



The Florida Metropolitan Planning Organization Advisory Council

*Commissioner Nick Maddox
Chair*

MPOAC Staff Directors' Meeting

Date: Wednesday, September 16, 2020
Time: 1:00 p.m. – 4:00 p.m.
Location: The Hilton Orlando
6001 Destination Parkway, Orlando, FL 32819

Lois Bollenback, Presiding

- 1. Call to Order & Pledge of Allegiance**
- 2. Approval of Minutes: January 30, 2020 Meeting**
- 3. Public Comments (non-agenda items)**
- 4. Agency Reports**
 - A. Florida Department of Transportation**
 - B. Federal Highway Administration**
- 5. Business Items & Presentations**
 - A. Approval of MPOAC's Final UPWP**
 - B. Approve Change to MPOAC Bylaws**
 - C. Legislative Policy Positions**
 - D. MPOAC Meeting Date Methodology**
- 6. Member Comments**
- 7. Adjournment**

Any person who desires or decides to appeal any decision made by this Council with respect to any matter considered at this meeting will need a record of the proceedings. For such purposes, such person may need to ensure that a verbatim record of the proceedings is made which record includes testimony and evidence upon which appeal is to be based.

The needs of hearing or visually impaired persons shall be met by contacting the Council sponsoring such meeting at least 48 hours prior to the meeting. Please contact 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

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 Staff Directors' Advisory Committee Meeting.

ATTACHMENT:

January 30, 2020 MPOAC Staff Directors' Advisory Committee Meeting Minutes.

Florida MPO Advisory Council
Meeting of the Staff Directors' Advisory Committee
January 30, 2020
Orlando, Florida
Draft Meeting Minutes

Staff Directors in Attendance:

Greg Stuart, Chair, Broward MPO
Lois Bollenback, Vice Chair, River to Sea MPO
Mary Beth Washnock, Bay County TPO
Greg Slay, Capital Region TPA
Gary Harrell, Charlotte County - Punta Gorda MPO
Brandy Otero, Collier MPO
Austin Mount, Florida-Alabama TPO
Whit Blanton, Forward Pinellas
Mike Escalante, Gainesville MPO
Pat Steed, Heartland Regional TPO
Steve Diez, Hernando/Citrus County MPO
Beth Alden, Hillsborough County MPO
Brian Freeman, Indian River County MPO
Michael Woods, Lake-Sumter MPO
Donald Scott, Lee County MPO
Beth Beltran, Martin MPO
Gary Huttman, MetroPlan Orlando
Wilson Fernandez, Miami-Dade TPO
Jeff Sheffield, North Florida TPO
Rob Balmes, Ocala/Marion County TPO
Dawn Schwartz, Okaloosa-Walton TPO
Nick Uhren, Palm Beach TPA
Tania Gorman, Pasco County MPO
Chandra Frederick, Polk TPO
Dave Hutchinson, Sarasota/Manatee MPO
Laura Carter, Space Coast TPO
Peter Buchwald, St. Lucie TPO

OTHERS IN ATTENDANCE:

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
Karen Brunelle, Florida Division, Federal Highway Administration
Cathy Kendall, Florida Division, Federal Highway Administration
Mark Reichert, Florida Department of Transportation
Thomas Hill, Florida Department of Transportation
Scott Philips, Florida Department of Transportation
Gerald Goosby, Florida Department of Transportation
Siaosi Fine, Florida Department of Transportation, Florida Turnpike Enterprise
Carl Scott, Florida Department of Transportation, Florida Turnpike Enterprise
Wayne Gaither, Florida Department of Transportation, District 1
Kellie Smith, Florida Department of Transportation, District 5
Alison Stettner, Florida Department of Transportation, District 5
Sandi Bredahl, Florida Department of Transportation, District 7
Justin Hall, Florida Department of Transportation, District 7
Roger Roscoe, Florida Department of Transportation, District 7
Jensen Hackett, Florida Department of Transportation, District 7
Paul Calvaresi, Broward MPO
Nick Lepp, MetroPlan Orlando
Virginia Whittington, MetroPlan Orlando
Ronnie Blackshear, Polk TPO
Steven Bostel, Space Coast TPO
Sisinnio Concas, Center for Urban Transportation Research
T.J Fish, City of Groveland
Zachary Teders, CDM Smith Inc.
Rob Cursey, Tindale Oliver
Ned Baier, Volkert

- **CALL TO ORDER**

Greg Stuart, Chair, Broward MPO, called the meeting to order at 12:03 pm. All stood for the Pledge of Allegiance.

- **APPROVAL OF MINUTES: OCTOBER 29, 2019 MEETING**

Mike Escalante, Gainesville MTPO, moved to approve the minutes of the October 29, 2019 MPOAC Staff Directors' Advisory Committee meeting. Donald Scott, Lee County MPO, seconded. The motion carried unanimously.

- **PUBLIC COMMENTS**

No public comments were made.

- **EXECUTIVE DIRECTOR'S REPORT AGENCY REPORTS**

- A. UPWP REPORT**

Mr. Carl Mikyska, MPOAC Executive Director, presented the UPWP Report showing expenditures and 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 of 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 is estimated 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 discussion took place about HB 1371/SB 1000: Traffic and Pedestrian Safety. Lois Bollenback, Vice Chair, River to Sea TPO, asked if any studies have been conducted on this issue and, if so, how many. Donald Scott, Lee County MPO, replied that they're already

doing studies and Greg Slay, Capital Region TPA, mentioned an engineering study. Mr. Mikyska added that the bill is in its first draft and that Senator Perry (the bill sponsor) has shown interest in allowing studies to be completed. The MPOAC will watch the bill to see if an amendment will be submitted.

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.
- Florida 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.

Greg Stuart, Chair, Broward MPO, stated MPOAC leadership has been working with FDOT Central Office staff to understand what they need to do to help move the CPG process along and have an understanding to make the change as smooth as possible with the MPOs. Mr. Reichert recommended that this should be added as an agenda item during a Policy and Technical Committee meeting likely to be held in July 2020.

- 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.

A discussion took place about the TIP adoption process. Dave Hutchinson, Sarasota/Manatee MPO, suggested that the consensus document, and other agreements related to performance measurement, be included and used to update their Intergovernmental Coordination and Review (ICAR) agreement. Peter Buchwald, St. Lucie TPO, added that the challenge is that the ICAR must go through local municipalities and that adopted TIPs are for cash flow and working in partnership with FDOT.

- 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.
- 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.

A discussion took place about the FDOT liaison's involvement in the CFP update. Mr. Reichert requested that liaisons be included in the meetings for collaboration and

informative purposes. Mr. Goosby agreed and confirmed that liaisons will be kept informed and invited to meetings.

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

Nick Uhren, Palm Beach TPA, asked if there is a time frame for MPOs to assist and adjust system performance, bridge, and pavement targets. Greg Stuart, Chair, Broward MPO, replied that MPOs have 180 days to adopt once FDOT adopts their targets. Nick Uhren also asked, if MPOs could choose to adopt a different target. Ms. Brunelle stated that MPOs who adopted FDOT targets can only modify if FDOT decides to change their targets. If an MPO adopted their own target, then the MPO would have the ability to adjust their targets.

A discussion ensued about the fiscal constraint provision and advanced construction memo. Peter Buchwald, St. Lucie TPO, asked for further clarification on the intent of the memo. Ms. Brunelle responded that it's to provide technical assistance for MPOs to consider going forward and that further conversations will be held with FDOT and MPOs over the process as it relates to MPO TIPs. Dave Hutchinson, Sarasota/Manatee MPO, asked if certain federal funds should be controlled at the MPO level. Ms. Brunelle responded that the MPO is the "lead" and should collaborate with FDOT to determine which projects receive STP-Urban (SU) funds. For funds other than SU, FDOT will be the "lead" and should collaborate with MPOs to determine which projects will be funded.

- BUSINESS ITEMS & PRESENTATIONS

- A. DRAFT STATE FISCAL YEARS 2021-22 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 cover 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).

Peter Buchwald, St. Lucie TPO, asked why the advanced membership is not scheduled in the first year of the UPWP. Mr. Carl Mikyska said that the budget request for the first year of the UPWP has already been submitted and cannot be changed.

Greg Stuart, Chair, Broward MPO encouraged a formal recommendation to the governing board and asked for a motion of endorsement to align the AMPO and NARC dues with a scheduled double payment in year two of the UPWP. Dave Hutchinson, Sarasota/Manatee, MPO made the motion. Beth Alden, Hillsborough County MPO, seconded the motion. All approved.

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.

Dave Hutchinson, Sarasota/Manatee MPO, asked about the origination of this study. Mr. Reichert, FDOT, replied he was very interested having this study conducted, in part, as a follow-up to the MPOAC Revenue study conducted nearly a decade ago. When Mr. Reichert joined the FDOT OPP staff, he was able to get this study underway. Jeff Kramer, CUTR, added that Mr. Reichert was very involved in the MPOAC Revenue Study process from the beginning stages and that he contributed to the research that CUTR conducted.

Mike Escalante, Gainesville MTPO, asked how AV and AFV technology impacts cities that do not anticipate many people using them. Dr. Concas replied that people coming via highways still present the possibility of coming to cities, and that alternative measures to generate transportation revenue would help alleviate the risk of revenue loss.

C. HURRICANE EVACUATION BEHAVIOR STUDY

Greg Stuart, Chair, Broward MPO, introduced Thomas Hill, State Modeling Manager, FDOT Central Office, 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.

Greg Stuart, Chair, Broward MPO, recognizing that the meeting was running late, asked that anybody with a question to please send them Thomas Hill who agreed to respond in a timely manner.

D. CREATION OF STAFF DIRECTORS LEADERSHIP COMMITTEE

Mr. Carl Mikyska asked for feedback on a proposal to form a Staff Directors Leadership Committee. The purpose of the committee would be to offer advice to the staff of MPOAC on issues requiring a quick turnaround such as a Federal Register Notice of Proposed Rulemaking (NPRM). The NPRMs commonly do not align with the MPOAC quarterly meetings and this would provide a mechanism for the staff of MPOAC to seek advice from a group of five (5) MPO Executive Directors to formulate direction. Final drafts of products would still be shared with all twenty-seven (27) Executive Directors for feedback. The Staff Directors Leadership Committee would participate in the biannual MPOAC Leadership meetings at the Florida DOT Central Office.

Mr. Mikyska suggested that the membership of the new committee could include the Current Chair and Vice Chair of the Staff Directors' Advisory Committee Chair, the two most recent past chairs and one member at large for a total of 5 members. This, in his opinion, would provide continuity of general policy direction for the MPOAC.

A discussion ensued focused on the composition of the new Staff Directors Leadership Committee. The membership decided that the new committee must have a diverse representation, including MPOs of various sizes and representatives from at least 5 of the FDOT Districts. The current Chair and Vice Chair, along with the immediate past Chair, would be part of the committee membership. The membership agreed to allow the Chair and the Executive Director to appoint the members of the new Staff Directors Leadership Committee given the input provided by the membership during the discussion.

E. ELECTION OF OFFICERS

The MPOAC bylaws require at the first meeting of each calendar year, the election of officers. The Chair and Vice-Chair 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' Advisory Committee Chair and Vice-Chair serve on the MPOAC Executive Committee along with three members of the MPOAC Governing Board.

Greg Stuart, current chair of the Staff Directors' Advisory Committee, relinquished the Chair position to Mr. Mikyska, MPOAC Executive Director, who introduced the election of officers – Chair and Vice Chair – for the MPOAC Staff Directors' Advisory Committee. Mr. Mikyska noted for the record that the election was for a one-year term to begin immediately. Mr. Gougelman, MPOAC General Counsel, clarified that seconds are not required as part of the nomination process.

Greg Stuart, Broward MPO, nominated Lois Bollenback, Vice Chair, River to Sea TPO, to serve as Chair. Mr. Gougelman asked if there were any other nominations and none were offered. Mr. Gougelman closed the nominations and called the question by unanimous acclimation.

Dave Hutchinson, Sarasota/Manatee MPO, nominated Donald Scott, Lee County MPO, to serve as Vice Chair. Peter Buchwald, St. Lucie TPO, nominated Beth Beltran, Martin County MPO, to serve as Vice Chair. Beth Beltran thanked Mr. Buchwald but declined the nomination. Mr. Gougelman asked if there were any other nominations and none were offered. Mr. Gougelman closed the nominations and called the question by unanimous acclimation.

• COMMUNICATIONS

Communications can be found in the agenda packet.

• MEMBER COMMENTS

- FHWA – the new transit contact for TPM is Ashley Porter.
- Target Adjustment update: If FDOT adjusts their targets on October 1st, 2020, MPOs have 180 days (April 1, 2021) to determine if they will continue to use FDOT targets or set their own. If FDOT does not adjust their targets by the midpoint, the MPOs may not adjust their targets until the next full target setting date.
- Peter Buchwald, St. Lucie TPO, stated that Phil Matson, Indian River County MPO is leaving his position and that Brian Freeman is now the Indian River County MPO Executive Director.
- Dave Hutchinson, Sarasota/Manatee MPO, stated the transit safety performance measures might make a good discussion at TRANSPLEX.
- Chandra Frederick, Polk TPO, replaced Tom Deardorff as the Executive Director.
- Greg Stuart, Broward MPO, started closing statements and announced Safe Streets Summit. To date, 544 people have registered for the event and due to the volume of attendees, registration has been closed.

• ADJOURNMENT

The next meeting of the MPOAC Staff Directors' Advisory Committee will be held at Noon on April 30, 2020 at the Orlando Airport Marriott Lakeside Hotel, 7499 Augusta National Drive, Orlando, FL 32822. MPOAC has arranged for a room block at a rate of \$125 per night. A meeting notice will be sent out at least one month prior to the meeting date.

The meeting was adjourned at 2:51 pm.

Item Number 3

Public Comments (non-agenda items)

DISCUSSION:

Recommendations or comments by the public.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None

Item Number 4A

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.

Item Number 4B

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 of FHWA will update the members on the activities of the Florida Division Office of FHWA and bring forward information of importance to the membership.

REQUESTED ACTION:

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

ATTACHMENTS:

None.

Item Number 5A

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 Staff Directors' Advisory Committee of MPOAC at the January 30, 2020 meeting but has not been adopted due to the inability of MPOAC to meet since because of COVID-19. Currently MPOAC is receiving funding 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 or funded through the Florida DOT SPR document, this approval will serve to give MPOAC the ability to be federally funded. At this time, FHWA has determined that the MPOAC Executive Director may not submit the final UPWP without Governing Board approval.

REQUESTED ACTIONS:

Recommend approval to the MPOAC Governing Board Committee.

ATTACHMENT:

Draft MPOAC UPWP for State Fiscal Years 2021 and 2022.

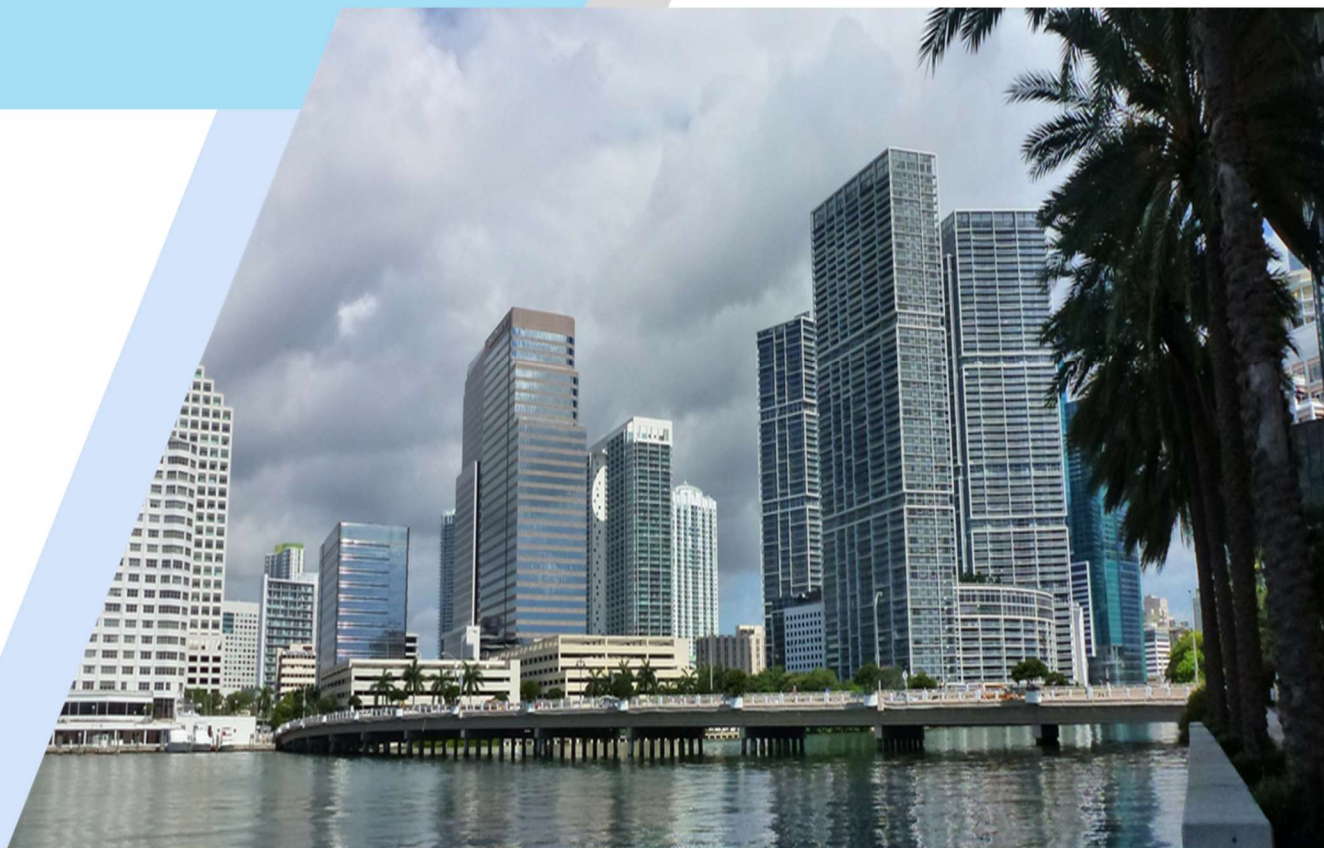
Fiscal Years 2020 – 2022

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

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Prepared By:
Florida Metropolitan Planning
Organization Advisory Council

MPOAC Resolution 2018-01

A RESOLUTION OF THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL (MPOAC) ADOPTING THE MPOAC UNIFIED PLANNING WORK PROGRAM FOR STATE FISCAL YEARS 2018/2019 – 2019/2020.

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 Maddox to approve the Unified Planning Work Program prior to July 01, 2018

NOW THEREFORE BE IT RESOLVED THIS SEVENTH DAY OF JUNE 2018 THAT THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL HEREBY ADOPTS ITS UNIFIED PLANNING WORK PROGRAM FOR STATE FISCAL YEARS 2018/2019 – 2019/2020.

PASSED AND DULY ADOPTED this seventh day of June 2018.


Commissioner Nick Maddox, MPOAC Governing Board Chair

Attested to:


Carl Mikyska, Executive Director

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Debarment and Suspension Certification

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

525-C104-6
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: _____
Title: MPOAC Governing Board Chair

June 07, 2018
Date: _____

Lobby Certification for Grants, Loans, and Cooperative Agreements

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

52S-010-08
POLICY PLANNING
05/18

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 _____
Title: MPOAC Governing Board Chair

June 07, 2018
Date _____

Disadvantage Business Enterprise Utilization

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

525-010-08
POLICY PLANNING
05/18

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: _____
Title: MPOAC Governing Board Chair

June 07, 2018
Date

Title VI/ Nondiscrimination Assurance

UPWP Statements and Assurances

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

525-010-08
POLICY PLANNING
05/18

- (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 | 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 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, FPTA 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, FPTA 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	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	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	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	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	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	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	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	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	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	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	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	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	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	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 M-CORES 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	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	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	Federal	State	Local	FTA	FTA
		(PL)	Soft Match	In Kind Match	Funds	5303d	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 FWHA 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 5B

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.

REQUESTED ACTIONS:

Recommend approval to the MPOAC Governing Board Committee.

ATTACHMENTS:

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

RESOLUTION NO. 20-___

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 July 30, 2020, Res. No. 20-___)

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 **the term of office for the Governing Board member being replaced otherwise expires, and the replacement member shall be subject to election at the same time as the election** is held for the Governing Board Chair, Vice-Chair, and the Executive Committee at-large member.

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

(b) 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 until the time set for the beginning of the MPOAC Governing Board meeting held in the third quarter of the calendar year 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.

(c) 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 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, ~~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: _____
Nick Maddox, Chair

ATTEST:

(AGENCY SEAL)

Carl Mikyska, Agency Clerk

MPOAC Agency By-Laws

(adopted January 22, 2015, Res. No. 15-1; amended January 26, 2017, Res. No. 17-1; amended July 30, 2020, Res. No. 20-__)

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 the term of office for the Governing Board member being replaced otherwise expires, and the replacement member shall be subject to election at the same time as the election is held for the Governing Board Chair, Vice-Chair, and the Executive Committee at-large member.

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

(b) 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 until the time set for the beginning of the MPOAC Governing Board meeting held in the third quarter of the calendar year, 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.

(c) 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 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 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.

Item Number 5C

Business Items & Presentations Legislative Policy Positions

DISCUSSION:

The 2021 Legislative session will begin with committee meetings in January and the full legislative session beginning in March. Each year MPOAC develops a set of policy positions and advocates for these positions which are written to improve the operations of MPOs and transportation in Florida.

REQUESTED ACTIONS:

For review, discussion, possible revision and recommend to the MPOAC Governing Board for approval.

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:

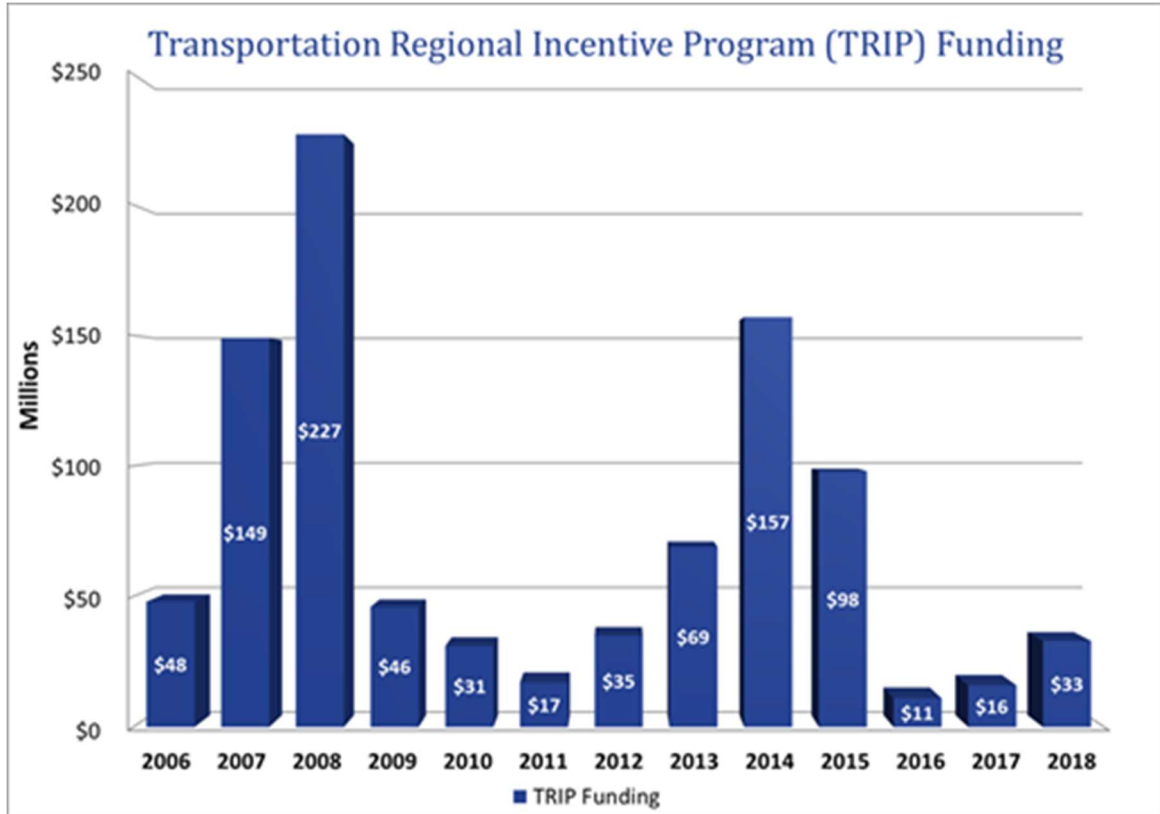
- Expand the Charter County and Regional Transportation System Surtax to allow municipalities over 150,000 in population (or the largest municipality in a county) and all counties located in MPO areas to enact up to a one cent local option surtax by referendum.
- Index local option fuel taxes to the 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 Recommendations for 2021: Staff Recommends bringing the TRIP funding language up into this policy position as a bullet point. Recommended language: Establish a predictable funding level of \$250 million per year for the Transportation Regional Incentive Program (TRIP).

MPOAC Staff Directors' Advisory Committee Recommended Language for 2021:

2020 Legislative Policy Position:

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



Discussion Points: This policy has not been well accepted by our legislators and generally the leadership is not overly interested in setting aside money for a program. This is very well evidenced by the annual sweep of funds from the Sadowski Housing Fund. Given that we are coming into a tight budget year, this policy position is a non-starter.

MPOAC Staff Recommendation for 2021: Remove this as a stand-alone policy position, add this as a bullet point to the first policy position. Recommend putting in a bullet point of policy position number one: Establish a predictable funding level of \$250 million per year for the Transportation Regional Incentive Program (TRIP).

MPOAC Staff Directors' Advisory Committee Recommended Language for 2021:

2020 Legislative Policy Position:

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

Current state law does not permit SIS funds to be spent on roads, transit, or other transportation facilities that are not part of the SIS, even if proposed improvements would directly benefit users of SIS facilities by enhancing mobility options or supporting freight movement in a SIS corridor. 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 and are part of the federal TPM system.

MPOAC Staff Recommendation for 2021: Keep this Policy Position without change.

MPOAC Staff Directors' Advisory Committee Recommended Language for 2021:

2020 Legislative Policy Position:

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

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

MPOAC Staff Recommendation for 2021: Keep this Policy Position without change.

MPOAC Staff Directors' Advisory Committee Recommended Language for 2021:

2020 Legislative Policy Position:

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

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

MPOAC Staff Recommendation for 2021: Keep this Policy Position without change.

MPOAC Staff Directors' Advisory Committee Recommended Language for 2021:

2020 Legislative Policy Position:

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

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

MPOAC Staff Recommendation for 2021: Keep this Policy Position without change.

MPOAC Staff Directors' Advisory Committee Recommended Language for 2021:

2020 Legislative Policy Position:

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

The 2018 Florida legislature enacted the “Wireless Communications While Driving” law that makes texting while driving a primary offense. One of the expressed concerns of opponents of this law is the potential 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 Recommendations for 2021: No change recommended, hopefully this will successfully pass our legislature and we will be able to remove it from our policy positions. The incoming Senate President has previously indicated that he is in favor of this legislation.

Possibly make this our 2nd policy position.

MPOAC Policy and Technical Committee Recommended Language for 2021:

Potential New Policy Position

8. Add a provision in Florida's Sunshine Law to automatically allow virtual attendance at meetings during a declared emergency plus 90 days.

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 Recommendations for 2021: Add this new policy position to the end of our list.

MPOAC Policy and Technical Committee Recommended Language for 2021:

Item Number 5D

Business Items & Presentations MPOAC Meeting Date Methodology

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 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.

REQUESTED ACTIONS:

Recommend approval of the MPOAC meeting date methodology to the MPOAC Governing Board.

ATTACHMENT:

Overview of proposed meeting date selection methodology.

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.

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

Suggested Approach: 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 search for a Monday or Friday in those months.
3. If three or four months of the January, April, July and October schedule will not provide a 5th Tuesday, Wednesday or Thursday, then MPOAC will look to other months on the calendar that do provide a 5th Tuesday, Wednesday or Thursday while attempting to space apart the meetings by 3 months.
4. MPOAC will announce the meeting dates for the upcoming year at the July MPOAC quarterly meetings or earlier.
5. Meetings will be held in Orlando unless otherwise directed by the MPOAC Governing Board.

Item Number 6
Member Comments

DISCUSSION:

Comments or recommendations by MPOAC members.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None.

Item Number 7

Adjournment

The next meeting of the MPOAC Staff Directors' Advisory Committee will be held at Noon on October 29, 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.