their work with the intention of making these products available for others to learn from and to improve the state of transportation planning among the Florida MPOs. The MPOAC will be required to participate in the cost of these work products. Additionally, the existing MPOAC Strategic Directions Plan may, for a variety of reasons, require modifications or amendments that will require the expenditure of MPOAC resources.

Milestones

Quarterly meetings during Fiscal Years 2020/2021 and 2021/2022 or as needed, including meeting agendas sent out in advance of meetings and the hosting of quarterly meetings.

The Working Groups will periodically report out to the Staff Directors’ Advisory Committee and produce reports, websites, and products that may be used by MPOs and require financial expenditure by the MPOAC. Amendments and modifications to the existing MPOAC Strategic Directions Plan may be required during Fiscal Years 2020/2021 and/or FY 2021/2022.

End Products

Quarterly meetings during Fiscal Years 2020/2021 and 2021/2022 or as needed, included meetings of the MPOAC Strategic Plan working groups. The deliberations of the Working Groups may result in work products requiring financial expenditure by the MPOAC. Amendments and modifications to the existing MPOAC Strategic Directions Plan may be required during Fiscal Years 2020/2021 and/or FY 2021/2022.

Funding Source

FY 2020/21		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 3.5	MPOAC Strategic Plan Implementation						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$35,922	\$7,923				
Consultant Services							
Totals		\$35,922	\$7,923	\$0		\$0	\$0

FY 2021/22		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303d	FTA State Match
Task 3.5	MPOAC Strategic Plan Implementation						
Personnel Services							
	MPOAC Staff Salaries and Fringe Benefits	\$35,922	\$7,923				
Consultant Services							
Totals		\$35,922	\$7,923	\$0		\$0	\$0

Table 1: SFY 2021 Funding Sources

FY 2020/21 Summary Table		FHWA	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303D	State Match
Task 1.1	MPOAC Administration	\$429,744	\$94,782	\$69,768	\$0	\$22,800	\$5,700
Task 2.1	MPOAC Policy Positions	\$0	\$0	\$0	\$7,500	\$0	\$0
Task 2.2	MPOAC Institute Training Activities	\$95,660	\$21,098	\$0	\$0	\$0	\$0
Task 3.1	Assessment of Documents, Regulations, Policies and Legislation	\$44,774	\$9,875	\$0	\$0	\$0	\$0
Task 3.2	Performance Measures Implementation	\$30,459	\$6,718	\$0	\$0	\$0	\$0
Task 3.3	Public Transportation, Environment & Community Planning	\$18,293	\$4,035	\$0	\$0	\$7,200	\$1,800
Task 3.4	Safety, Operations and Management	\$14,022	\$3,093	\$0	\$0	\$0	\$0
Task 3.5	MPOAC Strategic Plan Implementation	\$35,922	\$7,923	\$0	\$0	\$0	\$0
	Totals	\$668,874	\$147,523	\$69,768	\$7,500	\$30,000	\$7,500
	Grand Total of all Columns	\$931,165					

Note: Task 1.1 FHWA PL and Federal Soft Match includes AMPO and NARC dues for all Florida MPOs (\$84,826 for AMPO and \$85,500 for NARC).

Table 2: SFY 2022 Funding Sources

FY 2021/22 Summary Table		FHWA (PL)	Federal Soft Match	State In Kind Match	Local Funds	FTA 5303D	FTA State Match
Task 1.1	MPOAC Administration	\$429,744	\$94,782	\$69,768	\$0	\$22,800	\$5,700
Task 2.1	MPOAC Policy Positions	\$0	\$0	\$0	\$7,500	\$0	\$0
Task 2.2	MPOAC Institute Training Activities	\$95,660	\$21,098	\$0	\$0	\$0	\$0
Task 3.1	Assessment of Documents, Regulations, Policies and Legislation	\$44,774	\$9,875	\$0	\$0	\$0	\$0
Task 3.2	Performance Measures Implementation	\$30,459	\$6,718	\$0	\$0	\$0	\$0
Task 3.3	Public Transportation, Environment & Community Planning	\$18,293	\$4,035	\$0	\$0	\$7,200	\$1,800
Task 3.4	Safety, Operations and Management	\$14,022	\$3,093	\$0	\$0	\$0	\$0
Task 3.5	MPOAC Strategic Plan Implementation	\$35,922	\$7,923	\$0	\$0	\$0	\$0
Totals		\$668,874	\$147,523	\$69,768	\$7,500	\$30,000	\$7,500
Grand Total of all Columns		\$931,165					

Note: Task 1.1 FHWA PL and Federal Soft Match includes AMPO and NARC dues for all Florida MPOs (\$84,826 for AMPO and \$85,500 for NARC). Please see the notes in Task 1.1.

Table 3: Relationship of UPWP Tasks to Federal Planning Factors

FEDERAL PLANNING FACTORS	Task 1.1	Task 2.1	Task 2.2	Task 3.1	Task 3.2	Task 3.3	Task 3.4	Task 3.5
Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.	X	X	X		X			X
Increase the safety of transportation system for motorized and non-motorized users.	X	X	X		X		X	X
Increase the security of transportation system for motorized and non-motorized users.	X	X	X		X		X	X
Increase the accessibility and mobility of people and for freight.	X	X	X		X			X
Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns.	X	X	X	X	X	X		X
Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.	X	X	X	X	X	X		X
Promote efficient system management and operation.	X	X	X		X		X	X
Emphasize the preservation of the existing transportation system.	X	X	X		X		X	X
Improve the resiliency and reliability of the transportation system and reduce or mitigate storm water impacts of surface transportation.	X	X	X		X	X		X
Enhance travel and tourism.	X	X			X	X		X

Table 4: Relationship of UPWP Tasks to State Planning Emphasis Areas

State Planning Emphasis Areas	Task 1.1	Task 2.1	Task 2.2	Task 3.1	Task 3.2	Task 3.3	Task 3.4	Task 3.5
SAFETY	X	X	X		X	X	X	X
SYSTEM CONNECTIVITY	X	X	X		X	X		X
RESILIENCE	X	X	X		X	X		X
ACES	X	X	X		X	X	X	X

MPOAC Responses to Comments Received

The Draft UPWP was available for public comment for 30 days, beginning on January 30, 2020. To solicit comments, the Draft UPWP was published on the MPOAC website, was presented at the January 30, 2020 quarterly meetings of the MPOAC Staff Directors' Advisory Committee and the MPOAC Governing Board. An email containing a weblink leading to the MPOAC website where the draft UPWP was located was sent to the MPOAC membership and partners. The following comments were received:

Florida Department of Transportation: Please see the checklist provided to MPOAC by the Florida DOT.

MPOAC response: Thank you, we have looked at the completed checklist and addressed comments provided via the checklist.

Florida Division of Federal Highway Administration: General Comment: Please ensure the updated Federal Aid Project (FAP) number and the State Financial Management (FM) numbers are used for the final UPWP.

MPOAC response: Thank you, we have updated those numbers.

Florida Division of Federal Highway Administration: Introduction: Please include a discussion on the use of the soft match policy for the Federal funds. This should also identify the total amount of the soft match and percentages of the match. Please also note that the soft match amount must also be shown for each task in the Budget summary tables as well.

MPOAC response: Thank you. This was included in paragraph three of the Introduction section of the draft UPWP. The soft match was shown for each task in the budget summary tables of the draft UPWP. We will retain those details in the final document per the comment.

Florida Division of Federal Highway Administration: All Agreements or Certifications including Debarment and Suspension, Contracts, Grants, and Cooperative Agreements, Title VI Nondiscrimination Policy Statement and Disadvantaged Business Enterprise (DBE) statements should be signed and dated, and included in the final copy of the document.

MPOAC response: Thank you, this was completed as requested.

Florida Division of Federal Highway Administration: ADA requires that any posting of this UPWP as electronic information (web and otherwise) must be accessible to those with disabilities. Absent that, the MPOAC should have a plan for providing accessibility and advise the public of that plan and the remediation timeline.

MPOAC response: Thank you, the document is available as a PDF file which may be enlarged by a user. The document is also available to members of the public in alternate forms by calling our office.

Florida Division of Federal Highway Administration: The PL funds for appear to be overprogrammed based on FDOT tables showing PL funds available and forecasted for the MPOAC. Please ensure that the final UPWP is fiscally constrained for the available and forecasted funds.

MPOAC response: Thank you. The funds were programmed with the belief that we would be implementing a Consolidated Planning Grant. After the draft was published the decision to wait until later to implement the CPG was made and so the final UPWP has reverted to non-CPG funding amounts. There was also presented in the draft UPWP, and during the January 30th MPOAC meetings, a plan to increase one time the distribution of PL funds to MPOAC for membership dues in national organizations. This would require action by the MPOAC Governing Board. Due to the Board not meeting on April 30th, this provision was removed from the final UPWP and will be addressed as an amendment at a later date.

Florida Division of Federal Highway Administration: If planning activities are proposed for funding under the 49 USC 5307 program or any other FTA program, please ensure they are listed and programmed in the UPWP.

MPOAC response: Thank you, those funds are shown.

Florida Division of Federal Highway Administration: If FTA grant funding is being carried over from the prior-year UPWP, carryover amounts and activities should be listed in the document. Please identify any incomplete work elements or activities financed with Federal planning assistance awarded in previous fiscal years as carryover activities.

MPOAC response: Thank you, if there are funds to be carried over from previous years, they will be shown either in the final UPWP or in a subsequent amendment.

Florida Division of Federal Highway Administration: If any programmed 5305(d) funds are estimates, coordination with the State DOT may be required for UPWP modification or amendment after review of FTA apportionments.

MPOAC response: Thank you.

Florida Division of Federal Highway Administration: The metropolitan transportation planning process should provide for the establishment and use of a performance-based approach, with related activities noted in the UPWP accordingly. Please note that in addition to TAM, there is an upcoming deadline for MPO PTASP target setting that will occur during the next UPWP cycle.

MPOAC response: Thank you. MPOAC does not program projects or planning studies related to facilities. MPOAC serves in a support role to the 27 MPOs in Florida and has identified activities that will support the 27 MPOs as they implement Transportation Performance Measures. MPOAC does not set TPM targets or report progress due to our not having a TIP.

Florida Division of Federal Highway Administration: FDOT provided comments as a checklist uploaded to the Portal on 4/13/20, and some of the comments are identified as critical. Rather than repeat any as part of the Federal comments, we simply ask that the FDOT comments be addressed in the Final UPWP.

MPOAC response: Thank you.

Item Number 7B

Business Items & Presentations Approve Change to MPOAC Bylaws

DISCUSSION:

The MPOAC Bylaws do not allow for the Chair of the Governing Board to make decisions or approvals for the continued operation of the MPOAC during an emergency event or other occasion where the MPOAC is unable to meet. These changes to the bylaws will allow the Chair of the MPOAC Governing Board to take action on behalf of the MPOAC when the organization is unable to meet. This omission from the bylaws became apparent during this time of coronavirus.

This change to the bylaws also includes the addition of citing federal codified rulemaking and referencing state statutes.

REQUESTED ACTIONS:

Approval of the change to the MPOAC Bylaws.

ATTACHMENTS:

Strikethrough/Underline version of the bylaws with proposed changes.
Clean version of the bylaws with proposed changes.

RESOLUTION NO. 2020-02

A RESOLUTION OF THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL; REVISING AGENCY BY- LAWS; AND PROVIDING AN EFFECTIVE DATE.

MPOAC Agency By-Laws

(adopted January 22, 2015, Res. No. 15-1; amended January 26, 2017, Res. No. 17-1; amended October 29, 2020, Res. No. 2020-02)

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

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

(a) "MPO" means and refers to a metropolitan planning organization as provided for in 23 U.S.C. Section 134, 49 U.S.C. Section 5303, and Section 339.175, Florida Statutes. MPO may also mean a transportation planning organization ("TPO"), transportation planning agency ("TPA") or other name used by an MPO in Florida.

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

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

Section 2. MPOAC Organization.

(a) The Governing Board of the MPOAC is composed of a twenty-seven (27) member Governing Board as of 2017. Pursuant to As provided in Section 3. (c) (b), if a new MPO is created, the number of Governing Board members will increase. Each individual MPO selects one representative, and may select at least one alternate representative, to serve on the Governing Board. An MPO may select a primary alternate representative and, at its option, a secondary

alternate representative. Alternate representatives shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the MPOAC Governing Board, only in the absence of the representative that the alternate has been appointed to serve in place of; provided, however, that alternate representatives may always attend Governing Board meetings and participate in debate. A secondary alternate representative shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the MPOAC Governing Board, only in the absence of the Governing Board member, and **the** primary alternate representative, of the MPO that the secondary alternate represents.

(b) Organizational structure.

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

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

(c) Executive Committee.

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

(2) **The Executive Committee shall provide policy direction for the MPOAC between Governing Board meetings and provide an annual evaluation of the MPOAC Executive Director. In the event that the Governing Board is unable to meet due to civil unrest emergency; weather related emergency (such as hurricane, tropical storm, or flooding); pandemic or other**

disease, environmental, or health related emergency; or declared state of emergency by the Governor, the Executive Committee may take action with regard to approving any action that would otherwise be taken by the Governing Board, including but not limited to approval of the Unified Planning Work Program; selection of a new chair or vice-chair of the MPOAC; appointment of staff; approval of documents or proposals requiring MPOAC approval to satisfy the Federal Highway Administration, Federal Transit Administration, or other agency of the U.S. Department of Transportation, or Florida Department of Transportation requirements; approval of contracts or amendments thereto; or approval of other fiscal or policy-related decisions. Amendments to these by-laws, other than a recommendation to the Governing Board, shall not be permitted to be approved by the Executive Committee. In the event that the Executive Committee is unable to meet due to civil unrest emergency; weather related emergency (such as hurricane, tropical storm, or flooding); pandemic or other disease, environmental, or health related emergency; or declared state of emergency by the Governor, the MPOAC Governing Board Chair or Vice-Chair may take action with regard to approving any action that would otherwise be taken by the Governing Board, including but not limited to approval of the Unified Planning Work Program, approval of documents or proposals requiring MPOAC approval to satisfy Federal Highway Administration, Federal Transit Administration, or other agency of the U.S. Department of Transportation, or Florida Department of Transportation requirements; approval of contracts or amendments thereto, or other fiscal or policy-related decisions. Amendments to these by-laws, other than a recommendation to the Governing Board, shall not be permitted to be approved by the Chair or Vice-Chair.

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

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

(d) Staff Directors' Advisory Committee. The Staff Directors' Advisory Committee is responsible for providing guidance to the MPOAC Governing Board regarding transportation issues and agency operation. It may assist in the preparation of the MPOAC agenda. In addition, the Staff Directors' Advisory Committee may serve as a forum for the discussion and formulation of

recommendations to the Governing Board which will later be forwarded to appropriate governmental bodies or other individuals. Recommendations shall relate to statewide concerns regarding all transportation-related issues.

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

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

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

Section 3. MPOAC Governing Board.

(a) The MPOAC Governing Board consists of one representative from each of the duly designated MPOs in Florida. As of 2020, ~~2017~~ the MPOs are:

- (1) Bay County Transportation Planning Organization;
- (2) Broward Metropolitan Planning Organization;
- (3) Capital Region Transportation Planning Agency;
- (4) Charlotte County-Punta Gorda Metropolitan
Planning Organization;
- (5) Collier Metropolitan Planning Organization;
- (6) Florida-Alabama Transportation Planning
Organization;
- (7) Forward Pinellas;
- (8) Heartland Regional Transportation Planning Organization;

- Organization;
- (9) Hernando/Citrus Metropolitan Planning Organization;
 - (10) Hillsborough County Metropolitan Planning Organization;
 - (11) Indian River County Metropolitan Planning Organization;
 - (12) Lake-Sumter Metropolitan Planning Organization;
 - (13) Lee County Metropolitan Planning Organization;
 - (14) Martin Metropolitan Planning Organization;
 - (15) MetroPlan Orlando;
 - (16) Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area;
 - (17) Miami-Dade **Transportation** **Metropolitan** Planning Organization;
 - (18) North Florida Transportation Planning Organization;
 - (19) Ocala-Marion County Transportation Planning Organization;
 - (20) Okaloosa-Walton Transportation Planning Organization;
 - (21) Pasco County Metropolitan Planning Organization;
 - (22) Palm Beach **Transportation Planning Agency** **Metropolitan Planning Organization**;
 - (23) Polk Transportation Planning Organization;
 - (24) River to Sea Transportation Planning Organization;
 - (25) Sarasota/Manatee Metropolitan Planning Organization;
 - (26) Space Coast Transportation Planning Organization; and
 - (27) St. Lucie Transportation Planning Organization.

(b) Appointment of Governing Board representatives.

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

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

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

(4) Each representative and each alternate representative of a MPO shall serve at the pleasure of the appointing MPO; provided, that a representative or an alternate representative on the MPOAC Governing Board

must at all times be a representative sitting on the Governing Board of the appointing MPO.

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

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

Section 4. Organization of the Governing Board.

(a) The MPOAC Governing Board shall at its first meeting of the calendar year elect a Chair and Vice-Chair as its officers. The Chair and Vice-Chair shall take office upon election, and shall serve until the completion of **the** next regular election which shall be held at the first meeting in the first quarter of the calendar year, or until a successor is **thereafter** elected, whichever event shall first occur. The Chair and Vice-Chair must at all times during their term of office be members of the MPOAC Governing Board.

(b) **Except as otherwise provided in Section 2.(c)(2), if** ~~If~~ a vacancy occurs in any MPOAC Governing Board office, the MPOAC Governing Board shall fill the vacancy, and the individual filling the vacancy shall serve until the time set for the beginning of the MPOAC Governing Board meeting held in the third quarter of the calendar year, or until a successor is thereafter elected, whichever event shall first occur.

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

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

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

(f) Meetings.

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

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

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

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

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

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

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

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

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

(a) Appointment of Committee representatives.

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

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

(3) Upon the creation of a new MPO pursuant to Section 339.175, Florida Statutes, said MPO is entitled to the appointment of one member representative and one (1) primary and one (1) **secondary** alternate member representative to serve on the Staff Directors' Advisory Committee.

(b) The term of service for a member representative on the Staff Directors' Advisory Committee shall be for a period of time beginning on January

1st and ending on December 31st of each year. Members and alternate members are eligible for reappointment. By no later than December 31st of each calendar year, each MPO ~~should~~ **shall** designate **for the forthcoming year** its representative and any alternate representatives to the MPOAC.

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

(d) Officers. The officers of the Staff Directors' Advisory Committee shall be the Chair and the Vice-Chair. The Chair and Vice-Chair shall be selected by a majority vote of the membership of the Staff Directors' Advisory Committee voting. The Chair and Vice-Chair shall take office upon election at the first Staff Directors' Advisory Committee in the first quarter (or as soon thereafter as possible if a meeting is not held in the first quarter) and shall serve until the completion of the next regularly scheduled election, which shall be held at the first meeting in the first quarter of the calendar year, or until a successor is thereafter elected, whichever event shall first occur. The Chair and Vice-Chair must be members of the Staff Directors' Advisory Committee.

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

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

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

(h) Meetings. Regular meetings of the Staff Directors' Advisory Committee shall be held at least once each calendar year quarter based on an annual schedule established by the MPOAC Governing Board, unless cancelled

or rescheduled by the Staff Directors' Advisory Committee Chair. A regular meeting schedule shall be set by the Staff Directors' Advisory Committee annually by a majority of those members voting at a meeting. The Chair may cancel a meeting as a result of a lack of business to bring to the committee. Regular meetings shall usually be held immediately prior to, or at the option of the Chair, simultaneous with the meetings of the Governing Board. Joint meetings of the Staff Directors' Advisory Committee and Governing Board may be conducted, and those meetings may be called as provided in Section 4.(f)(4). Joint meetings of the Governing Board and the Staff Directors' Advisory Committee shall be held in the same location as the Governing Board meeting. Special meetings, which are not joint meetings, may be held at a date, time, and location to be determined by the Chair or a majority of the committee members voting. A vote of a majority of the members voting shall take precedence over a decision of the Chair. In addition, special meetings may be called through a letter of petition from at least four (4) members; provided, that applicable public notice requirements are satisfied. This letter shall state the purpose of the special meeting and may propose a time, location, and date for the special meeting. In the event of any petition which does set a time, location, or date for a special meeting, the Chair, after coordinating with Executive Director, shall set the time, location, or date of the meeting.

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

(i) Other MPOAC Committees.

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

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

(3) ~~There shall be no limit on the number of alternates that may~~

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

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

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

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

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

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

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

(c) Principal Office of the MPOAC. The principal office of the MPOAC is located at such location as designated from time to time by the Governing

Board. The address, e-mail address, and telephone number of the principal office shall be displayed on the MPOAC Internet web-site. The MPOAC executive director and staff are located at the principal office. MPOAC official records, other than records of the general counsel, shall be maintained in the principal office of the MPOAC. Interested parties may receive copies of agency records from the agency clerk at the principal office of the MPOAC.

Section 7. Setting the Agenda.

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

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

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

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

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

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

available at the time that the agenda was prepared, or for consideration of solely ministerial or internal-administrative matters, which do not affect the interests of the public generally.

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

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

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

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

Section 8. Notice of Meetings and Workshops.

(a) Governing Board Meetings.

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

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

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

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

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

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

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

Section 9. Emergency Meetings.

(a) The MPOAC Governing Board, the Executive Committee, an advisory committee, or the Staff Directors' Advisory Committee or its subcommittees, may hold an emergency meeting, notwithstanding the provisions of any other section of these bylaws for the purpose of acting upon matters affecting the public health, safety, aesthetics, economic order, or welfare. The form of notice shall be as set forth in Section 8. The form of the agenda shall be as prescribed in Section 7. (h).

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

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

Section 10. Rules of Procedure; Action by Consent.

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

(b) By general, unanimous, or silent consent, the Governing Board, ~~or~~ the Staff Directors' Advisory Committee, or any committee of the MPOAC, can do business with little regard for the rules of procedure, as they are made for the protection of the minority, and when there is no minority to protect, there is little need for the restraint of the rules, except such as to protect the rights of absent members. In the former case the consent of the absentees cannot be given. A single objection defeats a request for general consent. By the legitimate use of the principle that the rules are designed for the protection of the minority, and generally need not be strictly enforced when there is no minority to protect, business may be greatly expedited. When there is evidently no opposition, except in the case of state law requiring a recorded vote or when a written resolution is being adopted in final form, the formality of voting can be avoided by the Chair asking if there is any objection to the proposed action, and if there is none, announcing the result. The action thus taken is said to be done by general consent, or unanimous or silent consent. Thus, after an order has been adopted limiting the speeches to three minutes each, if a speaker is so interesting that when said speaker's time has expired, there is a general demand for the speaker to be permitted to continue making remarks, the Chair as the presiding officer, instead of waiting for a motion and taking a vote, could accept it as the will of the assembly that the speaker's time be extended, and would direct the speaker to proceed. Or, the speaker's time might say that if there is no objection, the member's time will be extended two minutes, or some other time. (Excerpted from Robert's Rules of Order).

Section 11. Public Comment.

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

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

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

(b) Public Comment with regard to Agenda Items.

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

(2) During a presentation by a member of the public or other non-agency personnel, other members of the public, non-agency personnel,

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

(c) Addressing the Governing Board; Decorum.

(1) Members of the public or non-agency personnel seeking to address the Governing Board, the Executive Committee, the Staff Directors' Advisory Committee, or another MPOAC committee, should prepare their remarks before addressing the Governing Board, the Executive Committee, the Staff Directors' Advisory Committee, or another MPOAC committee, in an effort to be concise and to the point. Speakers must come to the lectern to speak, but they may come to the lectern only after they have been recognized by the presiding Chair. Members of the public shall not address individual members of the Governing Board, the Executive Committee, or individual members of the Staff Directors' Advisory Committee, or another MPOAC committee, but shall address the board or committee being addressed as a whole through the presiding Chair.

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

(d) Sign-up Sheets to be used. Sign-up sheets will be provided for each member of the public or non-agency personnel addressing the Governing Board, the Executive Committee, the Staff Directors' Advisory Committee, or another MPOAC committee, as applicable, during public comment on non-agenda items or during public comment on an individual agenda item. For public comment on non-agenda items, the person seeking to speak must present a sign-up sheet to the board or committee secretary not later than the beginning of the public comment on non-agenda items. For public comment on an agenda item, the person seeking to speak must present a sign-up sheet to the board or committee secretary not later than the beginning of the agenda item. Sign up sheets shall provide that the speaker identify the speaker's name, address, who the speaker is representing (if anyone), the agenda item that the speaker wishes

to address, and the sign-up sheet must include the signature of the person seeking to comment. If a speaker wishes to speak with regard to more than one agenda item, individual sign up sheets must be submitted for each agenda item. The street address for individuals under the age of eighteen (18) may be omitted from being completed on a sign up sheet.

Section 12. Amendment of Bylaws.

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

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

Effective Date. These by-laws amendments are effective immediately upon adoption.

FLORIDA METROPOLITAN PLANNING
ORGANIZATION ADVISORY COUNCIL

By: _____
Commissioner Nick Maddox, Chair

ATTEST:

(AGENCY SEAL)

Carl Mikyska, Agency Clerk

RESOLUTION NO. 2020-02

A RESOLUTION OF THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL; REVISING AGENCY BY- LAWS; AND PROVIDING AN EFFECTIVE DATE.

MPOAC Agency By-Laws

(adopted January 22, 2015, Res. No. 15-1; amended January 26, 2017, Res. No. 17-1; amended October 29, 2020, Res. No. 2020-02)

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

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

(a) "MPO" means and refers to a metropolitan planning organization as provided for in 23 U.S.C. Section 134, 49 U.S.C. Section 5303, and Section 339.175, Florida Statutes. MPO may also mean a transportation planning organization ("TPO"), transportation planning agency ("TPA") or other name used by an MPO in Florida.

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

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

Section 2. MPOAC Organization.

(a) The Governing Board of the MPOAC is composed of a twenty-seven (27) member Governing Board. Pursuant to Section 3.(c), if a new MPO is created, the number of Governing Board members will increase. Each individual MPO selects one representative, and may select at least one alternate representative, to serve on the Governing Board. An MPO may select a primary alternate representative and, at its option, a secondary alternate representative.

Alternate representatives shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the MPOAC Governing Board, only in the absence of the representative that the alternate has been appointed to serve in place of; provided, however, that alternate representatives may always attend Governing Board meetings and participate in debate. A secondary alternate representative shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the MPOAC Governing Board, only in the absence of the Governing Board member, and the primary alternate representative, of the MPO that the secondary alternate represents.

(b) Organizational structure.

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

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

(c) Executive Committee.

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

(2) The Executive Committee shall provide policy direction for the MPOAC between Governing Board meetings and provide an annual evaluation of the MPOAC Executive Director. In the event that the Governing Board is unable to meet due to civil unrest emergency; weather related emergency (such as hurricane, tropical storm, or flooding); pandemic or other

disease, environmental, or health related emergency; or declared state of emergency by the Governor, the Executive Committee may take action with regard to approving any action that would otherwise be taken by the Governing Board, including but not limited to approval of the Unified Planning Work Program; selection of a new chair or vice-chair of the MPOAC; appointment of staff; approval of documents or proposals requiring MPOAC approval to satisfy the Federal Highway Administration, Federal Transit Administration, or other agency of the U.S. Department of Transportation, or Florida Department of Transportation requirements; approval of contracts or amendments thereto; or approval of other fiscal or policy-related decisions. Amendments to these by-laws, other than a recommendation to the Governing Board, shall not be permitted to be approved by the Executive Committee. In the event that the Executive Committee is unable to meet due to civil unrest emergency; weather related emergency (such as hurricane, tropical storm, or flooding); pandemic or other disease, environmental, or health related emergency; or declared state of emergency by the Governor, the MPOAC Governing Board Chair or Vice-Chair may take action with regard to approving any action that would otherwise be taken by the Governing Board, including but not limited to approval of the Unified Planning Work Program, approval of documents or proposals requiring MPOAC approval to satisfy Federal Highway Administration, Federal Transit Administration, or other agency of the U.S. Department of Transportation, or Florida Department of Transportation requirements; approval of contracts or amendments thereto, or other fiscal or policy-related decisions. Amendments to these by-laws, other than a recommendation to the Governing Board, shall not be permitted to be approved by the Chair or Vice-Chair.

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

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

(d) Staff Directors' Advisory Committee. The Staff Directors' Advisory Committee is responsible for providing guidance to the MPOAC Governing Board regarding transportation issues and agency operation. It may assist in the preparation of the MPOAC agenda. In addition, the Staff Directors' Advisory Committee may serve as a forum for the discussion and formulation of

recommendations to the Governing Board which will later be forwarded to appropriate governmental bodies or other individuals. Recommendations shall relate to statewide concerns regarding all transportation-related issues.

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

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

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

Section 3. MPOAC Governing Board.

(a) The MPOAC Governing Board consists of one representative from each of the duly designated MPOs in Florida. As of 2020, the MPOs are:

- (1) Bay County Transportation Planning Organization;
- (2) Broward Metropolitan Planning Organization;
- (3) Capital Region Transportation Planning Agency;
- (4) Charlotte County-Punta Gorda Metropolitan
Planning Organization;
- (5) Collier Metropolitan Planning Organization;
- (6) Florida-Alabama Transportation Planning
Organization;
- (7) Forward Pinellas;
- (8) Heartland Regional Transportation Planning Organization;

- Organization;
- (9) Hernando/Citrus Metropolitan Planning Organization;
 - (10) Hillsborough County Metropolitan Planning Organization;
 - (11) Indian River County Metropolitan Planning Organization;
 - (12) Lake-Sumter Metropolitan Planning Organization;
 - (13) Lee County Metropolitan Planning Organization;
 - (14) Martin Metropolitan Planning Organization;
 - (15) MetroPlan Orlando;
 - (16) Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area;
 - (17) Miami-Dade Transportation Planning Organization;
 - (18) North Florida Transportation Planning Organization;
 - (19) Ocala-Marion County Transportation Planning Organization;
 - (20) Okaloosa-Walton Transportation Planning Organization;
 - (21) Pasco County Metropolitan Planning Organization;
 - (22) Palm Beach Transportation Planning Agency;
 - (23) Polk Transportation Planning Organization;
 - (24) River to Sea Transportation Planning Organization;
 - (25) Sarasota/Manatee Metropolitan Planning Organization;
 - (26) Space Coast Transportation Planning Organization; and
 - (27) St. Lucie Transportation Planning Organization.

(b) Appointment of Governing Board representatives.

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

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

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

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

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

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

Section 4. Organization of the Governing Board.

(a) The MPOAC Governing Board shall at its first meeting of the calendar year elect a Chair and Vice-Chair as its officers. The Chair and Vice-Chair shall take office upon election, and shall serve until the completion of the next regular election which shall be held at the first meeting in the first quarter of the calendar year, or until a successor is elected, whichever event shall first occur. The Chair and Vice-Chair must at all times during their term of office be members of the MPOAC Governing Board.

(b) Except as otherwise provided in Section 2.(c)(2), if a vacancy occurs in any MPOAC Governing Board office, the MPOAC Governing Board shall fill the vacancy, and the individual filling the vacancy shall serve until the time set for the beginning of the MPOAC Governing Board meeting held in the third quarter of the calendar year, or until a successor is thereafter elected, whichever event shall first occur.

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

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

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

(f) Meetings.

(1) The MPOAC shall meet no less often than once each calendar quarter during the year based on an annual schedule established by the

Governing Board which schedule may be amended from time to time by the Governing Board, unless said meeting is cancelled or rescheduled by the Chair. The Chair shall be empowered to cancel any of the foregoing regular meetings, as necessary. Regular meetings may be held at a location, date, and time, to be determined annually by a majority of the Governing Board members voting.

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

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

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

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

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

(2) Committee members and alternate members shall be appointed by the Governing Board Chair, or a majority of the Governing Board voting at a duly called meeting. The vote of a majority of the Governing Board members shall take precedence over an appointment by the Chair. Additionally, in the event that two or more individuals are appointed as alternate members for a specific member, the alternate members must be designated as first alternate, second alternate, or otherwise, to designate the order in which alternates may serve in place of a regular member.

(3) The Governing Board Chair, or a majority of the Governing Board membership voting at a duly called meeting, may select the committee Chair and Vice-Chair. The vote of a majority of the Governing Board members shall take precedence over an appointment by the Chair. If the MPOAC Chair or

Governing Board membership does not appoint a committee Chair and a Vice-Chair, the selection of the committee chair shall be left to the committee membership. The term of the Chair and Vice-Chair shall run commensurate with the regular term of the Governing Board Chair.

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

(a) Appointment of Committee representatives.

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

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

(3) Upon the creation of a new MPO pursuant to Section 339.175, Florida Statutes, said MPO is entitled to the appointment of one member representative and one (1) primary and one (1) secondary alternate member representative to serve on the Staff Directors' Advisory Committee.

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

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

(d) Officers. The officers of the Staff Directors' Advisory Committee shall be the Chair and the Vice-Chair. The Chair and Vice-Chair shall be selected by a majority vote of the membership of the Staff Directors' Advisory Committee voting. The Chair and Vice-Chair shall take office upon election at the first Staff Directors' Advisory Committee in the first quarter (or as soon thereafter as possible if a meeting is not held in the first quarter) and shall serve until the completion of the next regularly scheduled election, which shall be held at the first meeting in the first quarter of the calendar year, or until a successor is thereafter elected, whichever event shall first occur. The Chair and Vice-Chair must be members of the Staff Directors' Advisory Committee.

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

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

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

(h) Meetings. Regular meetings of the Staff Directors' Advisory Committee shall be held at least once each calendar year quarter based on an annual schedule established by the MPOAC Governing Board, unless cancelled or rescheduled by the Staff Directors' Advisory Committee Chair. A regular meeting schedule shall be set by the Staff Directors' Advisory Committee annually by a majority of those members voting at a meeting. The Chair may cancel a meeting as a result of a lack of business to bring to the committee. Regular meetings shall usually be held immediately prior to, or at the option of

the Chair, simultaneous with the meetings of the Governing Board. Joint meetings of the Staff Directors' Advisory Committee and Governing Board may be conducted, and those meetings may be called as provided in Section 4.(f)(4). Joint meetings of the Governing Board and the Staff Directors' Advisory Committee shall be held in the same location as the Governing Board meeting. Special meetings, which are not joint meetings, may be held at a date, time, and location to be determined by the Chair or a majority of the committee members voting. A vote of a majority of the members voting shall take precedence over a decision of the Chair. In addition, special meetings may be called through a letter of petition from at least four (4) members; provided, that applicable public notice requirements are satisfied. This letter shall state the purpose of the special meeting and may propose a time, location, and date for the special meeting. In the event of any petition which does set a time, location, or date for a special meeting, the Chair, after coordinating with Executive Director, shall set the time, location, or date of the meeting.

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

(i) Other MPOAC Committees.

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

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

(3) In the event that two or more individuals are appointed as alternate members for a specific member, the alternate members must be designated as first alternate, second alternate, or otherwise, to designate the order in which alternates may serve in place of a regular member.

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

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

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

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

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

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

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

Section 7. Setting the Agenda.

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

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

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

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

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

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

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

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

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

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

Section 8. Notice of Meetings and Workshops.

(a) Governing Board Meetings.

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

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

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

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

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

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

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

Section 9. Emergency Meetings.

(a) The MPOAC Governing Board, the Executive Committee, an advisory committee, or the Staff Directors' Advisory Committee or its subcommittees, may hold an emergency meeting, notwithstanding the provisions of any other section of these bylaws for the purpose of acting upon matters affecting the public health, safety, aesthetics, economic order, or welfare. The form of notice shall be as set forth in Section 8. The form of the agenda shall be as prescribed in Section 7. (h).

(b) Whenever an emergency meeting is scheduled to be held, the agency clerk shall notice said meeting, as soon as possible prior to the meeting, in the Florida Administrative Register and the MPOAC web-site stating where the

meeting will take place and the time, date, place and general purpose of the meeting or workshop.

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

Section 10. Rules of Procedure; Action by Consent.

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

(b) By general, unanimous, or silent consent, the Governing Board, the Staff Directors' Advisory Committee, or any committee of the MPOAC, can do business with little regard for the rules of procedure, as they are made for the protection of the minority, and when there is no minority to protect, there is little need for the restraint of the rules, except such as to protect the rights of absent members. In the former case the consent of the absentees cannot be given. A single objection defeats a request for general consent. By the legitimate use of the principle that the rules are designed for the protection of the minority, and generally need not be strictly enforced when there is no minority to protect, business may be greatly expedited. When there is evidently no opposition, except in the case of state law requiring a recorded vote or when a written resolution is being adopted in final form, the formality of voting can be avoided by the Chair asking if there is any objection to the proposed action, and if there is none, announcing the result. The action thus taken is said to be done by general consent, or unanimous or silent consent. Thus, after an order has been adopted limiting the speeches to three minutes each, if a speaker is so interesting that when said speaker's time has expired, there is a general demand for the speaker to be permitted to continue making remarks, the Chair as the presiding officer, instead of waiting for a motion and taking a vote, could accept it as the will of the assembly that the speaker's time be extended, and would direct the speaker to proceed. Or, the speaker's time might say that if there is no objection, the member's time will be extended two minutes, or some other time. (Excerpted from Robert's Rules of Order).

Section 11. Public Comment.

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

(1) In the early stages of a Governing Board, Staff Directors' Advisory Committee, the Executive Committee, or other MPOAC advisory committee, meeting, time will be reserved for comment by members of the general public and other non-agency individuals. Individuals speaking during

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

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

(b) Public Comment with regard to Agenda Items.

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

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

and agency staff may question the speakers. Time for question and answer of a speaker will not be deducted from the speaker's three (3) minute speaking limitation.

(c) Addressing the Governing Board; Decorum.

(1) Members of the public or non-agency personnel seeking to address the Governing Board, the Executive Committee, the Staff Directors' Advisory Committee, or another MPOAC committee, should prepare their remarks before addressing the Governing Board, the Executive Committee, the Staff Directors' Advisory Committee, or another MPOAC committee, in an effort to be concise and to the point. Speakers must come to the lectern to speak, but they may come to the lectern only after they have been recognized by the presiding Chair. Members of the public shall not address individual members of the Governing Board, the Executive Committee, or individual members of the Staff Directors' Advisory Committee, or another MPOAC committee, but shall address the board or committee being addressed as a whole through the presiding Chair.

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

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

The street address for individuals under the age of eighteen (18) may be omitted from being completed on a sign up sheet.

Section 12. Amendment of Bylaws.

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

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

Effective Date. These by-laws amendments are effective immediately upon adoption.

FLORIDA METROPOLITAN PLANNING
ORGANIZATION ADVISORY COUNCIL

By: _____
Commissioner Nick Maddox, Chair

ATTEST:

(AGENCY SEAL)

Carl Mikyska, Agency Clerk

Item Number 7C

Business Items & Presentations Legislative Policy Positions

DISCUSSION:

The 2021 Legislative session will begin with committee meetings in January and the full legislative session will begin in March. Each year MPOAC develops a set of policy positions and advocates for these positions. The legislative policy positions included in this meeting packet are the culmination of staff recommendations and review by the Staff Directors' Advisory Committee.

The Staff Directors met on September 16, 2020 and workshopped the legislative policy positions. Their recommendations from that meeting included:

- Combining policy positions 1 & 2.
- Making policy position number 2 the proposed ban on the use of handheld electronic devices while driving.
- Adding a new policy position as number 3. Allowing virtual meetings during a declared state of emergency.
- Adding language to policy position 5, flexibility in funding for transit, to add language consistent with that of the Florida Public Transportation Association.

REQUESTED ACTIONS:

For review, discussion, and approval by the MPOAC Governing Board.

ATTACHMENT:

2021 Draft MPOAC Legislative Policy Positions.

FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL

2021 DRAFT LEGISLATIVE POLICY POSITIONS

Each Policy Position Starts with: “The MPOAC supports State Legislation that:”

2020 Legislative Policy Position:

1. **Expands transportation revenue sources and stabilizes 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 as earmarks). Ensure that all legislative appropriations that are passed come from non-transportation funding sources (i.e. general revenue funds).
- Fund the Transportation Regional Incentive Program (TRIP) at a predictable level of \$250 Million per year.

MPOAC Staff Directors’ Advisory Committee Recommended Language for 2021: Recommends bringing the TRIP funding language up into this policy position as a bullet point. Recommended language: Fund the Transportation Regional Incentive Program (TRIP) at a predictable funding level of \$250 million per year.

2020 Legislative Policy Position:

- 2. 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 for 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.

Discussion points:

The 2019 legislature approved texting while driving as a primary offense. In addition, the law provided a ban of handheld devices in school and work zones. The Senate bill sponsor was Wilton Simpson who stated that he wanted a full ban on handheld electronic devices while driving. Senator Simpson is slated to be the next Senate President and it is likely that he will be interested in passing a ban on handheld electronic devices while driving and would appreciate support from the transportation community.

MPOAC Staff Directors’ Advisory Committee Recommended Language for 2021: Move this policy position into the 2nd place in our brochure. No other changes recommended.

2020 Legislative Policy Position:

- 3. Add provisions to Florida's Sunshine Law to allow all government entities to hold virtual meetings during a declared emergency plus a period of 90 days past the declared emergency dates.**

We have learned during this time of COVID that the ability of government to hold meetings virtually is a benefit to Florida. Upon the declaration of an emergency by the Governor of Florida or the federal government, units of government may meet virtually so long as there is an opportunity for the public to participate virtually. Recognizing that some declared emergencies can take some time to recover, an additional 90 days are sometimes needed to repair damage to government facilities used to hold meetings or to transition from meetings that have been already advertised as virtual back to in-person meetings.

Discussion points:

The transition period of 90 days allows for good meeting planning. A meeting scheduled for two weeks from now may be problematic if an existing emergency order is revoked prior to the meeting date. Allowing a 90-day extension allows for ease of meeting planning and public notice of the meeting. It is very undesirable to advertise a meeting as virtual and at the last minute have to change it to in person.

MPOAC Staff Directors' Advisory Committee Recommended Language

for 2021: List this policy position in the 3rd position in our list. Change language to state: Direction was given to staff to coordinate the MPOAC effort with the Florida DOT's effort on this issue. The Florida DOT has not released their legislative policy position related to this issue yet.

2020 Legislative Policy Position:

4. **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. Additionally, the newly created Federal Transportation Performance Measures (TPM) apply to a larger network than just the Strategic Intermodal System. Therefore, it is appropriate to direct SIS funding to transit and roadway projects that relieve the SIS.

MPOAC Staff Directors' Advisory Committee Recommended Language

for 2021: Recommend approval with a minor revision to language from last year. Remove ".....and are part of the federal TPM system" from the end of the policy position. The Staff Directors feared the last portion may be construed in a way that would restrict funding to some facilities.

2020 Legislative Policy Position:

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.

Additionally, state law should be changed to:

- Make FDOT and TDTF Grants more flexible:
 - o Extend TDTF Grants for Each County to the next year
 - o Allow TDTF Funds to be used for Meal, Grocery, and Prescription Deliveries
 - o At a minimum, earmark the TDTF dollars to ensure the Funds go back to the TD Trust Fund and not moved elsewhere
 - o Allow other FDOT Grants to be used on Transit Improvement and Operating Funds.
- Waive the 50/50 match for the State Public Transit Block Grant for a set period of time and include a sunset provision.

MPOAC Staff Directors' Advisory Committee Recommended Language

for 2021: Keep the policy position. The Staff Directors committee discussed that several transit agencies and the Florida Public Transportation Association will be asking for the local match to be waived on transit funds for a few years, presumably to get through the pandemic, and MPOAC should develop supporting language in the explanatory paragraph after seeing policies from transit agencies and FPTA. I have reached out to Lisa Bacot at FPTA to insure consistency with our policy position and theirs. Lisa Bacot shared with me the following legislative policy position that FPTA will be taking:

- Make FDOT and TDTF Grants more flexible:
 - o Extend TDTF Grants for Each County to the next year
 - o Allow TDTF Funds to be used for Meal, Grocery, and Prescription Deliveries
 - o At a minimum, earmark the TDTF dollars to ensure the Funds go back to the TD Trust Fund and not moved elsewhere
 - o Allow other FDOT Grants to be used on Transit Improvement and Operating Funds.
- Waive the 50/50 match for the State Public Transit Block Grant for a set period of time and include a sunset provision.

2020 Legislative Policy Position:

- 6. 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.

MPOAC Staff Directors' Advisory Committee Recommended Language for 2021: Keep this policy position without change.

2020 Legislative Policy Position:

- 7. 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 policies while protecting the health and welfare of Florida's citizens and visitors.

MPOAC Staff Directors' Advisory Committee Recommended Language for 2021: Keep this policy position without change.

Item Number 7D

Business Items & Presentations 2021 MPOAC Meeting Dates

DISCUSSION:

MPOAC has typically held quarterly meetings of the Staff Directors' Advisory Committee and the MPOAC Governing Board in the months of January, April, July, and October. For quite some time MPOAC was meeting on the third Thursday of each month. This was changed and MPOAC experimented with some alternate dates and found that attempting to hold a meeting on the fifth Tuesday, Wednesday or Thursday of the month worked best for MPOAC members. This largely avoided MPO meetings as well as Municipal or County meetings. The MPOAC Staff Directors have requested we do our best to avoid Governing Board meetings as well as the day before as that is typically a busy day for Staff Directors and their team.

MPOAC had traditionally met in Orlando. For a little more than a one-year period MPOAC experimented with moving meetings around the state and met in a variety of locations. The MPOAC Governing Board directed staff to resume holding meetings in Orlando.

For the purposes of setting meeting dates MPOAC would like to establish a methodology that can be used year after year.

At the September 16, 2020 MPOAC Staff Directors' Advisory Committee Meeting, the group selected four meeting dates for calendar year 2021 and they recommend holding meetings on the following dates:

January 28
April 29
July 29
October 28

REQUESTED ACTIONS:

Approval of the MPOAC meeting date methodology as well as setting dates for MPOAC quarterly meetings for calendar year 2021.

ATTACHMENTS:

Overview of proposed meeting date selection methodology.
Calendar showing available meeting dates in 2021.

Methodology for setting MPOAC meetings

Current Approach: MPOAC has typically held quarterly meetings of the Staff Directors' Advisory Committee and the MPOAC Governing Board in the months of January, April, July and October. For quite some time MPOAC was meeting on the third Thursday of each month. MPOAC experimented with some alternate dates and found that attempting to hold a meeting on the fifth Tuesday, Wednesday or Thursday of the month worked best for members. This largely avoided MPO meetings as well as Municipal or County meetings. MPO Executive Directors had requested to avoid Governing Board meetings as well as the day before as that is typically a busy day for Executive Directors and their staff.

MPOAC had traditionally met in Orlando. For a little more than a one-year period MPOAC experimented with moving meetings around the state and met in a variety of locations. The MPOAC Governing Board directed staff to resume holding meetings in Orlando.

For the purposes of setting meeting dates MPOAC would like to establish a methodology that can be used year after year.

The MPOAC Staff Directors' Advisory Committee Suggests:

MPOAC would set meeting dates as follows:

1. Set meeting dates to fall on the 5th Tuesday, Wednesday or Thursday in the months of January, April, July and October.
2. If the months of January, April, July or October do not have a 5th Tuesday, Wednesday or Thursday then staff will use the 4th Tuesday, Wednesday or Thursday in those months.
3. MPOAC will announce the meeting dates for the upcoming year at the July MPOAC quarterly meetings or earlier.
4. Meetings will be held in Orlando unless otherwise directed by the MPOAC Governing Board.

2021

MPOAC Meeting Dates

JANUARY

27	28	29	30	31	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1	2	3	4	5	6

FEBRUARY

31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	1	2	3	4	5	6
7	8	9	10	11	12	13

MARCH

28	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10

APRIL

28	29	30	31	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	1
2	3	4	5	6	7	8

MAY

25	26	27	28	29	30	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	1	2	3	4	5

JUNE

30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	1	2	3
4	5	6	7	8	9	10

JULY

27	28	29	30	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
1	2	3	4	5	6	7

AUGUST

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4
5	6	7	8	9	10	11

SEPTEMBER

29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	1	2
3	4	5	6	7	8	9

OCTOBER

26	27	28	29	30	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1	2	3	4	5	6

NOVEMBER

31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	1	2	3	4
5	6	7	8	9	10	11

DECEMBER

28	29	30	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1
2	3	4	5	6	7	8

Item Number 8
Member Comments

DISCUSSION:

Comments or recommendations by MPOAC members.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None.

Item Number 9

Adjournment

The next meeting of the MPOAC Governing Board will be set at this meeting. A meeting notice will be sent out at least one month prior to the meeting date.