



# The Florida Metropolitan Planning Organization Advisory Council

*Mayor Susan Haynie  
Chairperson*

## **Governing Board Meeting**

**Date:** Thursday, October 29, 2015  
**Time:** 3:00 p.m. – 5:30 p.m.  
**Location:** Orlando Marriott Airport, 7499 Augusta National Drive,  
Orlando, FL 32822

**Mayor Susan Haynie, Chairperson, Presiding**

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- 1. Call to Order & Pledge of Allegiance**
- 2. Approval of Minutes**
  - A. July 23, 2015 Meeting**
- 3. Public Comments (non-agenda items)**
- 4. Executive Director's Report**
  - A. Budget Report**
  - B. Status of Transportation Legislation**
  - C. USDOT OIG Audit**
- 5. Agency Reports**
  - A. Florida Department of Transportation**
  - B. Federal Highway Administration**
- 6. Business Items & Presentations**
  - A. 2016 MPOAC Meeting Schedule**
  - B. 2016 Legislative Policy Positions**
  - C. State vs. Federal Requirements on MPO Operations**
    - I. Refreshments**
    - II. Travel Expenses**
  - D. MPOAC Strategic Plan Update**
- 7. Communications**
- 8. Member Comments**
- 9. Adjournment**

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*Carl Mikyska, Executive Director*

605 Suwannee Street, MS 28B · Tallahassee, Florida 32399-0450  
1-866-374-3368 x 4037 or 850-414-4062 · Fax 850-414-4895  
[www.mpoac.org](http://www.mpoac.org)

**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).**

## **Item Number 2**

### **Approval of Minutes: July 23, 2015**

#### **DISCUSSION:**

Review and comments from members.

#### **REQUESTED ACTION:**

Approval of Minutes.

#### **ATTACHMENT:**

1. July 23, 2015 Meeting Minutes

**Draft Minutes of the Florida MPO Advisory Council  
Governing Board  
July 23, 2015**

**Governing Board Members in Attendance:**

Mayor Susan Haynie, Palm Beach MPO, Chairperson  
Councilmember James Wood, Okaloosa-Walton TPO, Vice Chair  
Vice Mayor Bryan Caletka, Broward MPO  
Commissioner Rodney Friend, Bay County TPO  
Commissioner Nick Maddox, Capital Region TPA  
Commissioner James Herston, Charlotte County-Punta Gorda MPO  
Commissioner Jayer Williamson, Florida-Alabama TPO  
Commissioner Nicholas Nicholson, Hernando/Citrus MPO  
Commissioner Derek Doughty, Hillsborough County MPO  
Mayor Susan Adams, Indian River County MPO  
Councilmember Jim Burch, Lee County MPO  
Councilmember Doreen Hock-DiPolito, Pinellas County MPO  
Commissioner Nat Birdsong, Polk TPO  
Councilmember Pat Patterson, River to Sea TPO  
Councilmember Jim Bennett, Sarasota/Manatee MPO  
Mayor Kathy Meehan, Space Coast TPO  
Ms. Kathryn Hensley (St. Lucie County School Board member), St. Lucie TPO  
Colon Lambert, Heartland Regional TPO  
Troy McDonald, Martin MPO

**Others in Attendance:**

Carl Mikyska, MPOAC Executive Director  
Paul Gougelman, MPOAC General Counsel  
Brigitte Messina, MPOAC  
Jeff Kramer, USF/CUTR  
Karen Seggerman, USF/CUTR  
Karen Brunelle, FHWA  
Lee Ann Jacobs, FHWA  
Carmen Monroy, FDOT  
Yvonne Arens, FDOT  
Thomas Hill, FDOT  
Greg Stuart, Broward MPO  
Harry Reed, Capital Region TPA  
Bob Herrington, Charlotte County-Punta Gorda MPO  
Mary Bo Robinson, Florida-Alabama, Okaloosa-Walton and Bay County TPOs  
Pat Steed, Heartland Regional TPO  
Sherrie Carver, Heartland Regional TPO

Dennis Dix, Hernando/Citrus MPO  
Beth Alden, Hillsborough County MPO  
Phil Matson, Indian River County MPO  
Beth Beltran, Martin MPO  
Harold W. Barley, MetroPlan Orlando  
Nick Uhren, Palm Beach MPO  
Whit Blanton, Pinellas County MPO  
Vice-Mayor Charles Lake, Polk TPO  
Ronnie Blackshear, Polk TPO  
Lois Bollenback, River to Sea TPO  
Michael Howe, Sarasota/Manatee MPO  
David Hutchinson, Sarasota/Manatee MPO  
Mayor Rocky Randels, Space Coast TPO  
Bob Kamm, Space Coast TPO  
Peter Buchwald, St. Lucie TPO  
Mary Schoelzel, FDOT  
Kellie Smith, FDOT  
Robert Jones, FCRC Consensus Center  
Hal Beardall, FCRC Consensus Center

### **1. Call to Order**

Mayor Susan Haynie, Chair, Palm Beach MPO, called the meeting to order at 3:10 p.m. The Chair led all in the Pledge of Allegiance and then welcomed those in attendance, including all new members and representatives from the newly formed Heartland Regional TPO.

### **2. Approval of Minutes**

Councilmember James Wood, Vice-Chair, Okaloosa-Walton TPO, made a motion to approve the minutes of the April 2, 2015 Joint Meeting of the MPOAC Governing Board & Staff Directors' Advisory Committee. Commissioner Nick Maddox, Capital Region TPA, seconded the motion. The motion was approved unanimously.

### **3. Public Comments**

No public comments were made.

### **4. Ratification of Executive Director**

Mr. Paul Gougelman, MPOAC General Counsel, reviewed the MPOAC Executive Director selection process for the members which resulted in the MPOAC Executive Committee verbally offering the position of Executive Director to Mr. Carl Mikyska and notifying members of this decision via email. The email communication requested members to provide comments prior to the Executive Committee making a written offer of employment to Carl Mikyska. No comments

or objections were received and the written offer of employment was made. Mr. Gougelman concluded his comments by seeking ratification by the members of Carl Mikyska as the MPOAC Executive.

Councilmember Doreen Hock-DiPolito, Pinellas County MPO, made a motion to ratify Mr. Carl Mikyska as the new Executive Director of the MPOAC. Councilmember Jim Burch, Lee County MPO, seconded the motion. The motion was approved unanimously.

#### **5. Executive Director's Report**

Mr. Carl Mikyska, MPOAC Executive Director, reported on the MPOAC budget referring to attachment 1 of the agenda package under the Executive Director's Report. During the period from April 1 – June 30, 2015, approximately \$129,859 was spent. The remaining balance for the fiscal year was \$4,416. Mr. Mikyska credited the outgoing Executive Director, Howard Glassman, with keeping the MPOAC on budget for the year.

Mr. Mikyska then provided a legislative update referring to attachment 3 of the agenda package under the Executive Director's Report. The Florida legislature, during the June special session, approved SB2514-A redirecting revenues from additional fees imposed on certain motor vehicle registration transactions (commonly known as the "New Wheels On the Road Fee") from the General Revue Fund to the State Transportation Trust Fund (STTF), an amount totaling \$99 million. Of those revenues redirected to the STTF, 6.9 percent are intended to be used to fund the Transportation Regional Incentive Program (TRIP), an estimated \$14.2 million in Fiscal Year 2015/2016. The law also created the Florida Shared-Use Nonmotorized Trail Network as a component of the Florida Greenways and Trails System and required funding to be allocated to the network in the Florida Department of Transportation program and resource plan.

The legislature also approved HB 41 (also known as Gabby's Law for Student Safety) relating to hazardous walking conditions for public school students. HB 257 was also passed allowing a county or two or more contiguous counties to designate freight logistics zones so long as they are consistent with the local MPO long range transportation plan. Projects in the freight logistics zone plan will be eligible for special funding per specified criteria. Mr. Mikyska also noted that several pieces of legislation related to transportation and supported by the MPOAC, including bills related to distracted driving and the implementation of a mileage-based user fee study and pilot program, were not approved during the 2015 legislative session.

Mr. Mikyska then highlighted two legislative proposals that have been made to reauthorize the federal transportation program and provide continued funding for the federal Highway Trust

Fund (HTF). The “Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of Infrastructure and Communities throughout America Act” (GROW America Act), proposed by the US Department of Transportation, would reauthorize the federal transportation program for six years using a combination of current revenues and a new repatriation fee on currently untaxed foreign earnings by U.S. companies. The GROW America Act would prevent new MPOs from being designated within metropolitan statistical areas (MSA) already served by an existing MPO and require coordinated planning and performance target setting in areas where multiple MPOs are already designated within a single MSA. The GROW America Act would also authorize the creation of a high-performance tier of MPOs and grant them with certain benefits including sub allocation of certain federal transportation funds and priority consideration for Metropolitan Planning (PL) Funds.

The “Developing a Reliable and Innovative Vision for the Economy Act” (DRIVE Act), proposed by the Senate Environment and Public Works Committee, is a six-year transportation authorization that provides for three years of guaranteed funding for the HTF. The Drive Act proposes two new programs including a National Freight Program and a program of Assistance for Major Projects (similar to the existing TIGER Program). It would also speed up the project development process by allowing information gathered during the planning process, to the extent it is still current and relevant, to satisfy the environmental review process and allow agencies to avoid re-analyzing in the environmental process, proposed transportation project alternatives which were rejected during the planning process. The DRIVE Act would increase federal Surface Transportation Program (STP) sub-allocation to metropolitan areas, but reduces the overall amount of STP funding in the early years of the program, resulting in a dip in sub-allocated funds in the first few years of the bill. The Transportation Alternatives Program (TAP) would be 100% sub-allocated to metropolitan areas at a flat amount of \$850 million per year for the life of the bill, increasing TAP funding in the early years of the program, but significantly reducing TAP funding in later years. The DRIVE Act also clarifies transit representation on MPO Boards and adds a new federal planning factor to improve system resiliency and reliability.

Mr. Mikyska recognized the formation of the newest MPO in the state, the Heartland Regional TPO (HRTPO) and noted that information on the HRTPO was provided in attachment 2 under the Executive Director’s Report. He concluded his remarks by announcing that a meeting of the MPOAC Policy and Technical Subcommittee meeting had been scheduled for September 11, 2015 at the FDOT District 1 Auditorium in Bartow, Florida and welcomed all who wished to participate to attend. A member requested that MPOAC members be kept apprised of rapidly-developing information regarding the freight logistics zones.

## 6. Agency Reports

### a) FDOT Agency Report

Ms. Carmen Monroy, Director of the FDOT Office of Policy Planning, introduced herself to the members, noting that she was previously the Southwest Area Director for FDOT District One. She then reported on the status of the combined effort to update both the Florida Transportation Plan (FTP) and the Strategic Intermodal System (SIS) Policy Plan. A 35-member steering committee is in place with Mayor Susan Haynie, Palm Beach MPO, serving as vice-chair and Councilmember Jim Wood, Okaloosa-Walton TPO serving as the vice-chair of the SIS Advisory Committee. She also noted that several staff directors serve as members of the Advisory Groups including, Harold Barley (MetroPlan Orlando), Carlos Roa (Miami-Dade MPO), Bob Kamm (Space Coast TPO), Marlie Sanderson (Gainesville MTPO), and Peter Buchwald (St. Lucie TPO). The FTP will contain three elements including a vision element, a policy element, and an implementation element. At this time, the vision element is being addressed and includes new topic areas including alignment with the Florida Strategic Plan for Economic Development and emphasis on providing more modal choices for people and freight, active transportation, workforce development, and customer service. The importance of regionalism is also being discussed in detail.

Goal area themes have emerged including a broader look at safety and security of residents, visitors and businesses; an agile, resilient and high quality transportation infrastructure; efficient and reliable service for people and freight; and transportation solutions that support Florida's global competitiveness, quality places, and environment. The Strategic Intermodal System Policy Plan is addressing interregional connectivity, intermodal connectivity, and economic development. More information and the opportunity to give feedback is available at [www.floridatransportationplan.com](http://www.floridatransportationplan.com). Four workshops have already been held around the state. Upcoming workshops will be held on August 11<sup>th</sup> in Panama City, August 26<sup>th</sup> in Vero Beach, September 1<sup>st</sup> in Miami (since cancelled), and September 2<sup>nd</sup> in Tampa. On August 25<sup>th</sup>, the FDOT will be in Orlando as part of the TRANSPLEX conference. The intention is to have the vision plan adopted by the end of calendar year 2015.

Ms. Monroy noted that the processes to develop PL Joint Planning Agreements and to approve and pay PL invoices had become very challenging and that she plans to work toward increasing the efficiency of both over the coming months. She closed by informing the members that the FDOT was in the process of hiring a new trail manager with the creation of the Florida Shared-Use Nonmotorized Trail Network.

## **b) FHWA Agency Report**

Ms. Karen Brunelle, Director, Office of Project Development, and Ms. Lee Ann Jacobs, Planning Team Leader at the FHWA Florida Division Office, shared FHWA activities.

Ms. Brunelle noted that the FHWA is waiting on new authorization given the extension of MAP-21. The federal Highway Trust Fund (HTF) balance, without another extension of federal authorization, is scheduled to drop below \$4 billion at the end of July or early August which would trigger cash management procedures for federal funds allocation. Further, the HTF is expected to go below zero near the end of August without legislative action to infuse the fund with additional monies.

Ms. Brunelle continued by stating that additional information on federal proposed rulemaking related to MAP-21 was expected sometime in September. She reminded the members that federal TIGER grant applications had been received in early June 2015 and that they were currently undergoing evaluation.

Ms. Brunelle concluded her remarks by reporting that, according to FHWA estimates, US driving had topped 1.26 trillion miles in the first five months of 2015, topping the record set in 2007, and that US driving has steadily increased for 15 consecutive months.

Ms. Lee Ann Jacobs then directed the member's attention to attachment 1 of the agenda package under the FHWA Report detailing the responsibilities and duties of FHWA- Florida Division transportation planning unit staff. She also stated that the FHWA-Florida Division Office had officially moved to its new location - 3500 Financial Plaza, Suite 400, Tallahassee, FL 32312, and that their phone numbers have not changed.

Ms. Jacobs informed the members that the Annual Statewide Assessment Meeting related to the federal planning findings had been held on Tuesday, July 21, 2015 (a requirement for approval of the Statewide Transportation Improvement Program) and that comments related to the process were welcome. She closed by introducing a video entitled "The FHWA 2015 Research & Technology Story." The video highlighted the value of highway research and how FHWA's research and technology initiatives are making a difference. The video can be found at [www.fhwa.dot.gov/research/](http://www.fhwa.dot.gov/research/).

## **7. MPOAC Institute Overview**

Mr. Jeff Kramer, Center for Urban Transportation Research (CUTR), presented an overview of the MPOAC Weekend Institute. The presentation included a summary of Institute activities for 2015, including attendance statistics and attendee survey feedback. He also introduced MPOAC

Institute trainers: Scott Paine with the Florida League of Cities, Hal Beardall with the FCRC Consensus Center, and Karen Seggerman, CUTR/USF.

Mr. Kramer then presented some historical perspective on the Institute since it started in 2007, including the following statistics:

- 16 Institutes since 2007
- held in 6 different locations since 2007
- 223 total attendees
  - 74 (approximately 33%) from a County
  - 139 (approximately 62%) from a municipality
  - 10 (approximately 5%) from a modal or other agency
- 57% of attendees are still on an MPO Board
- 4.79 out of 5 overall evaluation score
- 8.5 overall average number of attendees sent by each MPO over time
- MPOs have sent as many as 19 and as few as 2 Board members to an MPOAC Institute over the years

Mr. Kramer noted changes that have been made to the program over the years based on feedback from attendees. He reminded the members that Institute materials are available to their staff on the MPOAC website, although it is password protected. He concluded by pointing out that 23 of the current 27 members of the Governing Board had attended an MPOAC Institute during the past several years.

Members then discussed their own experiences attending the MPOAC Institute and emphasized the need for Governing Board members to educate their fellow MPO Board members to the availability and value of attending an MPOAC Institute. Past attendees seemed to particularly appreciate having the opportunity to meet MPO Board members from around the state and encouraged other members of the MPOAC Governing Board to attend if they had not yet had the chance to do so.

## **8. Strategic Plan for MPOAC**

Mr. Carl Mikyska, MPOAC Executive Director, presented the initial plans and draft outline of the effort to develop a strategic plan for the MPOAC. He distributed the outline and asked for comments or any other input to be submitted by August 6<sup>th</sup>.

Mr. Mikyska asked if there were any members who were interested in becoming a member of the Strategic Direction Advisory Committee (SDAC). The SDAC will help to guide the strategic planning effort, helping craft the organizational mission and vision as well as goals and objectives. Mr. Mikyska stated that, ideally, the Committee would be comprised of an equal

number of Board Members and Staff Directors (not from the same MPO) and represent both small and large MPOs from across the state. Commissioner Nick Maddox, Capital Region TPA, volunteered to be a member of the SDAC. Several other members expressed interest and indicated that they would let Mr. Mikyska know if they would be able to serve upon confirming their availability.

Mr. Mikyska then described future steps for the strategic planning process, including eight meetings, with the first meeting to be held on September 11<sup>th</sup>, 2015 in Bartow (the same day as the MPOAC Policy and Technical Subcommittee meeting). He mentioned that there will also be a member survey conducted, providing the opportunity for all interested members to participate even if they cannot attend any of the SDAC meetings. The SDAC will be asked to guide the development of an implementation action plan. Members suggested that alternates be appointed to ensure sufficient participation given the rigorous schedule. Mr. Mikyska agreed, but noted that the process would work best if there were continuous participation by the same group. He concluded by acknowledging those Staff Directors that had volunteered to serve on the Strategic Directions Advisory Committee.

#### **9. Communications**

Mr. Mikyska noted that the communications for the quarter were included in the agenda packet:

- Summary of proposed federal legislation from Transportation for America. The proposed Senate Bill is titled "Senate Railroad Reform, Enhancement and Efficiency Act".

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

Mr. Michael Howe, Executive Director for the Sarasota/Manatee MPO, announced his retirement in August and introduced Mr. David Hutchinson who will who will replace him as Executive Director and as a member of the MPOAC Staff Directors' Advisory Committee. The members thanked him for his service to the organization and welcomed Mr. Hutchinson.

**The meeting was adjourned at 4:41 pm.**

## **Item Number 3**

### **Public Comments**

#### **DISCUSSION:**

Recommendations or comments by the public.

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENT:**

None

## **Item Number 4**

### **Executive Director's Report**

#### **DISCUSSION:**

Mr. Carl Mikyska, MPOAC Executive Director, will be presenting the following items for discussion:

- A. Budget Report: July 1 – September 30, 2015
- B. Status of Transportation Legislation
- C. USDOT OIG audit

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENTS:**

1. Budget report: July 1 – September 30, 2015

**Florida Metropolitan Planning Organization Advisory Council**  
**FY 2015/2016 Budget**  
**July 1, 2015 to June 30, 2016**

Category	Annual Allocation	1st Qtr Expenditures 7/1/15-9/30/15	2nd Qtr Expenditures 10/1/15-12/31/15	3rd Qtr Expenditures 1/1/16-3/31/16	4th Quarter Expenditures 4/1/16-6/30/16	Expenditures to Date	Remaining Balance
Salaries/Benefits	\$ 200,000	\$ 42,152				\$ 42,152	\$ 157,848
Expense	\$ 57,000						
Travel	\$ 30,000	\$ 4,006				\$ 4,006	\$ 25,994
Meetings	\$ 21,000	\$ 7,783				\$ 7,783	\$ 13,217
Administrative	\$ 4,080	\$ 849				\$ 849	\$ 3,231
Membership Dues *	\$ 1,920	\$ 1,920.00				\$ 1,920	\$ 0.00
<b>Contracted Services</b>	<b>\$ 22,000</b>						
General Counsel	\$ 22,000	\$ -				\$ -	\$ 22,000
<b>Transportation Planning</b>	<b>\$ 165,000</b>						
Univ. South FL (CUTR)	\$ 80,000	\$ 20,000				\$ 20,000	\$ 60,000
MPOAC Institute	\$ 85,000	\$ 10,200				\$ 10,200	\$ 74,800
<b>Strategic Plan</b>	<b>\$ 79,048</b>						
Florida State University	\$ 79,048	\$ -				\$ -	\$ 79,048
<b>Total Federal Funds</b>	<b>\$ 523,048</b>	<b>\$ 86,910</b>				<b>\$ 86,910</b>	<b>\$ 436,138</b>
<b>Advocacy Activities Local Funds</b>	<b>\$ 7,500</b>	<b>\$ -</b>				<b>\$ -</b>	<b>\$ 7,500</b>
<b>Total Budget</b>	<b>\$ 530,548</b>	<b>\$ 86,910</b>				<b>\$ 86,910</b>	<b>\$ 443,638</b>

\* FBT, FPTA, ITSFL

## **Item Number 5A**

### **Agency Reports – Florida Department of Transportation**

#### **DISCUSSION:**

Ms. Carmen Monroy, Director, Office of Policy Planning at FDOT will update the members on the activities of FDOT and bring forward topics of interest to the MPOs.

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENT:**

1. Air Quality Fact Sheet



U.S. Department of Transportation  
Federal Highway Administration

## Air Quality FACT SHEET Ozone Standard

### U. S. Environmental Protection Agency (EPA) Strengthens the Air Quality Standards for Ground-Level Ozone

On October 1, 2015, EPA strengthened the National Ambient Air Quality Standards (NAAQS) for ground-level ozone to 70 parts per billion (ppb) from the current 75 ppb, based on extensive scientific evidence about ozone effects on public health and welfare. Secondary standard also set at 70 ppb. The updated standards will improve public health protection, particularly for at-risk groups including children, older adults, people of all ages who have lung diseases such as asthma, and people who are active outdoors, especially outdoor workers. They also will improve the health of trees, plants and ecosystems.

#### Timeline

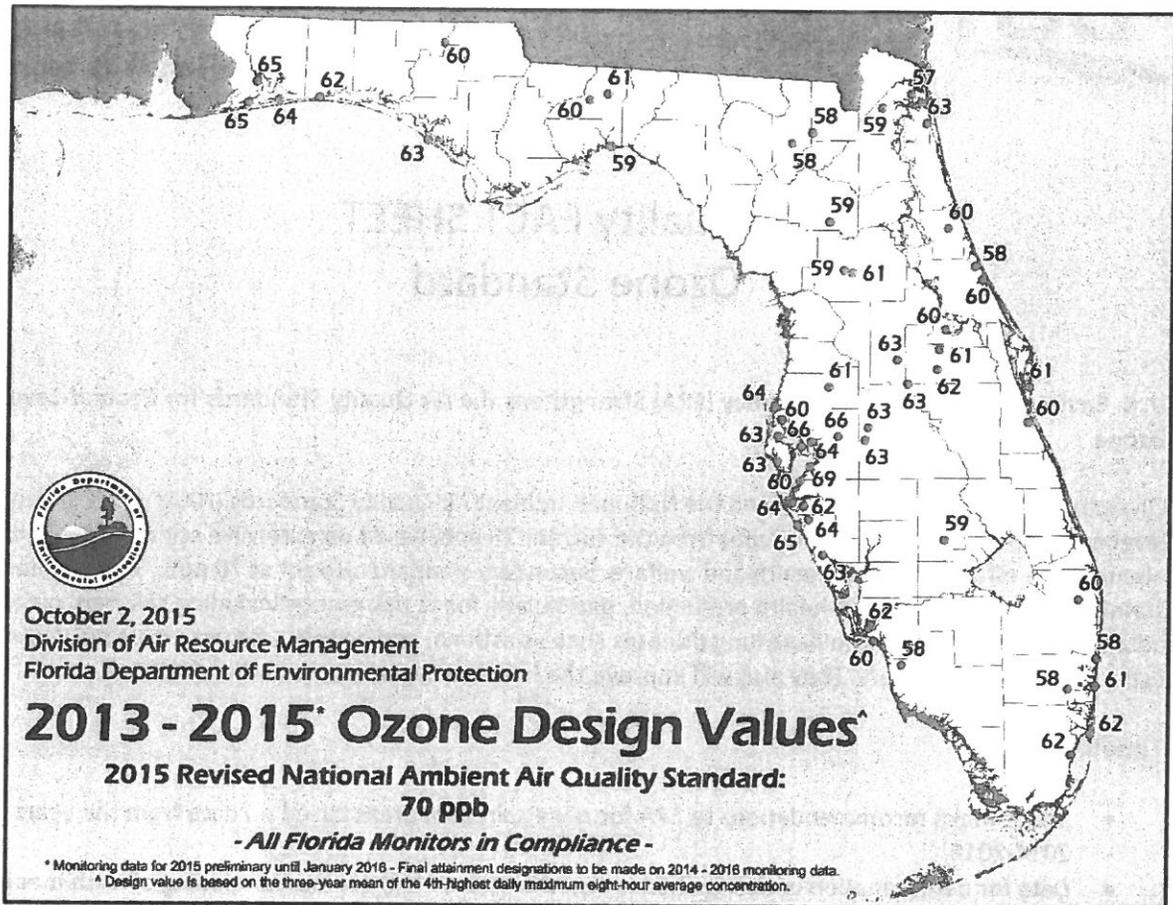
- States make recommendations to EPA for nonattainment areas based on data from the years 2014-2016.
- Data for determination of designation is based on the 4<sup>th</sup> highest annual reading of each monitor in a Metropolitan Statistical Area (MSA) from 2014-2016.
- EPA will make final designations by October 2017.

#### Potential Implications to Florida

- If Florida has any areas designated as nonattainment for the revised NAAQS, Florida DEP will develop a State Implementation Plan (SIP) providing for the measures necessary to bring the areas into compliance with the revised NAAQS.
- Transportation conformity would be required in these nonattainment areas. Transportation conformity means that a periodic demonstration must be made that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS.

#### Current Ozone Monitor Readings

The ozone values depicted in the figure below are the compliance values for the **2013-2015** time frame. They are representative of current conditions. Designations will ultimately be based on monitor readings for the years **2014-2016**. Given recent downward trends in ozone concentrations throughout the state, there may be no monitors that exceed the NAAQS at a level of 70 ppb or above at the time that the designations are made.



**Links to Information:**

EPA: <http://www.epa.gov/>

Federal Register notice for October 1, 2015: <http://www3.epa.gov/ozonepollution/pdfs/20151001fr.pdf>

Information compiled by: Yvonne Arens

Date: October 9, 2015

Program Contact: [Yvonne.arenas@dot.state.fl.us](mailto:Yvonne.arenas@dot.state.fl.us)

## **Item Number 5B**

### **Agency Reports – Florida Division of Federal Highway Administration**

#### **DISCUSSION:**

Ms. Karen Brunelle, Director, Office of Project Development and Ms. Lee Ann Jacobs, Planning Team Leader at the FHWA Florida Division Office will present the following:

1. MAP-21 Updates
2. Grants and Awards
3. STIP Approval/Planning Finding

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENT:**

1. STIP approval letter from USDOT to FDOT



**Federal Highway Administration**  
Florida Division Office  
3500 Financial Plaza, Suite 400  
Tallahassee, Florida 32312  
(850) 553-2200  
[www.fhwa.dot.gov/fldiv](http://www.fhwa.dot.gov/fldiv)

**Federal Transit Administration**  
Region 4 Office  
230 Peachtree Street NW, Suite 800  
Atlanta, Georgia 30303  
(404) 865-5600

September 30, 2015

Mr. Jim Boxold  
Secretary of Transportation  
Florida Department of Transportation  
605 Suwannee Street / MS-59  
Tallahassee, Florida 32399-0450

Subject: Approval of FY 2015/16-2018/19 STIP and Statewide Planning Finding

Dear Secretary Boxold:

The following is in response to the Florida Department of Transportation's (FDOT) transmittal of the Fiscal Year (FY) 2015/2016 – 2018/2019 Transportation Improvement Programs (TIPs) for 26 of Florida's 27 Metropolitan Planning Organizations (MPO) for our review, which includes the letter of approval for the MPO TIPs, Florida's FY 2015/16-2018/19 Statewide Transportation Improvement Program (STIP) and the certification of the state planning process, dated September 4, 2015. The new Heartland TPO will develop and submit an adopted TIP before March 27, 2016. Our various metropolitan and statewide planning process findings and actions are summarized below:

**1. Metropolitan Transportation Planning Processes and TIPs:**

Based upon our review of the annual "self-certification" statements jointly developed between each of the MPOs and the Department and our joint certification reviews of Transportation Management Areas (TMA) during 2015, we hereby determine that the FY 2015/2016 – 2019/2020 TIPs developed and adopted by 26 of Florida's 27 MPOs are based on a continuing, cooperative and comprehensive planning process. We also hereby conclude that the content and elements of each of the TIPs generally satisfy the requirements of 23 U.S.C. 134, 49 U.S.C. 5303, 23 CFR Part 450 (Subpart C) and 49 CFR Part 613 (Subpart C).

**2. Statewide Transportation Planning Process and the STIP:**

23 U.S.C. 135(f)(4) and 23 CFR 450.218 require that the Federal Highway Administration / Federal Transit Administration (FHWA/FTA) approval of the STIP include a finding that the process from which the STIP was developed is consistent with the provisions of 23 U.S.C. 134 and 135 and 49 U.S.C. 5303 – 5305. Since 1995, an "annual assessment" of various aspects of the statewide transportation planning process has been a key source of information in supporting this FHWA/FTA statewide planning finding.

On July 21, 2015, a meeting was conducted with various members of your staff to discuss Florida's statewide transportation planning process. Enclosed for your reference and information is a copy of the summary report that concludes that the statewide transportation planning process largely satisfies the above requirements.

In summary, our review of the STIP, TIPs and supporting documentation concludes that the FY 2015/16-2018/19 STIP substantially meets the process and content requirements of 23 U.S.C. 134 and 135, 49 U.S.C. 5303 - 5305, 23 CFR Part 450 (Subparts B and C) and 49 CFR Part 613 (Subparts B and C), including the provisions on public involvement and fiscal constraint. Therefore, on behalf of both agencies (FHWA/FTA), Florida's FY 2015/16-2018/19 STIP is hereby approved.

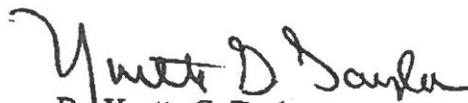
We look forward to continuing our coordination with the Department, the MPOs, the local/regional transit service providers and Florida's other transportation stakeholders in further implementing the various transportation planning and environmental provisions in federal law.

If you have any questions, please do not hesitate to contact Ms. LeeAnn Jacobs at (850) 553-2219 or Mr. Andres Ramirez at (404) 865-5611.

Sincerely,



James Christian  
Division Administrator  
Federal Highway Administration



Dr. Yvette G. Taylor  
Regional Administrator  
Federal Transit Administration

Enclosure: Annual Statewide Assessment Report (1ea Hard copy attached, cc: will receive electronic copy)

cc: Ms. Lora Hollingsworth, FDOT (MS-57)  
Mr. Jim Wood, FDOT (MS-57)  
Ms. Lisa Saliba, FDOT (MS-21)  
Mr. James Jobe, FDOT (MS-21)  
Ms. Carmen Monroy, FDOT (MS-28)  
Mr. Carl Mikyska, MPOAC (MS-28B)  
Mr. Billy Hattaway, Secretary, FDOT (District 1)  
Mr. Greg Evans, Secretary, FDOT (District 2)  
Mr. Tommy Barfield, Secretary, FDOT (District 3)  
Mr. Gerry O'Reilly, Secretary, FDOT (District 4)  
Ms. Noranne Downs, Secretary, FDOT (District 5)  
Mr. Gus Pego, Secretary, FDOT (District 6)  
Mr. Paul Steinman, Secretary, FDOT (District 7)  
Ms. Diane Gutierrez-Scaccetti, Executive Director, Florida's Turnpike Enterprise

## **Item Number 6**

### **Business Items & Presentations**

#### **DISCUSSION:**

Various action items and topics for discussion will be presented. The topics include:

- A. 2016 MPOAC meeting schedule
- B. 2016 Legislative Policy Positions
- C. State vs. Federal Requirements on MPO Operations
  - I. Refreshments
  - II. Travel Expenses
- D. MPOAC Strategic Plan Update

#### **REQUESTED ACTIONS:**

- 1. Approval of the proposed 2016 MPOAC meeting schedule.
- 2. Approval of the 2016 Legislative Policy Positions.

#### **ATTACHMENTS:**

- 1. 2016 MPOAC meeting schedule
- 2. 2016 Legislative Policy Positions (Clean and Strikethrough/Underline versions)

# 2016 MPOAC MEETING SCHEDULE

- January 28, 2016**                      **FDOT Auditorium**  
**605 Suwannee Street, Tallahassee**  
**(850) 414-4037**
- April 28, 2016**                      **MetroPlan Orlando**  
**250 South Orange Avenue, Suite 200, Orlando**  
**(407) 481-5672**
- July 18, 2016**                      **Loews Don CeSar Hotel**  
**3400 Gulf Drive, St. Pete Beach**  
**(727) 360-1881**  
*\*held on Monday July 18, 2016 in conjunction with the  
Annual Floridians for Better Transportation Conference*
- October 20, 2016**                      **Space Coast TPO/Spaceport Tour**  
**TBD**  
**(321) 690-6890**  
*\*held on Thursday October 20, 2016 to avoid conflict  
with the Association of MPOs Annual Conference*

**FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL  
2016 DRAFT LEGISLATIVE POLICY POSITIONS**

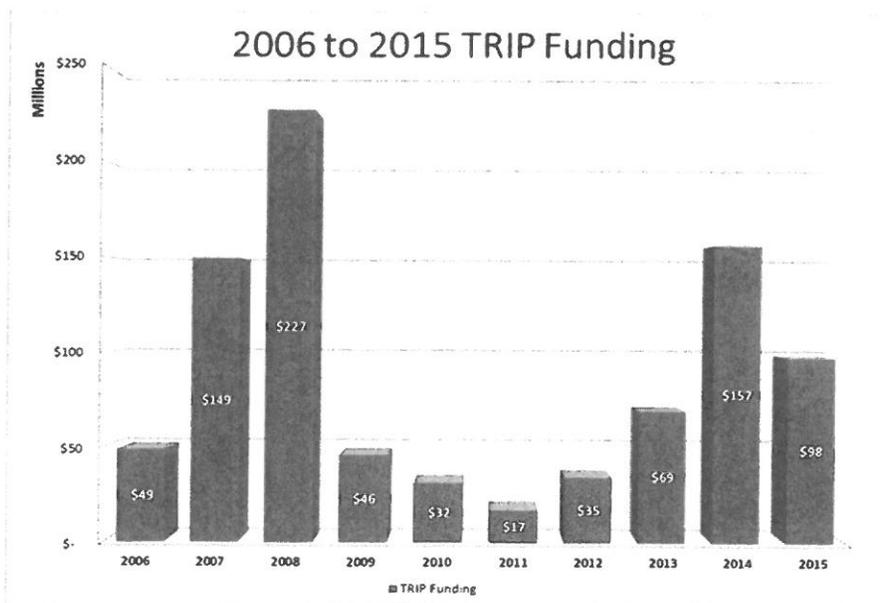
**Priority Policy Positions**

*The MPOAC supports State Legislation that:*

1. Implements the recommendations from the MPOAC transportation revenue study and other options for expanding transportation revenue sources.

**Key Recommendations:**

- Expand the Charter County and Regional Transportation System Surtax to allow municipalities over 150,000 in population (or the largest municipality in a county) and all counties located in MPO areas to enact up to a one cent local option surtax by referendum.
  - Index local option fuel taxes to the consumer price index in a manner similar to the current indexing of state fuel taxes.
  - Direct the Florida Department of Transportation to develop a plan and conduct one or more pilot tests to move Florida toward a Mileage Based User Fee, which protects individual privacy, in lieu of the traditional fuel tax.
2. Restores funding for the Transportation Regional Incentive Program in order to promote regional planning and project development through sustainable funding mechanisms, in addition to documentary stamp revenues.



3. Regulates distracted driving as a *primary* offense by prohibiting the use of electronic wireless communications devices and other similar distracting devices while operating a moving motor vehicle.
  - The 2013 Florida legislature enacted the “Florida Ban on Texting While Driving Law.” The law prohibits operation of a moving motor vehicle while manually typing, sending or reading interpersonal communication (texting, e-mailing, instant messaging, etc.) using a wireless communications device, with certain exceptions. The law provides for enforcement of the ban as a secondary offense, meaning a driver would have to be pulled over for some other violation to get a ticket for violating the ban on texting. The 2014 and 2015 Florida Legislatures underscored the severity of distracted driving by considering bills that would have substantially increased the penalty for distracted driving. This legislative proposal would seek to strengthen the enforcement mechanism for the texting while driving ban by making it a primary offense.

### **Additional Policy Positions**

#### ***The MPOAC supports State Legislation that:***

4. Allows Strategic Intermodal System (SIS) funds to be used on roads and other transportation facilities not designated on the SIS if the improvement will enhance mobility or support freight transportation on the SIS.
  - Current state law does not permit SIS funds to be spent on roads or other transportation facilities that are not part of the SIS, even if proposed improvements would directly benefit users of SIS facilities by enhancing mobility options or supporting freight movement in a SIS corridor. This legislative proposal would broaden the State’s ability to improve passenger and freight mobility on SIS corridors by making eligible the expenditure of SIS funds on non SIS roads and other transportation facilities where the benefit to users of SIS facilities can be demonstrated.
5. Establishes state funding for railroad crossings to improve safety and establish quiet zone.
  - This proposal recognizes growing economic activity at Florida’s ports and provides financial support to ensure the continued quality of life and safety in communities along increasingly busy rail corridors.
6. Supports implementation of ridesharing services statewide.
  - This proposal recognizes the advent of new transportation technologies that would benefit Florida’s citizens and visitors and encourages appropriate legislative action to permit the use of those technologies on the state’s roadway network.

FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL

2016 2015 DRAFT LEGISLATIVE POLICY POSITIONS

Priority Policy Positions

*The MPOAC supports State Legislation that:*

1. Implements the recommendations from the MPOAC transportation revenue study and other options for expanding transportation revenue sources.
  - ~~In 2012, the MPOAC completed a two-year study to address the ever widening gap between the cost of needed transportation infrastructure along with declining and unsustainable revenue sources. The study identified a \$74 billion funding shortfall in MPO areas over the next 20 years. It also proposed 14 policy recommendations that are intended to restore the purchasing power of Florida's transportation dollar to the year 2000 and to move Florida toward a Mileage Based User Fee in lieu of the traditional fuel tax. Struck to streamline policy positions~~

Key Recommendations:

- ~~Redirect \$100 million annually to the State Transportation Trust Fund from General Revenue as was passed by the Florida House of Representatives during the 2014 legislative session in HB 5601. Struck to streamline policy positions~~
  - Expand the Charter County and Regional Transportation System Surtax to allow municipalities over 150,000 in population (or the largest municipality in a county) and all counties located in MPO areas to enact up to a one cent local option surtax by referendum.
  - Index local option fuel taxes to the consumer price index in a manner similar to the current indexing of state fuel taxes.
  - Direct the Florida Department of Transportation to develop a plan and conduct one or more pilot tests to move Florida toward a Mileage Based User Fee, which protects individual privacy, in lieu of the traditional fuel tax.
2. Restores funding for the Transportation Regional Incentive Program in order to promote regional planning and project development through sustainable funding mechanisms, in addition to documentary stamp revenues.
    - ~~The purpose of the Transportation Regional Incentive Program (TRIP) is to encourage regional planning by providing state matching funds (up to 50% of total project costs) for improvements to regionally significant transportation facilities identified and prioritized by regional partners. TRIP is funded through documentary stamp tax proceeds which have declined substantially over the past several years as a result of the economic decline in Florida's housing and land development industry. Funds available for TRIP have been further reduced as the first \$60 million of funds that would otherwise be allocated to TRIP are instead allocated to the Florida Rail Enterprise. Struck to streamline policy positions and will be replaced with a graphic depicting TRIP funding and leveraged local funds over time~~

~~3. Protects existing transportation programs from negative financial impacts that may arise from the passage of the 2014 Florida Water and Land Conservation Initiative and directs funds intended for recreational trails in a manner consistent with MPO plans and programs; and expands funding eligibility to include maintenance activities.~~

- ~~• The Florida Water and Land Conservation Initiative (Amendment 1 on the November 4, 2014 ballot), upon voter approval, would dedicate 33 percent of net revenues (an estimated \$648 million in FY 2015-16, growing to \$1.268 billion in FY 2034-35) from the existing excise tax on documents to the Land Acquisition Trust Fund. The funds will be used to acquire and improve conservation easements and other land, water, geological and historical sites, including recreational trails and parks. If approved, this diversion of revenues from the existing excise tax on documents could result in a substantial reduction in funds currently dedicated to the Transportation Regional Incentive Program, the Strategic Intermodal System, the New Starts Transit Program, the Florida Rail Enterprise and the Small County Outreach Program. This proposal seeks to protect those existing transportation programs in a manner consistent with MPO plans and programs and expand funding eligibility to include trail maintenance. The 2015 Florida Legislature enacted SB 2514A which redirected \$99 million to the State Transportation Trust Fund from the New Wheels on the Road Fee, protecting existing transportation programs from negative financial impacts arising from the passage of the 2014 Florida Water and Land Conservation Initiative (Amendment 1)~~

4. Regulates ~~Reduces~~ distracted driving ~~by regulating~~ as a *primary* offense ~~by prohibiting~~ the use of electronic wireless communications devices and other similar distracting devices while operating a moving motor vehicle.

- The 2013 Florida legislature enacted the “Florida Ban on Texting While Driving Law.” The law prohibits operation of a moving motor vehicle while manually typing, sending or reading interpersonal communication (texting, e-mailing, instant messaging, etc.) using a wireless communications device, with certain exceptions. The law provides for enforcement of the ban as a secondary offense, meaning a driver would have to be pulled over for some other violation to get a ticket for violating the ban on texting. The 2014 and 2015 Florida Legislatures underscored the severity of distracted driving by considering a bill that would have substantially increased the penalty for distracted driving ~~resulting in a fatality~~. This legislative proposal would seek to strengthen the enforcement mechanism for the texting while driving ban by making it a primary offense.

### Additional Policy Positions

#### *The MPOAC supports State Legislation that:*

5. Allows Strategic Intermodal System (SIS) funds to be used on roads and other transportation facilities not designated on the SIS if the improvement will enhance mobility or support freight transportation on the SIS.
- Current state law does not permit SIS funds to be spent on roads or other transportation facilities that are not part of the SIS, even if proposed improvements would directly benefit users of SIS facilities by enhancing mobility options or supporting freight movement in a SIS corridor. This legislative proposal would broaden the State’s ability to improve passenger and freight mobility on SIS

corridors by making eligible the expenditure of SIS funds on non SIS roads and other transportation facilities where the benefit to users of SIS facilities can be demonstrated.

- ~~6. Promotes interoperable and multi-modal fare payment technologies that must be compatible, universal and accessible for use by all other technology systems.~~
  - ~~• Ideally, Florida's citizens would be able to use a single fare payment technology to drive on a toll road, ride a transit vehicle, park a car, cross a toll bridge or use any other transportation facility or service anywhere in the state, regardless of the owner or operator of the system. However, a variety of technological and institutional barriers stand in the way of implementing universal, multi-modal fare payment technologies. This proposal would provide support for a wide range of legislative initiatives intended to remove those barriers. *Struck based on the implementation of test pilot of this proposal in Southeast Florida*~~
- ~~7. Authorizes a county, or two or more contiguous counties, to form a regional transportation finance authority for the purpose of financing, constructing, maintaining, and operating transportation projects that are coordinated with MPO plans and programs.~~
  - ~~• The 2013 Florida Legislature introduced legislation titled the "Florida Regional Transportation Finance Authority Act" that was contained in SB 1132. In 2014, the Florida Legislature considered SB 1052 which was a similar bill for a specific region of the state that would create the Northwest Florida Regional Transportation Finance Authority. Both legislative proposals would have established the governance and powers and duties of the authority and named FDOT as the agent of each authority for the purpose of performing all phases of a project, including constructing improvements and extensions to the system, and for the purpose of operating and maintaining the system. This proposal would authorize the creation of Regional Transportation Finance Authorities, subject to approval by the Legislature and the county commission of each county that will be part of the authority, and specify that there be only one authority created and operating within the area served by the authority. *Struck due to significant concerns over previous legislative language related to this issue*~~
8. Establishes state funding for railroad crossings to improve safety and establish quiet zone.
  - This proposal recognizes growing economic activity at Florida's ports and provides financial support to ensure the continued quality of life and safety in communities along increasingly busy rail corridors.
9. Supports implementation of ridesharing services statewide.
  - This proposal recognizes the advent of new transportation technologies that would benefit Florida's citizens and visitors and encourages appropriate legislative action to permit the use of those technologies on the state's roadway network.

## **Item Number 7**

### **Communications**

MPOAC comments on the Federal Register Notice of Request for Approval of a New Information Collection which was published on June 23, 2015 and a letter from Pasco County supporting a public trail system.

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENT:**

1. Letter to Mr. Gregory Nadeau, Administrator, Federal Highway Administration, dated August 24<sup>th</sup>
2. Letter from Kathryn Starkey, Pasco County, Florida to MPOAC



# The Florida Metropolitan Planning Organization Advisory Council

*Mayor Susan Haynie*  
*Chairperson*

August 24, 2015

Mr. Gregory G. Nadeau  
Administrator, Federal Highway Administration  
U.S. Department of Transportation  
1200 New Jersey Avenue S.E.  
Washington, DC 20590

Re: Docket Number 2015-0013

Dear Administrator Nadeau:

Thank you for the opportunity to provide comments on the Federal Register Notice of Request for Approval of a New Information Collection which was published on June 23, 2015. The Federal Register notice stated that this would impact State Departments of Transportation and Metropolitan Planning Organizations (MPOs). The Florida Metropolitan Planning Organization Advisory Council (MPOAC) represents the twenty-seven MPOs in Florida and their collective interests.

The MPOAC is supportive of the concept of performance measurements and we can foresee how information collected and compiled for performance measurements can be helpful to both MPOs and States. MAP-21 legislation included performance measures which can be used to inform and guide future decisions of Federal Highway Administration (FHWA), State DOTs and MPOs, and it is our hope that performance measures will ultimately improve system efficiencies.

To date, no final rules have been published concerning performance measures. Therefore, we believe this Federal Register Notice is premature and should occur after the performance measures are finalized. Without knowing what the final rules will require, it is hard to determine what information will be needed and how much staff time will be required to provide the information from states and MPOs to FHWA. The timing of this notice seems to be out of order with the previous steps taken and it would seem more appropriate to publish a notice of new information collection requirements after transportation practitioners and the public have had an opportunity to comment on all of the Notice of Proposed Rule Makings and FHWA has taken all comments into consideration to develop final rules regarding performance measures.

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*Carl Mikyska, Executive Director*

605 Suwannee Street, MS 28B · Tallahassee, Florida 32399-0450  
1-866-374-3368 x 4037 or 850-414-4037 · Fax 850-414-4895  
[www.mpoac.org](http://www.mpoac.org)

Mr. Gregory G. Nadeau  
August 24, 2015  
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Then final rules can be published and the details of the final rules should be capable of establishing specific details regarding information collection activities. These specific details can be provided to States and MPOs, and FHWA will be better able to solicit meaningful comments. At this time, the details of what information will be collected by FHWA are far too vague to provide MPOAC and others affected with the ability to provide meaningful input. We ask that FHWA wait until specific details of what information will be collected are known before advancing the Federal Register Notice of Request for Approval of a New Information Collection.

As stated in the previous paragraph, the notice published on June 23<sup>rd</sup> is vague regarding what data or information is to be collected. The notice stated that each information request is estimated by the FHWA to require two hours of staff time in order to fulfill each information request. Without knowing the information requested and if the requested data is something readily available to the States or MPOs, it is hard to comment on the reasonability of the time estimated by FHWA. We find it difficult to accurately predict the amount of staff time required given the ambiguous information provided in the Federal Register notice. Without those specifics, it is difficult for MPOAC to provide meaningful and substantive comments as to the ability and time necessary of both states and MPOs to meet the terms of the information collection requirements. The data entry into a web-based application as mentioned in the Federal Register Notice may prove to be cumbersome and time-consuming, particularly if there is a large volume of information or data requested. This effort has the potential to be a very time-consuming and costly process.

The Federal Register notice mentioned the possibility of collecting sensitive information. Should FHWA collect information that is considered sensitive, then the administration will need to take the necessary steps to protect that information from both Freedom Of Information Act requests and also computer system hacking. Prior to requesting sensitive information, FHWA should explain to States and MPOs the steps taken to protect sensitive data. In addition, Florida has the Government in the Sunshine Law (Sunshine Law). The requirements of the Sunshine Law may add further complexity to the process. Some forms of communication are subject to the Florida Sunshine Law requirements and thus if FHWA would request information transmitted in a form that is subject to the disclosure requirements of the Florida Sunshine Law, the sensitive information would become public information. Therefore, FHWA would need to explicitly exempt their data collection efforts from local and state disclosure laws and requirements.

Mr. Gregory G. Nadeau  
August 24, 2015  
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The MPOAC requests that FHWA coordinate with the other modal agencies within USDOT so that States and MPOs are not receiving multiple information requests at the same time from the different modal agencies. Without modal agency coordination, simultaneous information requests could be especially difficult on MPOs with smaller staffs.

The MPOAC thanks you for the opportunity to comment on the Federal Register Notice of Request for Approval of a New Information Collection which was published on June 23, 2015. If you have any questions or would like further clarification on any comments we have provided, please do not hesitate to contact me at 850/414-4062.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Mikyska". The signature is fluid and cursive, with a large initial "C" and "M".

Carl Mikyska, Executive Director  
Florida Metropolitan Planning Organization  
Advisory Council

/cm

9/23 Bm



# PASCO COUNTY, FLORIDA

*"Bringing Opportunities Home"*

September 16, 2015

Carl Mikyswka, Executive Director  
Florida Metropolitan Planning Organization Advisory Council  
605 Suwannee Street, MS 28B  
Tallahassee, FL 3239-0450

RE: Florida Coast to Coast Trail

Dear Mr. Mikyska and Councilmembers,

The Pasco County Tourist Development Council (TDC) supports your efforts in developing a public trails system across Central Florida. Pasco County has the land and terrain that make cycling and hiking an enjoyable experience for both residents and tourists.

The TDC is willing to assist and partner with the area Metropolitan Planning Organizations to expand the trail system in Pasco, to include, but not limited to: planning and development, rest stops, standardized signage for the trail system and marketing campaigns or materials.

Pasco's Tourist Development Council recognizes the importance of strong partnerships to move a project forward. As a partner, Pasco would like to be included in the planning and implementation process as Central Florida and Pasco County transforms into an international cycling and hiking destination.

Thank you for your efforts to date in further developing and supporting the Coast to Coast and the many tributaries throughout the Central Florida Region.

Please feel free to contact me directly at 727-847-2411 ext. 8100, email: [kstarkey@pascocountyfl.net](mailto:kstarkey@pascocountyfl.net) or Ed Caum, Tourism Manager, at 727-847-8129, email: [ecaum@pascocountyfl.net](mailto:ecaum@pascocountyfl.net).

Yours sincerely,

**Kathryn Starkey**  
**County Commissioner District 3**  
**Chairperson, Tourist Development Council**

CC: Pasco County Board of County Commissioners  
County Administrator Michele Baker  
Tourist Development Council  
Mayor Camille Hernandez  
Gail Cushman  
Pat Ciaccio

Jack Phethean  
Councilman Chopper Davis  
Toby Caroline  
Piyush Mulji  
John Heather

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*Pasco County—Florida's Premier County*  
*Serving Our Community to Create a Better Future*

## **Item Number 8**

### **Member Comments**

#### **DISCUSSION:**

Comments or recommendations by MPOAC members.

#### **REQUESTED ACTION:**

As may be desired.

#### **ATTACHMENT:**

None

## **Item Number 9**

### **Adjournment**

The next meeting of the MPOAC Staff Directors Advisory Committee and Governing Board will be held on Thursday, January 28, 2015 in the Auditorium of the Florida Department of Transportation building. This will be a joint meeting of the two bodies. The address for the meeting is 605 Suwannee Street, Tallahassee, FL 32301.