



# The Florida Metropolitan Planning Organization Advisory Council

*Mayor Susan Haynie*  
*Chairperson*

## Governing Board

**Date:** Thursday, January 22, 2015  
**Time:** 3:30 p.m. – 6:00 p.m.  
**Location:** DoubleTree by Hilton Orlando, 5555 Hazeltine National Drive,  
Orlando, Florida 32812

**Mayor Susan Haynie, Chairperson, Presiding**

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1. **Call to Order and Pledge of Allegiance**
2. **Approval of Minutes: October 30, 2014**
3. **Public Comments**
4. **Executive Director's Report**
5. **Election of Officers**
6. **Agency Reports**
  - A. **Florida Department of Transportation**
  - B. **Federal Highway Administration**
7. **Florida Automated Vehicles Initiative**
8. **MetroPlan Orlando's Value Pricing Pilot Study**
9. **Hillsborough County MPO: Vulnerability Assessment and Adaptation Pilot Project**
10. **Communications**
11. **Member Comments**
12. **Adjourn**

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

The needs of hearing or visually impaired persons shall be met by contacting the Council sponsoring such meeting at least 48 hours prior to the meeting. Please contact Brigitte Messina at (850) 414-4037 or by email to [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org).

**Draft Minutes of the Florida MPO Advisory Council  
Governing Board  
October 30, 2014**

**Governing Board Members in Attendance:**

Mayor Susan Haynie, Palm Beach MPO, Chairperson  
Mayor Walter T. Kelley, Bay County TPO  
Councilmember Delores Madison, Capital Region TPA  
Commissioner Jim Herston, Charlotte County-Punta Gorda MPO  
Commissioner Tim Nance, Collier MPO  
Councilmember Charles Bare, Florida-Alabama TPO  
Commissioner Helen K. Warren, Gainesville MTPO  
Deputy Mayor Lara Bradburn, Hernando/Citrus MPO  
Councilmember Lisa Montelione, Hillsborough County MPO  
Councilmember Jim Burch, Lee County MPO  
Councilmember James Wood, Okaloosa-Walton TPO  
Commissioner Nat Birdsong, Polk TPO  
Councilmember Jim Bennett, Sarasota/Manatee MPO  
Mayor Kathy Meehan, Space Coast TPO  
School Board Member, Kathryn Hensley, St. Lucie TPO

**Others in Attendance:**

Howard Glassman, MPOAC Executive Director  
Paul Gougelman, MPOAC General Counsel  
Brigitte Messina, MPOAC  
Jeff Kramer, USF/CUTR  
Karen Seggerman, USF/CUTR  
Lee Ann Jacobs, FHWA  
Yvonne Arens, FDOT  
Secretary Billy Hattaway, FDOT District 1  
Susan Sadighi, FDOT District 5  
Richard J. Kaplan, Broward MPO  
Harry Reed, Capital Region TPO  
Bob Herrington, Charlotte County-Punta Gorda MPO  
Lucie Ayer, Collier MPO  
Mary Bo Robinson, Florida-Alabama, Okaloosa-Walton and Bay County TPOs  
Robert Hutchison, Gainesville/Alachua County MTPO  
Rich Clarendon, Hillsborough MPO  
Phil Matson, Indian River MPO  
Susan Adams, Indian River MPO  
T.J. Fish, Lake-Sumter MPO  
Sean M. Parks, Lake-Sumter MPO  
Nick Uhren, Palm Beach MPO  
Lois Bollenback, River To Sea TPO  
Michael Howe, Sarasota-Manatee MPO  
Rocky Randals, Space Coast TPO

**Others in Attendance continued:**

Bob Kamm, Space Coast TPO  
Peter Buchwald, St. Lucie TPO  
Matt Herston

**1. Call to Order**

Madame Chair Susan Haynie, Palm Beach MPO, called the meeting to order at 3:17 p.m. All stood for the Pledge of Allegiance. She welcomed those in attendance and introduced Councilmember Charles Bare, Florida-Alabama TPO, Commissioner Tim Nance, Collier MPO, and Commissioner Helen K. Warren, Gainesville/Alachua County MTPO.

**2. Approval of Minutes**

Councilmember James Wood, Okaloosa-Walton TPO, made a motion to approve the minutes of the July 24, 2014 Joint Meeting of the Governing Board & Staff Directors' Advisory Committee. Mayor Kathy Meehan, Space Coast TPO, seconded the motion. The motion was approved unanimously.

**3. Public Comments**

No public comments were made.

**4. Executive Director's Report**

Mr. Howard Glassman, MPOAC Executive Director, reported on the MPOAC budget. During the period from July 1- September 30, 2014, approximately \$93,000 was spent, roughly 20% of the total \$446,500 budget.

Mr. Glassman presented the 2015 MPOAC Meeting Schedule for approval, including changes recommended by the Staff Directors' Advisory Committee moving the meeting dates from April 9<sup>th</sup> to April 2<sup>nd</sup> and October 22<sup>nd</sup> to 29<sup>th</sup>. Deputy Mayor Lara Bradburn, Hernando/Citrus MPO moved approval and Councilmember Jim Burch, Lee County MPO, seconded. The motion carried unanimously with the following meetings dates being approved.

- January 22, 2015          Doubletree by Hilton, Orlando
- April 2, 2015              Location TBD, Tallahassee
- July 23, 2015             Orlando Airport Marriott
- October 29, 2015        Orlando Airport Marriott

Mr. Glassman then introduced a proposed change to the General Counsel services contract (Agenda Item 4, Attachment 3) with Mr. Paul R. Gougelman, III, due to a change in his employment status. As of December 1, 2015, Mr. Gougelman, III, is joining the law firm of Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.L. as a partner. The only change to the contract is to replace Mr. Gougelman's name with the law firm's name. In response to a question, Mr. Gougelman noted that the Florida Attorney General's office reviews the contract. An error was identified in Article 14. The last mention of "MPOAC"

in the third sentence should be replaced with "Contractor." Mayor Walter T. Kelley, Bay County TPO, moved approval, Ms. Kathryn Hensley, St. Lucie TPO, seconded and the motion carried unanimously.

Mr. Gougelman then provided an overview of the Draft MPOAC Agency Bylaws (Agenda Item 4, Attachment 4). He noted that Rules 10, 11, and 12 are adaptations of rules adopted last year dealing with legislative public comment requirements. The other rules are those that were adopted in the 1990's and have been updated over time. Mr. Gougelman noted changes made by the Staff Directors' Advisory Committee including showing the correct name "Hillsborough County Metropolitan Planning Organization" in Section 3(8). In Section 4(a), add "next" before calendar year and removed the words "of the next succeeding year." Mr. Gougelman stated that upon Governing Board acceptance of the language in the Draft Bylaws, he will prepare advertising to repeal the current MPO Rules contained in the Florida Administrative Code (FAC) and to adopt the Draft MPOAC Agency Bylaws at the next Governing Board Meeting. Members noted a few typographical and grammatical changes that were to be made to the final draft. Mr. Gougelman also clarified the manner in which the public will be notified of the proposed changes, including the fact that the MPOAC agenda is posted on the MPOAC website. Several questions were raised regarding the MPOAC Governing Board quorum requirement and staff agreed to review meeting attendance for the last several years and to report back to the Governing Board at the January meeting at which time proposed changes to the quorum requirement could be made. Councilmember Jim Burch, Lee County MPO, moved to accept this draft of the Bylaws as amended including an allowance to change scrivener's errors and to begin the process of adoption pending review of past attendance numbers. Mayor Walter T. Kelley, Bay County TPO seconded. The motion was approved unanimously.

Mr. Glassman announced the dates of the 2015 MPOAC Institute: April 24-26, 2015, Rosen Centre Hotel, Orlando, Florida and May 15-17, 2015, Renaissance Hotel International Plaza, Tampa, Florida.

Mr. Glassman presented the Draft MPOAC 2015 State Legislative Policy Positions (Agenda Item 4, Attachments 5 and 6). He reviewed the policy positions in comparison to those adopted the previous year. Discussion ensued. Commissioner Tim Nance, Collier MPO, moved to approve the MPOAC 2015 State Legislative Policy Positions as amended to include a pilot program for mileage based user fee and the need for funds to maintain recreational trails should Amendment 1 (directing that 33 percent of funds generated by documentary stamp be set aside for the Florida Water and Land Conservation Initiative) pass. Councilmember Lisa Montelione, Hillsborough County MPO, seconded and the motion carried unanimously.

Staff Directors' Advisory Committee Chair, Peter Buchwald, introduced the discussion regarding the MPOAC Executive Director Services beginning June 1, 2015 (Agenda Item 4, Attachment 7). He summarized the discussion from the Staff Directors' Advisory Committee meeting, noting the importance of maintaining transparency throughout the process. The staff director discussion noted that Option 2 (directing staff with the Center for Urban Transportation Research to take on the responsibilities of the MPAOC Executive Director for a 6 to 12-month period) is a short term option that does not address the issue of replacing the Executive Director for the long-term and does not provide

for a permanent MPOAC presence in Tallahassee. The staff directors concerns regarding Option 3 (hiring a consultant to undertake the tasks currently performed by the MPOAC Executive Director) included whether it would be a cost-effective choice and that there was no guarantee that Mr. Glassman would be hired by the consultant chosen by the MPOAC to perform the intended function. The staff directors voted to recommend Option 1 (conducting a search to hire a new Executive Director) to the Governing Board in a 10 to 6 vote. Councilmember Jim Burch, Lee County MPO, moved to approve Option 1 including an amendment providing for the Executive Committee to begin the hiring process and shortlist applications. The motion was seconded by Councilmember James Wood, Okaloosa-Walton TPO. The motion carried unanimously.

## **5. Agency Reports**

### **a. FDOT Agency Report**

Ms. Yvonne Arens, Florida Department of Transportation (FDOT), provided an update of FDOT activities. She updated members on proposed changes to national ambient air quality standards, including for ozone. She noted that the Environmental Protection Agency (EPA) was under a court order to issue revised ozone standards by December 21, 2014. While the old standard was 75 parts per billion, the new standard is expected to be between 60-70 parts per billion. Based on readings taken in 2013, if 70 parts per billion became the standard, there would be no non-attainment areas designated in Florida. However, most MPOs in Florida would be designated as non-attainment areas if the standard becomes 60 parts per billion.

Ms. Arens reviewed the activities of the Governor-appointed East Central Florida Corridor Task Force (comprising public, private, and civic organizations). The Task Force began meeting in April to evaluate and develop consensus recommendations on future transportation corridors serving established and emerging economic activity centers in portions of Brevard, Orange, and Osceola counties, particularly the Deseret Ranch area. The Task Force is expected to issue a report due to the Governor by December 1, 2014. The draft Task Force Report is under review by the Task Force at this time. Mr. Arens noted that that last two Task Force meetings and opportunity for public comment would occur in October and November.

Ms. Arens noted that the Strategic Intermodal System (SIS) and Florida Transportation Plan (FTP) updates are underway and that a statewide transportation visioning summit will be held December 17th in Orlando. Targeted outreach for MPOAC members will be developed through Mr. Glassman. In response to a question, Ms. Arens will investigate whether MPOs will be represented on the Steering Committee and report back to the MPOAC membership. In addition, the Automated Vehicles Summit will be held December 15 and 16 in Orlando.

### **b. FHWA Agency Report**

Ms. LeeAnn Jacobs, Federal Highway Administration (FHWA) Office of Project Development, shared FHWA activities. She noted that MAP-21 has been extended through May 31, 2015 and that the US Congress will be back in session on November 10<sup>th</sup> to address the budget.

Ms. Jacobs noted that the federal Planning Notice of Proposed Rulemaking (NPRM) closed in October 2014 with 163 recorded comments. She stated that the Pavement and Bridge NPRM will likely be published in December, Asset Management in January 2015, and CMAQ and Freight in February 2015.

She congratulated FDOT for being awarded \$20 million in TIGER Grant funds for the Tamiami Trail and Everglades Restoration projects. In addition, Pensacola received a \$1.3 million grant from the USDOT Federal Lands Highway Division to build docks downtown in support of ferry boat operations.

Ms. Jacob thanked those involved in program accountability results (PAR) reviews and the regional coordination workshop that were held on September 29<sup>th</sup> and 30<sup>th</sup> in Tampa.

Ms. Jacobs referenced the 2014 Florida Federal Planning Finding (Agenda Item 5B, Attachment 1) that accompanies the Statewide Transportation Improvement Program (STIP) approval. Finally, she noted that the Tallahassee office will be relocating in January.

#### **6. Secretary's Initiative and Complete Streets**

District Secretary Billy Hattaway, District 1 FOOT, presented on the FDOT Bicycle/Pedestrian Focused Initiative and Complete Streets. The Secretary's Initiative is to improve safety for pedestrians and bicyclists with a focus on the top 15 high priority counties. Initiatives include Bike/Ped Coordinators and Safety Program Mangers in each District, a Bike/Ped Policy Team, a Bike/Ped Coalition, and the Alert Today/Alive Tomorrow campaign. FDOT recognizes a culture change is needed in the state's design community to design our streets and highways to be more supportive to all users. FDOT recently adopted a Complete Streets Policy and Implementation Plan. In addition, a modern roundabout must be considered for intersections. He stated that there will be a more consistent application of road diets that will not include a requirement that the local government take over road maintenance as has been the case in the past and that traffic laws will be rewritten in plain language. Secretary Hattaway further explained the need to work with local governments regarding land development patterns in conjunction with the implementation of complete streets policies and provided several examples. Bike lanes will now be seven-foot shoulders or multi-use paths.

A member stressed how important it is for elected bodies to stay on the same agenda throughout the years to enable plans to be implemented. Concern was expressed regarding the semantics of transportation terms and their interpretation by developers. It was also noted that many people want to live on cul-de-sacs and not on through streets. Concern was expressed about continuing to place unprotected bike lanes on high-speed roads.

#### **7. Florida Chamber of Commerce Activities**

Ms. Alice Ancona, Director of Global Outreach at the Florida Chamber of Commerce, was scheduled to present; however, she was unable to stay for the whole meeting. The presentation will be emailed to MPOAC Governing Board members.

## **8. Pedestrian Safety Through Environmental Design**

Mayor Richard J. Kaplan, Broward MPO, presented on the topic "Pedestrian Safety Through Environmental Design" or PEDSTED. The PEDSTED concept stresses improved pedestrian safety through improved roadway design. He emphasized the alarming number of traffic crashes in Florida involving pedestrian injuries and fatalities, noting how dangerous Florida's metropolitan areas are for pedestrians in terms of national rankings. He described how surveys indicated that at least a portion of the blame for the pedestrian injury and fatality number could be explained by dangerous pedestrian behavior (including pedestrians crossing roadways at unexpected locations) and how simple roadway design changes could improve the situation. He proceeded to show examples of pedestrian behaviors that contribute to crashes and design features that could be installed that would reduce the incidence of those behaviors. He concluded his remarks by suggesting that roadway designers in Florida should start employing PEDSTED concepts in regular planning activities.

Chair Haynie, Palm Beach MPO, thanked him for his presentation, noting her own observations of distracted pedestrian behavior as a result of cell phone use. Councilmember Jim Burch, Lee County MPO, noted that 2 children were killed in the last year in Lee County attempting mid-block crossings and that more awareness and education of the problem was required. Councilmember James Wood, Okaloosa-Walton TPO, added that the problem is exacerbated by the influx of foreign tourists who are unfamiliar with the driving culture in the US. Mayor Kaplan replied by suggesting that elected officials can become advocates for improved design through their roles as local elected officials involved in the land development and approval process.

## **9. Communications**

Mr. Howard Glassman noted the communications for the quarter were included in the agenda packet:

- Letter from Lisa Bacot, Executive Director, Florida Public Transportation Association to Mary Bo Robinson, West Florida RPC regarding FPTA membership, dated August 8, 2014.
- Letter from Secretary Ananth Prasad, FOOT to James Christian, FHWA Division Administrator regarding approval of MPO transportation improvement programs, dated September 16, 2014.
- Letter to Senator Jeff Brandes from Chairman Karen Seel, Pinellas County MPO, on the Florida Ban on Texting While Driving Law, dated June 25, 2014.
- Letter to Brandi Whitehurst, West Florida RPC from Paul R. Gougelman, MPOAC General Counsel regarding virtual meetings, dated September 29, 2014.
- Letter to Docket Management Facility, USDOT from DeLania Hardy, Executive Director, Association of MPOs regarding federal notice of proposed rulemaking on statewide, nonmetropolitan and metropolitan transportation planning, dated September 2, 2014.

#### **10. Member Comments**

Deputy Mayor Lara Bradburn, Hernando/Citrus MPO, noted that Mayor Susan Haynie, Palm Beach MPO, had been elected Second vice president of the Florida League of Cities. Mayor Walter Kelley was honored with a Lifetime Achievement Award from the Florida League of Cities.

Councilmember James Wood, Okaloosa-Walton TPO, noted that the Northwest Regional TPO sponsors a Transportation Symposium that will be held October 15-16, 2015 in Panama City.

**The meeting was adjourned at 5:30 pm.**

**Item Number 3  
Public Comments**

**DISCUSSION:**

Comments or recommendations by the public.

**REQUESTED ACTION:**

As may be desired.

**ATTACHMENTS:**

None

**Item Number 4**  
**Executive Director's Report**

**DISCUSSION:**

Mr. Howard Glassman, MPOAC Executive Director will be presenting the following items:

1. Quarterly Budget report: October 1 – December 31, 2014
2. State Legislative status report
3. MPOAC Bylaws and Rules - Mr. Paul R. Gougelman, General Counsel
4. Executive Director Position status report
5. Freight Committee report - Mr. Greg Stuart , Committee Chairperson

**REQUESTED ACTION:**

1. Adopt Resolution No. 2015-1 Relating to MPOAC Agency Bylaws and Repeal of MPOAC Agency Rules of Procedure (Chapters 35-1 & 35-2, Florida Administrative Code).

**ATTACHMENTS:**

1. Quarterly Budget report: October 1-December 31, 2014
2. Memorandum from Mr. Paul Gougelman to Mayor Susan Haynie , December 22, 2014
3. Resolution No. 2015-1 Relating to MPOAC Agency Bylaws and Rules of Procedure
4. Rule Chapters 35-1 & 35-2, Florida Administrative Code

**Florida Metropolitan Planning Organization Advisory Council**  
**FY 2014/2015 Budget**  
**July 1, 2014 to June 30, 2015**

Category	Annual Allocation	1st Qtr Expenditures 7/1/14-9/30/14	2nd Qtr Expenditures 10/1/14-12/31/14	3rd Qtr Expenditures 1/1/15-3/31/15	4th Quarter Expenditures 4/1/15-6/30/15	Expenditures to Date	Remaining Balance
Salaries/Benefits	\$ 200,000	\$ 46,324	\$ 47,634			\$ 93,958	\$ 106,042
<b>Expense</b>	<b>\$ 56,000</b>						
Travel	\$ 30,000	\$ 3,028	\$ 9,641			\$ 12,669	\$ 17,331
Meetings	\$ 20,000	\$ 5,542	\$ 6,703			\$ 12,245	\$ 7,755
Administrative	\$ 4,080	\$ 1,659	\$ 1,945			\$ 3,604	\$ 476
Membership Dues *	\$ 1,920	\$ 1,920	\$ -			\$ 1,920	\$ -
<b>Contracted Services</b>	<b>\$ 18,000</b>						
General Counsel	\$ 18,000	\$ 8,125	\$ 4,089			\$ 12,214	\$ 5,786
<b>Transp. Planning</b>	<b>\$ 165,000</b>						
Univ. South FL (CUTR)	\$ 80,000	\$ 20,000	\$ 20,000			\$ 40,000	\$ 40,000
MPOAC Institute	\$ 85,000	\$ 5,950	\$ 15,300			\$ 21,250	\$ 63,750
<b>Total Federal Funds</b>	<b>\$ 439,000</b>	<b>\$ 92,548</b>	<b>\$ 105,312</b>			<b>\$ 197,860</b>	<b>\$ 241,140</b>
<b>Advocacy Activities Local Funds</b>	<b>\$ 7,500</b>	<b>\$ 850</b>	<b>\$ 1,500</b>			<b>\$ 2,350</b>	<b>\$ 5,150</b>
<b>Total Budget</b>	<b>\$ 446,500</b>	<b>\$ 93,398</b>	<b>\$ 106,812</b>			<b>\$ 200,210</b>	<b>\$ 246,290</b>

\* FBT, FPTA, ITSFL

**MEMORANDUM**

TO: Susan Haynie, Chair & Members  
of the Governing Board

FROM: Paul Gougelman, General Counsel

SUBJECT: Repeal of Rules of Procedure;  
Adoption of Agency By-Laws

DATE: December 22, 2014

The Florida Legislature has amended the Administrative Procedure Act,<sup>1</sup> and the MPOAC is no longer subject to the Administrative Procedure Act. As a result and as discussed at previous Governing Board and Staff Directors' Advisory Committee meetings, new proposed By-Laws are presented for adoption. At the same time the existing Rules of Procedure published in the Florida Administrative Code are proposed for repeal.

At the July, 2014, MPOAC Governing Board meeting, new draft By-Laws were presented. The By-Laws were forwarded to each MPO and work-shopped by the MPOAC Technical and Policy Committee in August. Suggestions for improvement of the By-Laws were also received by mail and e-mail. The final draft proposal was presented and discussed at the October, 2014, MPOAC Governing Board and Staff Directors' Advisory Committee meeting.

The repeal of the existing procedural rules was advertised in the Florida Administrative Register on December 23, 2014, and notice was given by mail on the same date to the Florida Legislature's Joint Administrative Procedure Committee, all as required by law.<sup>2</sup> Likewise, adoption of the new By-Laws has been noticed as required.

**A. Consideration of Adoption of New By-Laws.** A copy of the new By-Laws is attached for consideration with an attached resolution. The new By-Laws will be posted on the MPOAC's web-site and available to the public on request.

**RECOMMENDED ACTION: Adopt the attached resolution.**

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<sup>1</sup> Chap. 120, Fla.Stat.

<sup>2</sup> §120.54(3), Fla.Stat.

**B. Consideration of Repeal of Existing Rules in the Florida Administrative Code.**

A second issue regarding the MPOAC's rules of procedure needs consideration. Previously, all rules of the MPOAC were required by the Florida Administrative Procedure Act<sup>3</sup> to be adopted as amendments to the Florida Administrative Code. Rules were adopted during the 1990s by the MPOAC.<sup>4</sup>

In 2003, the MPOAC was able to convince the Florida Legislature to remove the requirement from the Florida Administrative Procedure Act that MPOs and the MPOAC<sup>5</sup> adopt its rules as part of the Florida Administrative Code.<sup>6</sup> In

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<sup>3</sup> Chap. 120, Florida statutes; see in particular §120.54, Florida Statutes.

<sup>4</sup> See Chap. 35-1 and 35-2, Florida Admin. Code.

<sup>5</sup> In correspondence to the MPOAC by the Florida Legislature, Joint Administrative Procedures Committee, the Committee's Coordinator advised the MPOAC that it was not an "agency." See Letter from Kenneth J. Plante, Coordinator to Howard Glassman, MPOAC Executive Director (Feb. 27, 2012).

<sup>6</sup> The MPOs and the MPOAC were removed from the definition of an a governmental "agency" required to adopt rules as provided by the Florida Administrative Code, which rules would be placed in the Florida Administrative Code. See Chap. 2003-286, §7, Laws of Florida. As a result, Section 120.52(1)(c), Florida Statutes, now provides:

**120.52 Definitions.**—As used in this act:

(1) "Agency" means the following officers or governmental entities if acting pursuant to powers other than those derived from the constitution:

(a) The Governor; each state officer and state department, and each departmental unit described in s. 20.04; the Board of Governors of the State University System; the Commission on Ethics; the Fish and Wildlife Conservation Commission; a regional water supply authority; a regional planning agency; a multicounty special district, but only when a majority of its governing board is comprised of nonelected persons; educational units; and each entity described in chapters 163, 373, 380, and 582 and s. 186.504.

(b) Each officer and governmental entity in the state having statewide jurisdiction or jurisdiction in more than one county.

(c) Each officer and governmental entity in the

Susan Haynie, Chair & Members  
of the Governing Board  
December 22, 2014  
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part, the Florida Legislature apparently agreed with the MPOAC, because MPOs are not regulatory agencies. This development was positive for MPOs, because the rule-making process is extremely time consuming and labor intensive. In the case of the MPOAC, rule-making will usually take three governing board meetings to accomplish.

While the MPOAC is not required to adopt its rules through the Florida Administrative Procedure Act process (because the MPOAC is not considered to be an "agency" under the Act's requirement of rule-making), the MPOAC still has the authority to adopt rules under the Florida Administrative Code, if needed.<sup>7</sup>

The Rules of Procedure proposed for repeal are attached.

**RECOMMENDED ACTION: Repeal the existing Rules of Procedure in the Florida Administrative Code.**

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state having jurisdiction in one county or less than one county, to the extent they are expressly made subject to this act by general or special law or existing judicial decisions.

This definition does not include any municipality or legal entity created solely by a municipality; any legal entity or agency created in whole or in part pursuant to part II of chapter 361; any metropolitan planning organization created pursuant to s. 339.175; any separate legal or administrative entity created pursuant to s. 339.175 of which a metropolitan planning organization is a member; an expressway authority pursuant to chapter 348 or any transportation authority under chapter 343 or chapter 349; or any legal or administrative entity created by an interlocal agreement pursuant to s. 163.01(7), unless any party to such agreement is otherwise an agency as defined in this subsection.

<sup>7</sup> §339.175(11)(c)4., Fla.Stat.

RESOLUTION NO. 2015-1

A RESOLUTION OF THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL RELATING TO AGENCY BY-LAWS; MAKING FINDINGS; ESTABLISHING MEETING BY-LAWS; PROVIDING FOR DEFINITIONS AND MPOAC ORGANIZATION; PROVIDING FOR A GOVERNING BOARD AND GOVERNING BOARD ORGANIATION; PROVIDING FOR THE STAFF DIRECTORS' ADVISORY COMMITTEE AND OTHER SUBCOMMITTEES; REQUIRING OPEN MEETINGS; PROVIDING FOR HANDLING OF PUBLIC RECORDS; ESTABLISHING A PRINCIPAL MPOAC OFFICE; SETTING THE AGENDA; PROVIDING FOR NOTICE OF MEETINGS AND WORKSHOPS; ESTABLISHING A PROCESS FOR EMERGENCY MEETINGS; PROVIDING FOR RULES OF PROCEDURE AND ACTION BY CONSENT; SETTING FORTH A PROCESS FOR BY-LAW AMENDMENT; REPEALING THE RULES OF PROCEDURE ADOPTED BY RESOLUTION 2013-1 AND ALL OTHER PREVIOUSLY ADOPTED RULES OF PROCEDURE; DESIGNATING A PRINCIPAL PLACE OF BUSINESS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Metropolitan Planning Organization Advisory Council ("MPOAC") recognizes and acknowledges the need and requirement for established procedures to be implemented in order to facilitate orderly and respectable MPOAC Governing Board and Staff Directors' Advisory Committee meetings; and

WHEREAS, the Governing Board desires to define its By-Laws and procedures in a single document which will allow interested parties to easily understand MPOAC procedures and that may be revised from time to time in response to changing circumstances; and

WHEREAS, this resolution shall act as a guide and framework for MPOAC procedures.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Florida Metropolitan Planning Organization Advisory Council that the following be and the same is hereby adopted:

Resolution Section 1. The following policies, procedures, and By-Laws, are hereby accepted, amended, restated, and adopted by the MPOAC as follows:

**MPOAC Agency Bylaws**  
(adopted January 22, 2015)

**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 and Section 339.175, Florida Statutes.

(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.

(d) "TPO" or "Transportation Planning Organization" refers to a MPO.

**Section 2. MPOAC Organization.**

(a) The Governing Board of the MPOAC is composed of a twenty-seven (27) member Governing Board. Each individual MPO or TPO selects one representative and one alternate representative to serve on the Governing Board. 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.

(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.

(2) In addition to the Governing Board, the MPOAC will be composed of at least one (1) committee, the Staff Directors' Advisory Committee, which is advisory to the Governing Board. 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 election is held for 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.

(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 may 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 following MPOs:

- (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) Heartland Regional Transportation Planning Organization
- (8) Hernando/Citrus Metropolitan Planning Organization
- (9) Hillsborough County Metropolitan Planning Organization

- (10) Indian River County Metropolitan Planning Organization
- (11) Lake-Sumter Metropolitan Planning Organization
- (12) Lee County Metropolitan Planning Organization
- (13) Martin Metropolitan Planning Organization
- (14) MetroPlan Orlando
- (15) Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area
- (16) Miami-Dade Metropolitan Planning Organization
- (17) North Florida Transportation Planning Organization
- (18) Ocala-Marion County Transportation Planning Organization
- (19) Okaloosa-Walton Transportation Planning Organization
- (20) Pasco County Metropolitan Planning Organization
- (21) Palm Beach Metropolitan Planning Organization
- (22) Pinellas County 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
- (27) St. Lucie Transportation Planning Organization.

(b) Appointment of Governing Board representatives.

(1) Each MPO or TPO shall appoint one (1) representative and one (1) alternate representative 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 or TPO.

(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 or TPO 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 or TPO 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 or TPO.

(4) Each representative and each alternate representative of a MPO or TPO shall serve at the pleasure of the appointing MPO or TPO; 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 or TPO.

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

(c) Upon the creation of a new MPO pursuant to Section 339.175, Florida Statutes, said MPO or TPO is entitled to the appointment of one representative and one alternate representative to serve as a member of the MPOAC Governing Board.

#### **Section 4. Organization of the Governing Board.**

(a) The MPOAC Governing Board shall at its first meeting of the calendar year elect a chairperson and vice-chairperson, as its officers. The chairperson and vice-chairperson shall take office as of the time and date set for the MPOAC Governing Board regularly scheduled meeting in the third quarter of the calendar year (historically the meeting held in July), ~~for~~ as soon thereafter as possible, and shall serve until the time and date set for the beginning of the regularly scheduled MPOAC Governing Board meeting in the third quarter of the next calendar year, or until a successor is thereafter elected, whichever event shall first occur. The chairperson and vice-chairperson must at all times during their term of office be members of the MPOAC Governing Board.

(b) 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) Chairperson; Vice-Chairperson. The chairperson 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 chairperson in the absence of the chairperson.

(d) Agenda preparation. After consultation with the Chairperson 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 chairperson. The chairperson shall be empowered to cancel any of the foregoing regular meetings, as necessary.

(2) Special meetings may be called by the Governing Board chairperson 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.

(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) Subcommittees as necessary to assist the Governing Board may be established by the chairperson or by a majority vote of those present and voting at a Governing Board meeting. Sub-committee members shall be appointed by the Governing Board Chairperson.

**Section 5. Staff Directors' Advisory Committee and Subcommittees.**

(a) Appointment of Committee representatives.

(1) The MPOAC Staff Directors' Advisory Committee is comprised of one staff person from each of the MPOs or TPOs listed in Section 2. One (1) member representative to serve on the Staff Directors' Advisory Committee shall be designated by each MPO or TPO. In addition, each MPO that designates a member representative to the Staff Directors' Advisory Committee shall also designate one (1) alternate member representative. 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 appointed to serve in place of; provided, however, that alternate member representatives may always attend committee meetings and participate in debate.

(2) Regular Staff Directors' Advisory Committee Member representatives or alternate member representatives may be reappointed from time to time by their appointing MPO or TPO.

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

(4) Upon the creation of a new MPO pursuant to Section 339.175, Florida Statutes, said MPO or TPO is entitled to the appointment of one member representative and one 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 or TPO shall designate its representative and an alternate representative to the MPOAC.

(c) No individual shall be eligible to vote on the Staff Directors' Advisory Committee until the appointing MPO or TPO 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 or TPO. 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 or TPO must be an employee of the MPO or TPO represented or the governmental agency staffing a MPO or TPO.

(d) Officers. The officers of the Staff Directors' Advisory Committee shall be the chairperson and the vice-chairperson. The chairperson and vice-chairperson shall be selected by a majority vote of the membership of the Staff Directors' Advisory Committee present and voting. The chairperson and vice-chairperson shall take office as of the time and date set for the MPOAC Staff Directors' Advisory Committee meeting in July (or as soon thereafter as possible if a meeting is not held in July) and shall serve until the time and date set for the beginning of the Staff Directors' Advisory Committee meeting in July (or as soon thereafter as possible if a meeting is not held in July) of the next succeeding year, or until a successor is thereafter elected. The chairperson and vice-chairperson must be members of the Staff Directors' Advisory Committee.

(e) Chairperson; Vice-Chairperson. The chairperson of the Staff Directors' Advisory Committee shall call and preside at all meetings of the Staff Directors' Advisory Committee. The chairperson 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 chairperson 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-chairperson shall act as chairperson in the absence of the chairperson.

(f) Agenda preparation. After consultation with the Chairperson 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 present and 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 which schedule may be amended from time to time by the MPOAC Governing Board, unless cancelled or rescheduled by the Staff Directors' Advisory Committee chairperson. The chairperson may cancel a meeting as a result of a lack of business to bring to the committee. Regular meetings shall be held immediately prior to, or at the option of the Chairperson 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). Meetings shall be held in the same location as the Governing Board meeting. The chairperson shall set the time and location of special meetings. Special meetings shall be called by the Staff Directors' Advisory Committee chairperson or through a letter of petition from at least four (4) members; provided, that applicable public requirements are satisfied. This letter shall state the purpose of the special meeting.

(i) Subcommittees may be established by the chairperson or by a majority vote of those present and voting at a Staff Directors' Advisory Committee meeting as necessary to assist the Staff Directors' Advisory Committee. Sub-committee members shall be appointed by the committee chairperson.

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

(a) Open Meetings. All meetings of the Governing Board, its advisory committee, and any sub-committee, 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 fifteen (15) days prior to a meeting or workshop, the MPOAC executive director, in consultation with the Governing Board Chairperson, shall prepare the agenda for the Governing Board meeting.

(b) Staff Directors' Advisory Committee or other committee.

(1) At least fifteen (15) days prior to a meeting or workshop, the MPOAC executive director, in consultation with the Staff Directors' Advisory Committee

Chairperson, shall prepare the agenda for the Staff Directors' Advisory Committee meeting.

(2) At least fifteen (15) days prior to a meeting or workshop of any MPOAC committee, the MPOAC executive director, in consultation with the committee chairperson, shall prepare the agenda for the committee meeting.

(c) Subcommittees. At least fifteen (15) days prior to a meeting or workshop of a subcommittee, the MPOAC executive director, in consultation with the subcommittee chairperson, shall prepare the agenda for the subcommittee meeting.

(d) Upon completion of the preparation of an agenda for the Governing Board, any committee, or any subcommittee, 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 subcommittee, shall request in writing that the item be considered at the next regularly scheduled meeting of the Governing Board, advisory committee, or a 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 Section 286.0105, 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 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 shall be sent to the official address of the 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 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.

(4) Except as otherwise provided herein, notice may be given by regular U.S. mail, postage paid, 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).

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

#### **Section 9. Emergency Meetings.**

(a) The MPOAC Governing Board, the Executive Committee, an advisory committee, or one of 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, 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(g) and (h).

(b) Whenever an emergency meeting is scheduled to be held, the agency clerk shall notify, as soon as possible prior to the meeting, at least one major newspaper of general circulation in the area where the meeting will take place, stating the time, date, place and 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 any subcommittee 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, 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 Chairman 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 his time has expired there is a general demand for him to go on, the Chairman 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 him to proceed. Or, he 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 or Staff Directors' 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 Chairman of the Governing Board or Staff Directors' 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 Chairman in said individual's role as the presiding officer) shall avoid interrupting the speaker. After all speakers have completed comments or a presentation, the Chairman, 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 public comment 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 Chairman of the Governing Board or Staff Directors' 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 Chairman in said individual's role as the presiding officer) shall avoid interrupting the speaker. After all speakers have completed comments or a presentation, the Chairman, 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. Members of the public or non-agency personnel seeking to address the Governing Board or the Staff Directors' Advisory Committee should prepare their remarks before addressing the Governing Board or the Staff Directors' Advisory 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 Chairman. Members of the public shall not address individual members of the Governing Board or individual members of the Staff Directors' Advisory Committee but shall address the board or committee being addressed as a whole through the presiding Chairman. Any speaker who becomes unruly, screams, uses profanity, or

shows poor conduct, may be asked to leave the lectern and return to the speaker's seat by the presiding Chairman. Should the speaker refuse to leave the lectern and return to speaker's seat, the Chairman, as the presiding officer, may rule the speaker "out of order." Should the speaker still refuse to leave the lectern and return to the speaker's seat, the Chairman 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 or the Staff Directors' Advisory 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, or repealed by a two-thirds vote of the Governing Board members voting.

**Effective Date.** These rules are effective immediately upon adoption.

Resolution Section 2. Chapter 35-1 and 35-2, Florida Administrative Code, and all rules contained in the aforesaid chapters are hereby repealed. All other rules of procedure adopted by the MPOAC prior to the date hereof are hereby repealed.

Resolution Section 3. Pursuant to Section 6.(c) of the By-Laws adopted in Resolution Section 1., the official principal place of business and office of the MPOAC is designated as being located at 605 Suwannee Street - MS-28B, Tallahassee, Florida 32399-0450.

Resolution Section 4. This Resolution is effective upon adoption.

**PASSED AND ADOPTED** by the Florida Metropolitan Planning Organization Advisory Council at a regular meeting this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Susan Haynie, Chairman

ATTEST:

(AGENCY SEAL)

\_\_\_\_\_  
Howard Glassman,  
Agency Clerk

## Rules to Be Repealed

### **35-1.001 Definitions.**

As used in this chapter, the following terms shall be defined as follows:

(1) "MPO" shall mean and refer to a metropolitan planning organization as provided for in 23 U.S.C. Section 134 and Section 339.175, F.S.

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

(3) "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, F.S., or as determined pursuant to judicial interpretation of Chapter 119, F.S.

*Rulemaking Authority 339.175(10) FS. Law Implemented 120.53(1)(a) FS. History--New 7-6-94.*

### **35-1.002 Agency Functions and Responsibilities.**

(1) The MPOAC governing board shall consist of one representative from each of the following metropolitan planning organizations:

Brevard County MPO

Charlotte County-Punta Gorda MPO

Ft. Lauderdale Urbanized Area MPO

Ft. Walton Beach MPO

Gainesville Urbanized Area MPO

Hernando County MPO

Hillsborough County MPO

Indian River County MPO

Jacksonville Urbanized Area MPO

Lakeland-Winter Haven MPO

Lee County MPO

Martin County MPO

Miami Urbanized Area MPO

Naples Urbanized Area MPO

Ocala-Marion County MPO

Orlando Urban Area MPO

Panama City Urbanized Area MPO

Pasco County MPO

Pensacola Urbanized Area MPO

Pinellas County MPO

Sarasota/Manatee MPO

St. Lucie MPO

Tallahassee-Leon County MPO

Volusia County MPO

West Palm Beach Urbanized Area MPC

(2) Each metropolitan planning organization shall appoint one (1) representative and one (1) alternate representative to serve on the MPOAC. 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 metropolitan planning organization shall appoint its representative to the MPOAC to serve for the succeeding calendar year. No individual shall be eligible to vote on the MPOAC until the individual appointing metropolitan planning organization certifies in writing to the MPOAC that such individual is authorized to act as the representative or alternate representative of the certifying metropolitan planning organization. Each representative and each alternate representative of a metropolitan planning organization shall serve at the pleasure of the appointing metropolitan planning organization; 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 metropolitan planning organization. Vacancies shall be filled only by an appointment by the original appointing metropolitan planning organization.

(3) The MPOAC is created to work in cooperation with the Florida Department of Transportation and each individual metropolitan planning organization created pursuant to Section 339.175, F.S., to assist the State and the MPO's in carrying out the continuing, cooperative, and comprehensive urbanized area transportation planning process.

(4) The powers of the agency and the governing board include:

(a) Entering into contracts with individuals, private corporations, and public agencies;

(b) Acquiring, owning, operating, maintaining, selling, or leasing personal property essential for the conduct of business;

(c) Accepting funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources;

(d) Establishing bylaws and making rules to effectuate its powers, responsibilities, and obligations;

(e) 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

(f) Serving as a clearinghouse for review and comment by metropolitan planning organizations on the Florida

Transportation Plan 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.

*Rulemaking Authority 120.53(1)(a), 339.175(10) FS. Law Implemented 120.53(1)(a), 339.155(5), 339.175(10) FS. History–New 7-6-94.*

### **35-1.003 Description of the Agency Organization and Operational Procedures.**

(1) The governing board of the MPOAC is composed of a twenty-five (25) member governing board. Each individual metropolitan planning organization selects one representative and one alternate representative to serve on the governing board. 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.

(2) Advisory Committees; Executive Director; General Counsel; Agency Clerk. In addition to the governing board, the MPOAC will be composed of one (1) advisory committee, and its subcommittees, to the governing board of the MPOAC and staffed by the MPOAC executive director, agency clerk, and general counsel.

(a) Advisory Committee. The advisory committee is the staff directors' advisory committee. The staff directors' advisory committee is responsible for providing guidance to the MPOAC regarding transportation issues and 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.

(b) Executive Director. The MPOAC governing board may 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 serve as an ex officio member of the staff directors' advisory committee and its subcommittees and shall assist and participate in their functions.

(c) Agency Clerk. The Executive Director shall also serve as the agency clerk. The address and telephone number of the agency clerk shall be the same as for the principal office of the MPOAC. The duties and responsibilities of the agency clerk shall be to: index and file orders and rules in a manner not inconsistent with applicable provisions of Chapter 120, F.S., and 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.

(d) General Counsel. The MPOAC governing board may employ 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 governing board shall also retain special legal counsel from time to time as necessary for the handling of specialized legal matters.

(3) Open Meetings. All meetings of the governing board, its advisory committee, and any sub-committee, will be open to the public, except as provided by Sections 286.011 and 447.605, F.S., and applicable Federal law, if any.

(4) Records. All MPOAC records shall be open to the general public, unless such records are subject to an exemption from Chapter 119, F.S., 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. Section 101 et seq.), unless said records are exempt or confidential pursuant to Section 119.07, F.S., or other provisions of Federal or Florida law. Charges for copies may be made pursuant to Section 119.07(1)(a) and 119.08, F.S. Public records shall be made available to the public for inspection at the principal office of the MPOAC.

(5) Principal Office of the MPOAC. The principal office of the MPOAC is located at 1713 Mahan Drive, Tallahassee, Florida. The office is open between the hours of 8:00 a.m. and 5:00 p.m. during regular business days. The official mailing address of the agency is 605 Suwannee Street – Mail Station 28, Tallahassee, Florida 32399-0450. The MPOAC executive director and agency clerk are located at the principal office. MPOAC official records 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.

*Rulemaking Authority 120.53(1)(a), 339.175(10) FS. Law Implemented 119.07, 119.08, 120.53(1)(a), 339.175(10) FS. History–New 7-6-94, Amended 7-2-95.*

### **35-1.004 Organization of the Governing Board.**

(1) The MPOAC governing board shall at its first meeting of the calendar year elect a chairperson and vice-chairperson, as its officers. The chairperson and vice-chairperson shall take office as of the time and date set for the

MPOAC governing board meeting in July and shall serve until the time and date set for the beginning of the MPOAC governing board meeting in July of the next succeeding year, or until a successor is thereafter elected. The chairperson and vice-chairperson must at all times during their term of office be members of the MPOAC governing board. If a vacancy occurs in any 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 July MPOAC governing board meeting, or until a successor is thereafter elected.

(2) Chairperson; Vice-Chairperson. The chairperson 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 serve as chairperson in the absence of the chairperson.

(3) Quorum. At least seven (7) 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 or by five (5) votes, whichever number shall be greater.

(4) Procedures. Roberts Rules of Order as revised shall be used to govern proceedings of the MPOAC board.

(5) Meetings. The MPOAC shall meet no less often than on the fourth Thursday in the months of January, April, July, and October of each year, unless said meeting is cancelled by the chairperson. The chairperson shall be empowered to cancel any of the foregoing regular meetings, as necessary. Special meetings shall be called by the governing board chairperson or through a letter of petition from at least four (4) members; provided, that the notice requirements of Rule 35-1.006, F.A.C. are satisfied. This letter shall state the purpose of the special meeting.

*Rulemaking Authority 120.53(1)(a), 339.175(10) FS. Law Implemented 120.53(1)(a), 339.175(10) FS. History—New 7-6-94.*

### **35-1.005 Staff Directors' Advisory Committee and Subcommittees.**

(1) The MPOAC staff directors' advisory committee shall be comprised of one staff member from each of the metropolitan planning organizations listed in Rule 35-1.001, F.A.C. The staff directors' advisory committee consists of twenty-five (25) voting members. One (1) member to serve on the staff directors' advisory committee shall be designated by each metropolitan planning organization. In addition, each metropolitan planning organization that designates a representative to the staff directors' advisory committee shall also designate one (1) 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 staff directors' advisory committee only in the absence of the representative that the alternate has appointed to serve in place of; provided, however, that alternate representatives may always attend committee meetings and participate in debate.

(2) The term of service 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 metropolitan planning organization shall designate its representative and an alternate representative to the MPOAC.

(3) No individual shall be eligible to vote on the staff directors' advisory committee until the individual appointing metropolitan planning organization certifies in writing 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 metropolitan planning organization.

(4) Officers. The officers of the staff directors' advisory committee shall be the chairperson and the vice-chairperson. The chairperson and vice-chairperson shall be selected by a majority vote of the membership of the staff directors' advisory committee present and voting. The term of the chairperson and vice-chairperson shall coincide with the term of the chairperson and vice-chairperson of the MPOAC governing board. The chairperson and vice-chairperson shall be members of the staff directors' advisory committee.

(5) Chairperson; Vice-Chairperson. The chairperson of the staff directors' advisory committee shall call and preside at all meetings of the staff directors' advisory committee. The chairperson 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 chairperson 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-chairperson shall serve as chairperson in the absence of the chairperson.

(6) Agenda preparation. The executive director is responsible for the preparation of agendas for future meetings.

(7) Quorum. At least seven (7) 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 present or by five (5) votes, whichever number shall be greater.

(8) Procedures. Roberts Rules of Order as revised shall be used to govern proceedings of the staff directors' advisory committee and its subcommittees.

(9) Meetings. Regular meetings of the staff directors' advisory committee shall be held at least once each calendar year quarter on the fourth Thursday of January, April, July, and October, unless cancelled by the chairperson. The chairperson may cancel a meeting as a result of a lack of business to bring to the committee. The chairperson shall set the time and location of regular meetings. Special meetings shall be called by the staff directors' advisory committee chairperson or through a letter of petition from at least four (4) members; provided, that the notice requirements of Rule 35-1.006, F.A.C. are satisfied. This letter shall state the purpose of the special meeting.

(10) Subcommittees may be established by the chairperson 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 shall be appointed by the committee chairperson.

*Rulemaking Authority 339.175(10) FS. Law Implemented 339.175(10) FS. History--New 7-6-94, Amended 7-2-95.*

### **35-1.006 Notice of Meetings and Workshops.**

#### **(1) MPOAC Governing Board Meetings.**

(a) Except in the case of emergency meetings, 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 meetings or workshops. In addition, the MPOAC shall prepare and make available 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 in the Florida Administrative Weekly at least seven (7) days prior to any non-emergency meeting.

(b) Notices of regular meetings and travel and accommodation information shall be sent to governing board members thirty (30) days prior to the meeting date.

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

1. The date, time, and place of the meeting or workshop.
2. A brief description of the purpose of the event.
3. The address where interested persons can write to obtain a copy of the agenda.

(d) The MPOAC shall utilize the following form for providing notice of meetings or workshops:

#### **NOTICE OF PUBLIC MEETING OR WORKSHOP**

The Metropolitan Planning Organization Advisory Council (MPOAC) announces a public meeting [or workshop] of governing board to which all interested persons are invited.

DATE AND TIME: PLACE:

GENERAL SUBJECT MATTER TO BE CONSIDERED: \_\_\_\_\_

A copy of the agenda may be obtained by writing to the Metropolitan Planning Organization Advisory Council, [insert address] \_\_\_\_\_, Florida, or appearing in person at the above address.

If a person decides to appeal any decision made by the agency with regard to any matter considered at such meeting or hearing, said person will need a record of the proceedings, and that, for such purpose, said person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, Section 286.0105, F.S.

(2) Staff Directors' Advisory Committee. The provisions of paragraphs (1)(a), (c) and (d) above shall apply to the staff directors' advisory committee and its subcommittees. The form of notice for the staff directors' advisory committee and its subcommittees shall be in the same form as that set forth above in paragraph (1)(d), except that the notice shall make reference to a meeting/workshop of the staff directors' advisory committee or one of its subcommittees, as appropriate, rather than the MPOAC governing board.

*Rulemaking Authority 339.175(10) FS. Law Implemented 120.53(1)(d), 120.54(1)(a), 286.0105, 339.175(10) FS. History--New 7-6-94, Amended 7-2-95.*

### **35-1.008 Emergency Meetings.**

(1) The MPOAC, an advisory committee, or one of its subcommittees, may hold an emergency meeting, notwithstanding the provisions of Rules 35-1.006 and 35-1.007, F.A.C. for the purpose of acting upon matters affecting the public health, safety, or welfare. The form of notice shall be as set forth in paragraphs 35-1.006(1)(c) and (d), F.A.C. The form of the agenda shall be as prescribed in subsections 35-1.007(2) and (3), F.A.C.

(2) Whenever an emergency meeting is scheduled to be held, the agency clerk shall notify, as soon as possible prior to the meeting, at least one major newspaper of general circulation in the area where the meeting will take place, stating the time, date, place and purpose of the meeting or workshop.

(3) Following an emergency meeting the agency clerk shall cause to be published in a publication prescribed by Section 120.54(1), F.S., notice of the time, date, and place of the meeting, a statement setting forth the reasons why

an emergency meeting was necessary, and a statement setting forth the action taken at the meeting.  
*Rulemaking Authority 120.53(1)(d), 339.175(10) FS. Law Implemented 120.53(1)(d) FS. History--New 7-6-94, Amended 7-2-95.*

**35-2.001 Adoption of Agency Strategic Plan.**

(1) The agency strategic plan entitled "Florida Metropolitan Planning Organization Advisory Council Strategic Plan 1997-2002" dated April, 1996, and amended July 24, 1997, is hereby adopted.

(2) The agency strategic plan is a policy document which is the statement of the priority directions the agency will take to carry out its mission within the context of the state comprehensive plan and any other statutory mandates and directions given to the agency.

*Specific Authority 339.175(10) FS. Law Implemented 339.175(10) FS. History--New 7-10-96, Amended 1-20-98.*

**Item Number 5  
Election of Officers**

**DISCUSSION:**

As provided by the MPOAC bylaws, at the first meeting of the calendar year the MPOAC Governing Board shall elect a Chairperson and a Vice-Chairperson to take office at their meeting in July and serve until the beginning of the meeting in July of the next succeeding year.

The current Governing Board Chairperson is Mayor Susan Haynie from the Palm Beach MPO. The Vice-Chairperson is Councilmember Jim Wood from the Okaloosa-Walton TPO.

**REQUESTED ACTION:**

1. Elect a Governing Board Chairperson and a Vice-Chairperson for a term beginning July 24, 2014.

**ATTACHMENTS:**

None

**Item Number 6A**  
**Florida Department of Transportation Report**

**DISCUSSION:**

Mr. Jim Wood, State Transportation Development Administrator at FDOT will be presenting the following:

1. Statewide Planning Update
2. Other items of interest

**REQUESTED ACTION:**

As may be desired.

**ATTACHMENT:**

None

**Item Number 6B**  
**Federal Highway Administration Report**

**DISCUSSION:**

Ms. Karen Brunelle, Director, Office of Project Development and Ms. Lee Ann Jacobs, Planning and Programs Coordinator at the FHWA Florida Division Office will be presenting the following items:

1. MAP-21 Update
2. Funding Update
3. Other related topics

**REQUESTED ACTION:**

As may be desired.

**ATTACHMENT:**

None

**Item Number 7**  
**Florida Automated Vehicles Initiative**

**DISCUSSION:**

Mr. Rich Biter, FDOT Assistant Secretary for Intermodal Systems Development will be presenting the Florida Automated Vehicles Initiative.

**REQUESTED ACTION:**

As may be desired.

**ATTACHMENT:**

1. Florida Automated Vehicles, Creating the Framework for Implementation, 2015



## OVERVIEW

### Florida at the Forefront of Automated Vehicle Movement

The Florida Department of Transportation (FDOT) is planning for the deployment of autonomous and connected vehicle technologies on public roadways with the establishment of the Florida Automated Vehicles (FAV) initiative. The FAV initiative is helping to create the framework for implementation by engaging stakeholders, developing research and pilot projects, and creating awareness of the technologies and how they support FDOT's vision statement. These revolutionary technologies will be able to further FDOT's vision statement; "serving the people of Florida by delivering a transportation system that is fatality and congestion free." Automated vehicle technologies hold unprecedented opportunities in helping to reduce congestion and improve safety.

**Automated vehicle** is an umbrella term that includes both autonomous and connected vehicle technologies. An autonomous vehicle (AV) is any vehicle equipped with advanced sensors (radar, LIDAR, cameras, etc.) and computing abilities to perceive its surroundings and activate steering, braking, and acceleration without operator input. Connected vehicles (CV) employ vehicle-to-vehicle (V2V) and vehicle-to-infrastructure (V2I) communication to provide real-time warnings to a human driver to help them avoid crashes. Additional information can include traffic signal status, traffic congestion and construction warnings, as well as impending severe weather events. Both technologies can improve safety and efficiency of our transportation system in Florida since over 90% of traffic crashes are due to human error. CV technologies can also allow back office systems such as the traffic signal control system to react to real-time information from the vehicle.

A very important component of the FAV Initiatives is public outreach and education. The FDOT staff and their consultants have traveled around the state to various planning and engineering conferences and meetings to engage these entities that are involved in providing transportation infrastructure. FDOT understands that these professionals and organizations need to be involved from the very beginning in order to proactively prepare Florida for these emerging technologies. Education and awareness of AV and CV technologies, beginning with the planning and engineering community, is essential in order to begin to address the questions and concerns that the general public will (and should) generate.

## KEY HIGHLIGHTS

### 2014 Initiatives

Learn more about this year's milestones with the following FDOT presentation:

Download Presentation (1.7 MB)

### FDOT EFFORTS

**2011:** ITS World Congress (Orlando) – FDOT unveils the Connected Vehicle Affiliated Testbed along I-4

**2013:** First Florida Automated Vehicles Summit (Tampa)

**2014:** Working Groups, Pilot Projects, Research, and the 2nd Annual FAV Summit

### FL DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Tasked by HB 1399, DHSMV was tasked to submit a report (Download) recommending additional legislative or regulatory action that may be required for safe operation and testing.

### LEGISLATION

**2012:** Florida passes House Bill 1399, sponsored by Senator Jeff Brandes

**Item Number 8**  
**MetroPlan Orlando's Value Pricing Pilot Study**

**DISCUSSION:**

Mr. Eric Hill from MetroPlan Orlando will be presenting their Value Pricing Pilot Study. The pilot study is to consider alternative transportation funding strategies such as Mileage Base User Fee – Fixed, Mileage based User Fee – Variable, Parking/Area Pricing, and Road Space Management. The study builds upon transportation funding policies adopted by Metroplan Orlando and the MPOAC.

**REQUESTED ACTION:**

As may be desired.

**ATTACHMENT:**

1. Value Pricing Pilot Study, MetroPlan Orlando



# Introduction

- Review Value Pricing Pilot Study
- Pricing Options
- Public Involvement
- Propose a demonstration

## Value Pricing in Transportation

**Value pricing (congestion pricing)**  
uses economic incentives to change driving behavior and reduce congestion.

# Project Team

## Steering Committee Members

Eric Hill, Project Manager  
MetroPlan Orlando

Gustavo Castro –TTC

Commissioner Robert Olszewski – MAC

Ian Sikonia – BPAC

Corey Quinn - M&O

Bill Randolph – CAC

Gene Ferguson; Lorena Valencia – FDOT

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TRANSPORTATION ENGINEERING/PLANNING

**global5**  
COMMUNICATIONS

# Value Pricing Project

Value Pricing Study:  
October 2013



Pricing Strategies:  
June 2014

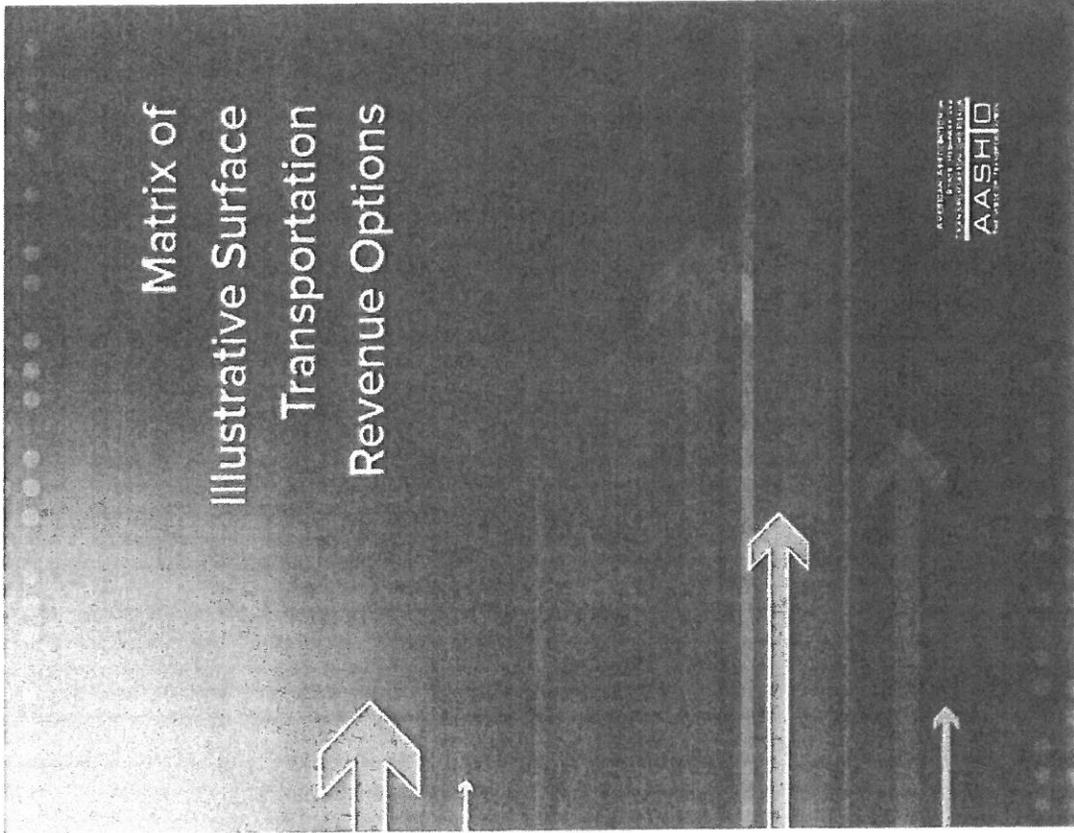


Status of Project

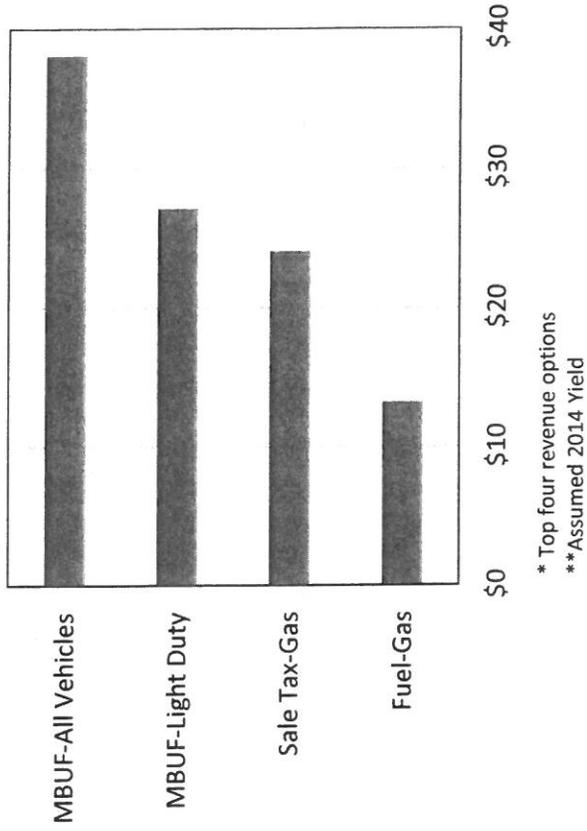
- FHWA Value Pricing
- Project Team
- Supply-Side
- Survey of Public Opinion
- 31 Pricing Strategies
- Criteria; vetting
- 3 Strategies
- Modeling
- Mileage Based User Fee
- Public Involvement
- Draft Final Report
- **Demonstration**

# Strategies

Strategy	Travel Time	Revenue
Mileage Base User Fee – Fixed	0.4% ↑	0.4% ↓
Mileage Base User Fee – Variable	14.2% ↓	155.9% ↑
Parking/Area Pricing	1.2% ↓	16% ↑
Road Space Management	4.8% ↓	4.9% ↑



Surface Transportation Revenue Options  
Annual Estimated Yields (billions)

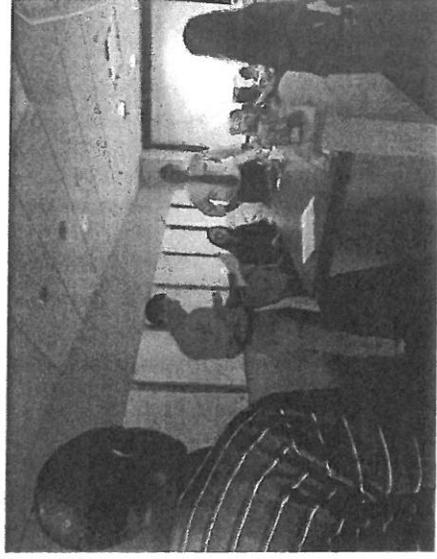
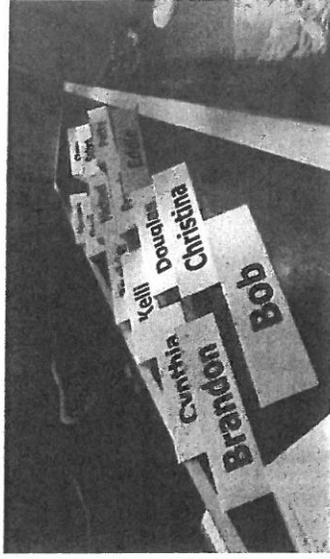


# Guidance

- Equity
- Weight of vehicles
- Consistent with FDOT
- 2015 Legislative Priority

# Focus Groups

- Agreed traffic congestion is a major problem
- More funding was necessary
- Concern about how a MBUF would be implemented and the technology
- Intrigued about impact of a MBUF on traffic, costs and effects on their lives

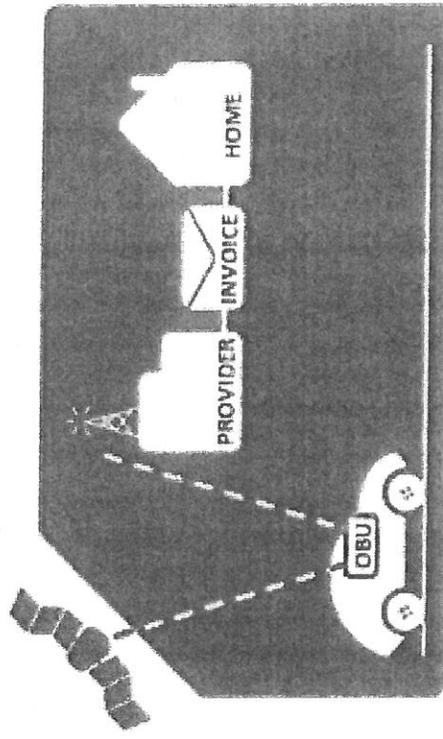


Orlando Chamber of Commerce/Central  
Florida Partnership

*“The concept of a mileage based user fee that is priced to reduce congestion will help businesses manage their fleets and deliveries more effectively and profitably.”*

*Jacob Stuart, President, Central Florida Partnership*

# Proposed MBUF Demonstration



Source: <http://english.verkeerenwaterstaat.nl>

- Participatory (volunteers)
- Variable and flat fee
- Instrumented vehicles (proven technology)
- Multiple jurisdictions



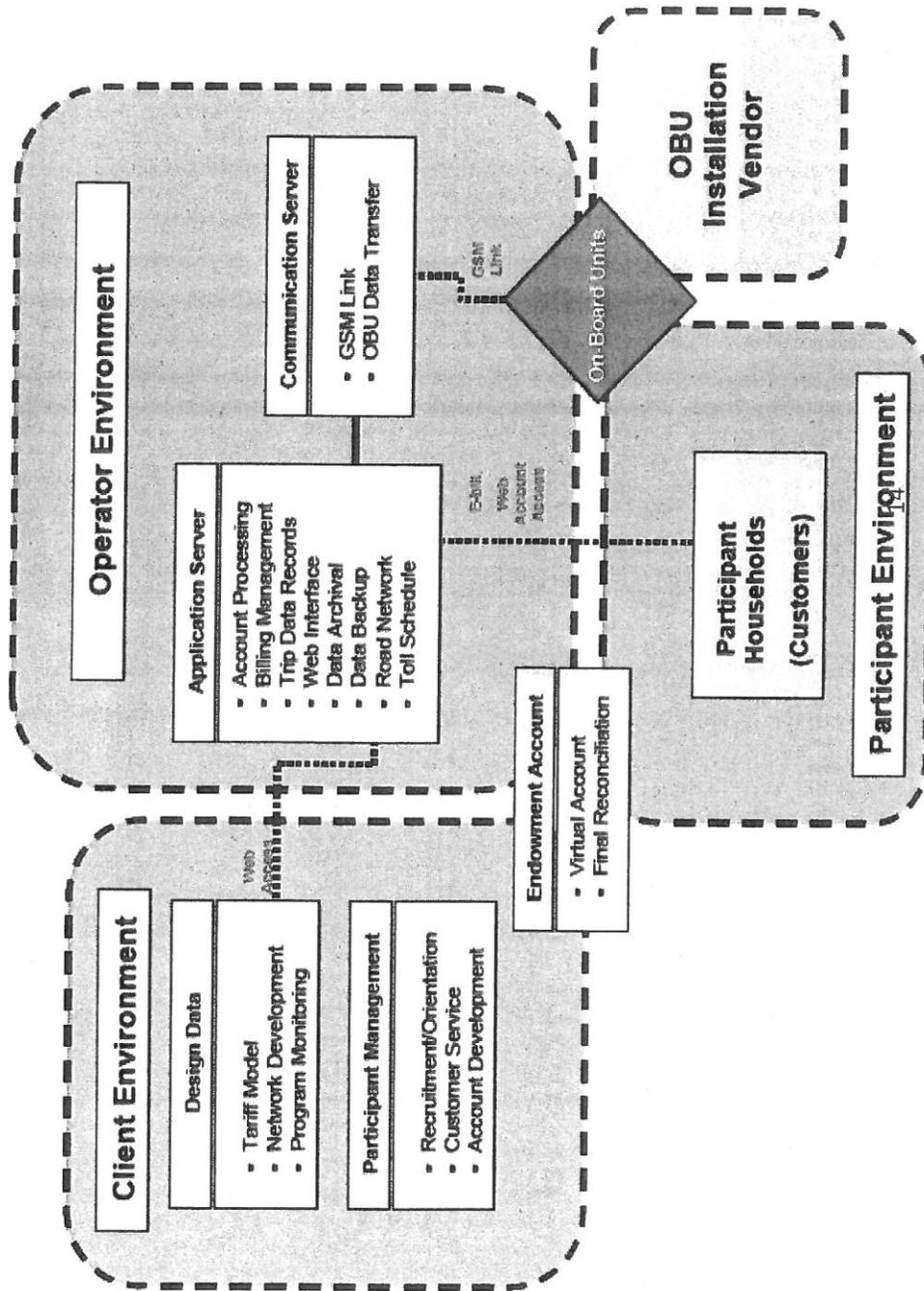
## Demonstration Objectives

- Build awareness about MBUF
- Identify policies of importance
- Demonstrate the merits of MBUF

# Technical and Operational Requirements

- General Operating Requirements
- On-Board Units
- Central Management System
- Fee Management System
- Account Management System
- Geographic Extent of the Demonstration
- Sample Design Requirements

# Structure of the Demonstration



# Management of the Demonstration

- **Operational Management**
  - MetroPlan – lead (representing local interests)
  - FDOT, FTC, FHWA - partners
- **Roles, Responsibilities, and Risks**
  - Risks - budget, schedule, political
  - Important roles for private vendors
  - Open systems and standards
  - Establish clarity about who is doing what

## Next Steps

- FHWA: FY 2015 Candidate Projects for Value Pricing Pilot Program
- Private sector
- State and local partnership
- **Approval to pursue funding for a MBUF demonstration**

**Item Number 9**  
**Hillsborough County MPO: Vulnerability Assessment and Adaptation Pilot Project**

**DISCUSSION:**

Mr. Rich Clarendon from the Hillsborough County MPO will be presenting their Vulnerability Assessment and Adaptation Pilot Project. The Hillsborough County MPO was selected by the Federal Highway Administration (FHWA) for a pilot project to assess surface transportation resiliency to three climate-related hazards in Hillsborough County:

- Sea level rise
- Storm surge
- Flooding

The County's transportation infrastructure and operations have been severely impacted by extreme weather events in past years, causing damage, deterioration, and significant disruptions to the movement of people and goods and ultimately impacting the local economy.

This vulnerability assessment takes a two-pronged approach: 1) to evaluate the impact of system-wide transportation disruption under a typical storm scenario, estimate the economic consequences of that disruption, and propose measures to mitigate the disruption; and 2) to look at up to six critical and vulnerable transportation facilities for a more detailed analysis.

The goal was to develop investment levels for the Long Range Transportation Plan (LRTP) Safety and Security funding category to lessen our vulnerability to extreme weather. A second goal is to integrate climate-related mitigation and adaptation measures into the planning process.

The results of this pilot project will be shared as a national case study for the FHWA Climate Change Vulnerabilities Assessment Pilot program. The full report is available at

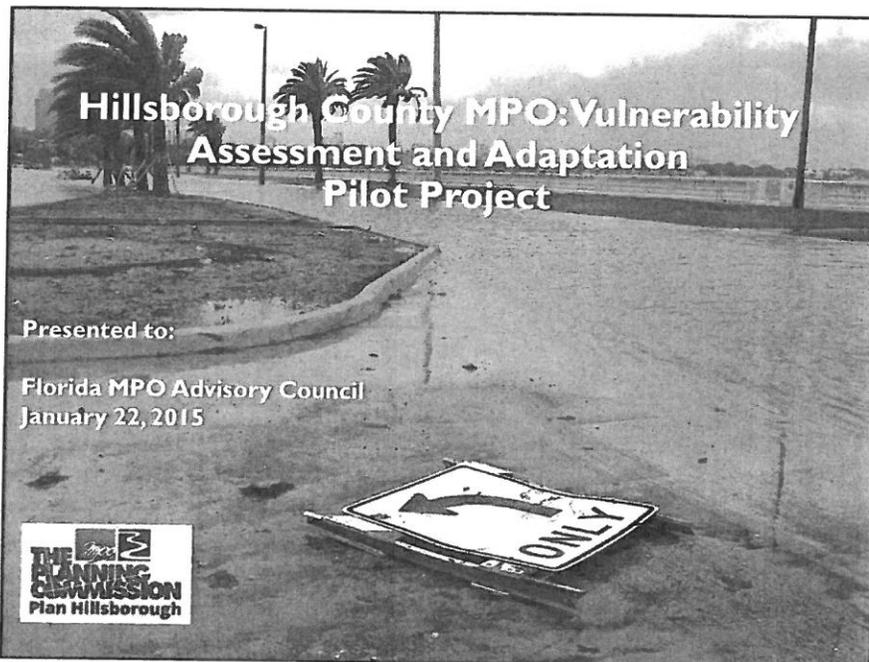
<http://www.planhillsborough.org/hillsborough-transportation-vulnerability-assessment-pilot-project/>

**REQUESTED ACTION:**

As may be desired.

**ATTACHMENT:**

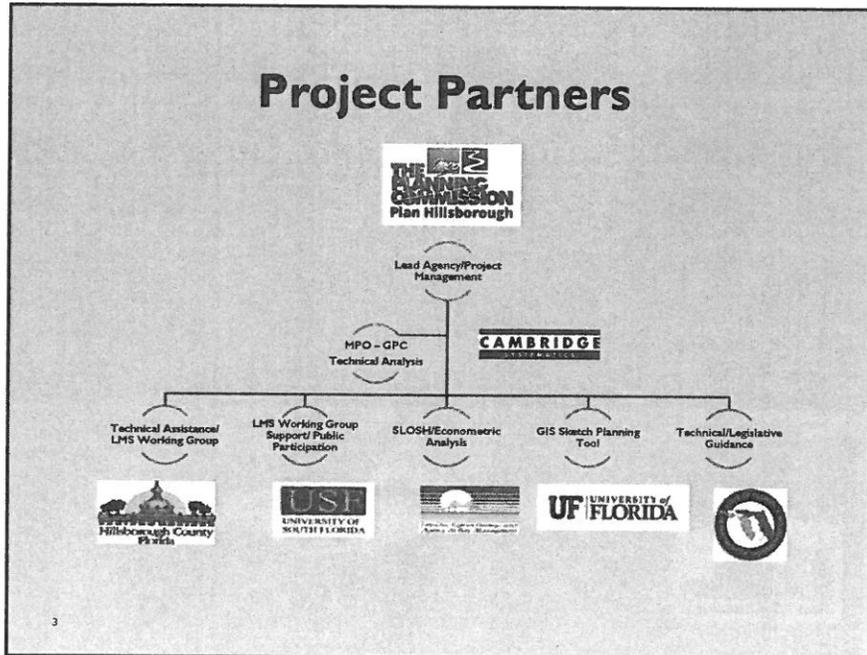
1. Hillsborough County MPO: Vulnerability Assessment and Adaptation Pilot Project, January 22, 2015



### **Project background**

- **FHWA Pilot:** Climate change vulnerability assessment and adaptation analysis, focused on the transportation sector.
  - » *Sponsored by the Federal Highway Administration (competitive grant)*
- **LRTP update:** Reduce Crashes & Vulnerability investment program
- Both led by HC MPO/Planning Commission, with partners
- Final Report – October 2014

<http://www.planhillsborough.org/hillsborough-transportation-vulnerability-assessment-pilot-project/>



## Hillsborough County, Florida




- 136 square miles
- 158 miles of coastline
- 3<sup>rd</sup> Largest Population in Florida (1.2 Million)
- 22% of the population lives in a flood prone area
- Economic Hub of Tampa Bay Metropolitan Region
- Largest seaport in Florida
- Home to US Central Command & Special Operations Command Center
- Tampa General – Regional Burn Center



Bayshore Boulevard - Hurricane Debby

- ❖ Tampa dubbed “ most vulnerable & overdue” city for a direct hurricane hit. – 2013 Weather Channel Meteorologist Survey
- ❖ No direct hit in over 90 Years
- ❖ Recent Flooding – 2012 Tropical Storm Debby (20’)
- ❖ Corresponds with the 2040 Long Range Transportation Plan Update
- ❖ Opportunity to incorporate work into L RTP, Countywide Post Disaster Redevelopment Plan, and Local Mitigation Strategy

### Surface Transportation Assets

- 800 Freeways & Toll Road Lane Miles
- 3,300 Arterial & Collector Lane Miles
- 3 Major Bridges Across Tampa Bay
- Tampa International Airport
- Container, Bulk Cargo & Cruise Ship Terminals
- 9 Transit Centers & 243 Vehicle Fleet
- Heritage Streetcar System
- Class I Rail Lines & Intermodal Yard



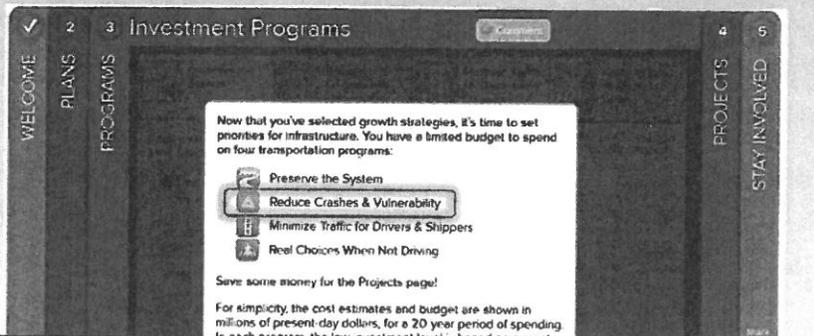
### **Pilot Scope/Assessment Process**

- *Collect data, identify potential extreme weather vulnerabilities (sea level rise, storm surge, and flooding)*
- *Identify critical, vulnerable infrastructure (5-10 high-risk assets) for adaptation*
- *Develop adaptation (risk mitigation) strategies for a selection of high-risk assets*
- *Assess economic impact of disruption & avoided lost w/ mitigation*
- *Document findings, recommendations, feedback to FHWA*

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### **L RTP Scope/Assessment Process**

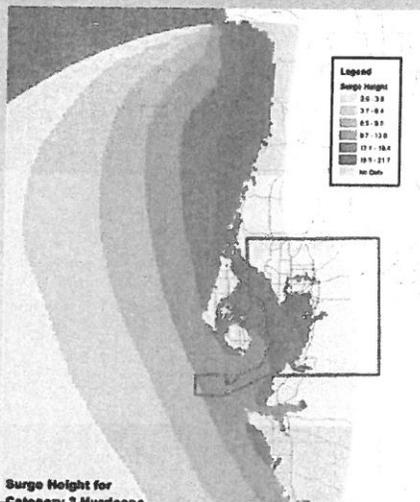
- *Develop risk scenario (storm surge)*
- *Assess potential disruption impacts*
- *Develop adaptation (risk mitigation) scenarios*



### Step 1: Develop Risk Scenario

» Simulated Category 3 storm surge

- Same category, trajectory as 1921 Tarpon Springs
- High tide
- Addition of sea level rise (2040)



### 2040 & 2060 SLR Scenarios

2040 Sea Level Rise		2060 Sea Level Rise	
Scenarios	Depth (in)	Scenarios	Depth (in)
MHHW	30	MHHW	42
MLW	2	MLW	15

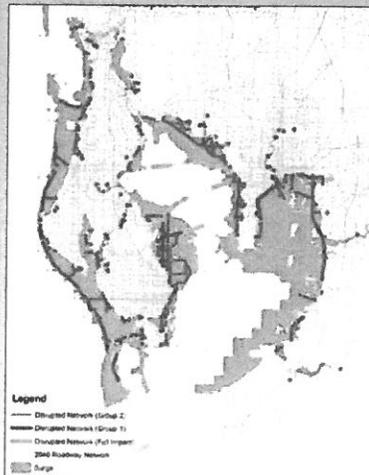
## Simulated Storm Parameters

Parameter	Value
Simpson-Saffir Hurricane Category	3 (111-129 mph winds, up to 21 foot surge depths)
Trajectory	Tarpon Springs Hurricane (1921), observed track
Sea Level Rise	High, 2040 (current Mean Sea Level + 14")
Tidal Datum	Mean Higher High Water (projected MSL + 16")

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## Step 2: Assess Potential Disruption Impacts

- » Simulation of phased recovery (post-storm surge)
- » Simulate travel disruption using TBRPM
- » Derive daily change in
  - Hours of delay
  - Miles travelled
  - Trips (lost)
- » Estimate range of potential disruption



### Step 2: Assess Potential Disruption Costs

- **Model economic costs of disruption**
  - » Using REMI econometric model
- **Impacts are measured in terms of WEEKLY:**
  - » Work hours
  - » Income;
  - » Gross Regional Product.
- **Results of full disruption (one week)**
  - » \$109 million lost GRP
  - » \$66 million lost income
  - » 2+ million lost work hours

### Step 3: Risk Mitigation Investment Scenarios

Strategy Type	Illustrative Mitigation Measures		
	Baseline	Tier 1 (Interstates)	Tier 2 (Interstates & Arterials)
Limit Exposure	Maintain/manage as usual	Raise roadway profile <ul style="list-style-type: none"> <li>• Elevate profile, enhance crown</li> </ul>	
Mitigate Sensitivity		Shoreline protection <ul style="list-style-type: none"> <li>• Wave attenuating devices</li> </ul> Enhance roadway base	
Enhance Adaptive Capacity (recovery)		Increase drainage capacity <ul style="list-style-type: none"> <li>• Upgrade to flanking inlets, increase conveyance capacity</li> </ul>	

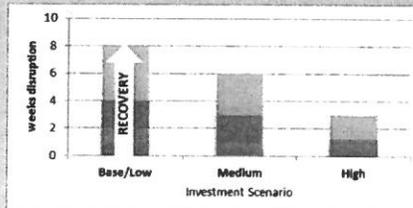
### Sample Strategy Wave Attenuating Devices (WADs)



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### Estimated Risk Mitigation Benefits

**Illustrative result:**  
\$35 - \$82 million net benefit



Moderate Scenario	Base/Low Investment Level	Medium Investment Level	High Investment Level
Economic Loss	\$ 266,094,000	\$ 153,141,000	\$ 119,203,200
Avoided Loss	\$ -	\$ 112,953,000	\$ 146,890,800
Strategy Cost		\$ 31,000,866	\$ 111,932,281
Net	\$ -	\$ 81,952,123	\$ 34,958,508

Not NPV

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## Critical Assets for Pilot Assessment

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### Assets Studied

- Memorial Highway (Segment)
- South 20<sup>th</sup>/22<sup>nd</sup> (Segment)
- Selmon Expressway (Ramps)
- Gandy Boulevard (Segment)
- Courtney Campbell Causeway (Segment)
- I-75 over Alafia River (Bridge)\*

\* Not vulnerable under any studied flooding scenario

## Memorial Highway

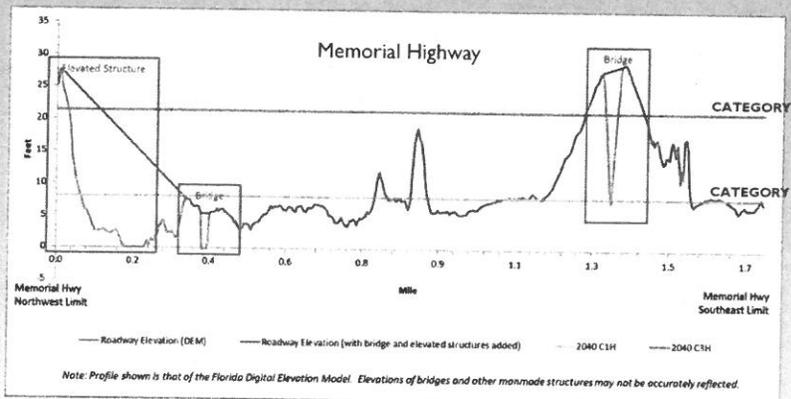


<b>Current Condition</b>	Multi-modal corridor between Pinellas and Hillsborough Counties
<b>Estimated Age (Lifespan)</b>	1964, 2005, 2010
<b>Use / Ridership</b>	158,000 AADT
<b>Estimated Replacement Cost</b>	Approx. \$164M*

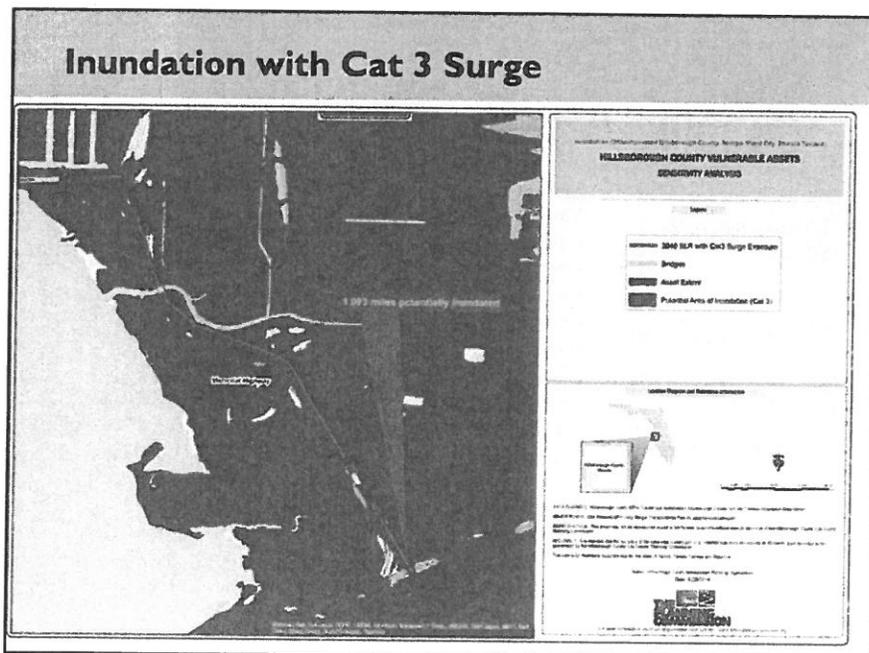
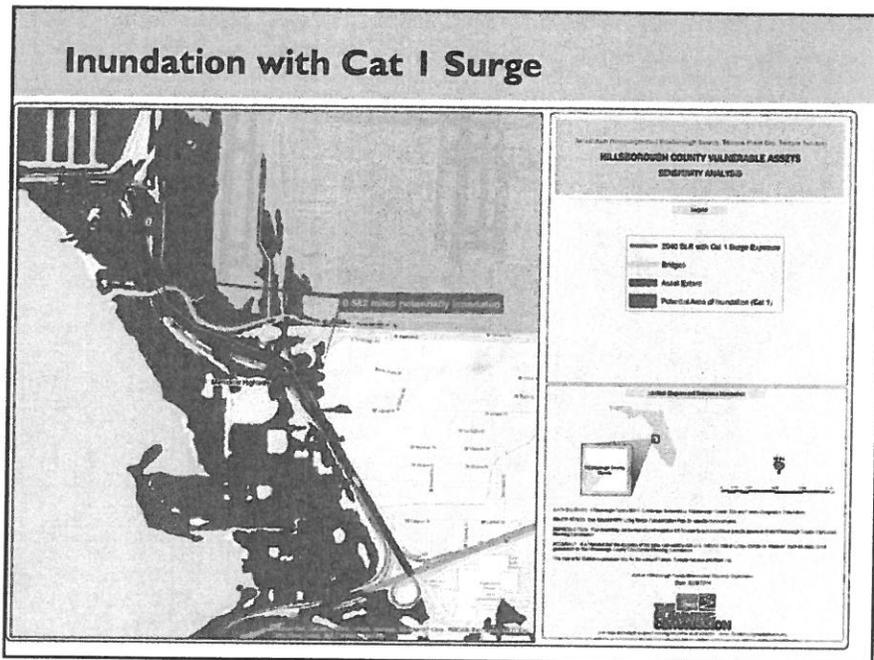
\*Estimated cost is based on 2010 project, which was larger in scope than the 1.76 miles studied here.

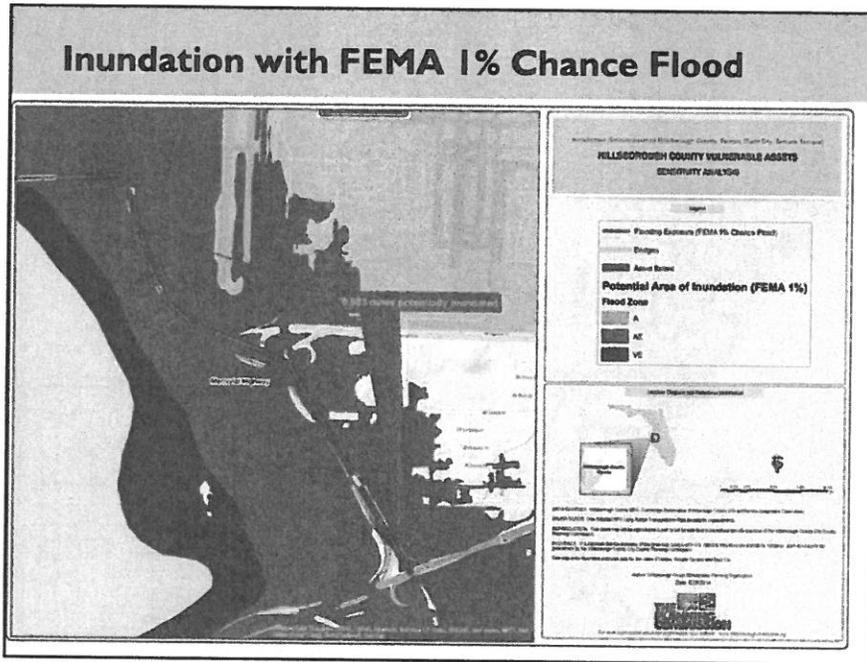
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## Inundation Profile



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### Estimated Impacts of Disruption

Trip Type	Attribute	Daily Change
Leisure Travel Data	Auto - VMT	68,409
	Auto - VHT	274,029
	Auto - Delay	266,660
	Auto - Lost Trips	0
Commute Auto Travel Data	Auto - VMT	51,313
	Auto - VHT	104,898
	Auto - Delay	99,977
	Auto - Lost Trips	0
Business/On-the-clock	Auto - VMT	100,049
	Auto - VHT	111,230
	Auto - Delay	106,929
	Auto - Lost Trips	0
Truck	Truck - VMT	7,495
	Truck - VHT	38,641
	Truck - Delay/Idling	37,626
	Truck - Lost Trips	0

**Estimated weekly losses**

Gross Regional Product:  
**\$15.8 MM**

Income:  
**\$8.0 MM**

Work Hours:  
**223,000**

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### Potential Impacts and Mitigation Strategies

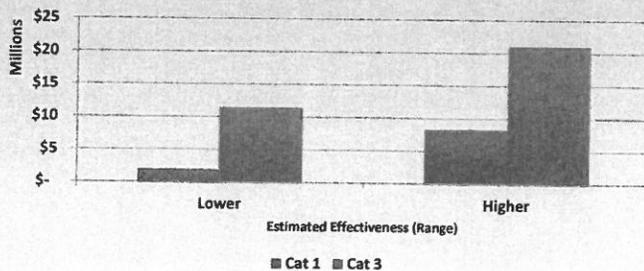
Scenario	Extent (miles)	Potential Impacts	Potential Mitigation Strategies
SLR	0.0	• n/a (unlikely)	• n/a
Cat 1	0.58		• Drainage improvements • Raise profile/crown • Force attenuation (WADs)
Cat 3	1.09	• Disruption (overtopping, ponding) • Washouts, erosion	• Existing condition: established shoreline vegetation <u>(stabilizing/attenuating)</u>
DFIRM (A /AE)	0.98		<b>\$4.2 MM (marginal illustrative cost)</b>
DFIRM (V /VE)	0.0	• n/a (unlikely)	• n/a

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### Memorial Highway Preliminary Results

#### Estimated Avoided Net Losses

Category 1: \$2.1 – \$8.4 MM  
 Category 3: \$11.6 – \$21.0 MM  
 Tipping Point: 1.3 days avoided disruption\*



\* Point after which strategy "pays for itself" (not time-value adjusted)

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## Contact Information

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Hillsborough County MPO  
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[Clarendonr@plancom.org](mailto:Clarendonr@plancom.org)

**Item Number 10  
Communications**

1. Jeff Kramer at CUTR regarding MPOAC Institute Training, dated November 3, 2014.
2. Letter to MPOAC from Tony Carvajal, Florida Chamber Foundation regarding 2015 Transportation Summit, dated December 14, 2014.
3. Letter to MPOAC from Joanna Turner, National Association of Regional Councils regarding 2014 Executive Directors Conference, dated October 24, 2014.

# Memo

**To:** MPO Staff Directors  
**From:** Jeff Kramer, AICP (for the MPOAC Institute Team)  
**CC:** Howard Glassman, MPOAC  
**Date:** 11/03/2014  
**Re:** MPOAC Weekend Institute



The MPOAC Weekend Institute for Elected Officials, hosted by the Florida Metropolitan Planning Organization Advisory Council (MPOAC), will be held at the Rosen Plaza Hotel Orlando from April 24 through 26, 2015 and again at the Renaissance Tampa Hotel International Plaza from May 15 through 17, 2015.

The MPOAC Weekend Institute will focus on:

- Critical funding issues
- Origins of MPOs
- Laws and regulations affecting MPOs
- MPO Board responsibilities & authority
- Transportation jargon and acronyms
- Basic concepts in transportation planning
- MPO products and processes
- Sources of transportation funding

Registration priority will be given to up to three designated Governing Board members from each Florida MPO for each of the Weekend Institutes, with an overall cap of 25 participants per Institute. We will maintain a waiting list for MPOs that want to send more than three elected officials to either Institute. Any open spaces will be made available on a first-come, first-served basis.

We encourage you to develop an appropriate mechanism for your MPO to select elected officials to attend each of the MPOAC Weekend Institutes. We have enclosed save-the-date postcards for your Governing Board members. We hope these postcards spark interest among your members and help to facilitate your selection process. Also enclosed, are copies of the 2015 MPOAC Weekend Institute for Elected Officials brochure and registration form. Please pass the brochures along to the elected officials who will represent your MPO at either Weekend Institute.

**MPOAC**  
institute

Please return the completed registration form prior to the respective registration deadline. Note that the brochure and registration form is valid for either Weekend Institute. A check-box is provided to indicate for which Weekend Institute the registration form is intended.

The registration form can be completed electronically at <http://www.mpoac.cutr.usf.edu/>. The completed electronic registration form can be submitted by e-mail (click the "submit form" button to forward the form electronically) or by regular mail (click the "print form" button to print a hard copy of the completed registration form). To register by mail, send the form to:

MPOAC Weekend Institute  
c/o Brigitte Messina  
605 Suwannee St., MS 28B  
Tallahassee, FL 32399-0450

A registration fee of \$300 is required to attend either MPOAC Weekend Institute. The registration fee may be paid by check (please enclose with the mailed registration form) made payable to the MPOAC, or electronically through PayPal. If the "Credit Card via PayPal" option is selected on the registration form, instructions will be sent via e-mail.

Please notify Christen Miller at (813) 974-6387 or [christen@cutr.usf.edu](mailto:christen@cutr.usf.edu) at least two weeks prior to each event date if you need to cancel. Cancellations after that time will not be refunded.

If your MPO would like to reserve a spot on the waiting list for either Weekend Institute, please e-mail Christen Miller at [christen@cutr.usf.edu](mailto:christen@cutr.usf.edu). We will notify MPOs if a space is available for an additional elected official from their MPO once the respective registration deadline has passed. In the event a space opens for an additional elected official from your MPO, they will need to complete a registration form and submit it to the MPOAC with the registration fee as quickly as possible thereafter.

Discounted hotel room rates have been secured for Weekend Institute attendees who make reservations by the respective registration deadline. A special rate of \$115 per night is available at the Rosen Plaza Orlando, and a special rate of \$125 per night is available at the Renaissance Tampa Hotel. Please see the brochure for more details on making room reservations at either Institute hotel.

Thanks again for your help and support. If you have any questions, please feel free to get in touch with me at [kramer@cutr.usf.edu](mailto:kramer@cutr.usf.edu) or at (813) 974-1397. We look forward to meeting your Governing Board members.

**MPOAC**  
*institute*



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Fax: (850) 521-1239

[www.FLFoundation.org](http://www.FLFoundation.org)  
[www.TheFloridaScorecard.com](http://www.TheFloridaScorecard.com)

December 11, 2014

Mr. Howard Glassman  
Executive Director  
Florida Metropolitan Planning Organization Advisory Council  
605 Suwannee Street, MS 28B  
Tallahassee, FL 32399

**Re: Your Voice Will Make a Difference at the 2015 Transportation Summit**

Dear Howard,

Winning Florida's future is not a spectator sport. Solving the challenges facing Florida over the next 20 years depends on a number of things, and few are as crucial to a successful future as transportation infrastructure.

Your voice is important to long-term transportation solutions. As a business and industry leader, your unique perspective on how we can lead the charge for a better future is key. Please join us and other leaders from around the state on **January 29, 2015** as we discuss transportation topics including:

- FTP, Future Corridors and Freight Corridors,
- State & Federal Funding Plan--2015 and Beyond,
- P3s, Regionalism and the Path Forward,
- Impacts of Amendment 1 on Work Plans,
- Long Term Trends Impacting All Modes,
- Global Florida--Trade and Manufacturing Agenda,
- And more.

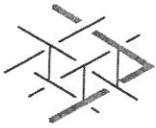
Please register by visiting [www.FloridaChamber.com/TransSummit](http://www.FloridaChamber.com/TransSummit).

I look forward to partnering with you,

A handwritten signature in black ink, appearing to read "Tony".

**Tony Carvajal**  
Executive Vice President  
Florida Chamber Foundation

**P.S. I have attached a copy of the Transportation Summit flyer for additional details. If you are interested in one of the few remaining sponsorships, please contact Conesta Woodard at [CWoodard@FLfoundation.org](mailto:CWoodard@FLfoundation.org).**



**NARC**

*Building Regional Communities*

**National Association of Regional Councils**

777 North Capitol Street NE, Suite 305

Washington, DC 20002

202.986.1032 (tel) 202.986.1038 (fax)

www.NARC.org

October 24, 2014

Mr. Howard Glassman  
Executive Director  
Florida Metropolitan Organization Advisory Council  
605 Suwannee Street, MS 28B  
Tallahassee, FL 32399

Dear Mr. Glassman,

*Howard,*

On behalf of the Board of Directors, members, and staff of the National Association of Regional Councils (NARC), please accept our sincere appreciation for your presentation during NARC's 2014 Executive Directors' Conference in Des Moines, Iowa.

The success of a conference is directly tied to the quality of presenters and the discussion they inspire. Your presentation during "*Working with Your Board and Elected Officials*" was particularly informative. Our attendees liked the way you were able to identify best practices from your experience working with board members and elected officials and present them as actionable steps that other executive directors can implement to ensure regional issues are a top priority.

Once again, thank you for taking the time to help make this conference a success.

Sincerely,

*Joanna L. Turner*

Joanna L. Turner  
Executive Director  
National Association of Regional Councils

*Thank you for making the trip to Iowa and for your continued support of NARC. It means so much to me.*

**Item Number 11  
Member Comments**

**DISCUSSION:**

Comments or recommendations by MPOAC members.

**REQUESTED ACTION:**

As may be desired.

**ATTACHMENTS:**

None

**Item Number 12**  
**Adjournment**

The next meeting of the MPOAC Staff Directors' Advisory Committee and Governing Board will be held on Thursday, April 2, 2015 at the DoubleTree by Hilton Tallahassee, 101 South Adams Street, Tallahassee, Florida 32301.