



The Florida Metropolitan Planning Organization Advisory Council

Commissioner Mayra Uribe
Chair

MPOAC Staff Directors' Advisory Committee/Governing Board Meeting

Date: Thursday, April 25, 2024
Time: 1:00 p.m. – 5:00 p.m.
Location: The Florida Hotel
1500 Sand Lake Road
Legacy South 2&3 Meeting Room
Orlando, FL 32809

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Governing Board Chair Mayra Uribe, Presiding
Staff Directors Chair Dave Hutchinson, Presiding

Time	Item #	Subject	Presenter
1:00 p.m.	1	Call to Order/Pledge of Allegiance	Chair Hutchinson/All
1:05 p.m.	2	Public Comments	Chair Hutchinson
1:15 p.m.	3	Action Items: <ul style="list-style-type: none"> • Approval of Minutes: January 25, 2024 • MPOAC UPWP Review/Approval • General Counsel Contract Approval • Consultant Contract Approval • Vote to fill Policy and Technical Committee Vacancies 	Chair Hutchinson
1:30 p.m.	4	Committee Reports <ul style="list-style-type: none"> • Freight and Rail Committee 	Bryan Caletka, Acting Chair
1:35 p.m.	5	Strategies to prepare for 2025 Legislative Session	All

2:00 p.m.		Governing Board Joins Meeting	
2:00 p.m.	6	Call to Order/Pledge of Allegiance	Chair Uribe
2:05 p.m.	7	Public Comments	Chair Uribe
2:10 p.m.	8	Action Items <ul style="list-style-type: none"> • Approval of Minutes: January 25, 2024 • UPWP Approval • General Counsel Contract Approval • Consultant Contract Approval • Appointment of Policy and Technical Committee members • Vote to fill Governing Board Vice Chair and At-Large Positions 	Chair Uribe Paul Gougelman
2:30 p.m.	9	Executive Directors Report <ul style="list-style-type: none"> • MPOAC Budget Report • 2024 Legislative Session Recap/outreach • July 25th MPOAC Meeting Location • Lessons from NCAMPO • Safe Mobility for Life Coalition Update 	Mark Reichert, MPOAC
3:00 p.m.	10	Agency Reports <ul style="list-style-type: none"> • Florida Department of Transportation • Federal Highway Administration 	Donna Green, FDOT Karen Brunelle, FHWA
3:30 p.m.	11	Transportation Disadvantaged Report	David Darm, Director
3:45 p.m.	12	Space Florida Annual Report	Matt Chesnut, VP Business & Economic Development Mike Miller, VP External Affairs
4:00 p.m.	13	MPOAC Strategic Directions Plan	Renaissance Team
4:45 p.m.	14	Member Comments	Members
5:00 p.m.	15	Adjournment	Chair Uribe
5:00 p.m.		MPOAC "Meet and Greet"	Cricket's in the Florida Hotel

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 Lisa Stone at (850) 414-4037 or by email to lisa.o.stone@dot.state.fl.us.

Item Number 1

Call to Order & Pledge of Allegiance

DISCUSSION:

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

REQUESTED ACTION:

None requested.

ATTACHMENT:

None.

Item Number 2

Public Comments (non-agenda items)

DISCUSSION:

Recommendations or comments by the public.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None.

Item Number 3

MPOAC Staff Directors' Advisory Committee Action Items

DISCUSSION:

Mark Reichert, Executive Director for the MPOAC, will present the FY 24/25-25/26 UPWP, the FY 24/25 Contract for Legal Services, and the FY 24/25 contract for consultant services for approval.

REQUESTED ACTION:

Approval of Meeting Minutes from the January 25, 2024, meeting of the MPOAC Governing Board and Staff Directors' Advisory Committee Meetings. Vote on the FY 24/25-25/26 UPWP, the FY 24/25 Contract for Legal Services, and the FY 24/25 contract for consultant services. Recommendation to fill two vacancies on the Policy and Technical Committee.

ATTACHMENTS:

Draft January 25, 2024, MPOAC Staff Directors' Advisory Committee/Governing Board Meeting Minutes
FY 24/25-25/26 UPWP
FY 24/25 Contract for Legal Services
FY 24/25 contract for consultant services.

**Florida Metropolitan Planning Organization Advisory Council
Joint Meeting of the MPOAC Staff Directors' Advisory Committee and Governing Board
January 25, 2024
Florida Hotel and Conference Center
Orlando, Florida**

ATTENDEES

GOVERNING BOARD

IN-PERSON:

Andrea Young, Space Coast TPO
Cal Rolfson, Lake-Sumter MPO (Alternate)
Chelsea Reed, Palm Beach TPA
Dick Rynearson, Okaloosa-Walton TPO
Jim Hilty, Ocala/Marion County TPO
Joe Neunder, Sarasota/Manatee MPO
Joseph Tiseo, Charlotte County-Punta Gorda MPO (Alternate)
Mayra Uribe, MetroPlan Orlando
Nick Maddox, Capital Region TPA
Robert Bender, Florida/Alabama TPO
Sandy Johnson, Broward MPO
Sara Roberts McCarley, Polk TPO
Susan Adams, Indian River County MPO
William (Bill) Dozier, Bay County TPO
William (Bill) McDaniel, Collier MPO

VIRTUAL:

Chris Cloudman, River to Sea TPO
Marihelen Wheeler, Gainesville MTPO

STAFF DIRECTORS

IN-PERSON (STAFF DIRECTORS):

Alex Trauger, MetroPlan Orlando (Alternate)
Andrew Uhler, Palm Beach TPA (Alternate)
Anne McLaughlin, Collier MPO
Austin Mount, Florida/Alabama TPO
Beth Beltran, Martin MPO
Brian Freeman, Indian River County MPO
Bryan Caletka, Broward MPO (Alternate)
Chelsea Favero, Forward Pinellas (Alternate)
Chris Rosenberg, Miami-Dade TPO (Alternate)

Colleen Nicoulin, River to Sea TPO
David Hutchinson, Sarasota/Manatee MPO
Dawn Schwartz, Okaloosa-Walton TPO
D'Juan Harris, Charlotte County-Punta Gorda MPO
Donald Scott, Lee County MPO
Gary Huttman, MetroPlan Orlando
Georganna Gillette, Space Coast TPO
Greg Slay, Capital Region TPA
Julia Davis, Polk TPO (Alternate)
Mike Woods, Lake-Sumter MPO
Peter Buchwald, St. Lucie TPO
Rob Balmes, Ocala/Marion County TPO
Robert Esposito, Hernando/Citrus MPO
Ryan Brown, Sarasota/Manatee MPO (Alternate)
Ryan Kordek, Polk TPO
Tania Gorman, Pasco County MPO
Valerie Neilson, Palm Beach TPA

VIRTUAL:

Jeff Sheffield, North Florida TPO
Johnny Wong, Hillsborough County TPO
Mary Beth Washnock, Bay County TPO
Marybeth Soderstrom, Heartland Regional TPO
Ron Gogoi, Lee County MPO (Alternate)
Sean Kingston, Collier MPO (Alternate)

OTHERS

IN-PERSON:

Carl Emas, Broward MPO
Cathy Kendall, FHWA
Jennifer Fortunas, FDOT
Karen Brunelle, FHWA
Lisa Stone, MPOAC
Mark Reichert, MPOAC
Nicole Estevez, Renaissance Planning
Paul Gougelman, MPOAC General Counsel
Peter Gies, Broward MPO
Romero Dill, FDOT
Ysela Llort, Renaissance Planning

VIRTUAL:

Bill Partington, River to Sea TPO
Erika Thompson, FHWA
Gary Kramer, West Florida Regional Planning Council
Huiwei Shen, FDOT
Jeff Kramer, CUTR
Jill Nobels, Emerald Coast Regional Council

CALL TO ORDER & PLEDGE OF ALLEGIANCE – STAFF DIRECTORS

Chair Dave Hutchinson called the meeting to order at 1:00 p.m. All in attendance rose for the pledge of allegiance.

APPROVAL OF MINUTES: OCTOBER 26, 2023

The Staff Directors' Advisory Committee members reviewed the October 26, 2023, meeting minutes. Don Scott motioned to approve the minutes; D’Juan Harris seconded the notion. The minutes were approved unanimously by the Staff Directors' Advisory Committee.

PUBLIC COMMENTS

No public comments.

ELECTION OF OFFICERS (STAFF DIRECTORS’ ADVISORY COMMITTEE)

Paul Gougelman facilitated the nominations and voting for the Chair position. Peter Buchwald nominated Dave Hutchinson as Chair. There were no other nominations. Peter Buchwald motioned to close nominations and cast a unanimous ballot for Dave Hutchinson. D’Juan Harris seconded the motion. The motion passed unanimously.

Paul Gougelman facilitated the nominations and voting for the Vice-Chair position. Peter Buchwald nominated Austin Mount. There were no other nominations. Gery Huttman motioned to close nominations and cast a unanimous ballot for Austin Mount as Vice-Chair. Bryan Caletka seconded the motion. The motion passed unanimously.

FREIGHT AND RAIL COMMITTEE UPDATE

Bryan Caletka provided an update on the Freight and Rail Committee activities. The Committee has a new Vice-Chair, Johnny Wong, who replaced Beth Alden upon her retirement. In addition, the Committee met earlier in the day to review the latest programs and activities. Programs are moving along as expected. The Committee anticipates having program reports by April 2024.

FDOT TRAFFIC MONITORING PROGRAM

Jotan Borms, the FDOT Bicycle and Pedestrian Data Collection Coordinator, provided an overview of the Transportation Data Analytics Office's program to collect traffic data for non-motorized facilities. The program, initiated in May 2018, was designed to gather statistically valid bicycle and pedestrian data to report to the FHWA. He highlighted a significant achievement and mentioned that Florida has become the first state to upload nonmotorized data to the FHWA.

The program is built on four interconnected pillars, each addressing specific needs:

- 1) a repository for data collection and analysis,
- 2) outreach for two-way communication with local experts to identify needs and locations for data collection,
- 3) technology and equipment loans for data collection and
- 4) Site evaluations are needed to ensure accurate counting and to avoid counting non-relevant objects (like water reflections, which can lead to "ghost counts").

Throughout the presentation, Mr. Borms shared progress and updates, including the program's significant growth, the introduction of continuous counters in 2023, and the future installation of additional counters in 2024. He also highlighted the importance of data-sharing partnerships and the utility of new technologies, such as camera counts and AI, in improving traffic signalization and overall traffic management for non-motorized traffic.

The program's future aims to establish Average Daily Traffic (ADT) counts for non-motorized facilities and incorporate AI technology for more sophisticated data analysis. Mr. Borms invited attendees to a forthcoming statewide meeting at the Suntrax Facility in Auburndale, FL, for a more detailed presentation on the program's progress and future directions.

A question-and-answer session occurred after the meeting; the following provides a summary of the questions and discussion:

- Question: Will the program work to connect its counts or technology devices to the connected vehicle programs around the state?
 - Answer: Currently, the program is in the early stages regarding connected vehicles and is uncertain how to proceed but is open to using multiple data sources for data fusion in the future.
- Question: Could the program's data be linked to the FDOT Sourcebook resource?
 - Answer: The program has a webpage and is not connected to the FDOT Sourcebook. However, non-motorized traffic monitoring equipment specifications have been updated for future installations.
- Question: What are the plans for expanding the program?
 - Answer: Expansion will include the installation of 45 new counters funded through SB 106, focusing on maintaining existing equipment to ensure active data collection.

- Question: How many counters are available, and who will install them?
 - Answer: FDOT purchases, installs, and maintains the counters. The process involves coordinating with local entities for approvals on whether counters will be installed on non-FDOT properties.
- Question: What is the review process for determining suitable locations for temporary counters, especially where traditional methods are not feasible?
 - Answer: Site evaluations are conducted for short-term plans to find feasible locations. The program aims to use video and AI technology for locations where current equipment cannot count effectively.
- Question: What are the recommendations between overhead and 'side fire' counters, considering issues like theft or vandalism? (*Informational note: Side fire counters are a type of traffic counting device used to collect data on pedestrian and bicycle traffic. They are typically installed beside a path or roadway, using various technologies such as infrared or radar to detect and record passing objects. Unlike overhead counters installed above the path or road and can capture a broader view, side fire counters focus on the side profile of passing traffic.*)
 - Answer: Overhead counters are more visible but harder to vandalize. The program is moving towards less visible counters and adding QR codes to inform the public about the counters' purpose, which has helped reduce vandalism.
- Question: Are the counters eligible for SunTrail funding?
 - Answer: Additional counters will be funded through SB 106. A portion of SunTrail funds (approximately \$500,000) was allocated to purchase and install 45 counters.
- Question: What are the plans for expanding the program?
 - Answer: The focus will first be on maintaining existing counters to ensure their continuous operation, with further expansion dependent on available resources.

Meeting participants engaged in a discussion related to the SunTrail funds. The discussion raised concerns about the allocation and potential reallocation of surplus SunTrail funds, with Austin Mount expressing uncertainty about rumors that these funds had been redirected elsewhere. The conversation indicated a broader interest in understanding the status and plans for SunTrail funds, especially in light of hearing that a significant amount of new SunTrail money, approximately \$180 million, had not yet been allocated to projects. This unallocated funding was attractive because it represents an opportunity to advance SunTrail-eligible projects that many participants felt were crucial for their communities. The discussion suggested a need for clarity on the funding's future and a desire for these funds to be efficiently used to enhance non-motorized transportation infrastructure. There was a mention of possibly reaching out to Robin Birdsong from the System Implementation Office for answers or forwarding inquiries to get more information about the status and plans for SunTrail funds.

LEGISLATIVE UPDATES

Mark Reichert provided an update on various legislative activities and proposed bills that could impact MPOs, the MPOAC, and related transportation policies in Florida. The following summarizes key points for each bill discussed:

- **Carbon Reduction Program and Greenhouse Gas Measures**
 - FDOT decided not to submit a carbon reduction strategy, raising concerns among MPOs about the status of programmed carbon reduction funds and the FDOT's position on greenhouse gas performance measure targets. This decision prompted questions about the future of funds designated for carbon reduction projects and how MPOs should proceed with their greenhouse gas reduction targets.
- **Industry Bills (Senate Bill 266 and House Bill 287)**
 - These bills propose a cap on allocating state transportation trust funds to public transportation projects at 20 percent, with a historical floor of 15 percent. They also seek to limit the designation of new MPOs if the urban area is contiguous to an existing MPO.
- **FDOT Bills (Senate Bill 1226 and House Bill 1301)**
 - These bills address administrative aspects, such as reversing uncommitted New Starts transit funds back to the trust fund. They include provisions for withholding funding from projects that address certain non-pecuniary issues.
- **Electric Vehicle Legislation (Senate Bill 28 and House Bill 107)**
 - Originally proposed to impose additional fees on electric vehicles to offset lost fuel tax revenues, the House version shifted focus to requiring a study on the impact of electric vehicles on transportation revenues.
- **Senate Bill 1032 and House Bill 7049**
 - Senate Bill 1032 seeks to abolish the Florida Transportation Commission and the MPOAC, though this provision is not included in the House bill.
 - Senate Bill 1032 was released a few weeks ago and has been assigned to three committees. As of January 25, 2024, it had not been scheduled for discussion in any of the committees.
 - House Bill 7049 was presented and heard in the Transportation and Modal Subcommittee. Mark Reichert attended this hearing, noting that the bill's presentation might not have fully captured the intricacies of the transportation planning process. Following the hearing, Mark Reichert expressed his willingness to be a resource for further discussion on the bill, leading to an upcoming meeting with the Committee Chair, State Representative Fiona McFarland.
 - Both bills propose performance metrics for evaluating MPOs and annual reporting requirements and allow FDOT to take over MPO operations if performance metrics are not met.
 - A \$5 million bonus is proposed for the best performing MPO, subject to availability. The funding must be used on a project.

- The bills require that Lee MPO and Collier County MPO perform a study to consolidate into one MPO.

Discussions:

The discussion highlighted concerns about the proposed legislation (Senate Bill 1032 and House Bill 7049) potentially conflicting with federal laws governing Metropolitan Planning Organizations (MPOs). Key points about this conflict include:

- **Inconsistency with Federal Regulations:** Certain aspects of the proposed legislation could be inconsistent with the established federal laws that guide the operations and functions of MPOs. Federal laws and regulations set specific requirements for transportation planning processes that might not align with the changes proposed in the state legislation.
- **Implications for MPO Autonomy and Function:** The legislation's provisions, such as the potential for the state to exert more direct control over MPO operations or influence the selection of transportation projects, were seen as potentially undermining the autonomy and collaborative planning process that federal law intends for MPOs. This could disrupt the balance between state and local input in transportation planning, a cornerstone of the federal MPO framework.
- **Potential Legal Challenges:** The discussion acknowledged that if the legislation were adopted in a form that conflicts with federal laws, it could lead to legal challenges. MPOs or other stakeholders could argue that the state legislation violates the Supremacy Clause of the U.S. Constitution, which holds that federal law takes precedence over state law in cases of conflict. This could lead to a situation where the legality of the state legislation would need to be adjudicated, potentially affecting its implementation and the operations of MPOs in Florida.

Initially, Peter Buchwald motioned to recommend that the Governing Board contact FHWA so that FHWA can inform them how the proposed state legislation aligns or conflicts with federal requirements.

Austin Mount recommended utilizing Paul Gougelman's bill analysis and sharing it with the state legislature committees handling the bill review, sponsors of the legislation, and the local delegation to combat the bill. Previously, Mr. Gougelman's bill analysis only included Senate Bill 1032. Austin recommended that Mr. Gougelman also develop a bill analysis for House Bill 7049. He proposed convening the Executive Committee to create a new action plan if these efforts were unsuccessful.

Bryan Caletka motioned for the Staff Directors to recommend to the Governing Board that they oppose the proposed legislation (Senate Bill 1032 and House Bill 7049) due to concerns about its violation of federal laws and potential negative impacts on MPO operations.

Anne McLaughlin expressed concerns about parts of the legislation violating federal regulations, particularly how the proposed changes could affect the planning processes and the ability of MPOs to apply for discretionary grant programs. Ms. McLaughlin recommended getting legal advice to understand the implications of the proposed legislation, particularly how it might conflict with federal regulations. She was concerned about the parts of the bill that could affect the planning process, the

ability of MPOs to apply for discretionary grants, and how MPOs should proceed with their required plans, especially considering some of the requirements for long-range plans or transportation improvement plans. She emphasized the importance of understanding these potential conflicts to ensure MPOs comply with federal requirements.

Discussion ensued about whether directly opposing the bill was the best approach or if a more informational and educational stance would be more effective and appropriate, considering potential concerns about lobbying. Some participants agreed that it's important to share with legislatures what MPOs do, their role, their need to coordinate, how they operate, and their importance.

FHWA representative Cathy Kendall cautioned against blending into the area of potential lobbying by meeting with a committee person for a pending legislative item that could potentially influence that item. She emphasized the importance of being an informational resource rather than appearing to lobby against the pending legislative item, urging caution in actions that might resemble lobbying.

In response to a comment regarding concerns about the proposed legislation that could implement a rating system for evaluating MPOs, Paul Gougelman expressed the proposed system could potentially be based on traffic congestion and citizens' satisfaction with traffic conditions. Mr. Gougelman noted a risk of unfairly penalizing MPOs based on narrow criteria, pointing out that public dissatisfaction with traffic conditions is common across many urban areas, not due to MPO or FDOT inefficiencies but broader challenges like funding shortages.

Reflecting on the discussion, Dave Hutchinson noted that the proposed bills allow FDOT to take over an MPO if it does not meet the specified performance metrics. He expressed concern that this could undermine the local governance and planning processes that MPOs represent. He suggested that providing information about the proposed legislation to interested parties would be a more appropriate approach than outright opposition or advocacy, highlighting the importance of maintaining a partnership with FDOT and focusing on mutual goals of project delivery and planning effectiveness.

Peter Buchwald suggested that, at minimum, the motion on the floor could include a Policy and Technical Committee meeting scheduled in February. Peter's suggestion aimed to ensure a follow-up plan was in place to address the ongoing situation with the proposed legislation, emphasizing the importance of being proactive and prepared for further actions as necessary.

Valerie Neilson expressed concern about taking a strong opposition stance against the legislation. She suggested an alternative approach emphasizing the importance of word choice and suggesting that the organization should consider using educational and informative language rather than taking a position that could be perceived as lobbying, considering FHWA's recommendations. She questioned the effectiveness of explicitly opposing the bill. She proposed conveying concerns about why the bill does not align with MPO principles or federal laws without outright opposing it.

Dave Hutchinson suggested editing the motion to indicate that the staff directors advise the Governing Board that the written bill is inconsistent with federal statutes and regulations and that they are not

explicitly opposing it. This approach aimed to convey the concerns about the legislation's alignment with federal law in an informative rather than confrontational manner.

The motion was amended to include suggestions. **Bryan Caletka amended the motion: The Staff Directors inform the Governing Board about the bills' inconsistencies with federal statutes and regulations and advise that the Governing Board decide on a way forward. Austin Mount seconded the motion. The motion passed unanimously.**

CALL TO ORDER & PLEDGE OF ALLEGIANCE – GOVERNING BOARD

Chair Mayra Uribe called the meeting to order at 2:30 p.m.

APPROVAL OF MINUTES: OCTOBER 26, 2023

The Governing Board reviewed the October 26, 2023, meeting minutes. Susan Adams motioned to approve them, and they were unanimously approved.

CHAIR URIBE'S REPORT

Chair Mayra Uribe reported on recent activities and discussions involving the MPOAC Executive Committee and officials from FDOT, including Secretary Jared Perdue, Assistant Secretary of Strategic Development Kim Holland, and the Office of Policy Planning. The meeting focused primarily on legislative developments affecting transportation planning in Florida. The goal was to maintain open lines of communication and share mutual concerns regarding pending legislation impacting the MPOAC and local MPOs.

Chair Uribe emphasized the MPOAC's stance on seeking collaboration with FDOT, aiming for constructive dialogue to advance the state's transportation agenda. She stressed the MPOAC's desire to contribute positively to Florida's transportation future, acknowledging the importance of roads, infrastructure, and innovative transport modalities like space travel in the state's development. She characterized the meeting with FDOT as an exchange of views and an agreement on the importance of working together to improve Florida's transportation landscape. Deputy Secretary Holland was recognized for her participation and the insights she offered during the discussion. Chair Uribe expressed optimism about continuing talks with FDOT representatives and legislative figures to ensure that the MPOAC's expertise and resources effectively shape transportation policies. She concluded with an invitation for Assistant Secretary Holland to share her perspectives later in the meeting and encourage the Governing Board to have a healthy discussion regarding legislative matters.

EXECUTIVE DIRECTORS REPORT

MPOAC BUDGET

Mark Reichert introduced the MPOAC's budget to the Governing Board. The following address key items:

- The MPOAC Executive Committee, which also serves as the Budget Committee, reviewed and approved the proposed budget the prior week.
- The work program budget, which includes dues payments and consultant services, shows a higher expenditure rate of 60.33 percent. This is primarily due to significant portions of membership dues for the Association of Metropolitan Planning Organizations and the National Association for Regional Councils being allocated early in the fiscal year, thus slightly skewing the overall percentage spent.
- The operating budget, encompassing all principal expenses, is on target, with 45.5 percent spent, aligning closely with the 50 percent mark of the fiscal period.

Robert Bender motioned to approve the budget. Another member seconded the motion. The motion was approved unanimously.

LEGISLATIVE IMPACTS TO MPOAC/MPOS

Mark Reichert provided the Governing Board with a summary of the transportation bills currently in the legislation. An earlier section of this meeting summary summarizes these bills and their impact on transportation, MPOs, and the MPOAC. The Governing Board members engaged in a robust discussion regarding the legislative bills and the MPOAC's next step. The following provides a high-level summary of the talks, followed by more details:

Summary of Discussion and Concluding Motions:

The Governing Board discussed the potential impacts of the proposed legislation on MPOs and the MPOAC, drawing on an analysis by General Counsel Paul Gougelman that highlighted the legislations' inconsistencies with federal regulations. The Board considered strategies for responding to the bills, focusing on the importance of education over lobbying to convey the critical role and value of MPOs and the MPOAC in the transportation planning process. Key discussions included portraying the MPOAC positively, leveraging personal connections with legislators for constructive dialogue, and maintaining a non-adversarial approach in communications. There was a consensus on the need for careful strategy, emphasizing the value of the MPOAC and avoiding premature opposition that might jeopardize productive discussions. The Governing Board decided to delay any formal opposition to the legislation until after a planned meeting between Mark Reichert and Representative McFarland to allow for an opportunity to educate and inform. The Board also decided to establish an ad hoc committee to provide a targeted response to legislative developments; the Executive Committee membership was selected as the ad hoc committee membership.

Discussion Details:

Dave Hutchinson provided the Governing Board with an overview of the motion from the Staff Director's Committee concerning the legislation. In the meeting, staff directors thoroughly discussed the bills and their implications for MPOs. The discussion was informed by an analysis from MPOAC General Counsel Paul Gougelman, which addressed the proposed bills' inconsistencies with federal regulations and statutes. The staff directors unanimously agreed to recommend that the Governing

Board share this analysis with interested parties. The recommendation aims to highlight the inconsistencies between the bill's provisions and federal requirements concerning MPOs and underline the MPOAC's value, its long-standing partnership with the FDOT and FHWA, and its significant contribution to the transportation planning process. This recommendation was chosen to avoid crossing into lobbying territory. Instead, it provides educational information that could help refine the bill for better alignment with existing transportation planning frameworks.

Joe Neunder, a Sarasota County Commissioner, addressed the Board, acknowledging the origins of bills 7049 and 1032 within the Sarasota County delegation. Highlighting his connections within the community and the possibility of constructive dialogue with elected officials in Tallahassee, Commissioner Neunder suggested a strategic approach to addressing the concerns with the bills. He recommended showcasing the MPOAC's specific accomplishments and historical value through collaboration and its positive impact. Commissioner Neunder raised a question for Paul Gougelman regarding the assertion that the bills did not comply with federal legislation. He queried whether this interpretation was solely Paul's or if it was a consensus within the legal community. Commissioner Neunder suggested that gathering more legal opinions could provide a stronger foundation for their stance against the proposed legislation. Expressing his commitment to public service and the well-being of Florida, Commissioner Neunder offered his support in advocating for the MPOAC. He emphasized his openness to learning and contributing to the discussions.

Commissioner Bill McDaniel from Collier County expressed his views on the ongoing discussion regarding proposed legislation affecting MPOs. Having attended the latter part of the transit presentation and subsequent meetings, Commissioner McDaniel appreciated the mention of an upcoming meeting between Mark Reichert and Representative McFarland but voiced concerns about the appropriateness of Mr. Reichert leading this engagement. He suggested that an elected official from the Governing Board should represent the committee's stance instead. Commissioner McDaniel agreed with the General Counsel's opinion that the bill, in its present form, conflicts with federal law. He emphasized the situation's urgency, noting there might not be sufficient time for a comprehensive legal review by a broader panel of attorneys. Accepting the Counsel's assessment, he recommended opposing the legislation. He particularly highlighted concerns about provisions related to boundary definitions, license plates, and the potential elimination of the MPOAC. However, he noted that these provisions might not conflict with federal laws. Commissioner McDaniel also pointed out the possibility of amendments to the bill before it passes through the legislature and speculated on the chance it might not progress further. Nevertheless, he considered the bill a critical alert for the MPOAC to evaluate its current practices. Concluding his remarks, Commissioner McDaniel advocated for opposition to the bill in its current iteration and called for a strategic plan to address potential outcomes following the legislative session, echoing earlier discussions about the importance of proactive planning for the organization's future.

Chair Uribe clarified that Mr. Reichert's offer to meet with Representative McFarland is informational only.

Commissioner Sara Roberts McCarley emphasized a cautious approach towards opposing the proposed legislation, underscoring the importance of maintaining a non-adversarial relationship with both Senate and House members. With extensive experience in Tallahassee, she highlighted the need for staff to exercise caution to avoid the implications of lobbying or advocacy. Acknowledging the legislative session's early stage, Commissioner McCarley proposed that Mr. Reichert engage in informative discussions with the legislator driving the bill to clarify the role and importance of MPOs due to a perceived lack of clarity rather than carelessness on the part of state officials. After these discussions, Commissioner McCarley suggested reconvening as a Governing Board to decide on further actions. She shared plans to meet with Sarasota delegates and other contacts within Polk County and beyond to discuss the bill from a TPO perspective. Commissioner McCarley expressed optimism that the bill might not proceed and cautioned that drawing too much attention could inadvertently highlight it further. She offered to assist in committee meetings or discussions to address the situation.

Mayor Chelsea Reed emphasized the importance of preparation and not being afraid of assessment amid the legislative developments in Tallahassee. Acknowledging the complexity of the legislative process and the uncertainty of outcomes, she called for a proactive stance to ensure the MPOAC and its members are well-prepared. Mayor Reed suggested highlighting the benefits of the MPOAC, engaging in more discussions, and creating contingency plans for various outcomes. She also advised identifying key issues within the bill, suggesting a more strategic approach by pinpointing specific aspects to support or educate about rather than outright opposition, which might not always be effective. Mayor Reed's approach is about understanding the legislative process, recognizing the need for readiness, and advocating for informed and strategic responses to legislative challenges.

A meeting participant expressed concern about the motivations behind the proposed legislation to disband the MPOAC and other related changes. They emphasize the importance of identifying the reasons behind these legislative efforts, suggesting that a lack of awareness about the MPOAC's contributions and value might be a contributing factor. The participant advocated concisely conveying the significance and benefits of the MPOAC to the legislators, aiming to demonstrate its importance in the planning and transportation system. They propose crafting a message highlighting the positive aspects of the MPOAC while addressing the legislative concerns yet stressing the challenge of keeping such a message both comprehensive and brief. The goal is to ensure legislators understand the vital role of the MPOAC and reconsider their stance on the bill.

Councilmember Cal Rolfson, representing the Lake Sumter MPO, emphasized the importance of flexibility and responsiveness in advocating the organization's position due to the dynamic nature of the legislation. He advocated for a non-adversarial approach and the value of intelligent wordsmithing to craft the organization's message. Councilmember Rolfson strongly opposed disbanding the MPOAC, viewing it as a valuable support for Governing Board members and attributing any such proposals to misunderstanding or political motives. He suggests that the legal Counsel's opinion should be taken seriously, hinting at potential personal liability for ignoring such advice in other contexts he's familiar with. Councilmember Rolfson called for creating a well-crafted, intelligently worded position that

reflects the top three concerns and priorities of the MPOAC, possibly condensed into a motion. He acknowledges his reliance on and appreciation for the MPOAC and his Executive Director's guidance and expertise, underscoring the importance of summarizing the discussion into actionable steps.

Commissioner Joe Tiseo emphasized the importance of adopting a soft messaging approach regarding the legislative proposals affecting MPOs and the MPOAC. He questioned who should deliver this message, suggesting that individual city or county commissions could bring the issue back to their respective boards for discussion and consensus. Commissioner Teseo highlighted the significance of maintaining local representation and authority in transportation planning, voicing concerns over the potential shift of control to unelected bureaucrats based on yet-to-be-defined metrics. He advocated involving district secretaries and other elected bodies in the dialogue to amplify the message's impact. He suggested that hearing from multiple elected entities could prompt legislators to reconsider the proposals. Commissioner Teseo also suggested exploring the stance of the Florida Association of Counties on this issue, given its history of opposing preemption and advocating on behalf of county interests. He concluded by affirming the role of elected officials in petitioning for their constituents. He suggested that the MPOAC and individual MPOs coordinate their efforts with local governmental bodies to ensure a unified response to the proposed legislative changes.

Commissioner Bill McDaniel expressed concern over adopting a soft stance on the proposed legislation. He suggested a firm position against the current legislation, highlighting the value of the MPOAC and MPOs in facilitating direct communication with communities. He indicated that the Executive Committee, composed of elected officials rather than MPOAC employees, should clearly express dissatisfaction with the legislation in its present form. In acknowledging that legislative proposals often change before a session concludes, Commissioner McDaniel advised against dissecting specific elements of the bill. Instead, he recommended a straightforward, respectful opposition to the current bill. Following this, he proposed that the Executive Committee convene a special meeting post-session to address the outcomes of the legislative process, whether the MPOAC remains in existence or faces modifications due to potential conflicts with federal law as identified by the General Counsel. Commissioner McDaniel underscored the necessity of preparing for all outcomes, including the possibility that the MPOAC may be dissolved. He advocated for taking this opportunity to assess and possibly reorganize the functions and structure of the MPOAC. Regardless of legislative developments, the MPOAC and the MPOs are positioned to serve their communities and adapt to any forthcoming changes effectively.

Commissioner Nick Maddox asked Mr. Reichert about the motivations behind the legislation. Despite his attempts to seek answers, Mr. Reichert indicated he did not know.

Commissioner Susan Adams provided insights into the legislative process and suggested strategies for addressing the proposed bills. She hinted at the possibility that the legislation could be driven by directives from the Speaker's office, suggesting a potentially different characterization of the bill than previously understood. Commissioner Adams also mentions the current legislative interest in special districts, speculating that MPOAC might be caught in broader legislative aims. Commissioner Adams emphasized the importance of the upcoming Tuesday meeting as a critical point to understand the

seriousness and intentions behind the bill. She advised approaching the meeting with an educational mindset to clarify the roles and contributions of MPOAC and MPOs/TPOs, highlighting the general lack of understanding about these entities among many in the state. To navigate the swift pace of the legislative session, Commissioner Adams recommends that the Executive Board be granted the autonomy to make decisions and adjust strategies based on new information arising from the Tuesday meeting and subsequent developments. She highlights the rapid nature of legislative processes and the impracticality of coordinating a timely collective response from all involved parties. Lastly, Commissioner Adams suggests leveraging partnerships with organizations like the Association of Counties and the League of Cities, which have lobbying capabilities and might also be impacted by the legislation. Utilizing their networks could amplify efforts to address the proposed changes.

Mayor Chelsea Reed recapped the discussions and outlined potential action items. The following provides the recap. The Governing Board could:

- Consider voting in opposition to the Senate bill specifically, as the House bill had not yet progressed to committee.
- Entrust the Executive Committee with crafting a statement that addresses various points of concern, emphasizing the flexibility to adapt this statement as legislative developments occur.
- Entrust the Executive Committee to be prepared to respond promptly throughout the remainder of the legislative session.
- Allow Mark Reichert to gather more information during Tuesday's meeting with Representative McFarland, underscoring the dynamic nature of the situation.

Commissioner Nick Maddox suggested considering a more inclusive approach to representing the diverse interests of regions or counties of varying sizes in response to the legislative concerns affecting MPOs statewide. While acknowledging the Executive Committee's capability, Commissioner Maddox proposes establishing a Legislative Committee that would supplement the Executive Committee's efforts. This Committee could ensure that every region or county size, whether small, medium, or large, has a voice in crafting a unified or individual statement regarding the proposed legislation. The aim is to ensure broad representation and consensus among different areas, reflecting their unique perspectives and concerns. Commissioner Maddox expressed confidence in the Executive Committee and Mr. Reichert's ability to effectively articulate the Board's position.

Councilmember Rolfson shared that he serves on the Florida League of Cities Board of Directors and has experience chairing their committees. He plans to attend a meeting in Tallahassee and engage with the legislative delegation of the Lake County area. Councilmember Rolfson committed to expressing concerns about the bills professionally and requested a bullet-pointed, one-sheet checklist to convey these issues accurately without misrepresenting the board's position.

Mr. Gougelman provided a comprehensive overview of the legislative challenges faced by the MPOs and the MPOAC. He noted that the Senate bill is stagnant, having been referred to three committees without further action. In contrast, the House bill is advancing, having received unanimous approval from the House Subcommittee on Transportation and Modals. Mr. Gougelman mentioned he is

preparing a revised memo to address the House bill specifically, including a brief synopsis highlighting key legislative points and inconsistencies with federal statutes and regulations. He emphasized the historical context and federal intent behind the creation of MPOs, highlighting their role in integrating local input into federal transportation funding decisions. Mr. Gougelman stated that the proposed legislation undermines this by potentially diminishing local control and decision-making. This is exemplified by provisions allowing the FDOT to grade MPO performance based on criteria like traffic congestion and public satisfaction, which could replace MPO leadership with state appointees for poorly rated MPOs. Mr. Gougelman argued that such measures strip local governance of its role and unfairly position FDOT as arbiters of MPO success in areas where infrastructural challenges are complex, and funding is insufficient. He also pointed out the proposal to dissolve the MPOAC and transfer its responsibilities, such as MPO member training, to the FDOT. This move, he suggests, is unwarranted given the current effectiveness and positive reception of the MPOAC's educational efforts. Overall, Mr. Gougelman's remarks underscored the potential negative impacts of the proposed legislation on the autonomy and effectiveness of MPOs and the MPOAC, advocating for a reassessment of these legislative moves considering their departure from federal guidelines and their likely detrimental effects on local transportation planning and governance.

Karen Brunelle, FHWA, emphasized the importance of language when forming positions and clarified the distinction between lobbying and education, especially in the context of bodies that receive federal funds. She referenced previous discussions about the difference between these activities, noting that while this Board used to provide legislative opinions, it was determined that such actions could be perceived as lobbying, which is not permitted under federal requirements. Ms. Brunelle underscored that the committee should focus on providing facts and analysis without directly influencing legislation, ensuring actions remain educational. She mentioned the availability of specific guidance from Federal Highways on this matter, suggesting it could be shared again to help the committee navigate its statements and actions within the scope of education.

Chair Uribe expressed her view on the delicacy of the situation regarding the proposed legislation affecting MPOAC. She mentioned her experiences in Tallahassee, emphasizing that the opposition from MPOAC and MPOs to the bill is well-known. Chair Uribe highlighted that direct conversations with Assistant Secretary Holland and Secretary Perdue have already conveyed this opposition. She also mentioned the value of Mr. Gougelman's legal memo in understanding the legislation's implications but cautioned against starting conversations with a legal confrontation. Chair Uribe supported Mr. Reichert's upcoming meeting with Representative McFarland to offer more information about MPOs and the MPOAC's role, suggesting it as a chance to educate rather than confront. She suggested possibly forming an ad hoc committee for future planning but questioned the effectiveness of immediately issuing a public letter of opposition. She proposed supporting Mr. Reichert's upcoming meeting and possibly joining him to show unity. Chair Uribe also raised concerns about how a preemptive public opposition could affect the willingness of legislative members to engage in productive dialogue. In conclusion, Chair Uribe stressed the importance of proceeding with care, suggesting waiting for the outcome of Mr. Reichert's meeting before deciding on further actions. She advocated for a cautious approach, reflecting on the potential political repercussions of immediate

opposition and the benefits of attempting to educate legislative members about MPOAC's value. She encouraged discussion on possible next steps, emphasizing collaboration and careful consideration.

Commissioner Maddox supported Chair Uribe's strategic suggestion, agreeing that preemptively sending a letter might diminish their negotiating power. Acknowledging the widespread awareness of opposition to the bill, Commissioner Maddox proposed that the contents of the initially considered statement guide the tone of Mr. Reichert's upcoming meeting with the Representative. **Commissioner Maddox motioned to delay sending the letter until they receive a report back on the outcomes of Mr. Reichert's discussion with Representative McFarland, indicating openness to either having the Executive Committee decide on the letter's dispatch or forming a regional or ad hoc committee representing various regions or county sizes across the state for further action.**

Commissioner Robert Bender emphasized the importance of allowing Mr. Reichert to proceed with the planned meeting as a first step. He suggested that Mr. Reichert distribute talking points highlighting the functions MPOs and TPOs already perform, which the bill seeks to establish anew. Recognizing the limitations posed by their meeting schedules, Commissioner Bender also recommended establishing an ad hoc committee, which could be convened by the Chair as needed, to provide a flexible response mechanism during the legislative session. Regarding sending a letter, he expressed uncertainty about its necessity at the current stage. **Commissioner Bender motioned to allow Mr. Reichert to proceed with his scheduled meeting and requested that Mr. Reichert distribute talking points to the committee. Additionally, he motioned to establish an ad hoc committee addressing legislative bills during the session. Commissioner Nick Maddox seconded. The motion passed with two nays recorded.**

Commissioner Maddox suggested that the ad hoc committee membership should consist of varying-sized regions or counties. Commissioner Bill McDaniel questioned the value and purpose of the ad hoc committee if the Executive Committee is sufficient and can adequately represent the MPOAC. Paul Gougelman provided insight on quorum requirements for any ad hoc committees to meet and make decisions in person. Members discussed the quorum requirements and ad hoc requirements.

Commissioner McDaniel motioned that the Executive Committee be the ad hoc committee membership. Commissioner Maddox seconded. The motion passed with one nay recorded.

AGENCY REPORTS

FDOT

Kim Holland, the Assistant Secretary of Strategic Development at FDOT, presented an agency report highlighting Florida's significant growth and investment in its diverse transportation system. Holland detailed the state's \$15.6 billion budget for transportation infrastructure, encompassing highway construction, resurfacing, bridge maintenance, safety initiatives, and improvements across aviation, seaport, rail, and transit.

Ms. Holland celebrated several notable projects from 2023 that enhanced congestion reduction, efficiency, safety, innovative solutions, and infrastructure resiliency. These include the SunTrax facility

for automated vehicle testing, FDOT's hurricane response efforts, the I-4 Ultimate project, the development of an interoperable toll blueprint, and achievements in technology and cybersecurity.

Addressing the carbon reduction strategy, Ms. Holland mentioned FDOT's decision to continue responsible investments without submitting a formal document in light of the USDOT's final greenhouse gas rule requiring state DOTs and MPOs to set carbon dioxide reduction targets. With Florida having the highest number of MPOs nationally, FDOT pledges its support for MPOs in this endeavor.

The 2024 legislative session's key issues include workforce development, repurposing transit funds, landscaping commitments, preventing polarization in transportation planning, supply chain resiliency, supporting technology infrastructure, and funding needs to close gaps in the \$7 billion request from 2023. Holland emphasized FDOT's neutral stance on Senate Bill 1032 and its commitment to supporting and collaborating with MPOs.

Jennifer Fortunas continued with the FDOT Agency Report. The following summarizes the presentation:

- **MPO, MPOAC, and FDOT Collaboration Workshop:** Ms. Fortunas highlighted the earlier workshop. The Office of Policy Planning initiated this series of workshops to enhance collaboration, covering various topics for better cooperation.
- **Recap of FMPP Meeting:** Ms. Fortunas shared insights from the FMPP meeting held the prior week. The FMPP meeting involved discussing the Unified Planning Work Programs (UPWP) and performance measures, including safety, pavement, bridge, and system performance to understand target-setting logic.
- **Apportionment Plans:** Ms. Fortunas indicated that apportionment plans are being prepared for submission to the Executive Office of the Governor within the next two weeks.
- **Key Dates:** She announced the deadline of February 27 for the submission of safety targets.
- **Financial Workshop Success:** Ms. Fortunas shared the success of a financial workshop held at Palm Beach TPA. Her office plans to replicate the workshop in other regions (District 5, District 2, etc.) tailored to regional topics of importance.
- **Transportation Planning Exchange Conference (May 7-8):** Ms. Fortunas expressed excitement about the upcoming conference, which will be held in partnership with Florida/Puerto Rico ITE and aim to link planning and engineering. The conference will also kick off the Florida Transportation Plan update, focusing on targeted outreach to individual MPOs.

Discussions and Q&A Summary:

- **Deployment of Funds for Commercial Motor Vehicle Parking:**
 - Inquiry about the deployment of \$25 million appropriated for commercial motor vehicle parking.
 - Answer: Detailed deployment plans were unavailable, but further information could be provided upon request.

- **Feedback on Finance Training Workshop:**
 - Valerie Neilson appreciated and thanked the Office of Policy Planning for the Finance Training Workshop held at the Palm Beach TPA. She highlighted its usefulness and the potential for making such training a routine event.
- **Apportionment Plans and Interlocal Agreement Process:**
 - Clarification is sought on the process for amending and executing the interlocal agreement before receiving the apportionment plan, specifically regarding filing and approval requirements for new voting members.
 - Answer: Amendments to the interlocal agreement require signatures from all entities and approval from the Governor for new members to vote. The finalized interlocal agreement should be returned for record-keeping, but approval from the Governor is essential before new members can begin voting.

FEDERAL HIGHWAY ADMINISTRATION

Karen Brunelle provided an agency report on behalf of FHWA. The following is a summary of key points:

- Safe Streets for All Grants Announcement (December last year): Florida received 37 planning and demonstration grants totaling \$44 million. Pasco MPO, Hillsborough MPO, and Miami Dade County were notable recipients.
- TMA Certification Review Feedback Process: The process has been adapted based on feedback to continue with a risk-based approach. Suggestions for improvement included attending neighboring MPOs' site visits and public meetings, adding time for local condition descriptions, optional site field visits, and clarifying the purpose behind recommendations.
- Disadvantaged Business Enterprises (DBE) Review: A compliance review revealed underreporting in MPO contracts for DBE participation. Adjustments have been made to the reporting tools, with full implementation expected by July 2024. Training will be provided, but MPOs should continue current reporting practices to FDOT's Equal Opportunity Office.
- Legislation and Regulations Update: The new Manual on Uniform Traffic Control Devices was issued in December. Two videos on maintaining minimum retro-reflectivity are available. States are required to comply by September 2026.
- Upcoming Notices of Funding Opportunities: Announcements include RAISE grants, planning, bridge projects, SS4A grants, low-carbon materials, congestion relief, smart grants, and more. Links to more information and webinars on these opportunities are provided in the meeting materials.
- Webinars: Topics include international collaboration, advanced air mobility, global benchmarking, and future workforce in air mobility.
- Four Ps Prioritization Process Pilot Program: This new grant program introduction webinar, scheduled for January 30, is aimed at states and MPOs to develop a transparent prioritization process for project ranking and selection.

Kathy Kendall continued the FHWA report with a presentation aimed at informing and guiding FDOT and MPOs on the newly reintroduced greenhouse gas (GHG) performance measures, emphasizing the

importance of setting, reporting, and achieving specific emissions reduction targets as part of transportation planning and policy-making efforts to mitigate climate change impacts. Key points included:

- **Background:** The GHG performance measure, initially introduced in 2017 but repealed, was reintroduced in July 2022 and published recently. This measure is part of the broader framework to assess and manage transportation's impact on GHG emissions, particularly CO₂, on the National Highway System.
- **Requirements:** The measure mandates state DOTs and MPOs to establish two- and four-year emissions reduction targets. Urbanized areas served by multiple MPOs are required to set additional joint targets. These entities must also biannually report their progress toward achieving these targets. The FHWA is tasked with assessing significant progress towards these goals.
- **Key Dates and Resources:** Ms. Kendall shared important deadlines related to the regulation and resources for further information and support, such as the Transportation Performance Management webpage and the USDOT Climate Center. She highlighted upcoming training sessions and workshops designed to help MPOs in Florida strategize to meet their GHG targets.

Discussions:

- **Compliance and Legal Challenges:** Discussion points included compliance with the GHG performance measures, the implications of a lawsuit involving Florida and other states, and the potential impact of legal challenges on the deadlines and obligations for setting and meeting GHG targets.
- **Clarifications on Deadlines and Requirements:** Participants' questions sought to clarify the deadlines for adopting GHG targets, the relationship between state submissions and MPO requirements, and how non-compliance or delays in state submissions could affect MPOs. It was stated that the regulation is written in a way that requires MPOs to submit their GHG targets 180 days after the state's submission. This implies that MPOs have an obligation to act within a specified timeframe following the state's action. However, it was also mentioned that proceeding without the state's submission would be a risk for the MPOs, indicating that while there is a regulatory expectation for MPOs to follow through with their submissions, doing so without the state's own compliance introduces uncertainties and potential challenges. There was also a discussion about the distinction between carbon reduction strategies and GHG performance measures, highlighting the focus of GHG measures on performance targets within the transportation sector and carbon reduction related to a strategy plan.
- **Concerns and Uncertainties:** Participants expressed concerns about the practical aspects of implementing GHG performance measures, including the coordination among different jurisdictions, the potential for regulatory changes, and the need for clear guidance on meeting the requirements amid external factors, like lawsuits and legal uncertainties.
-

MPOAC STRATEGIC DIRECTIONS PLAN UPDATE

Due to time constraints, this item was pushed to the next meeting.

ELECTION OF OFFICERS (GOVERNING BOARD)

Paul Gougelman facilitated the election of officers for three positions on the Executive Committee: Chair, Vice Chair, and At-Large Member.

- Commissioner Bender nominated Commissioner Uribe as Chair. There were no other nominations. Councilmember Rolfson motioned to close the nominations and cast a unanimous ballot for Commissioner Uribe as Governing Board Chair. Commissioner Susan Adams seconded. The motion passed unanimously.
- Chair Uribe nominated Commissioner Bender as Vice Chair. There were no other nominations. Councilmember Rolfson motioned to close the nominations and cast a unanimous ballot for Commissioner Bender as Governing Board Vice Chair. Commissioner McDaniel seconded. The motion passed unanimously.
- Commissioner Bender nominated Mayor Reed as the At-Large Member. There were no other nominations. Commissioner Nick Maddox motioned to close the nominations and cast a unanimous ballot for Mayor Reed as the At-Large Member. Another member seconded. The motion passed unanimously.

MEMBER COMMENTS

Cal Rolfson noted that a public comment opportunity is not included in the Governing Board agenda but is included in the Staff Directors Committee meeting. Chair Uribe noted the comment and advised that the public comment item would be addressed after the member comments. Furthermore, she noted that this would be included and corrected for future meetings.

Bryan Caletka acknowledged and appreciated Commissioner Sandy Johnson's years of service. This meeting marks Commissioner Johnson's last, as she has decided not to seek reelection in March. Mr. Caletka reflected on Commissioner Johnson's shared history, noting she was elected to the MPOAC on the same day, approximately 18 to 19 years ago. He expressed gratitude for her contributions and announced that a new board member would succeed her.

Mayor Reed commended Chair Uribe for her effective leadership and handling of the meeting considering the legislative challenges and complexities.

PUBLIC COMMENT

No public comments.

ADJOURNMENT

The next meeting of the MPOAC Governing Board and Staff Directors' Advisory Committee will be on April 25, 2024. The meeting adjourned at 5:00 p.m.

DRAFT



MPOAC

UNIFIED PLANNING WORK PROGRAM

DRAFT

FISCAL YEARS 2024/2025 & 2025/2026

UPWP DRAFT: MARCH 15, 2024

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, income, or family status.

Federal Aid Project Number: 00AC-062-M

FM Numbers: 439339-5-11-01, 439339-5-12-01, 439339-5-12-02, 439339-5-12-03

(Funds provided by FHWA)

**Florida Metropolitan Planning
Organization Advisory Council
(MPOAC)**

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

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Required Forms

The following pages contain the required resolution, statements, and certifications:

- MPOAC Resolution
- Debarment and Suspension Certification
- Lobbying Certification for Grants, Loans, and Cooperative Agreements
- Disadvantaged Business Enterprise Utilization
- Title VI/Nondiscrimination Assurance with Appendices A and E

MPOAC Resolution 2024-01

A RESOLUTION OF THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL (MPOAC) ADOPTING THE MPOAC UNIFIED PLANNING WORK PROGRAM FOR STATE FISCAL YEARS 2024/2025 - 2025/2026.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED THAT THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL HEREBY ADOPTS ITS UNIFIED PLANNING WORK PROGRAM FOR STATE FISCAL YEARS 2024/2025-2025/2026.

PASSED AND DULY ADOPTED this 25 day of April 2024.

(Subject to ratification by the full Governing Board at its April 25th meeting.)

Mayra Uribe, MPOAC Governing Board Chair

Attested to:

Mark E. Reichert, Executive Director

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

525-010-08
POLICY PLANNING
05/18

DEBARMENT and SUSPENSION CERTIFICATION

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

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

Name: Commissioner Mayra Uribe
Title: Chair, MPOAC (or designee)

Date

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

525-010-08
POLICY PLANNING
05/18

LOBBYING CERTIFICATION for GRANTS, LOANS and COOPERATIVE AGREEMENTS

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

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

Name: Commissioner Mayra Uribe
Title: Chair, MPOAC (or designee)

Date

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

525-010-08
POLICY PLANNING
05/18

DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION

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

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

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

Name: Commissioner Mayra Uribe
Title: Chair, MPOAC (or designee)

Date

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

525-010-08
POLICY PLANNING
05/18

TITLE VI/ NONDISCRIMINATION ASSURANCE

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

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

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

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

Name: Commissioner Mayra Uribe
Title: Chair, MPOAC (or designee)

Date

APPENDICES A and E

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

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

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

Introduction

The Unified Planning Work Program (UPWP) is a two-year statement of work identifying the tasks, activities, and funding for the Florida Metropolitan Planning Organization Advisory Council (MPOAC). The UPWP covers fiscal years 2024/2025 and 2025/2026, from July 1, 2024, through June 30, 2026. The UPWP provides the basis for funding transportation planning activities with Federal funds.

The FDOT and the MPOAC participate in the Consolidated Planning Grant. The CPG enables FDOT, in cooperation with the MPO, FHWA, and FTA, to annually consolidate Florida's FHWA PL and FTA 5305(d) metropolitan planning fund allocations into a single grant that the FHWA Florida Division administers. These funds are annually apportioned to FDOT as the direct recipient and allocated to the MPO by FDOT utilizing formulas approved by the MPO, FDOT, FHWA, and FTA by 23 CFR 420.109 and 49, U.S.C. Chapter 53. The FDOT is fulfilling the CPG's required 18.07% non-federal share (match) using Transportation Development Credits as permitted by 23 CFR 120(i) and FTA C 8100.1D.

Section 120 of Title 23, U.S.C., permits a state to use certain toll revenue expenditures as a credit toward the non-federal matching share of all programs authorized by Title 23 (except Emergency Relief Programs) and for transit programs authorized by Chapter 53 of Title 49, U.S.C. This "soft match" provision allows the federal share to be increased up to 100% to the extent credits are available. The soft match to federal dollars is calculated to be an 81.93%/18.07% ratio as required and allowed using the sliding scale provision. For Fiscal Years 2024/2025 and 2025/2026, there are \$800,000 of federal PL dollars, which are soft matched by \$176,400 of toll credits.

The development of this UPWP included various opportunities for public involvement. The FDOT, FHWA, FTA, and each MPO were provided a copy of the draft UPWP via electronic format with a request to submit comments over a two-week period. The draft UPWP was also displayed on the MPOAC website for a similar time frame and included in the April 2024 MPOAC meeting agenda package. The MPOAC website is regularly updated with current information and is regularly accessible by the public and MPOAC partner organizations.

Overview of Tasks

The specific transportation planning activities to be undertaken these two fiscal years by the MPOAC are organized into three major tasks:

- 1) **Administration:** This task includes activities required to administer and manage the MPOAC effectively and continually, including financial management, maintaining memberships in professional organizations, updating the website, maintaining consulting services for legal counsel, research, technical assistance and support, development of the UPWP, and organizing meetings for Boards, committees, and working groups, as needed.
- 2) **Forum for Cooperative Decision-Making:** This task establishes a forum for cooperative decision-making among Florida's MPOs and other public and private partners to assist in carrying out the cooperative, comprehensive, and continuing (3-C) transportation planning process. This includes coordination with statewide initiatives, plans, and programs and identifying topics of MPO's interest to provide a forum for disseminating information,

engaging in collaborative discussion, and working with partner organizations to identify solutions.

- 3) **Training and Technical Activities:** This task includes necessary activities to support the MPOAC's Boards, Committees, and Working Groups in making informed decisions. This includes training MPO Governing Board Members on the transportation planning process and their role as decision-makers. In addition, it includes preparing studies, reports, workshops, training materials, and other technical activities to assist MPOs in making informed decisions.

Appendix A includes a matrix identifying how each task relates to the Federal Planning Factors and the State's Planning Emphasis Areas.

Organization and Management

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

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

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

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

The MPOAC bylaws define the roles and responsibilities of the Governing Board, the Staff Directors' Advisory Committee, and the Executive Committee and outline the MPOAC's operational procedures. The currently approved bylaws (last updated October 2022) are available on the MPOAC website.

The MPOAC comprises a 27-member Governing Board, an Executive Committee, and a 27-member Staff Directors' Advisory Committee. The governing board may establish additional committees or working groups to support the MPOAC in meeting its objectives.

The MPOAC employs an Executive Director, an Executive Assistant, and a General Counsel under a legal services contract, as well as additional consulting services for research, technical support, and staff augmentation. FDOT assists in the operation of the MPOAC by providing office space and other related services.

Governing Board

The MPOAC Governing Board consists of one representative and one or two alternate representatives from each of Florida's MPOs, sometimes doing business as Transportation Planning

Organizations (TPOs), Metropolitan Transportation Planning Organizations (MTPOs) and Transportation Planning Agencies (TPAs), or a unique name:

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

The powers and duties of the Governing Board include entering into contracts in accordance with Chapter 287 to support the activities of the MPOAC; establishing bylaws and making rules to effectuate its powers, responsibilities, and obligations; assisting metropolitan planning organizations in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law; and serving as a clearinghouse for review and comment by metropolitan planning organizations on the Florida Transportation Plan (FTP) and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning instituted pursuant to statute.

Executive Committee

The Executive Committee consists of the MPOAC Governing Board Chair and Vice-Chair, a member of the Governing Board serving at-large, and the Staff Directors' Advisory Committee Chair and Vice-Chair. The Executive Committee provides policy direction for the MPOAC between Governing Board meetings and provides an annual evaluation of the MPOAC Executive Director. Additionally, the MPOAC Executive Committee may act to approve any action that the MPOAC Governing Board would otherwise take if the Governing Board were unable to meet due to an emergency. Any action taken by the Executive Committee during a time that the MPOAC Governing Board cannot meet shall be brought to the next meeting of the Governing Board for ratification. The Executive Committee also acts as the Budget Committee and the Bylaws Committee.

Staff Directors' Advisory Committee

The MPOAC Staff Directors' Advisory Committee consists of one representative and one or two alternate representatives from each organization represented on the MPOAC Governing Board.

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

Other Committees and Working Groups

To support the MPOAC in meeting its objectives, the Governing Board may establish additional committees or working groups. The following list of committees and working groups the Governing Board has previously established:

- Policy and Technical Committee
- Freight and Rail Committee
- Strategic Directions Plan Working Group
- Noteworthy Practices Working Group

Task 1 Administration

Purpose

The purpose of this task is to manage and carry out the role of the MPOAC effectively. Work and products within this task are largely recurring and include financing and managing the effective daily operation of the MPOAC. This includes:

- purchase or leasing of capital equipment,
- maintaining legal services for MPOAC operations and meetings,
- arranging for and holding quarterly meetings of the MPOAC Governing Board, the MPOAC Staff Directors' Advisory Committee, the MPOAC Freight and Rail Committee, meetings of the Policy and Technical Committee and Executive Committee,
- maintaining the MPOAC.org website,
- payment and processing of invoices and requisitions,
- administration of travel funds, conducting personnel actions and evaluations, and all other administrative actions.
- maintaining memberships with partner organizations nationally and in Florida, namely the Association of Metropolitan Planning Organizations (AMPO), the National Association of Regional Councils (NARC), the Intelligent Transportation Society of Florida (ITSFL), the Florida Public Transportation Association (FPTA) and the Floridians for Better Transportation (FBT) (note: AMPO and NARC dues cover the cost of membership for all MPOs in Florida).
- acquire and maintain contracts for legal services and research and support services.

Previous Work Completed

Under this task, the MPOAC completed the following work:

- Compliance with Requirements: Fully adhered to all federal and state standards for the payment and processing of invoices, requisitions, and personnel actions over the past two years, ensuring that all financial and administrative processes were conducted in accordance with established guidelines.
- Travel and Conferences: Executed travel to meetings and conferences in strict compliance with federal and state travel provisions, facilitating essential participation and representation of MPOAC at key events.
- Capital Equipment: Purchased capital equipment following appropriate procurement procedures, ensuring transparency and compliance with purchasing guidelines.
- Membership Maintenance: Successfully maintained annual memberships with key organizations such as the Association of Metropolitan Planning Organizations (AMPO), the National Association of Regional Councils (NARC), the Intelligent Transportation Society of Florida (ITSFL), the Florida Public Transportation Association (FPTA), the Mileage-Based User Fee Alliance (MБУFA, and Floridians for Better Transportation (FBT). These memberships provide valuable networks, resources, and opportunities. The MPOAC Executive Director and individual MPO members hold positions on boards and participate in conferences and activities related to these organizations.

- **UPWP Production and Expenditure Tracking:** Produced the FY 2022/2023-2023/2024 UPWP and effectively tracked expenditures during this period, ensuring financial transparency and accountability according to requirements and established guidelines.
- **Legal Services:** Ensured legal compliance and guidance by engaging a contractual legal consultant who participated in meetings of the Governing Board, Staff Directors’ Advisory Committee, Executive Committee, and the Policy and Technical Committee. Legal advice was provided as needed to support decision-making and governance.
- **Website Maintenance:** Kept the MPOAC.org website updated with the latest information, meeting notices, agendas, minutes, and relevant news, serving as a vital communication tool for members and the public.
- **Meeting Facilitation:** Coordinated logistics for the Governing Board, Staff Directors’ Advisory Committee, Executive Committee, and all other committees, including managing the logistics of organizing a meeting and the production of meeting notices, agendas, presentations, and minutes.
- **Strategic Directions Plan:** During FY 2015/16, the MPOAC prepared a Strategic Directions Plan containing a vision statement, guiding principles, and goals to ensure organizational effectiveness. In FY 2024, the MPOAC kicked off an update to the Strategic Directions Plan to emphasize their commitment to proactive, forward-looking management. The Strategic Directions Plan provides the MPOAC with a guide to align efforts and address current and future MPO needs strategically.

Activities

Description of Activity	Resulting Products	Completion Date	Completed By
Conduct financial management tasks like record-keeping, invoices, requisitions, and travel and capital expenditures	Budget, invoices, and financial reports in compliance with fiscal and operational requirements	Ongoing	MPOAC Staff
Membership maintenance in partner organizations	Active memberships in AMPO, NARC, ITSFL, FPTA, and FBT, and participation in relevant activities, conferences, news, and other resources	Ongoing	MPOAC Staff
Website maintenance and content update	Updated MPOAC.org website, including new content, meeting information, membership updates, graphics, and information	Ongoing, with periodic updates as needed	MPOAC Staff with consultant support
Maintain legal counsel	Legislative analysis, written legal opinion and advice, support at meetings	As needed	Legal consultant managed by MPOAC Executive Director

Arrange meeting logistics, advertise notices, and prepare agendas, materials, and minutes for all MPOAC Boards, Committees, and Working Groups	Meeting notices posted in the Florida Administrative Weekly, Agendas, Meeting Material Packages, and related materials	Quarterly or as needed	MPOAC Staff with consultant support
Development and distribution of UPWP, prepare amendments, modifications, and track expenditures	UPWP covering 2025/2026 and 2026/2027, and expenditure tracking reports	Annually	MPOAC Staff with consultant support
Prepare and/or update the MPOAC's Strategic Directions Plan	A Strategic Directions Plan document, amendments, and modifications (as necessary), along with workshops and meetings	Ongoing	MPOAC Staff with consultant support

Budget

Task 1 Administration				
Year 1, 2024/2025				
Fund Source	FHWA	Federal	State	
Source Level	PL	Soft Match ¹	In-Kind Match ¹	FY 2024 - 2025 Total
Personnel (salary and benefits)	\$151,250	\$33,351	\$0	\$184,601
Consultant	\$84,125	\$18,550	\$0	\$102,675
Travel Expenses	\$45,000	\$9,923	\$0	\$54,923
Direct Expenses ²	\$232,000	\$51,156	\$69,768	\$352,924
Total	\$512,375	\$112,979	\$69,768	\$695,122
Year 2, 2025/2026				
Fund Source	FHWA	Federal	State	
Source Level	PL	Soft Match ¹	In-Kind Match ¹	FY 2025 - 2026 Total
Personnel (salary and benefits)	\$158,813	\$35,018	\$0	\$193,831
Consultant	\$84,125	\$18,550	\$0	\$102,675
Travel Expenses	\$48,000	\$10,584	\$0	\$58,584
Direct Expenses	\$232,000	\$51,156	\$69,768	\$352,924
Total	\$522,938	\$115,308	\$69,768	\$708,014

Note: The Direct Expense line item includes membership dues totaling \$192,056.65 for FY 2024/2025 and \$196,066.00 for FY 2025/2026. The membership dues include the AMPO and NARC dues, which cover the membership cost for all MPOs in Florida.

¹ Non-cash, non-federal soft match

² De-obligated \$5,000 from 2023/2024 UPWP to cover the increase in legal counsel expenses

Task 2 Forum for Cooperative Decision-Making

Purpose

This task establishes a forum for cooperative decision-making among Florida's MPOs and other public and private partners participating in the cooperative, comprehensive, and continuing (3-C) transportation planning process. This includes coordination on statewide or federal initiatives, plans, and programs, for example, including but not limited to the Florida Transportation Plan (FTP), the Florida Strategic Highway Safety Plan (SHSP), the Florida Highway Safety Implementation Plan (HSIP), the Florida Freight Mobility and Trade Plan, and the Strategic Intermodal System (SIS) Plan. This also includes identifying topics of MPO's interest to provide a forum for disseminating information, engaging in collaborative discussion, and working with partner organizations like the FDOT, Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Florida Transportation Commission (FTC), Space Florida, and other organizations. These topics include, but are not limited to, performance measure implementation, public transportation, environment, community planning safety, operations, and management.

Previous Work Completed

Under this task, the MPOAC completed the following work:

- The MPOAC participated in the policy and technical committees organized by the FDOT to develop the FTP and SIS Plan updates.
- The MPOAC worked closely with FDOT staff to implement the federal transportation performance measure rules, including publishing an updated summary of MPO performance targets across Florida. The partnership with FDOT has been recognized as one of the best, if not the best, models of cooperation in the nation, resulting in numerous presentations by the MPOAC and FDOT, including to New York AMPO, Minnesota DOT, USDOT, SASHTO, AASHTO, AMPO, NARC, TRB, and Florida APA.
- MPOAC also coordinated with the FDOT to assemble a complete set of transportation performance measure reporting data sets in multiple formats for use by the individual MPOs for consistency and ease of use across the state.
- The MPOAC worked with the FDOT Transit Office to incorporate transit issues into the MPO planning process, the FDOT Systems Implementation Office to implement the SUNTrail program, and the FDOT Office of Environmental Management (OEM) to implement state assumption of federal environmental review responsibilities.
- The MPOAC also worked with the Florida Department of Economic Opportunity (DEO), the Florida Department of Environmental Protection (DEP), the Florida Commission for the Transportation Disadvantaged, and other local, regional, and state organizations that promote environmental, community planning, and sustainable development objectives and transportation options.
- The MPOAC transmitted Intelligent Transportation System (ITS), autonomous vehicle, and safety information to MPOs and participated on the FDOT Strategic Highway Safety Plan Steering and Executive Committees, the Transportation Asset Management Plan Steering Committee, the Bicycle and Pedestrian Partnership Council, and the FDOT's Safe Mobility for Life Coalition and initiatives.

Activities

Description of Activity	Resulting Products	Completion Date	Completed By
Coordination on statewide or federal initiatives, plans, and programs	Meetings, presentations, and coordination with state and/or federal partners; input from the MPOAC members; and, as needed, develop necessary documents and reports	Ongoing	MPOAC Staff with consultant support
Provide a forum for disseminating information, engaging in collaborative discussion, and working with partner organizations based on MPO's interests	Include agenda items in quarterly meetings for presentations, discussions, and working sessions to address relevant topics and information	Quarterly	MPOAC Staff with consultant support

Budget

Task 2 Forum for Cooperative Decision-Making				
Year 1, 2024/2025				
Fund Source	FHWA	Federal	State	FY 2024 - 2025 Total
Source Level	PL	Soft Match ¹	In-Kind Match ¹	
Personnel (salary and benefits)	\$62,435	\$13,767	\$0	\$76,202
Consultant	\$37,400	\$8,247	\$0	\$45,647
Travel Expenses	\$0	\$0	\$0	\$0
Direct Expenses	\$0	\$0	\$0	\$0
Total	\$99,835	\$22,014	\$0	\$121,849
Year 2, 2025/2026				
Fund Source	FHWA	Federal	State	FY 2025 - 2026 Total
Source Level	PL	Soft Match ¹	In-Kind Match ¹	
Personnel (salary and benefits)	\$62,435	\$13,767	\$0	\$76,202
Consultant	\$37,400	\$8,247	\$0	\$45,647
Travel Expenses	\$0	\$0	\$0	\$0
Direct Expenses	\$0	\$0	\$0	\$0
Total	\$99,835	\$22,014	\$0	\$121,849

¹ *Non-cash, non-federal soft match*

Task 3: Technical Activities and Training

Purpose

This task includes necessary activities to support the MPOAC’s Boards, Committees, and Working Groups in making informed decisions. This includes training MPO Governing Board Members on the transportation planning process and their role as decision-makers. In addition, it includes preparing studies, reports, workshops, legislative updates, training materials, and other technical activities to assist MPOs in the transportation planning process.

Previous Work Completed

- Through FY 2023/2024, the MPOAC has held 30 Weekend Institute (twice by special request). Since its inception in 2006/2007, the Weekend Institute has had a total attendance of 409 MPO Governing Board members from all of Florida’s 27 MPOs. In 2021, the MPOAC Weekend Institute was offered twice virtually. During the past several fiscal years, MPOAC Institute workshops have been held many times, providing MPO-related training to local elected officials, county and municipal officials, and MPO staff and committee members across Florida.
- The MPOAC Institute training materials are updated annually to reflect changes in transportation policy, laws, and practices and have been made available to MPOs across the state for their use.
- The MPOAC prepares detailed summaries of state legislation about transportation and MPOs during and following the close of Florida legislative sessions.
- The MPOAC submitted comments to appropriate officials on various proposed rules and guidance documents, including Statewide and Nonmetropolitan Transportation Planning, Metropolitan Transportation Planning, and MPO Coordination and Planning Area Reform.
- Through the Policy and Technical Committee, the MPOAC, with support from consultant staff and consultation with FDOT, prepared a multi-scenario analysis to distribute FHWA Planning Funds for the MPOAC and the MPOs. This included peer-state research and data collection related to the release of the 2020 Census.
- The MPOAC provided technical assistance to the Emerald Coast Regional Council in evaluating alternatives and considerations for handling the urban area growth results of the 2020 Census. The MPOAC offered the ECRC four alternatives and held meetings with executive leadership and board members to review and discuss the options.

Activities

Description of Activity	Resulting Products	Completion Date	Completed By
Offer two Weekend Institutes training sessions annually, which include arranging logistics, updating	Facilitation of two Weekend Institutes and updated training materials	At a minimum, twice a year	MPOAC Staff with consultant support

materials, and preparation activities			
Track relevant transportation and MPO legislative activity annually	Prepare a legislative summary at the close of the session and provide members with periodic updates	Annually and as needed	MPOAC Staff with consultant support
Review changes to policies, rules, and programs at the state and federal level relevant to MPOs	Prepare comments on proposed rules, policies, and regulations to inform the MPOAC membership and provide input to federal and state partners	As needed	MPOAC Staff with consultant support
Conduct national and statewide research on industry best practices and standards	Prepare documents, reports, and graphics in a clear and valuable format for the MPOs and the MPOAC membership.	As needed, based on relevant topics and concerns of MPOs and the MPOAC membership	MPOAC Staff with consultant support
Provide technical assistance to MPOs	Prepare presentations, conduct research, and support MPOs, as requested	As requested by the membership	MPOAC Staff with consultant support

Budget

Task 3 Technical Activities and Training				
Year 1, 2024/2025				
Fund Source	FHWA	Federal	State	
Source Level	PL	Soft Match ¹	In-Kind Match ¹	FY 2024 - 2025 Total
Personnel (salary and benefits)	\$47,600	\$10,496	\$0	\$58,096
Consultant	\$128,475	\$28,329	\$0	\$156,804
Travel Expenses	\$0	\$0	\$0	\$0
Direct Expenses	\$0	\$0	\$0	\$0
Total	\$176,075	\$38,825	\$0	\$214,900
Year 2, 2025/2026				
Fund Source	FHWA	Federal	State	
Source Level	PL	Soft Match ¹	In-Kind Match ¹	FY 2025 - 2026 Total
Personnel (salary and benefits)	\$48,600	\$10,716	\$0	\$59,316
Consultant	\$128,475	\$28,329	\$0	\$156,804
Travel Expenses	\$0	\$0	\$0	\$0
Direct Expenses	\$0	\$0	\$0	\$0
Total	\$177,075	\$39,045	\$0	\$216,120

¹ *Non-cash, non-federal soft match*

Budget Summary by Fiscal Years

Table 1 SFY 2024/2025 Funding Sources by Task

	FHWA PL	Federal Soft Match¹	State In-Kind Match¹	Totals
Fiscal Year	2024/2025	2024/2025	2024/2025	2024/2025
Total Budget	\$788,285	\$173,817	\$69,768	\$788,285
Task 1 Administration²	\$512,375	\$112,979	\$69,768	\$512,375
Task 2 Forum for Cooperative Decision-Making	\$99,835	\$22,014	\$0	\$99,835
Task 3 Technical Activities and Training	\$176,075	\$38,825	\$0	\$176,075
Total	\$788,285	\$173,817	\$69,768	\$788,285

Table 2 SFY 2025/2026 Funding Sources by Task

	FHWA PL	Federal Soft Match¹	State In-Kind Match¹	Totals
Fiscal Year	2025/2026	2025/2026	2025/2026	2025/2026
Total Budget	\$799,848	\$176,366	\$69,768	\$799,848
Task 1 Administration	\$522,938	\$115,308	\$69,768	\$522,938
Task 2 Forum for Cooperative Decision-Making	\$99,835	\$22,014	\$0	\$99,835
Task 3 Technical Activities and Training	\$177,075	\$39,045	\$0	\$177,075
Total	\$799,848	\$176,366	\$69,768	\$799,848

¹ Non-cash, non-federal soft match

² De-obligated \$5,000 from 2023/2024 UPWP to cover the increase in legal counsel expenses

Table 3 Summary of Funding and Tasks for FY 2024/2025 and 2025/2026

Fiscal Year	FHWA PL		Federal Soft Match ¹		State In-Kind Match ¹	
	2024/2025	2025/2026	2024/2025	2025/2026	2024/2025	2025/2026
	\$788,285	\$799,848	\$173,817	\$176,366	\$69,768	\$69,768
Task 1 Administration						
Personnel (salary and benefits)	\$151,250	\$158,813	\$33,351	\$35,018	\$0	\$0
Consultant	\$84,125	\$84,125	\$18,550	\$18,550	\$0	\$0
Travel Expenses	\$45,000	\$48,000	\$9,923	\$10,584	\$0	\$0
Direct Expenses ²	\$232,000	\$232,000	\$51,156	\$51,156	\$69,768	\$69,768
Subtotal	\$512,375	\$522,938	\$112,979	\$115,308	\$69,768	\$69,768
Task 2 Forum for Cooperative Decision-Making						
Personnel (salary and benefits)	\$62,435	\$62,435	\$13,767	\$13,767	\$0	\$0
Consultant	\$37,400	\$37,400	\$8,247	\$8,247	\$0	\$0
Subtotal	\$99,835	\$99,835	\$22,014	\$22,014	\$0	\$0
Task 3 Technical Activities and Training						
Personnel (salary and benefits)	\$47,600	\$48,600	\$10,496	\$10,716	\$0	\$0
Consultant	\$128,475	\$128,475	\$28,329	\$28,329	\$0	\$0
Subtotal	\$176,075	\$177,075	\$38,825	\$39,045	\$0	\$0
Total	\$788,285	\$799,848	\$173,817	\$176,366	\$69,768	\$69,768

¹ Non-cash, non-federal soft match

² De-obligated \$5,000 from 2023/2024 UPWP to cover the increase in legal counsel expenses

Appendix A: Relationship of UPWP to Federal Planning Factors and Federal and State Planning Emphasis Areas Matrix

Table 4 Relationship of UPWP Tasks to Federal Planning Factors

FEDERAL PLANNING FACTORS	Task 1	Task 2	Task 3
Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.	X	X	X
Increase the safety of transportation system for motorized and non- motorized users.	X	X	X
Increase the security of transportation system for motorized and non-motorized users.	X	X	X
Increase the accessibility and mobility of people and for freight.	X	X	X
Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns.	X	X	X
Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.	X	X	X
Promote efficient system management and operation.	X	X	X
Emphasize the preservation of the existing transportation system.	X	X	X
Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation.	X	X	X
Enhance travel and tourism.	X	X	X

Table 5 Relationship of UPWP Tasks to Federal Planning Emphasis Areas

FEDERAL PLANNING EMPHASIS AREAS	Task 1	Task 2	Task 3
Tackling the Climate Crisis	X	X	X
Equity and Justice40	X	X	X
Complete Streets	X	X	X
Public Involvement		X	
Strategic Highway Network/US DOD Coordination			
FLMA Coordination			
Planning and Environmental Linkages	X	X	X
Data in Transportation Planning		X	

Table 6 Relationship of UPWP Tasks to State Planning Emphasis Areas

STATE PLANNING EMPHASIS AREAS	Task 1	Task 2	Task 3
Safety	X	X	X
Equity	X	X	X
Resilience	X	X	X
Emerging Mobility	X	X	X

Appendix B: MPOAC Responses to Comments Received

The Draft UPWP was available for public comment for 18 days, beginning on March 1, 2024. To solicit comments, the Draft UPWP was published on the MPOAC website and presented at the April 25, 2024, quarterly meeting of the MPOAC Staff Directors' Advisory Committee and the MPOAC Governing Board. An email containing a weblink to the MPOAC website where the draft UPWP was located was sent to the MPOAC membership and partners. The following comments were received:

Florida Department of Transportation: TBD

MPOAC response:

Florida Division of Federal Highway Administration: TBD

MPOAC response:



MPOAC

The Florida Metropolitan Planning Organization Advisory Council

*Commissioner Mayra Uribe
Chair*

March 25, 2024

Ms. Ashley Moody
Florida State Attorney General
The Capitol PL-01
Tallahassee, FL 32399-1050

Dear Ms. Moody:

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) requests the approval of the Attorney General's office to renew the contract of the MPOAC General Counsel for fiscal year 2024/2025. Enclosed for your consideration is the completed form titled "Request for Attorney General Approval of Private Attorney Services" and Agreement for Legal Services which further describes the specific legal skills needed of a General Counsel to the Florida MPOAC.

The Florida MPOAC, as created in Section 339.175(11), F.S., represents the interests of Florida's 27 Metropolitan Planning Organizations. The MPOAC requests to renew its contract with Mr. Paul R. Gougelman, III, because of his knowledge in the many transportation related responsibilities of metropolitan planning organizations and direct experience in working with the Council.

Your consideration of this renewal request is appreciated. Should you have any questions, you can contact me at (850) 414-4062.

Sincerely,

Mark E. Reichert
Executive Director

/s/

Enclosures

AG Receipt Date: 3/25/24

Request for Attorney General Approval of Private Attorney Services

1. Agency Name: Florida Metropolitan Planning Organization Advisory Council (MPOAC)

Contact Person: Mark Reichert, Executive Director Phone #: 414-4062 Fax #: _____

2. Proposed Agency SAMAS Contract Number: _____,

or Purchase Order # (if under \$5000): E or S _____

(This information is available from your agency fiscal/purchasing staff.)

3. Class/Group Number: 972-500 (This number identifies the area of legal specialization being provided for through contract. Please choose the most appropriate area from the list below.)

- | | | | |
|------------------------------|---------------------------------|---------------------------------------|---------------------------------|
| 010 Administrative Law | 240 Commercial Litigation | 400 Eminent Domain Law | 600 Labor Law |
| 020 Admiralty Law | 250 Communication Law | 410 Employment Practices Law | 605 Land Use Law |
| 030 Agricultural Law | 260 Constitutional Law | 420 Entertainment Arts and Sports Law | 610 Marital and Family Law |
| 040 Antitrust Law | 265 Construction Law | 430 Environmental Law | 630 Patent and Trademark Law |
| 060 Aviation Law | 270 Consumer Law | 440 Estate Planning and Probate | 700 Real Estate Law |
| 100 Bankruptcy Law | 280 Contract Law | 500 General Counsel | 710 Securities Law |
| 110 Bond Law | 285 Copyright Law | 510 Health Law | 720 Sunshine/Public Records Law |
| 200 Civil Appellate Practice | 290 Corporate Law | 530 Immigration Law | 800 Tax Law |
| 210 Civil Rights Law | 300 Corrections/Parole Law | 535 International Law | 850 Utilities Law |
| 220 Civil Trial Practice | 320 Criminal Appellate Practice | 540 Juvenile/Dependency Law | 900 Workers' Compensation Law |
| 230 Collections Law | 330 Criminal Trial Practice | | |

4. Type of Request (If this is an original request, please answer only through question #21; if this is a contract amendment, please answer all questions as appropriate):

Original Contract \$27,000.00 Contract Amendment _____

5. If this is an original request, please provide the estimated total contract amount:

Fees \$ 27,000.00 Costs \$ _____ Total \$ 27,000.00

6. If this is an original request, please provide the proposed contract period:

From 07/01/2024 to 06/30/2025

7. Please provide a brief description of the legal services to be provided.

This position is to serve as General Counsel for the Metropolitan Planning Organization Advisory Council (MPOAC). The attorney must have a strong background in working with elected officials. The Governing Board of the MPOAC consists of approximately 27 City Councilmembers and County Commissioners.

8. For trial and appellate litigation, please identify:

Style of Case: _____ Case Number: _____

Court: _____

9. Identify the reason outside counsel is needed as opposed to utilizing in-house attorney services:

- Necessary legal expertise not available on staff
- Time commitments exceed in-house staff resources
- Conflict of interest
- Local representation necessary
- Travel, lodging and other costs associated with in-house representation not cost effective
- Other, Identify: _____

10. Identify the proposed law firm/counsel:

Law Firm/Counsel Name: Weiss Serota Helfman Cole & Bierman, P.L.
 Address: 200 East Broward Blvd., Suite 1900
 City, State, Zip: Fort Lauderdale, FL 33301

11. Identify by name which partners, associates, research associates or other personnel will be used to perform the contracted legal services; and a schedule of their current billing rates.

Name	Position Title	Billing Rate

Paul Gougelman	Lead Counsel	\$290.00
Alan Gabriel	Alternate	\$290.00
David Tolces	General Work	\$290.00
Daniel Abbott	Litigation	\$290.00
Matt Mandel	Litigation	\$290.00
Milton Collins	Labor	\$290.00
Robert Meyers	Ethics & Procurement	\$290.00

12. Proposed Hourly Rate: Partner \$ 290.00 Estimated Hours: As Needed
 Associate \$ 290.00 Estimated Hours: As Needed

13. If the method of payment is to be hourly fee, identify what services will be covered by this fee (e.g., attorney services, paralegal services, research expenditures, overhead including reproductions of materials, administrative support services, telephone charges including faxing of materials, etc.). See Rule 2-37.030, FAC.

NA

14. What items, if any, will be subject to additional charges not considered in the hourly fee. See Rule 2-37.030, FAC. NA

15. If a cap is to be placed on the amount of non-attorney fee expenditures the agency can reimburse over and above the hourly fee, please identify the amount. \$ NA

16. Is a waiver to the established fee schedule required? Yes No
If yes, please complete Attachment 1, Statement of Waiver.

17. If an alternate to the hourly billing method is proposed, please describe.

Fixed fee per case _____
Flat fee per service(s) _____
Contingency fee _____
Retainer _____
Other _____

18. Services to be Performed in: Statewide
(County)

19. Please identify the criteria used by your agency to select the proposed legal counsel and explain.

Magnitude/complexity of case requires firm's resources. _____
Ratings and certifications (e.g., Martindale and Hubbell) x _____
Firm experience x _____
Minority counsel x _____
Firm's physical proximity to case, agency x _____
Firm's prior experience with agency x _____
Firm's prior experience with similar case or issue x _____
Billing methodology proposed/rate _____
Other _____

20. Indicate the names of those attorney(s)/firm(s) contacted in addition to the one proposed and their quoted fees.

Firm Name	Quoted Fee

<u>NA</u>	

21. Will agency staff be serving as co-counsel or participating with the outside counsel beyond oversight or coordination? NA If yes, identify the participation?

Fact finding, including document review, witness interview _____
Legal research _____ Formal Discovery _____ Drafting documents _____
Pleading/motion practice _____
Negotiations _____ Appeals _____ Trial preparation _____ Trial _____
Co-Counsel _____ Lead Counsel _____
Other Describe _____

22. If this request is a contract amendment, please identify the reason for the amendment, describe the change(s) from the last approval and provide justification for change(s) below.

_____ Increase in total contract amount (including fees & costs):
From \$ _____ to \$ _____

_____ Increase in hourly rate: From \$ _____ hourly to \$ _____ hourly

_____ Increase in allowance for expenditures over and above hourly rate:

From \$ _____ to \$ _____

_____ Extension of contract period:

From _____ through _____, to _____ through _____

_____ Revision/change in services to be provided

_____ Other – Please explain

Justification for amendment:

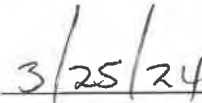
23. If this request is an amendment to extend the contract period, please provide for the immediate prior fiscal year only:

\$ expended for fees: \$ _____ \$ expended for costs: \$ _____

Total \$ expended: \$ _____



Signature



Date

Executive Director, MPOAC

Title

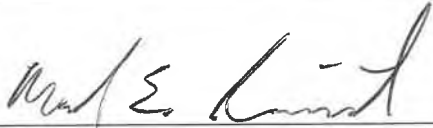
Statement of Waiver

Pursuant to Rule 2-37.040, F.A.C., the following rationale exists for waiver of the fee schedule for legal services to be rendered by _____.

- _____ 1. The Agency is unable to obtain adequate legal representation within the confines of the standard fee schedule.
- x 2. The Agency is unable to obtain legal services with the special expertise necessary to perform the particular function of the practice of law which the agency requires.
- _____ 3. The waiver is necessary to provide legal services as a result of an emergency, an immediate danger to the public health, safety and welfare, or an opportunity for the state to preserve or enhance the public fisc and that failure to contract immediately for legal services in excess of the standard fee schedule will work to the detriment of the state.

Please provide below the rationale for the justification selected.

The MPOAC is a two-person independent agency. Staff does not have the legal expertise necessary to conduct its required meetings nor provide counsel on administrative issues.



Signature

3/25/24

Date

Mark E. Reichert, Executive Director
Florida MPO Advisory Council

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT FOR LEGAL SERVICES is entered into this ____ day of _____, 2024, in the City of Tallahassee, Leon County, Florida, by and between the State of Florida, Florida Metropolitan Planning Organization Advisory Council, a Council of the State of Florida organized and existing pursuant to Section 339.175(11), Florida Statutes (hereinafter alternatively: the "MPOAC" or "AGENCY"), 605 Suwannee Street, MS-28B, Tallahassee, Florida 32399-0450; and Weiss Serota Helfman Cole & Bierman, P.L., a Florida Professional Limited Liability Company (hereinafter: the "CONTRACTOR"), 200 East Broward Blvd. - Suite 1900, Ft. Lauderdale, Florida 33301. This Agreement shall bind the parties upon its execution by their representatives.

RECITALS

WHEREAS, this Agreement is entered into pursuant to Section 287.059, Florida Statutes, and Chapter 2-37, Florida Administrative Code, and for the purposes of setting forth the duties and responsibilities of the CONTRACTOR and compensation to be paid for performance of said duties;

WHEREAS, appended hereto is ATTACHMENT A FOR PRIVATE ATTORNEY SERVICES, which is hereby incorporated herein by this reference;

WHEREAS, this Agreement is brought about, because the MPOAC needs an attorney who understands procedures under the Florida

Administrative Procedure, Chapter 120, Florida Statutes; has a working knowledge in local government/municipal law; has knowledge with regard to provisions of Federal transportation-related law under the U.S. Code and Code of Federal Regulations; has a working knowledge in Florida planning, zoning, and transportation law; and is knowledgeable with regard to Federal-State-Local transportation funding, planning, and general requirements of law; and

WHEREAS, the CONTRACTOR, and CONTRACTOR's lead counsel, has the expertise necessary to perform the duties and responsibilities outlined in this Agreement and the lead counsel under this Agreement will be Paul Gougelman, who has competently represented the MPOAC for almost 30 years.

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, the parties agree as follows:

ARTICLE 1. ENGAGEMENT OF THE CONTRACTOR. The MPOAC hereby agrees to engage the CONTRACTOR, and the CONTRACTOR agrees to perform the services set forth below. The CONTRACTOR understands and agrees that all services contracted for are to be performed solely by the CONTRACTOR and may not be subcontracted for or assigned without the prior written consent of the MPOAC Governing Board, the MPOAC's Governing Board Executive Committee, or the MPOAC Executive Director.

ARTICLE 2. SCOPE OF SERVICES.

A. The CONTRACTOR agrees under the direction of the MPOAC Chairman or MPOAC Executive Director to perform certain professional legal services as follows:

1. Draft proposed rules and rule amendments, resolutions, contracts, and correspondence;
2. Review and analyze AGENCY legal files, data, documents and other materials concerning the above matter and advise on a recommended legal course of action;
3. Prepare and file pleadings, motions, or briefs which may be required and represent the AGENCY in any related litigation;
4. Initiate and conduct discovery including depositions on behalf of the AGENCY and represent the AGENCY in discovery initiated by opposing parties;
5. Represent the AGENCY at trial or on appeal;
6. Attend and participate in meetings, conference calls, field trips or the like and report on the status of the legal matters;
7. Perform legal research and render legal advice;
8. Review and analyze MPOAC legal files, data, documents and other materials concerning the matters referenced in this paragraph A. and advise on a recommended legal course of action;

9. Act as an intermediary between the MPOAC and counsel for other agencies or legal entities; and

10. Perform other legal services as directed by the MPOAC Governing Board.

B. As CONTRACTOR deems appropriate and in specialized matters, the CONTRACTOR may recommend to the MPOAC use of special legal counsel for defined purposes. Generally, legal services under this Agreement will be performed by CONTRACTOR's lead counsel, Paul Gougelman.

C. The CONTRACTOR shall be bound by the requirements of Section 287.059, Florida Statutes, and Chapter 2-37, Florida Administrative Code. The CONTRACTOR shall represent no private individual or legal entity before the MPOAC in any proceeding or matter.

ARTICLE 3. TIME OF PERFORMANCE. This Agreement shall begin on July 1, 2024 and shall continue until June 30, 2025.

ARTICLE 4. CONSIDERATION.

A. Compensation - Fees and Expenses. Fees and expenses shall be paid in accordance with the provisions of ATTACHMENT A FOR PRIVATE ATTORNEY SERVICES.

B. Travel. Justified and reasonable travel expenses which are directly and exclusively related to the professional services rendered under this contract will be reimbursed in

accordance with Section 112.061, Florida Statutes. For the purpose of computing travel expenses, the CONTRACTOR's place of business shall be that listed in the preamble to this Agreement and all travel expenses shall be computed on that basis. Pursuant to Section 112.061, Florida Statutes, attorneys of the CONTRACTOR's firm, or as are named in this Agreement are approved counsel and are designated as authorized travelers during the life of this Agreement.

C. Sales Tax. The MPOAC is exempt from payment of Florida state sales and use taxes and Federal Excise tax. The CONTRACTOR, however, shall not be exempted from paying Florida state sales and use taxes to the appropriate governmental agencies or for payment by the CONTRACTOR to suppliers for taxes on materials used to fulfill its contractual obligations with the MPOAC. The CONTRACTOR shall not use the MPOAC's exemption number in securing such materials or services. The CONTRACTOR shall be responsible and liable for the payment of all its FICA/Social Security and other taxes resulting from this Agreement.

D. The CONTRACTOR shall not pledge the MPOAC's credit or make the MPOAC a guarantor of payment or surety for any contract, debt, obligation, judgment, lien, or any form of indebtedness.

E. Payment for services shall be issued in accordance with Section 215.422, Florida Statutes. Pursuant to Section 215.422(5), Florida Statutes (2023), the Department of Banking and Finance has established a Vendor Ombudsman to act as an advocate for vendors. The Vendor Ombudsman may be reached at (850) 410-9724 or by calling the State Comptroller Hotline, 1-800-848-3792. In accordance with the provisions of Section 287.0582, Florida Statutes, the State of Florida, MPOAC's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature, if the terms of this Agreement extend beyond the current fiscal year.

ARTICLE 5. DOCUMENTATION.

A. The CONTRACTOR shall submit monthly written invoices, in accordance with the requirements of Attachment A for Private Attorney Services, paragraph D, Format for Invoices, for all fees or other compensation for services or expenses in detail sufficient for a proper pre-audit and post-audit. All invoices shall be submitted to the Executive Director at the MPOAC office as set forth in the preamble to this Agreement.

B. The CONTRACTOR shall maintain a file(s), available for inspection by the MPOAC, containing documentation of all costs and fees incurred in connection with this Agreement. The file(s) shall be maintained for a period of two years after the cost or

fee is incurred by the CONTRACTOR, unless otherwise notified in writing by the MPOAC specifying the document which may be exempted from being maintained.

ARTICLE 6. PUBLIC RECORDS. All documents prepared pursuant to this Agreement are subject to Florida's Public Record Law. Refusal of the Contractor to allow public access to such records as required by such law shall constitute ground for unilateral cancellation of this Agreement by the MPOAC; provided, however that this Agreement shall not be terminated if the CONTRACTOR, pursuant to direction of the MPOAC governing board or the MPOAC Executive Director, withholds access to said public record, because it is confidential or exempt from disclosure pursuant to Federal or Florida law.

ARTICLE 7. TERMINATION OF AGREEMENT. The MPOAC governing board may terminate this Agreement for its convenience or cause by giving five (5) days written notice by certified mail to the CONTRACTOR, specifying the effective date of termination. If this Agreement is terminated, the CONTRACTOR shall be reimbursed for services satisfactorily performed subject to any damages sustained by the MPOAC. All finished or unfinished documents, data, studies, correspondence, reports and other products prepared by or for the CONTRACTOR under this Agreement shall be made available to and for the exclusive use of the MPOAC. Notwithstanding the above, the

CONTRACTOR shall not be relieved of liability to the MPOAC for damages sustained by the Agency by virtue of any termination or breach of this Agreement by the CONTRACTOR. The CONTRACTOR may terminate this Agreement upon thirty (30) days written notice.

ARTICLE 8. AMENDMENTS. Either party may, from time-to-time request changes to this Agreement, but this shall not bind the other party to agree to said amendment. Any changes must be mutually agreed upon and shall be incorporated in written amendments to this Agreement.

ARTICLE 9. INDEPENDENT CONTRACTOR. Consistent with the Code of Professional Responsibility, the CONTRACTOR, and any of its employees, agents, or assigns, are independent contractors and not employees or agents of the MPOAC. Nothing in this Agreement shall be interpreted to establish any relationship other than that of an independent contractor, between the MPOAC and the CONTRACTOR, its employees, agents, subcontractors, or assigns, during or after the performance of this Agreement.

ARTICLE 10. LIABILITY. The CONTRACTOR maintains a professional liability insurance policy or policies affording professional liability coverage for the professional services to be rendered under this Agreement.

ARTICLE 11. NONDISCRIMINATION AND COMPLIANCE. The CONTRACTOR shall comply with all Federal, state and local laws

and ordinances applicable to the work and shall not discriminate on the grounds of race, color, religion, sex, or national origin in the performance of work.

ARTICLE 12. ADMINISTRATION OF AGREEMENT.

A. The MPOAC contract administration is the MPOAC Executive Director. The CONTRACTOR contract administrator is Paul R. Gougelman. All written and verbal approvals referenced in this Agreement (unless otherwise specified as being required to be obtained from the MPOAC) must be obtained from the parties' contract administrators or their designees. All notices must be given to the parties' contract administrator. From time to time either party may notify the other, making a unilateral change in the person named by said party as the contract administrator for said party. This contract shall be governed by and construed under the laws of the State of Florida.

B. Any attorney of the firm with whom the CONTRACTOR is affiliated may provide legal representation under this Agreement to the MPOAC, its officers and employees. The CONTRACTOR may refer work under this contract to attorneys in the CONTRACTOR's law firm.

C. The names of the addresses of the parties or their Contract Administrators may be unilaterally changed from time to time by giving notice to the other party to this Agreement.

ARTICLE 13. AGREEMENT AS INCLUDING ENTIRE AGREEMENT. This instrument, including any attachments, embodies the entire Agreement of the parties. There are no other provisions, terms, conditions, or obligations. This Agreement supersedes all previous oral or written communications, representations, or agreements on this subject.

ARTICLE 14. SPECIAL CONDITIONS. The CONTRACTOR agrees to permanently refrain from using or mentioning its association with the MPOAC in advertisements, letterhead, business cards, etc. The MPOAC's services to the MPOAC may be generally described in the CONTRACTOR's professional resume. The CONTRACTOR may not give the impression in any manner that the MPOAC recommends or endorses the CONTRACTOR. All contacts with the news media pertaining to the subject of this Agreement shall be referred to the MPOAC contract administrator. Anything, by whatsoever designation it may be known, that is produced by or developed in connection with this Agreement shall remain the exclusive property of the MPOAC and may not be copyrighted, patented, or otherwise restricted as provided by law. Neither the CONTRACTOR nor any other individual employed under this Agreement shall have any proprietary interest in any product(s) developed or delivered under this Agreement.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the date set forth below.

MPOAC:

FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL, a Council of the State of Florida organized and existing pursuant to Section 339.175(11), Florida Statutes

By: _____
Mayra Uribe, its
Chair

ATTEST: _____
Mark Reichert,
Agency Clerk

CONTRACTOR:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L., a Florida Professional Limited Liability Company

By: _____
Joseph H. Serota, Member

OFFICE OF THE ATTORNEY GENERAL
ATTACHMENT A FOR
PRIVATE ATTORNEY SERVICES

A. SCOPE OF SERVICES.

The CONTRACTOR shall:

1. Draft proposed rules and rule amendments, resolutions, contracts, and correspondence;
2. Review and analyze AGENCY legal files, data, documents and other materials concerning the above matter and advise on a recommended legal course of action;
3. Prepare and file pleadings, motions, or briefs which may be required and represent the AGENCY in any related litigation;
4. Initiate and conduct discovery including depositions on behalf of the AGENCY and represent the AGENCY in discovery initiated by opposing parties;
5. Represent the AGENCY at trial or on appeal;
6. Attend and participate in meetings, conference calls, field trips or the like and report on the status of the legal matters;
7. Perform legal research and render legal advice;
8. Review and analyze MPOAC legal files, data, documents and other materials concerning the matters referenced in this paragraph A. and advise on a recommended legal course of action;
9. Act as an intermediary between the MPOAC and counsel for other agencies or legal entities; and
10. Perform other legal services as directed by the MPOAC Governing Board.

B. COMPENSATION-FEES.

1. The AGENCY shall be billed in accordance with the rate set forth in Attachment A. Fees shall not exceed \$290.00 per hour for work by the Contractor or attorneys named in this Agreement, and fees in excess of such amount shall not be compensable. The CONTRACTOR shall notify the AGENCY, in writing, when fees for billable services reach \$27,000.00, including costs. Said notification shall be made as soon as is practical and prior to the next monthly invoice. Failure to comply with these provisions will result in non-payment.

2. Billable hours shall be measured in one-tenth hour increments. For example, a telephone conversation lasting 6 minutes shall be recorded on billings to the AGENCY as .1 hours. All time shall be rounded up to the next highest one-tenth hour increment. For example, a telephone call lasting 8 minutes would be rounded up to .2 hours, and the billings to the AGENCY would depict the telephone call as being billed for .2 hours. Except as provided above, compensation of attorney hours will be for actual time spent providing attorney services to the AGENCY.

3. Premium rates will not be paid for overtime work.

4. Attorney time while traveling will be compensated at 75 percent of the hourly rates reflected in Attachment A. This compensation does not include compensation for cost of travel.

5. Telephone conversations will be billed as follows. For a telephone call made by the CONTRACTOR but not reaching the person called or leaving a message to call back, no charge shall be made. For a short telephone conversation, a minimum charge of .2 hours or two-tenths of an hour time will be made. For a long telephone conversation, a minimum charge of .3 hours or three-tenths of an hour time will be made. For telephone conversations lasting in excess of .3 hours or 18 minutes, the call will be charged based on the actual time spent on the telephone conversation, expressed in tenths of an hour as provided in paragraph B.2. above.

C. COMPENSATION COSTS.

1. Reimbursement of costs for such items as exhibits, transcripts and witness fees requires prior oral authorization by the MPOAC and shall be reimbursed based upon documented third party

vendor charges. The MPOAC shall not pay for firm surcharges added to third party vendor charges.

2. Routine expenses such as local (Ft. Lauderdale) phone calls, local (Ft. Lauderdale) facsimile transmissions, local (Ft. Lauderdale) travel expenses, and local (Ft. Lauderdale) courier, word processing, and clerical or secretarial services are overhead and will not be separately compensated.

3. Non-routine office overhead expenses such as long-distance phone calls, long distance facsimile transmissions, long distance courier services, bulk mailings, bulk third party copying, postage, copy work, computer assisted legal research, routine postage, copy work, blueprints, x-rays, photographs must be justified to the MPOAC and shall be reimbursed based on documented third party vendor charges. If these charges exceed \$1,000.00 per bill, prior written approval from the MPOAC's contract administrator must be obtained. In-house bulk mailings and bulk copying expenses must be supported by usage logs or similar documentation. Firm surcharges are not reimbursable.

4. The CONTRACTOR shall only bill the MPOAC for a proportionate share of the cost of legal research, attending hearings or engaging in client representation of any type which is applicable to other clients.

5. The Contractor shall only bill the MPOAC for a proportionate share of the cost of legal research, attending hearings or engaging in client representation of any type which is applicable to other clients.

6. Reimbursable costs shall not exceed \$3,000.00 under this AGREEMENT. The CONTRACTOR shall notify the AGENCY contract administrator when costs reach \$2,500.00. Said notification shall be made as soon as is practicable and prior to the next monthly invoice.

D. FORMAT FOR INVOICES.

1. Generally, the MPOAC will be billed on a monthly basis, unless the billing for any one month is less than \$100. Each statement for fees and costs shall be submitted in one copy, after the services have been rendered, in a format that includes, at a minimum, the following information:

- a. Case name and number, if applicable, or other legal matter reference;
- b. Invoice number for the particular bill;
- c. CONTRACTOR taxpayer identification number;
- d. CONTRACTOR and MPOAC contract administrators' names;
- e. Inclusive dates of the month covered by the invoice;
- f. Itemization of the date; hours billed (if hourly); a concise, meaningful description of the services rendered, with sufficient detail to enable the AGENCY to evaluate the services rendered and costs; the person(s) who performed the services for each day during which the CONTRACTOR performed work; their hourly rate (if hourly) as specified in Attachment A, and any billing rate that is for some reason different from the one furnished in Attachment A, e.g., travel at a reduced hourly rate.
- g. A listing of all invoiced costs to be accompanied by copies of actual receipts.
- h. The total of only the current bill. Prior balances or payment history should be shown separately, if at all.
- i. Any other information as may be requested by the AGENCY's contract administrator.

E. ADMINISTRATION OF AGREEMENT.

- 1. The AGENCY contract administrator is the AGENCY Executive Director.
- 2. The CONTRACTOR contract administrator is Paul Gougelman.
- 3. All oral approvals referenced in this AGREEMENT must be obtained from the parties' contract administrators or their designees. All notices must be given to the parties' contract administrators.
- 4. This contract shall be governed by and construed under the laws of the State of Florida.

F. OTHER AVAILABLE SERVICES.

Upon receiving approval from the MPOAC, the CONTRACTOR shall use existing MPOAC agreements, when available and cost effective, to acquire services (e.g., computer assisted legal research) and the assistance of professionals (e. g., court reporters, expert witnesses) at reduced rates.

G. PUBLIC RECORDS.

All documents prepared pursuant to the Agreement are subject to Florida's Public Record Law. Refusal of the CONTRACTOR to allow public access to such records as required by such law shall constitute ground for unilateral cancellation of this Agreement by the MPOAC; provided, however that this Agreement shall not be terminated if the Contractor, pursuant to direction of the MPOAC governing board or the MPOAC Executive Director, withholds access to said public record, because it is confidential or exempt from disclosure pursuant to Federal or Florida law.

1. The CONTRACTOR agrees to keep and maintain public records in the CONTRACTOR's possession or control in connection with the CONTRACTOR's performance under this Agreement. The CONTRACTOR additionally agrees to comply specifically with the provisions of Section 119.0701, Florida Statutes. The CONTRACTOR shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the Agreement, and following completion of the Agreement until the records are transferred to the MPOAC.

2. Upon request from the MPOAC's custodian of public records, the CONTRACTOR shall provide the MPOAC with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by Chapter 119, Florida Statutes, or as otherwise provided by law.

3. Unless otherwise provided by law, any and all records, including but not limited to reports, surveys, and other data and documents provided or created in connection with this Agreement are and shall remain the property of the MPOAC.

4. Upon completion of this Agreement or in the event of termination by either party, any and all public records relating to the Agreement in the possession of the CONTRACTOR shall be delivered by the CONTRACTOR to the MPOAC, at no cost to the MPOAC, within seven (7) days (unless the MPOAC already has copies of those public records). Unless the MPOAC already has copies of those public records, all such records stored electronically by the CONTRACTOR shall be delivered to the MPOAC in a format that is compatible with the MPOAC's information technology systems. Once the public records have been delivered upon completion or termination of this Agreement, the CONTRACTOR shall destroy any and all duplicate public records that are exempt or confidential and exempt from public records disclosure requirements.

5. Any compensation due to the CONTRACTOR shall be withheld until all records are received as provided herein.

6. The CONTRACTOR's failure or refusal to comply with the provisions of this section shall result in the immediate termination of this Agreement by the MPOAC.

**7. Section 119.0701(2)(a), Florida Statutes
IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION
OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S
DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT,
CONTACT THE CUSTODIAN OF PUBLIC RECORDS.**

Custodian of Records: Mark Reichert

MPOAC Executive Director

Mailing address: 605 Suwannee Street - MS-28B

Tallahassee, Florida 32399-0450

H. SPECIAL CONDITIONS.

1. The CONTRACTOR will make affirmative efforts to achieve cost effectiveness by consolidating court hearings, limiting travel, streamlining case processing, using printed forms, using the appropriate level of attorney or staff experience required by task, and taking other actions to improve efficiency.

2. Multiple staffing at meetings, hearings, depositions, trials, etc., by the Contractor will not be compensated unless prior written approval from the MPOAC has been obtained.

3. The Contractor agrees that all documents shall be promptly returned at the termination of the Contractor's involvement in the case or matter at hand.

4. MPOAC in-house staff shall be used in legal matters to the maximum extent possible.

5. The CONTRACTOR will provide immediate notice by facsimile transmission or telephone regarding significant case developments which will likely result in media inquiries.

6. The CONTRACTOR shall provide the MPOAC immediate notice of any representation undertaken by the CONTRACTOR in matters where the client is suing or being sued by the state or state entities in any civil or adversarial administrative action.

FEE SCHEDULE

I. HOURLY BILLING SCHEDULE:

A. The CONTRACTOR's attorney and paralegal staff to be used under this contract include the following individuals at the hourly rates indicated:

NAME	Hourly Rate
1. Paul Gougelman (lead counsel)	\$290.00
2. Alan Gabriel (alternate)	\$290.00
3. David Tolces (general work)	\$290.00
4. Daniel Abbott (litigation)	\$290.00
5. Matt Mandel (litigation)	\$290.00
6. Milton Collins (labor)	\$290.00
7. Robert Meyers (ethics and procurement)	\$290.00

The above rates may be adjusted if both parties agree and shall be documented in writing by amendment to this Agreement.

II. ALTERNATE BILLING SCHEDULE: NONE.

Exhibit A
Task Work Order 1
Florida Metropolitan Planning Organization Advisory Council Support

Task Work Order Number: 1
MPOAC Task Manager: Mark Reichert
Authorized Amount: \$250,000.00 (Maximum Limiting Amount)
Contract No.: CAI21
Financial Identification No.: 439339-5-12-01
Project Description: MPOAC Support
Completion Date: June 30, 2025

PURPOSE

This Task Work Order (TWO) provides a specific definition of the work to be performed by Cambridge Systematics, Inc. (Primary) and Renaissance Planning Group (Consultant) on behalf of the Metropolitan Planning Organization Advisory Council (MPOAC) to perform a variety of planning, technical and research assistance. The MPOAC Executive Director and the Renaissance Planning Group Contract Manager will agree upon the specific project activities to be performed as part of this TWO.

SERVICES TO BE PERFORMED

The Consultant will provide general support services to augment the staff of the MPOAC in performing various tasks. The assignments under this TWO may include the following activities:

- **MPOAC Weekend Training Institutes for MPO Board Members:**
 - The MPOAC Weekend Institute for MPO Board Members offers an unparalleled opportunity for elected officials to enhance their understanding of MPO practices and processes. Renaissance Planning will conduct up to three immersive Weekend Institute sessions.
 - Through the Weekend Institute, Renaissance Planning will provide comprehensive training to help MPO Board Members develop the skills and knowledge necessary to succeed. The Weekend Institute sessions will be held in a retreat environment, free from the usual interruptions and demands of local elected officials, so that Board Members can fully focus on their learning and development. The sessions will aim to be conveniently located to maximize participation by all MPOs.
 - Throughout the Weekend Institute, attendees can connect with their peers by participating in facilitated discussions that enhance their knowledge and broaden their perspectives, ultimately enabling them to make better decisions and drive greater success for their community.
 - At the conclusion of each Weekend Institute, attendees will understand MPO practices and processes and be equipped with necessary fundamentals to excel in their roles.

- **Core Products:** There are several core products that help to define the MPOAC’s mission, purpose, objectives, and work. Renaissance Planning will support MPOAC staff in developing the Strategic Directions Plan, the Unified Planning Work Program (UPWP), and the MPOAC’s annual report. With these core products, the MPOAC can ensure its efforts align with its mission, and the organization can proceed with intention and focus.
 - The **Strategic Directions Plan** is the MPOAC’s roadmap; it captures the organization’s mission, goals and objectives. Renaissance Planning will support the MPOAC in updating the Strategic Directions Plan to reflect focused and achievable goals and incorporate maximum cooperation with MPOs, FDOT and other partner agencies. In addition, Renaissance Planning will support MPOAC staff in identifying processes, products and solutions that advance the goals and objectives of the Strategic Directions Plan and improve its overall effectiveness.
 - The **UPWP** is a blueprint of all the MPOAC’s tasks and budget over the next two years to be undertaken with Federal funds. The UPWP is updated every other year and can be amended as needed. Renaissance Planning will provide needed support and guidance to ensure that UPWP updates meet requirements and align with the MPOAC’s mission and planned goals.
 - The **MPOAC’s Annual Report** provides an overview of the organization’s achievements, challenges and goals over the past year. It is a key tool for communicating the MPOAC’s impact and value to stakeholders and partners. Renaissance Planning will support the MPOAC in developing an annual report. The annual report will provide a clear picture of the MPOAC’s progress in achieving its mission and goals and highlight areas where additional work may be needed. By doing so, the annual report can help build trust, credibility, and support for the MPOAC’s ongoing work to drive positive change.

- **Research and Planning Support:** Research and planning support is a critical component of the MPOAC’s work that helps to ensure that the organization: remains ahead of emerging trends and best practices; builds credibility and influence as a thought leader; informs and guides the MPOAC’s decision-making and programmatic activities; and supports MPOs in their operations, decision-making, planning, and programming. Renaissance Planning will prepare work products and provide planning research and analysis, as requested, in support of the following ongoing activities:
 - Identify and synthesize notable practices and prepare other research reports and studies to support the mission and goals of the MPOAC.
 - Review and analyze proposed transportation-related regulatory and legislative proposals and develop policy statements, letters, papers, presentations, and draft legislative language in support of the mission and goals of the MPOAC when necessary.
 - Assist, advise and provide technical support to the MPOAC members related to various aspects of MPO operations, decision-making, planning, and programming, with knowledge and consent of the MPOAC Executive Director.

- **Additional Support:** MPOAC staff oversee a myriad of tasks and activities. Renaissance Planning will support MPOAC staff, the Governing Board, and Committees in preparing work products and providing requested planning research, guidance, and analysis, as requested, including:

- **Meeting Support** – Meetings are a key activity of the MPOAC. Renaissance Planning will provide support as needed, assisting in preparing relevant meeting materials (agendas, agenda packages, handouts, presentations, etc.), handling technical aspects of the meetings, and prepare meeting minutes.
- **Website Support, Maintenance and Development** – The MPOAC website is an important tool for sharing information, engaging with members and showcasing the organization’s impact and value to the broader community. It is important to prioritize ongoing maintenance, support and development to ensure that the MPOAC’s website remains a robust and effective platform with timely content. This may include updating content, optimizing the user experience and integrating new features and functionality. The following activities will occur continuously through the life of this task work order:
 - Updating the transportation news sections of the website.
 - Developing and maintaining all maps using an automated GIS-based software package.
 - Maintaining and updating web links, committee member names, news articles, documents, MPO contact information, meeting information and materials, and all other digital content currently residing on the MPOAC website.
 - Assisting with other website-related work products and activities, as agreed upon by the MPOAC Executive Director and the Renaissance Planning Project Manager.
- **Other Support** – Renaissance will provide other support as needed to ensure the organization operates effectively and efficiently. The MPOAC must be able to rely on consultant staff for a wide array of support, sometimes in areas unanticipated in this TWO. Should the need arise, consultant staff will undertake unanticipated work products and activities, as agreed upon by the MPOAC Executive Director and the Renaissance Planning Project Manager.

PRODUCTS/DELIVERABLES

All deliverables must be provided in an acceptable format, which may include Microsoft Word, Excel, PowerPoint, .pdf, or another electronic format acceptable to the MPOAC. All deliverables must be in print-ready formats and ready to post electronically. All images must be approved by the Task Manager before use/publication and must pertain to or be in Florida unless the Task Manager agrees to specific exceptions/reasons.

Deliverables must be grammatically correct, free from typographical errors, and in an MPOAC-approved style. Payment is contingent upon the quality and acceptability of the deliverables.

PRODUCT or ACTIVITY	TARGET DATE
Assist with the review, update and publishing of Legislative Priorities	Annually
MPOAC Weekend Institute training and support, presentations, training materials, meeting summary	Three Institutes Annually
MPOAC meeting support, presentations, meeting materials, note-taking, and developing minutes (Executive Committee, Governing Board, Staff Directors, Noteworthy Practices Working Group, Policy & Technical Committee, Freight and Rail, and others as-needed)	As Needed
UPWP revisions and technical support	As Needed

Census impact analysis on MPOs	As Needed
Assist with revision of MPOAC Strategic Directions Plan	As Needed
Assist with revision of MPOAC Annual Report	As Needed
Occasional MPO analysis, document reviews, presentation development, and policy analysis	As Needed
MPOAC Website support	As Needed

Additional Requirements: The Rehabilitation Act of 1973 prohibits discrimination based on disability in programs conducted by Federal agencies, in programs receiving Federal financial assistance, in Federal employment and in the employment practices of Federal contractors. Section 508 establishes requirements for electronic and information technology developed, maintained, procured, or used by the Federal government. In addition, section 508 requires Federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public.

While these standards currently apply to the federal government, it is the direct responsibility of Florida state government agencies and their Web designers and developers to become familiar with these accessibility guidelines and apply these principles in designing and creating any official State of Florida website. All Florida State Government websites must comply with Section 508 to ensure easy access to government information for the widest possible audience. Therefore, all deliverables related to this TWO planned to be shared publicly shall comply with Section 508. The functional performance criteria require those technologies with:

- Visual modes also are usable with limited vision and without vision or color perception;
- Audible modes also are usable with limited hearing and without hearing;
- Speech-based modes for input, control, or operation also be usable without speech;
- Manual operation modes also are usable with limited reach and strength and without fine motor control or simultaneous manual operations; and
- Have features making its use simpler and easier for people with limited cognitive, language, and learning abilities.

STAFFING

A staffing table appears in Exhibit B. The following staff are identified as key staff and substitution must be agreed to and approved by the MPOAC Executive Director:

Renaissance Planning Group: Ysela Llort, Frank Kalpakis, Jennifer Stults, Nicole Estevez

SCHEDULE

The Consultant will proceed with the work upon the issuance of the TWO. All tasks associated with this TWO shall be completed by June 30, 2025.

REIMBURSEMENT METHOD

The compensation for this TWO shall be the Maximum Limiting Amount Fee Method under the Consultant Agreement. The Consultant shall invoice for this TWO, services based upon staff hours and average salary per occupational group. Exhibit "B" (below) shows an estimate of the work effort, rates and staffing fee.

Exhibit B
Task Work Order 1 – Amendment 1

Cambridge Systematics

Job Classification	Staff	Loaded Rate	Hours	Dollars
Chief Planner		379.49	16	\$ 6,071.84
Subtotal				\$ 6,071.84

Renaissance Planning Group

Job Classification	Staff	Loaded Rate	Hours	Dollars
Chief Planner	Ysela Llort	299.98	180	\$ 53,996.40
Chief Planner	Frank Kalpakis	299.98	180	\$ 53,996.40
Chief Planner	Jennifer Stults	299.98	100	\$ 29,998.00
Senior Planner	Amanda Chornoby	173.54	84	\$ 14,577.36
Senior Planner	Nicole Estevez	173.54	222	\$ 38,525.88
Senior Planner	Asa Eslocker	173.54	50	\$ 8,677.00
Project Planner	Chase Kea	125.75	42	\$ 5,281.50
Project Planner	Zachary Hanson	125.75	80	\$ 10,060.00
Project Planner	Debora Slaski	125.75	60	\$ 7,545.00
Project Planner	Joel Lehman	125.75	25	\$ 3,143.75
Project Planner	Aaron Weinstock	125.75	50	\$ 6,287.50
Planner	Kohl Malo	107.47	25	\$ 2,686.75
Secretary/Clerical	Allison Sinclair	108.22	84	\$ 9,090.48
Subtotal				\$ 243,866.02

Summary of Estimated Costs	
Subtotal – Resource Systems Group	\$ 6,071.84
Subtotal – Renaissance Planning Group	\$ 243,866.02
Total Amount	\$ 249,937.86

Item Number 4

Committee Reports (Freight and Rail Committee)

DISCUSSION:

Bryan Caletka, Broward MPO, will give a brief summary of the MPOAC Freight and Rail Committee meeting held earlier in the morning.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None.

Item Number 5

Strategies for the 2025 Legislative Session

DISCUSSION:

The 2024 Legislative Session proved to be very challenging for the MPOs and the MPOAC. Although the bills that would have negatively impacted the MPOs/MPOAC died on the last day of Session, we expect the issues to return next year. We need to develop strategies to inform legislative policy makers of the planning process and the role the MPOs and the MPOAC play in that process.

REQUESTED ACTION:

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

ATTACHMENTS:

None.

Item Number 6

Call to Order & Pledge of Allegiance

DISCUSSION:

Chair Uribe will open the Joint meeting of the MPOAC Governing Board and Staff Directors' Advisory Committee meeting and a quorum will be determined. All are asked to rise for the Pledge of Allegiance.

REQUESTED ACTION:

None requested.

ATTACHMENT:

None.

Item Number 7

Public Comments (non-agenda items)

DISCUSSION:

Recommendations or comments by the public.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None.

Item Number 8

MPOAC Governing Board Action Items

DISCUSSION:

Mark Reichert, Executive Director for the MPOAC, will present the FY 24/25-25/26 UPWP, the FY 24/25 Contract for Legal Services, and the FY 24/25 contract for consultant services for approval. Paul Gougelman will conduct the elections to fill the open seats for Vice Chair and At-large member of the Executive Committee.

REQUESTED ACTION:

Approval of Minutes from the January 25, 2024, Joint meeting of the MPOAC Governing Board and Staff Directors' Advisory Committee. Vote on the FY 24/25-25/26 UPWP, the FY 24/25 Contract for Legal Services, and the FY 24/25 contract for consultant services. Elections for Offices of the Vice-Chair and At-large member of the Executive Committee. Appointment of members to the MPOAC Policy and Technical Committee.

ATTACHMENTS: (see Item #3)

Minutes of the January 25, 2024, Joint meeting of the MPOAC Governing Board and Staff Directors' Advisory Committee
FY 24/25-25/26 UPWP
FY 24/25 Contract for Legal Services
FY 24/25 Contract for Consultant Services.

Item Number 9

Executive Director's Business Items

DISCUSSION:

Mark Reichert, MPOAC Executive Director, will be presenting the MPOAC budget report, 2024 Legislative Session Recap, and briefing the members on the decision to move the July 25th MPOAC Meeting, lessons learned from NCAMPO Annual Conference, and the Safe Mobility for Life Coalition effort. He will also provide an update to the new Noteworthy Practices Portal on the MPOAC Website.

REQUESTED ACTION:

As may be desired.

ATTACHMENTS:

MPOAC Budget Report
Legislative Bills Summary
Safe Mobility for Life Flyer

Florida Metropolitan Planning Organization Advisory Council
FY 2023/2024 Budget
July 1, 2023 to June 30, 2024

Category	Annual Allocation (100% PL Funds)	1st Qtr Expenditures 7/1/23-9/30/23	2nd Qtr Expenditures 10/1/23-12/31/23	3rd Qtr Expenditures 1/1/24-3/31/24	4th Quarter Expenditures 4/1/24-6/30/24	Expenditures to Date	Percent of Budget Expended	Remaining Balance
Operating Budget (PL Funds)								
Salaries/Benefits	\$261,170.00	\$51,636.16	\$64,560.59	\$56,460.33		\$172,657.08	66.11%	\$88,512.92
Expenses	\$55,000.00	\$12,859.16	\$9,060.74	\$18,232.76		\$40,152.66	73.00%	\$14,847.34
Travel		\$4,925.90	\$7,012.46	\$5,394.99		\$17,333.35		
Supplies		\$281.02	\$233.10	\$72.42		\$586.54		
Communications		\$127.24	\$232.68	\$153.65		\$513.57		
Property Rental		\$2,790.00	\$0.00	\$7,906.20		\$10,696.20		
Equipment Rental		\$4,560.00	\$832.88	\$3,355.17		\$8,748.05		
Subscriptions/Registration/Training		\$175.00	\$749.62	\$1,350.33		\$2,274.95		
Contracted Services	\$23,000.00	\$2,820.56	\$6,935.67	\$7,026.83		\$16,783.06	72.97%	\$6,216.94
General Counsel	\$22,000.00	\$2,771.00	\$6,822.55	\$6,924.35		\$16,517.90		\$5,482.10
Public Service (Meeting) Notices	\$1,000.00	\$49.56	\$113.12	\$102.48		\$265.16		\$734.84
Total Operating Budget	\$339,170.00	\$67,315.88	\$80,557.00	\$81,719.92	\$0.00	\$229,592.80	67.69%	\$109,577.20
Work Program Budget (PL Funds)								
Consultant Services	\$250,000.00	\$0.00	\$73,076.52	\$52,208.97		\$125,285.49	50.11%	\$124,714.51
Renaissance Planning Group*								
MPOAC Weekend Institute								
MPOAC Membership Dues	\$199,556.65	\$110,056.65	\$88,000.00	\$1,500.00		\$199,556.65	100.00%	\$0.00
AMPO	\$110,056.65	\$110,056.65	\$0.00	\$0.00		\$110,056.65		\$0.00
NARC	\$80,000.00	\$0.00	\$80,000.00	\$0.00		\$80,000.00		\$0.00
FBT	\$1,000.00	\$0.00	\$0.00	\$1,000.00		\$1,000.00		\$0.00
MBUFA	\$7,500.00	\$0.00	\$7,500.00	\$0.00		\$7,500.00		\$0.00
ITS Florida	\$500.00	\$0.00	\$0.00	\$500.00		\$500.00		\$0.00
FPTA	\$500.00	\$0.00	\$500.00	\$0.00		\$500.00		\$0.00
Total Work Program Budget	\$449,556.65	\$110,056.65	\$161,076.52	\$53,708.97	\$0.00	\$324,842.14	72.26%	\$124,714.51
Total Budget	\$788,726.65	\$177,372.53	\$241,633.52	\$135,428.89	\$0.00	\$554,434.94	70.29%	\$234,291.71

MPOAC YEAR-END LEGISLATIVE SUMMARY OF THE 2024 FLORIDA LEGISLATIVE SESSION

OVERVIEW

We are pleased to share the MPOAC year-end legislative summary for the 2024 Florida Legislative Session. This document contains summaries of legislation relevant to metropolitan planning organizations (MPOs) and transportation planning. First is a summary of the bills that passed, followed by those that did not.

The bills are listed in numerical order within their category. The following two tables provide an overview of the bills contained in this summary. The tables include the bill number, title, related bills (or reference to companion bills that passed), status, the last action, date of last action, and the page number within this document containing a summary of the bill’s key points. Furthermore, the bill number includes a hyperlink directly to the Florida Senate webpage for that specific bill, and the page number contains a hyperlink to the bill summary in this document.

BILLS- PASSED

Bill	Title	Status	Related Bills	Last Action	Date of Last Action	Page
HB 287	Transportation (Industry Bill)	Passed	SB 1226 HB 1301 SB 266	Ordered enrolled	3/5/2024	3
HB 317	Interstate Safety	Passed	SB 258	Ordered enrolled	2/22/2024	4
HB 479	Alternative Mobility Funding Systems	Passed	SB 688	Ordered enrolled	3/4/2024	5
HB 1133	Violations Against Vulnerable Road Users	Passed	SB 1528	Ordered enrolled	3/6/2024	6
HB 1301	Department of Transportation (FDOT Bill)	Passed	SB 266 HB 287 SB 1032 SB 1226 SB 1362 HB 7049	Approved by Governor	4/3/2024	6
HB 7073	Taxation	Passed	SB 328 HB 337 SB 378 HB 635 HB 769 SB 820 HB 1001 SB 1030 SB 1166 HB 1183 HB 1239 HB 1481 SB 1678 SB 1770 SB 7074	Ordered enrolled	3/8/2024	8

BILLS - DID NOT PASS

Bill	Title	Status	Last Action	Date of Last Action	Page
SB 28	License Taxes	Did Not Pass	Died in Appropriations	3/8/2024	10
HB 107	Impact of Electric Vehicles and Plug-in Hybrid Electric Vehicles	Did Not Pass	Died on Second Reading Calendar	3/8/2024	10
SB 258	Interstate Safety	Did Not Pass	Laid on Table, refer to HB 317	2/22/2024	10
SB 266	Transportation (Industry Bill)	Did Not Pass	Laid on the Table, refer to HB 287 and HB 1301	3/5/2024	11
SB 688	Alternative Mobility Funding Systems	Did Not Pass	Laid on Table, refer to HB 479	3/4/2024	11
HB 981	Aviation	Did Not Pass	Died in returning Messages	3/8/2024	11
SB 1032	Transportation	Did Not Pass	Died in Appropriations, refer to HB 1301	3/8/2024	12
HB 1091	Bay County	Did Not Pass	Died in Local Administration, Federal Affairs & Special Districts Subcommittee	3/8/2024	12
SB 1226	Department of Transportation (FDOT Bill)	Did Not Pass	Laid on the Table, refer to HB 287 and HB 1301	3/6/2024	12
HB 1275	Strategic Transportation Infrastructure Investment	Did Not Pass	Died in Transportation & Modals Subcommittee	3/8/2024	14
SB 1362	Aviation	Did Not Pass	Laid on Table, refer to HB 1301	3/5/2024	15
HB 1481	Taxes, Licenses, and Fees	Did Not Pass	Died in the Ways & Means Committee, refer to HB 7073	3/8/2024	15
HB 1487	Pinellas Suncoast Transit Authority, Pinellas County	Did Not Pass	Died in Rules	3/8/2024	15
SB 1506	Strategic Infrastructure Investment Plan	Did Not Pass	Died in Transportation	3/8/2024	16
SB 1528	Violations Against Vulnerable Road Users	Did Not Pass	Laid on Table, refer to HB 1133	3/6/2024	17
SB 1678	Taxes, Fines, and Fees	Did Not Pass	Died in Transportation, refer to HB 7073	3/8/2024	17
HB 7049	Transportation	Did Not Pass	Died in Appropriations, refer to HB 1301	3/8/2024	18

HB 287 TRANSPORTATION (INDUSTRY BILL)

HB 287 addresses various transportation-related provisions. Specifically, the bill includes the following:

- This bill prohibits the Florida Department of Transportation (FDOT) from annually committing more than 20 percent of the revenues derived from state motor fuel taxes and motor vehicle license-related fees to public transit projects and specifies exceptions to this limit.
- The number of basic driver improvement courses an individual may take during their lifetime increases from five to eight.
- Requires the Department of Highway Safety and Motor Vehicles to review changes made to traffic laws annually and modify the course content for specified driving courses to reflect such changes.
- Amends provisions relating to FDOT’s authority regarding public-private partnerships to:
 - Replace the term “public-private partnership agreement” with “comprehensive agreement.”
 - Require an “independent” instead of an “investment grade” traffic and revenue study prepared by a traffic and revenue expert, which must be accepted by national bond rating agencies for the financing that supports the comprehensive agreement for the project.
 - Revise the timeframe to between 30 and 120 days, based on the project’s complexity, during which FDOT will accept other proposals for the same project after it receives an unsolicited public-private partnership proposal.
 - Authorize FDOT to enter into an interim agreement with a private entity proposing the development or operation of a qualifying project and provide provisions that may be included in the interim agreement.
 - Limits FDOT secretary’s ability to authorize a comprehensive agreement term of up to 75 years to projects wholly or partially funded from project user fees.
 - FDOT must notify the Division of Bond Finance before entering into an interim or comprehensive agreement.
- Provides that a local governmental entity may not deem reclaimed asphalt pavement solid waste.
- FDOT must receive at least three letters of interest to proceed with requests for proposals for both design-build and phased design-build projects.
- This bill revises provisions requiring a motor vehicle used in the performance of road or bridge construction or maintenance work for an FDOT project to be registered in compliance with Florida law.
- Authorizes FDOT to allow the issuance of multiple contract performance and payment bonds for phased design-build contracts.

- This provision provides that a claimant must institute an action against a contractor or surety within 365 days after the performance of the labor or delivery of the materials or supplies instead of after completion of the contract work.
- Revises a presumption of sole proximate cause on the part of a driver of a vehicle involved in a crash within a construction zone to exclude low-THC cannabis.
- Defines the terms “contract documents,” “contractor,” “design engineer,” and “traffic control plans” as they relate to limitations on liability for FDOT’s contractors and design engineers.
- Expands contractor limits of liability for personal injury, property damage, or death arising from specified performance of work on a transportation facility or from specified acts or omissions of a third party.
- Revises the application of immunity when the proximate cause of the injury, damage, or death is a latent condition, defect, error, or omission created by the contractor and in the contract documents or when the proximate cause was the contractor’s failure to perform, update, or comply with the maintenance of traffic control plans, instead of with the traffic safety plan.
- Revises provisions regarding when FDOT, a contractor, or a design engineer may not be named on a jury verdict form or be found at fault for the injury, death, or damage.
- Provides that within ten years after FDOT acquires a property, if the previous owner wishes to reacquire it, they must notify the appropriate FDOT district secretary of their interest to receive the right of first refusal if FDOT wishes to dispose of the property.
- Provides requirements for an interlocal agreement regarding a fire station on Alligator Alley.
- This bill requires the local governmental entity operating the fire station on Alligator Alley to provide specified information to FDOT and to review and adopt this information as part of the interlocal agreement.
- The FDOT work program and the local governmental entity’s budget and capital comprehensive plan must include funding for the fire station on Alligator Alley.
- Codifies FDOT’s existing local agency program into law and provides statutory requirements.

HB 287 passed the House on 3/1/2024, as amended, and subsequently passed the Senate on 3/5/2024. The bill’s effective date is 7/1/2024.

HB 317 INTERSTATE SAFETY

HB 317 focuses on the regulation of driving in the left-most lane on certain highways. Here are the key elements of HB 317:

- **Definition of "Furthermost Left-hand Lane":** The bill clarifies which lane is considered the "furthermost left-hand lane" for the new rules. This term excludes high-occupancy-vehicle (HOV) or designated left-turn lanes. Essentially, the "furthermost left-hand lane" refers to the left-most lane used for through traffic.

- **Conditions for Using the Left-most Lane:** The new legislation specifies that the left-most lane on applicable roadways can only be used under certain conditions:
 - Overtaking and Passing: The lane should primarily be used for passing other vehicles in the right lane(s).
 - Preparing to Exit: If a driver needs to exit the highway and the exit is on the left, they may use this lane.
 - Directed by Traffic Signs or Signals: If specific signs or traffic controls direct the use of the left lane, it may be used as specified by those signals.
- **Exceptions:** The rules do not apply to authorized emergency vehicles or those engaged in highway maintenance and construction. These vehicles can use the leftmost lane as necessary for their operations.
- **Enforcement and Penalties:** Violating these lane usage rules constitutes a noncriminal traffic infraction, treated as a moving violation. This aligns with general traffic law enforcement practices and aims to encourage compliance through standard traffic penalties.

HB 317 passed the House on 2/15/2024 and the Senate on 2/22/2024. The bill's effective date is 1/1/2025.

HB 479 ALTERNATIVE MOBILITY FUNDING SYSTEMS

The bill revises provisions concerning impact fees and concurrency and provides additional guidance concerning mobility fees. In furtherance of comprehensive planning, local governments charge impact fees, generally as a condition for issuing a project's building permit, to maintain various civic services amid growth. While some local governments charge traditional impact fees related to transportation improvements, others have shifted to mobility-based fees, which promote compact, mixed-use, and energy-efficient development. The interaction of counties and municipalities' mixed use of fees has given rise to a need for guidelines related to administration.

Specifically, the bill:

- Provides definitions for “mobility fee” and “mobility plan” for use within the Community Planning Act.
- Provides that local governments adopting and collecting impact fees by ordinance or resolution must use localized data based on a regularly updated study.
- Provides that after an applicant makes its contribution or constructs its proportionate share, the project must be allowed to proceed.
- Requires local governments to charge overlapping transportation impact fees to coordinate calculation and collections through interlocal agreements.
- Provides default method for collection and distribution, including a penalty on fees charged by local governments that have failed to execute an interlocal agreement; and

- It provides that holders of transportation or road impact fee credits, which existed before the adoption of the mobility fee-based funding system, are entitled to the full benefit of the intensity and density prepaid.
- The interlocal agreement provisions do not apply to Miami-Dade County or any county or municipality that has entered or otherwise updated an existing interlocal agreement as of 10/1/2024.

HB 479 passed the House on 2/28/2024, as amended, and subsequently passed the Senate on 3/4/2024.

HB 1133 VIOLATIONS AGAINST VULNERABLE ROAD USERS

Section 318.14(5), F.S., provides noncriminal penalties for a person who commits a traffic infraction that causes serious bodily injury or death to another person. If the person causes serious bodily injury, they must pay a \$500 fine and any other penalties and have their driver's license suspended for three months. If the person causes death, they must pay a \$1,000 fine in addition to any other penalties and have their driver's license suspended for six months.

Section 316.027(1), F.S., defines a “vulnerable road user” as a:

- Pedestrians, including a person engaged in work on a highway, in work upon utility facilities along a highway, or engaged in providing emergency services within the right-of-way.
- Person operating a bicycle, an electric bicycle, a motorcycle, a scooter, or a moped lawfully on the roadway.
- Person riding an animal; or
- Person lawfully operating on a public right-of-way, crosswalk, or shoulder of the roadway any: farm tractor or similar vehicle designed primarily for farm use; skateboard, roller skates, or in-line skates; horse-drawn carriage; electric personal assistive mobility device; or wheelchair.

The bill amends s. 318.14, F.S., to create specific penalties for a person who commits a traffic infraction that causes serious bodily injury or death to a vulnerable road user, including:

- A noncriminal traffic infraction for a person who commits a moving violation that causes serious bodily injury to a vulnerable road user. The bill requires such a person to pay a fine of not less than \$1,500, have their driver's license suspended for 90 days, and complete a department-approved driver improvement course relating to the rights of vulnerable road users.
- A noncriminal traffic infraction for a person who commits a moving violation that causes the death of a vulnerable road user. The bill requires such a person to pay a fine of not less than \$5,000, have their driver's license suspended for one year, and complete a department-approved driver improvement course relating to the rights of vulnerable road users.

The bill passed the House on 2/29/2024 and the Senate on 3/6/2024.

HB 1301 DEPARTMENT OF TRANSPORTATION (FDOT BILL)

The bill addresses matters related to transportation as follows:

Governance and Administrative Updates

- Provides for direct appointment by the Governor of the Secretary of Transportation.
- Updates FDOT’s program areas to reflect its current organizational structure.
- Repeals obsolete language regarding the appointment of FDOT’s inspector general.
- Updates FDOT’s statutory mission, goals, and objectives.

Funding and Financial Management

- Provides \$15 million in recurring revenue from the State Transportation Trust Fund for the Intermodal Logistics Center Infrastructure Support Program.
- Provides that specified revenues deposited into the State Transportation Trust Fund must first be available for appropriation for payments under a service contract entered into with the FDOT Financing Corporation to fund arterial highway projects.
- Authorizes FDOT to enter service contracts with the FDOT Financing Corporation for Moving Florida Forward projects.
- Authorizes FDOT to retain the interest earned from Moving Florida Forward-related appropriations, which interest must be used for such projects.
- Provides requirements for an interlocal agreement regarding a fire station located on Alligator Alley, including up to \$2 million in funding for the next fiscal year from toll revenues and funding in the future based on needs adopted into a comprehensive plan.
- Funding is required for the fire station on Alligator Alley to be included in FDOT’s work program and the local governmental entity’s budget and comprehensive capital plan.
- Authorizes local governments in specified areas to compete for additional funding, subject to specific appropriation, using the Small County Outreach Program criteria to fund projects on roads primarily used for agricultural purposes.

Regulatory and Policy Enhancements

- Requires airport land use compatibility zoning regulations to “address” rather than “consider” issues specified in statute.
- Adds an exception to airport buffer zone requirements to allow residential property within the buffer zone of a public-use airport to meet specified requirements.
- Requires public notice and input before a governmental entity repurposes one or more existing traffic lanes and requires the entity to consider such input.
- The time before an inactive prepaid toll account becomes unclaimed property increases from three to 10 years.
- It prohibits FDOT from spending state funds on transportation entities that violate s. 381.00316, F.S., regarding discrimination based on health care choices.
- It requires the transit authority's board to approve lane repurposing for public transit purposes by a two-thirds vote.
- Requires any action of eminent domain for public transit facilities to be discussed at a public meeting of the transit provider’s board.

Public Transit and Rail Systems Oversight

- This provision requires reallocating certain unallocated New Starts Transit funds to the Strategic Intermodal System. It expires June 30, 2026.

- It prohibits public transit providers from spending FDOT funds on specific marketing or advertising activities, including wraps displayed on a transit bus.
- Prohibits window tinting on public transit buses from being any darker than is legally allowed for motor vehicles.
- Requires each public transit provider to annually certify that its budgeted and actual general administrative costs are no greater than 20 percent above the state average administrative costs. This provision excludes rail transit providers.
- Requires public transit providers to disclose employee compensation and benefits, ridership and performance metrics, and any gifts accepted in exchange for a contract.
- FDOT must review and approve five percent or more year-over-year increases in a public transit provider's administrative cost.
- Grants the Florida Rail Enterprise the power and duty to preserve and acquire future rail corridors and rights of way.

Safety, Compliance, and Infrastructure

- The definition of "streetlight provider" includes subsidiaries of an electric utility as it relates to limitations on liability for providers of streetlights, security lights, and other similar lights.
- Revises numerous provisions relating to obedience to traffic control devices at railroad-highway grade crossings.
- Increases penalties to \$500 for a first offense and \$1,000 for a second or subsequent offense and requires six points on a driver's license for violations associated with railroad-highway grade crossings.
- It incorporates the changes to the railroad-highway grade crossing provisions into the traffic infraction penalty and driver license points statutes.
- Conforms numerous cross-references and makes other conforming changes.

HB 1301 passed the House on 2/28/2024, as amended. It was then amended in the Senate on 3/6/2024 and returned to the House. The House concurred in the Senate amendments and passed the bill on 3/7/2024. The bill includes portions of CS/CS/CS/HB 287, CS/CS/HB 981, and CS/HB 7049. The Governor approved the bill on 4/3/2024, with an effective date of 7/1/2024.

HB 7073 TAXATION

HB 7073 proposed several changes related to property taxation, sales, documentary stamps, corporate income, and local and various other tax provisions. Here's a summary of the changes included in the bill:

- **Revision of Definitions:**
 - The definition of "tangible personal property" was revised to clarify the categories of property included under this term.
 - The definition of "renewable energy source device" was expanded to encompass a broader range of equipment.
- **Homestead Exemption and Property Tax:**

- Extended the timeframe for homeowners to commence repairs or rebuilding following property damage or destruction and still qualify for homestead assessment benefits.
- Introduced requirements for property appraisers to include specific information with notices of tax liens.
- Established that back taxes on properties would only apply under certain conditions, reducing penalties in specific scenarios.
- **Tax Payment Extensions:**
 - Provided property owners with a specified timeframe to pay certain taxes, penalties, and interest before a lien could be filed, offering more flexibility to taxpayers.
- **Multifamily Projects:**
 - Revised conditions under which multifamily projects could be considered for property used for charitable purposes and eligible for an ad valorem property tax exemption.
- **Technical and Conforming Changes:**
 - Made numerous technical adjustments and conforming changes to ensure consistency and clarity across related statutes.
- **Removal of Outdated Provisions:**
 - The bill proposed the removal of specific outdated provisions and redundancies in the tax code to streamline tax processes and eliminate unnecessary regulations.

The bill was engrossed and enrolled, effective 7/1/2024.

BILLS – DID NOT PASS

SB 28 LICENSE TAXES

SB 28 aimed to amend the state's vehicle registration and licensing statutes concerning electric and plug-in hybrid electric vehicles. It proposed redefining these vehicle categories and introducing additional annual license taxes for electric vehicles, with different rates for electric motorcycles and plug-in hybrids. These taxes were set to increase starting January 1, 2029. Additionally, the bill outlined the distribution of the tax proceeds, which included allocations to the State Transportation Trust Fund and local governments. The bill did not pass and died in the Appropriations Committee.

HB 107 IMPACT OF ELECTRIC VEHICLES AND PLUG-IN HYBRID ELECTRIC VEHICLES ON STATE REVENUES AND STATE TRUST FUNDS

HB 107 aimed to analyze and address the impact of electric and plug-in hybrid electric vehicles on state revenues and the State Transportation Trust Fund. Specifically, the bill mandated the Revenue Estimating Conference to assess the financial impacts of sales tax levied on electricity used for charging these vehicles for the fiscal years 2024-2025 through 2026-2027. Additionally, it required the Department of Revenue to make monthly distributions to the State Transportation Trust Fund based on these estimations, a directive set to be repealed by June 30, 2027.

The legislation also called for a comprehensive report, due by December 1, 2026, to help understand the broader economic impacts of electric and plug-in hybrid vehicles. This report was to be utilized by the 2027 Legislature to consider necessary policy adjustments relating to state tax collections influenced by the adoption of these vehicles. Moreover, the bill aimed to solidify definitions for "electric vehicle" and "plug-in hybrid electric vehicle" within the relevant statutes to clarify its mandates and financial distributions. HB 107 did not pass and died on the Second Reading Calendar.

SB 258 INTERSTATE SAFETY

SB 258 introduced changes to the Florida Statutes concerning driving behavior in the furthestmost left-hand lane on certain roadways. The bill amends Section 316.081 of the Florida Statutes by defining "furthestmost left-hand lane" and establishing circumstances under which a driver is prohibited from operating a motor vehicle in this lane. Specifically, the bill dictates that on roads with a speed limit of at least 65 miles per hour and multiple lanes allowing movement in the same direction, drivers should not use the left-most lane unless overtaking another vehicle, preparing to exit the highway, or as directed by traffic signs or signals. Exceptions are made for emergency vehicles and those engaged in highway maintenance or construction.

The bill also updates penalties associated with violations, designating them as noncriminal traffic infractions punishable as moving violations. This legislation aims to improve traffic flow and safety on high-speed roadways by reducing unnecessary lane occupancy in the left-most lane. The bill was "laid on the table" and did not pass. Refer to HB 317 as this bill is related and passed.

SB 266 TRANSPORTATION (INDUSTRY BILL)

SB 266 focuses on financing and regulating public transit projects and implementing public-private partnerships for transportation facilities. It proposed setting a cap on the percentage of state fuel tax revenues and motor vehicle license-related fees that could be allocated to public transit projects annually, with exceptions for projects that secured federal matching funds or were approved by a supermajority of local governing bodies.

The bill also sought to broaden FDOT's authority to enter into long-term agreements (up to 75 years) with private entities for constructing and operating transportation projects, including the ability to impose tolls and manage project financing more flexibly. Additionally, SB 266 made several adjustments to legal liabilities and procedural requirements for traffic infractions and driver improvement courses. SB 266 was "laid on the table" and did not pass it into law. Refer to HB 287 and HB 1301, as these bills are related and passed.

SB 688 ALTERNATIVE MOBILITY FUNDING SYSTEMS

House Bill 688 addresses alternative mobility funding systems and impact fees, emphasizing developers' and local governments' calculation and application of impact fees. The bill outlines:

- **Concurrency Requirements and Development Agreements:** The bill allows developers to meet transportation concurrency requirements if they enter into a good faith agreement to pay or construct their proportionate share of required improvements. Once developers meet these requirements and other local government development conditions, they can proceed with their projects without further delays related to transportation impacts.
- **Impact Fee Calculations:** The bill mandates that local governments and special districts ensure impact fees are calculated based on the most recent and localized data. Local governments must adopt new impact fee studies within a specific timeframe after initiating such studies if they decide to increase the impact fees.
- **Interlocal Agreements:** The bill requires counties and municipalities that charge developers fees for transportation impacts to create and execute interlocal agreements to coordinate the mitigation of these impacts efficiently. The bill outlines what these agreements must cover, ensuring developers are not charged twice for the same impacts and that fees are distributed proportionately.
- **Adoption of Alternative Transportation Systems:** Local governments are encouraged to adopt mobility plan-based, fee-based systems for transportation funding. These systems should not pass the burden of funding existing transportation deficiencies onto new developments.

The bill was "laid on the table" in the Senate. Refer to HB 479 as it is related and passed.

HB 981 AVIATION

HB 981 aimed to modernize Florida's aviation infrastructure by focusing on advanced air mobility, including developing and regulating vertiports. The bill proposed updated definitions for various aircraft types and set requirements for the construction and operation of vertiports. It tasked FDOT with overseeing these advancements and implementing regulations to ensure safety and compliance. Additionally, it encouraged educational initiatives and required reporting on the progress and integration of these new technologies into the state's aviation system. The bill died in the Senate on 3/8/2024.

SB 1032 TRANSPORTATION

SB 1032 presented a comprehensive overhaul of Florida's transportation statutes, focusing on restructuring various aspects of transportation planning, safety, and governance. The following are key provisions of the bill:

- **Complete Removal of MPO Advisory Council (MPOAC):** SB 1032 proposed eliminating the MPOAC from the statutes. This change would have dissolved the advisory body responsible for providing statewide collaboration to MPOs in their transportation planning efforts. The removal of the MPOAC resulted in additional provisions of reallocating its functions directly to FDOT.
- **Railroad-Highway Grade Crossings and Safety Regulations:** The bill included detailed revisions to regulations governing behaviors and penalties at railroad-highway grade crossings to enhance safety measures and update penalties for violations to ensure better compliance with traffic laws, especially concerning the safety of railroad crossings.
- **FDOT Structure:** The bill proposed amendments to the language concerning the appointment and compensation of the FDOT secretary and assistant secretaries.
- **MPO Regulations:** The bill sought to add provisions related to MPOs' duties and operations. These revisions aimed to change coordination, reporting, and performance evaluation within MPOs.
- **Public-Private Partnerships (PPPs) and Funding Mechanisms:** The bill contained provisions for promoting public-private partnerships as a financing mechanism for transportation projects. These provisions aimed to leverage private sector investment to support infrastructure development while ensuring transparency and accountability in project funding and management.

SB 1032 died in Appropriations. Refer to HB 1301 as it is related and passed.

HB 1091 BAY COUNTY

HB1091 proposes the creation of the Gulf Coast Transit Authority in Bay County to provide mass transit services and consolidate transit services in the county. The bill includes the following:

- The authority is governed by a board of directors consisting of representatives from the Board of County Commissioners, City Councils, and City Commissions.

- The authority's purpose is to plan, finance, acquire, construct, operate, and maintain mass transit facilities and systems.
- The authority has the power to levy and enforce the collection of non-ad valorem assessments but does not have ad valorem taxing power.
- The authority's fiscal year is from October 1 to September 30.
- The authority can borrow money and issue bonds to construct and expand transit services.
- The authority has various powers, including the ability to adopt bylaws, study and plan transit facilities, enter into contracts, set rates and fees, acquire and dispose of property, and enter into interlocal agreements.
- The authority is exempt from taxation and can adopt policies and regulations for its operation.
- The board must comply with open government laws and public records laws.
- The bill does not affect any county, municipality, or special district's powers, duties, rights, obligations, and immunities.

HB 1091 did not pass the House Local Administration, Federal Affairs & Special Districts Subcommittee.

SB 1226 DEPARTMENT OF TRANSPORTATION (FDOT BILL)

SB 1226 revises various provisions relating to FDOT. The bill:

- Updates FDOT's statutory program areas to reflect its current organizational structure.
- Repeals obsolete language regarding the appointment of FDOT's inspector general.
- Provides \$15 million in recurring revenue for the Intermodal Logistics Center Infrastructure Support Program.
- Amends FDOT's statutory mission, goals, and objectives.
- Requires public notice and input before a governmental entity repurposes one or more existing traffic lanes.
- Increases from three to ten years before an inactive prepaid toll account becomes unclaimed property.
- Revises provisions regarding an interlocal agreement and FDOT's funding of a fire station on Alligator Alley.
- Prohibits FDOT from spending state funds on transportation entities violating certain statutory requirements.
- Provides that specified revenues deposited into the State Transportation Trust Fund must first be available for appropriation for payments under a service contract entered into with FDOT Financing Corporation to fund arterial highway projects.
- Authorizes FDOT to enter service contracts with FDOT Financing Corporation for specified projects.

- Authorizes local governments in specified areas to compete for additional funding, subject to specific appropriation, using the Small County Outreach Program criteria to fund projects on roads primarily used for agricultural purposes.
- Provides that lane repurposing for public transit must be approved by a supermajority vote of the transit authority's board.
- It requires that any action of eminent domain for public transit facilities be discussed at a public meeting of the transit provider's board.
- Provides that certain unallocated New Starts Transit funds must be reallocated to the Strategic Intermodal System for two years.
- Prohibits public transit providers from spending FDOT funds on certain marketing or advertising activities.
- Prohibits window tinting on public transit buses from being any darker than is legally allowed for motor vehicles.
- Requires each public transit provider to annually certify that its budgeted and actual general administrative costs are no greater than 20 percent above the state average administrative costs.
- Requires public transit providers to disclose employee compensation and benefits, ridership and performance metrics, and any gifts accepted in exchange for a contract.
- Requires specified increases in administrative costs by a public transit provider must be reviewed and approved by FDOT.
- Grants the Florida Rail Enterprise the power and duty to preserve future rail corridors and rights of way.

SB 1226 was "laid on the table." Refer to HB 287 and HB 1301, as these bills are related and passed.

HB 1275 STRATEGIC TRANSPORTATION INFRASTRUCTURE INVESTMENT

HB 1275 focuses on freight mobility to bolster the state's economic foundation. The bill mandated the creation of a Strategic Infrastructure Investment Plan by FDOT. The Plan aimed to detail annual strategies for maintaining and enhancing the logistics transportation network, emphasizing sustainability and economic competitiveness. It focused particularly on intermodal logistics centers, rail and water pathways, and addressing the projected growth in population and major economic centers.

Under HB 1275, FDOT would consult with stakeholders across transportation sectors to develop the Plan, incorporating regional and local plans to create a cohesive state strategy. This strategy included a systematic approach to intermodal logistics centers, recommendations for staged financial investments aligned with strategic growth, and an integrated, multimodal transportation system for economic development and manufacturing. The plan required biennial updates and was to be supported by an annual allocation of \$150 million from the State Transportation Trust Fund, starting 7/1/2025. The bill died in the Transportation & Modals Subcommittee on 3/8/2024.

SB 1362 AVIATION

SB 1362 addressed issues relating to aviation and advanced air mobility. The bill:

- Incorporates vertiports and equipment needed for aircraft charging into the definition of “airport or aviation development project.”
- Defines the terms “powered-lift aircraft” and “vertiport.”
- Requires the statewide aviation system plan to address the needs of vertiports, electric aviation charging, and other advances in aviation technology.
- Requires FDOT to take specified steps regarding vertiport and electric aviation planning, including:
 - Addressing certain needs in FDOT’s statewide aviation system plan and, as appropriate, in the statewide work plan.
 - Designating a subject matter expert on advanced air mobility (AAM) to serve as a resource to local jurisdictions,
 - Providing a guidebook and technical resources to local jurisdictions.
 - Conducting a review of airport hazard zone regulations and making recommendations to the Legislature.
- Makes technical and conforming changes.

SB 1362 did not pass. Refer to HB 1301 as it is related and passed.

HB 1481 TAXES, LICENSES, AND FEES

HB1481 proposed various legislative changes impacting fees, taxes, and administrative procedures related to the FDOT and other state entities. The bill aimed to remove the ability to levy the indigent care and trauma center surtax without voter approval, eliminate numerous fees for driver licenses, vehicle registrations, and title certificates, and repeal several statutes, including those about discounts and permits for state parks and certain law enforcement education funds. It also sought to conform existing statutes to these changes and revise fee collection and handling procedures. Notably, the bill included measures to eliminate the authority of the Division of Parks and Recreation to set fees for state parks and remove the collection of fees for concealed weapon licenses. The bill did not pass the Ways & Means Committee. Refer to HB 7073 as it is related and passed.

HB 1487 PINELLAS SUNCOAST TRANSIT AUTHORITY, PINELLAS COUNTY

The Pinellas Suncoast Transit Authority (PSTA) was created by a special act in 1982 to provide Pinellas County with a cohesive public transit system. PSTA operates a fleet of 191 buses and 20 trolleys that serve 41 fixed routes, including two express routes to Hillsborough County. PSTA is governed by a 15-member Board (Board) that consists of one appointee each by the Pinellas County Commission and the City Council of the City of St. Petersburg, both of whom are not elected officials, and 13 appointees chosen by local governments in Pinellas County from their membership.

The bill revised PSTA’s charter by:

- Removing PSTA’s ability to operate a street railway, elevated railway, and subway.
- Reducing the size of the Board from 15 members to 11 members and revising the appointment procedures.
- Requiring the Board to follow specific procedures when executing the power of eminent domain.
- Removes PSTA’s authority to regulate other public transit entities within its boundaries.
- Establishing requirements for window coverings and advertisements on PSTA assets.
- Requiring PSTA to adhere to specified budgetary guidelines.
- Establishing procedures for limiting lane elimination, lane repurposing, lane diet, and bus lane allocations.
- Requiring semiannual reporting by PSTA to the Pinellas County Board of County Commissioners.

The bill did not pass the Senate Rules Committee.

SB 1506 STRATEGIC INFRASTRUCTURE INVESTMENT PLAN

The proposed changes in this bill included the following:

- **Creation of a Strategic Infrastructure Investment Plan:** The bill creates a new section, 339.60, in the Florida Statutes, which requires FDOT to develop a 10-year strategic infrastructure investment plan to address freight mobility infrastructure. The plan must be updated at least every two years, and the existing transportation mobility infrastructure must be considered.
- **Stakeholder Coordination:** FDOT must coordinate with various stakeholders, including representatives from the transportation sector, the state's largest employers, county and municipal governments, and other transportation providers, in developing the plan. FDOT is required to coordinate with existing transportation plans, including, but not limited to, seaport plans, freight rail plans, and aviation plans, as well as regional transportation plans developed by MPOs and local governments.
- **Assessment of Factors:** FDOT must complete an assessment of various factors, including existing transportation plans, intermodal logistic centers, state lands available for construction, alternative transportation fuel sources, feasibility of advanced air mobility services, and projected population growth. The findings from this assessment must be considered when developing the plan.
- **Strategies and Recommendations:** The plan must include strategies to preserve and secure a sustainable logistics transportation network, recommendations for improving reliability and addressing future development priorities, recommendations for environmental preservation and mitigation, recommendations for seaports, recommendations for financial investment tied to growth and strategic outcomes, recommendations for reducing congestion and improving quality of life, recommendations

for interconnected multimodal freight transportation systems, and recommendations for the systematic placement of intermodal logistic centers.

- **Finance Plan and Performance Metrics:** The plan must include a finance plan for each strategic infrastructure investment, including identification of funding shortfalls and a set of performance-based metrics.
- **Submission of the Plan:** The Secretary of Transportation must submit the plan to the Governor, the Senate President, and the House of Representatives Speaker on or before 12/1/2024 and every two years after that.
- **Use of Funds:** The bill also amends section 339.08 of the Florida Statutes to authorize FDOT to use funds from the State Transportation Trust Fund to pay for the cost of the strategic infrastructure investment plan.

SB1506 did not pass the Senate Transportation Committee on 3/8/2024.

SB 1528 VIOLATIONS AGAINST VULNERABLE ROAD USERS

SB 1528, also known as the "Vulnerable Road User Act," is a bill that aims to enhance penalties for moving violations that cause injury or death to vulnerable road users in Florida. The bill proposes the following changes and additions:

- **Creation of Section 318.195, Florida Statutes:** The bill creates a new section in the Florida Statutes, specifically Section 318.195, which addresses enhanced penalties for moving violations causing injury or death to vulnerable road users.
- **Fines and Driver Improvement Course for Serious Bodily Injury:** The bill requires a person who commits a moving violation that causes serious bodily injury to a vulnerable road user to pay a fine of under \$1,500. Additionally, the person must attend a department-approved driver improvement course on the rights of vulnerable road users. The court is also mandated to revoke the person's driver's license for at least 30 days.
- **Fines and Driver Improvement Course for Death:** The bill imposes a fine of not less than \$5,000 on a person who commits a moving violation that causes the death of a vulnerable road user. Like the previous provision, the person must attend a department-approved driver improvement course. The court is required to revoke the person's driver's license for at least one year.
- **Definition of "Vulnerable Road User":** The bill adopts the definition of "vulnerable road user" as provided in Section 316.027(1) of the Florida Statutes.

SB 1528 was "laid on the table" by the Senate. Refer to HB 1133 as it is related and passed.

SB 1678 TAXES, FINES, AND FEES

SB1678 proposed substantial revisions to the state's taxation, fees, and regulatory provisions. It aimed to remove certain taxes, including the indigent care and trauma center surtax, unless approved by a voter majority, and repeal multiple statutes concerning fees for vehicle titles and registration and various surcharges and contributions linked to license taxes. Additionally, the bill

sought to rescind certain discounts related to state parks and eliminate fees associated with driver licenses and related services. The bill also included conforming changes to align with these proposed repeals and eliminations. SB 1678 did not pass as it "Died in Transportation" on 3/8/2024. Refer to HB 7073 as it is related and passed.

HB 7049 TRANSPORTATION

HB 7049 proposed several amendments to existing statutes related to transportation, including the establishment of annual performance and production measures, the revision of penalties for certain violations, and the authorization for local governments to adopt certain ordinances and provide training relating to the operation of electric bicycles and motorized scooters. The bill also included revising membership and reporting requirements for advisory boards, developing quality performance metrics and performance targets, coordinating and consolidating MPOs within urbanized areas, and removing the MPOAC.

- **Performance Measures and Reporting:**
 - Addition of New Performance Measures: The bill required the Secretary of Transportation to establish annual performance and production measures. These measures would be developed with input from a working group of transportation industry leaders and stakeholders, ensuring a comprehensive approach to evaluating the state's transportation systems.
 - Publication of Performance Reports: An annual report detailing actual performance against these measures was to be published, enhancing transparency and accountability within FDOT.
- **Revised Duties for the Florida Transportation Commission:**
 - The Commission's roles were expanded to include more in-depth evaluations of the FDOT's budget requests, plans, and programs, ensuring they comply with applicable laws and policies.
 - The Commission was tasked with regularly monitoring the financial and operational efficiency of FDOT, using newly developed performance and production standards.
- **Local Government Authority on Micromobility Devices:**
 - Local governments were authorized to enact ordinances concerning the operation of electric bicycles and motorized scooters, including setting minimum age requirements and requiring operators to possess government-issued ID.
 - Provisions for local governments to provide training on the safe operation of these devices were also included, promoting safer micromobility practices.
- **Increased Penalties for Traffic Violations:**
 - The bill proposed more substantial penalties for violations at railroad-highway grade crossings, including increased fines and points against drivers' licenses, aiming to enhance safety at these critical intersections.
- **Financial and Strategic Planning by MPOs:**

- MPOs were required to include financial plans in their long-range transportation plans, showing how they intend to fund the transportation infrastructure and suggesting innovative financing techniques like public-private partnerships and tolls.
- MPOs were also encouraged to develop regional long-range transportation plans in collaboration with neighboring MPOs, pooling resources for large-scale transportation projects that have regional significance.
- **Enhanced Oversight and Training:**
 - New provisions required more rigorous training for MPO governing board members, provided by the FDOT and other designated entities, to enhance their expertise and effectiveness in transportation planning.
 - The bill stipulated that MPOs should develop and amend transportation improvement programs annually, aligning them more closely with state and federal transportation planning frameworks.
- **Removal of the MPOAC:**
 - The bill aimed to remove existing statutory requirements for coordination mechanisms facilitated by the MPOAC, possibly to reduce redundancy and promote more direct and efficient planning processes among MPOs.
- **Removal of Obsolete Provisions:**
 - Many outdated provisions were targeted for removal to simplify and update the legal framework governing transportation planning, reflecting modern practices and eliminating no longer relevant regulations.

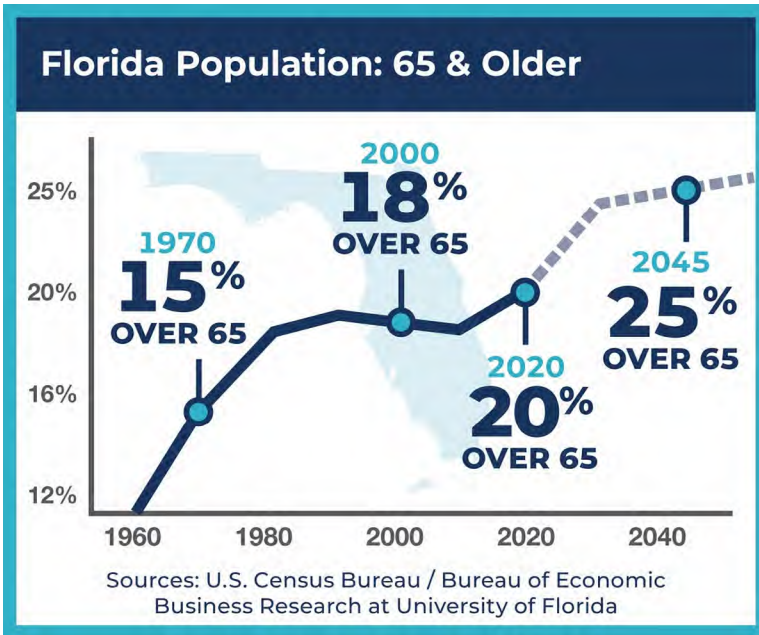
The bill died in the Appropriations Committee on 3/8/2024. Refer to HB 1301 as it is related and passed.



Florida's Aging Population

Today's older adults are not only living longer, they are driving longer and for more miles. Florida currently ranks second in the nation with the highest number of adults aged 65 and older. By the year 2045, it is projected that 1 in 4 drivers will be 65 years or older.

While older adults tend to have fewer fatalities and serious injuries than any other age group, the numbers of incidents involving this age group are increasing.



To maintain quality of life and prevent isolation, older adults must continue to safely get from place to place even after transitioning from driving.



Safe Mobility for Life Coalition

The Florida Department of Transportation's Safe Mobility for Life Program partnered with the Pepper Institute on Aging and Public Policy at Florida State University to create the Safe Mobility for Life Coalition.

Coalition members work together to improve aging road user safety and mobility by achieving a reduction in their fatalities, serious injuries, and crashes while maintaining their safe mobility and connection with the community.

The Keys to Achieve Safe Mobility for Life

The Safe Mobility for Life Coalition believes that "you hold the keys to your transportation future." To help Floridians stay safe and mobile for life, the Coalition promotes the keys to achieve safe mobility for life:



UNDERSTAND
the impact aging has on driving



BE PROACTIVE
about safe driving skills



PLAN
for a safe transition from driving



Our Mission

The Safe Mobility for Life Coalition's mission is to implement a strategic action plan to eliminate fatalities and reduce serious injuries while increasing the safety, access, and mobility for Florida's aging road users.

Florida's Safe Mobility for Life Strategic Action Plan identifies goals, objectives, strategies, and performance measures to implement improvements in the specific focus areas:



Program Management & Evaluation

Goal: Lead, implement, and evaluate Safe Mobility for Life Coalition resources and activities using a proactive data-driven approach.

Community Outreach & Education

Goal: Directly engage with Floridians to raise awareness of the materials and resources developed by the Coalition to support its goal and objectives.

Licensing & Enforcement

Goal: Educate and promote resources for law enforcement and licensing personnel.

Member Organizations

The Safe Mobility for Life Coalition includes professionals from agencies and organizations that share responsibilities and interests in aging road user safety and mobility.



Livable Communities

Goal: Create safer and more livable communities through the use of context-based design and by providing access to features and services that meet the mobility needs of an aging population.

Mobility Independence

Goal: Educate Floridians on how to access and use transportation options to keep them safe, mobile, and independent in their communities.

Prevention & Assessment

Goal: Promote driver fitness, recognition of at-risk drivers, and aging road user mobility through prevention and intervention resources.

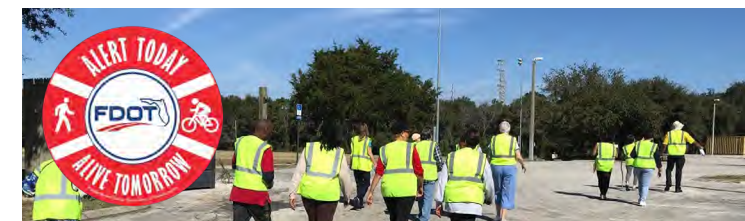
Presentations & Workshops

In addition to developing and distributing educational materials, we have created interactive workshops to help educate older adults on the keys to safe mobility for life and how to get around their community using alternatives to driving.

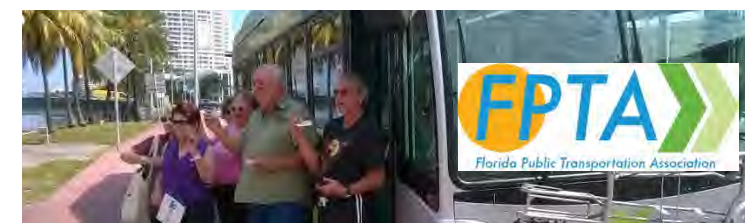
The Keys to Achieve Safe Mobility for Life workshop was developed to help older adults learn how to understand the impact aging has on driving, be proactive about their safe driving skills, and plan for a safe transition. Participants will walk away with resources to help them stay safe and mobile for life.



The Safe Walking for Life workshop was developed in partnership with **Alert Today Alive Tomorrow** to increase the awareness and knowledge among older Floridians on the benefits and risks of walking and how to mitigate those risks to increase safety.



The Safe Transit for Life workshop was developed in partnership with the **Florida Public Transportation Association** to educate on and increase the use of public transit among older adults. It includes a trip on the area's local transit to a nearby destination for real time riding experience.



CarFit is an educational safety program created by the American Society on Aging and developed jointly with AAA, AARP, and the American Occupational Therapy Association, designed to help aging drivers improve the "fit" of their vehicles for safety and comfort.

Events are held statewide to promote safe driving conversations and provide community safety and mobility resources. The free, 20-minute check-up uses a team of trained volunteers, including occupational therapists, to assist older drivers with items such as:

- > Clear line of sight over the steering wheel.
- > Safe space between the front air bag/steering wheel and the driver.
- > Proper seat belt use and fit.
- > Safe positioning of mirrors to minimize blind spots.



For workshop information, contact the Safe Mobility for Life Program Coordinator

Call: (850) 644-8115

Email: Stefanie.Hartsfield@fsu.edu

To find a CarFit event near you or learn more about how you can be involved, contact the Statewide CarFit Instructor

Call: (850) 644-8145

Email: MCase@fsu.edu

Visit: www.Car-Fit.org

For program information, contact the Safe Mobility for Life Program Manager

Call: (850) 410-5414, Email: Gail.Holley@dot.state.fl.us

Resource Center

The following materials were developed to support the mission of the Coalition and distributed through the Safe Mobility for Life Resource Center.



Florida's Guide to Safe Mobility for Life is a workbook developed to educate Floridians on how to achieve mobility independence even beyond the driver's seat.

Families and Caregivers brochure provides tips for talking with aging drivers about safe driving concerns as well as the reporting process for an unsafe driver.

How to Use Find a Ride Florida tip card takes you through the steps to use FindaRideFlorida.org, an online listing of transportation providers in all of 67 counties.

Roadway improvements are made to help residents with visual and physical limitations associated with aging. The following tip cards were developed to help identify and safely navigate:

- > Roundabouts
- > Right Turns
- > Flashing Yellow Arrows
- > Wrong Way Driving

How to Use Transportation Options in Florida is a series that contains tips and resources on how to use:

- > Bicycling
- > Golf Carts
- > Public Transit
- > Transportation Network Companies
- > Walking

Community Partners

Through the support of individuals and groups across the state, the Safe Mobility for Life Community Partner Agreement is a grassroots effort aimed to expand access to resources that benefit aging road users. The mission of the Community Partner Agreement is to:

- > Build mutually beneficial relationships with organizations and community groups.
- > Connect partners with the tools available to educate their communities about the keys to achieve safe mobility for life.
- > Engage and educate older adults at a local level through workshops and events.

It is easier than ever to become a Community Partner so that you can start sharing Safe Mobility for Life resources in your community.

Step 1: Complete the Community Partner Agreement.

Step 2: Review the Coalition Member Handbook.

Step 3: Submit an online order request through the Resource Center.

See if becoming a community partner is right for you by visiting

SafeMobilityfl.com/CommunityPartners.htm.

Safe Mobility for Life Insider

Our quarterly newsletter is available in both print and electronic versions. It provides helpful educational transportation-related articles. Sign up at fdot.tips/InsiderSignup.

To request outreach materials from the
Safe Mobility for Life Resource Center:

Phone: **1-833-930-2952** | Email: **Contact@SafeMobilityFL.com**

Item Number 10a

Agency Reports – Florida Department of Transportation

DISCUSSION:

Donna Green, Metropolitan Planning Administrator, Office of Policy Planning, will present information on the Apportionment Plans, Unified Planning Work Program, Transportation Improvement Program, and Collaborative Workshop among other items.

REQUESTED ACTION:

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

ATTACHMENT:

FDOT Presentation Slides

FDOT Agency Update

April 25, 2024



Donna M. Green,
FDOT Statewide MPO
Administrator

Topics

- **Unified Planning Work Program (UPWP)**
- **Transportation Improvement Program (TIP)**
- **Collaborative Workshop Updates**

Unified Planning Work Program (UPWP)





Draft UPWPs

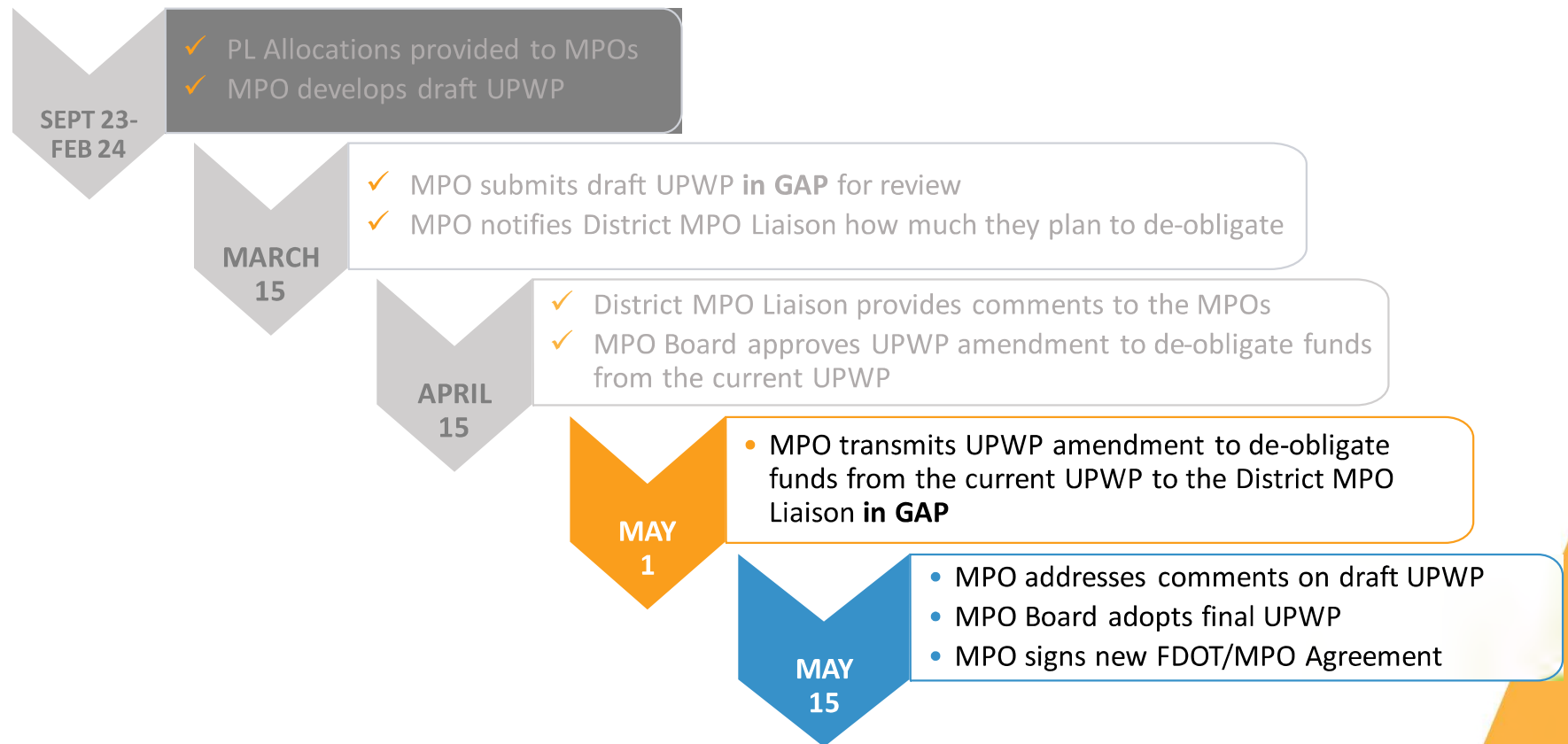


**All 27 MPOs submitted draft
UPWPs in GAP!**

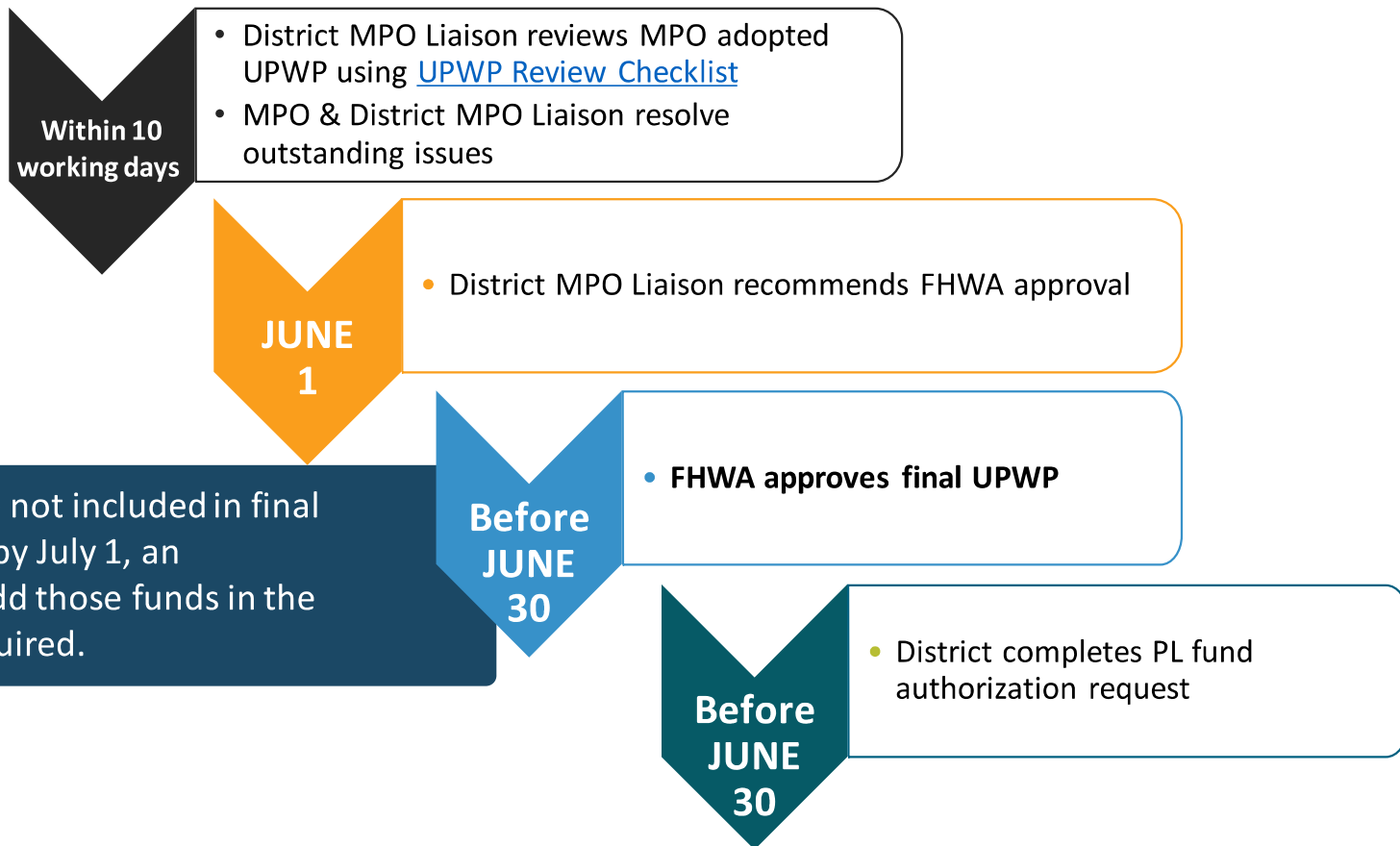


**MPOs should be working on de-obligation
amendments**

Unified Planning Work Program (UPWP) Development Schedule



Unified Planning Work Program (UPWP) Development Schedule



Note: If funds are not included in final approved UPWP by July 1, an amendment to add those funds in the new UPWP is required.

Transportation Improvement Program (TIP)



TIPs

This Year



TIP Timeline

March-August

- MPO's Draft LOPP reviewed by TAC and CAC.

AUG

August

- **By August 1:** MPO adopts LOPP and submits to District.

October-March

★ District reviews LOPP.

- *Even years (accelerated schedule) – October-January*

February-March

- FDOT submits Tentative Work Program.
 - *Even years (accelerated schedule) – January*

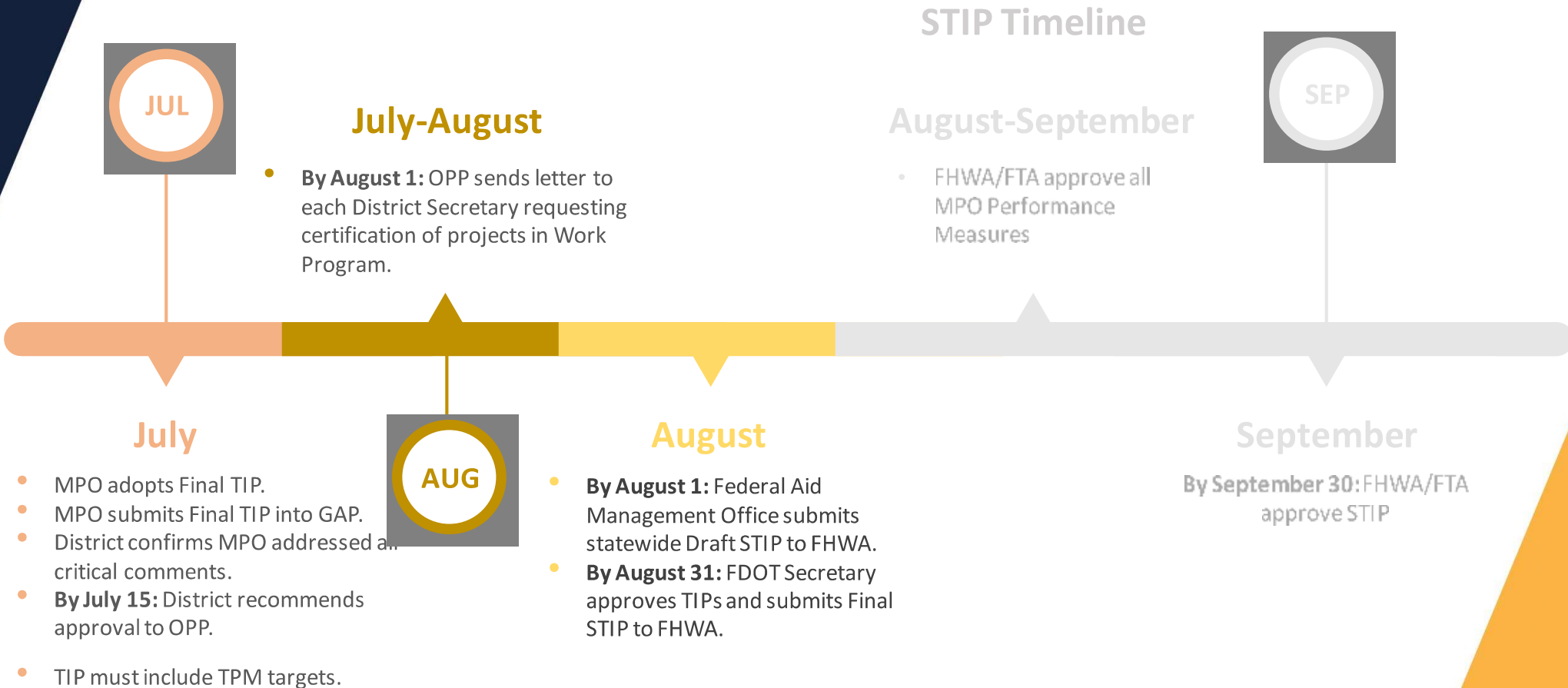
MAR

March-June

- MPO initiates development of new TIP.
- Draft TIP available for public comment.
- **April 8:** FDOT sends the final TIP Snapshot to the MPOs and District MPO Liaisons.

JUN

TIP Timeline



Resources

- MPO Handbook (Chapter 4)
- FDOT Work Program Instructions
- STIP Amendment Application
- TIP Checklist

MPOAC Coordination Workshop Results



January MPOAC Coordination Workshop

- FDOT and MPOs discussed how to enhance coordination and collaboration
- 1-hour workshop on project prioritization and programming



Common Themes Question 1


What do you like about the existing process for identifying priority projects and selecting projects for federal funding?

- **Opportunities to set priorities**
- **Process and approaches**
- **Coordination with FDOT**
- **Timeline**
- **Data driven**





Feedback

- 
- ∴ MPOs have the **flexibility to prioritize their projects** in a way that **matches their planning areas' goals, strategies, and unique features.**
 - ∴ Sounds like the process may vary across the State - perhaps consistency would be a positive change. We like **taking the lead on setting our priorities and working with the District to get them programmed.**
 - ∴ Our MPO process is **data analytics driven and performance based**, so the **priorities** adopted are valid and **will implement the LRTP and assist FDOT in meeting its stated goals.**
 - ∴ The formal follow up by the District confirming receipt of the list and **meeting the FDOT Secretary and staff to review and discuss priorities and local/regional insights.**

Feedback

- ∴ The **Liaisons meet with MPO staff before the Draft Tentative goes public**. This meeting is for FDOT to show the MPO which priorities are being funded. This is extremely helpful and transparent and **gives MPO staff the chance to comment and ask questions** before the public.
- ∴ **FDOT** begins programming at the top of the MPO priority list and works its way down. **Providing explanation for any project stopped**. This provides a **level of predictability** to the MPOs and how we manage the priority list.
- ∴ The MPO as a whole has a call for projects which staff likes to do, then we rank internally and provide to FDOT via the LOPP. FDOT comes back with the TWP. The process between the TWP and TIP is good as well. **There are multiple meetings and staff involvement from MPO and FDOT**.

Common Themes Question 2

How would you enhance the existing process for identifying priority projects and selecting projects for federal funding?

- **Understanding each other**
- **Coordination after submitting the priority list**
- **More interaction with each other (FDOT & MPO)**
- **Consistent list – format and categories**
- **Funding flexibility**
- **Large v. small projects**



Feedback

- ⋮ **Consistency of process** across districts and state
- ⋮ **Follow up consultative-type meetings** to further discuss project priorities and options being considered by the District. Through this process, there may be opportunities for more local partnerships or other options reviewed to implement projects.
- ⋮ **Enhance coordination after the submittal of the draft LOPPs.** After the MPO submits its draft LOPP in March, we often do not see a draft programmed project list until the release of the District TWP. MPOs can be caught off guard and have little time to react to needed changes.
- ⋮ **Improve transparency in the application of federal funds.** Maintain cost feasibility by only applying FF to projects in LRTP. Provide MPO with necessary resources (variance reports, MADDOG, etc.) regarding funding availability and movement from project to project.



Feedback

- ∴ **Have district liaisons and work program staff work in concert with MPO staff.**
- ∴ Develop a draft programmed list of projects prior to the release of the District TWP. We have found that the District TWP is not the ideal place to make changes on proposed programmed projects and we would like **more time to read** so we don't disturb the District's work program staff.
- ∴ **Coordination between liaisons and work program staff.** This results in the different staffs being familiar with each others' processes.

Survey Results

MPOAC Workshop - Closing Survey			
	Existing Process	Availability of Funds	Partnerships
Unfavorable	13%	52%	9%
Neutral	26%	26%	4%
Favorable	61%	22%	87%

Next Steps

Recap @ April FMPP 

Conduct follow up interviews in April through July

Develop guiding principles and notable practices

New workshops coming!

Thank you!



Email the Office of Policy Planning (OPP) Team at CO-Policy@dot.state.fl.us

Jennifer Fortunas, PE

Director, OPP
850-414-5396
Jennifer.Fortunas@dot.state.fl.us

Donna M. Green

Statewide MPO Administrator, OPP
850-414-4610
Donna.Green@dot.state.fl.us

Romero Dill, FCCM

Statewide MPO Coordinator, OPP
850-414-4932
Romero.Dill@dot.state.fl.us

Mike Neidhart, PhD, AICP

Statewide MPO Coordinator, OPP
850-414-4905
Mike.Neidhart@dot.state.fl.us

Item Number 10b

Agency Reports – Federal Highway Administration

DISCUSSION:

Karen Brunelle, Director, Office of Project Development, and Cathy Kendall, Planning Team Leader, will provide general announcements, regulation updates, and announce funding opportunities.

REQUESTED ACTION:

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

ATTACHMENT:

FHWA presentation slides



Updates

MPO Advisory Council

April 2024

FLORIDA DIVISION





Upcoming Key Notices of Funding Opportunity (USDOT)

Program	Closing Date	Division POC	Link
FY22-24 Prioritization Process Pilot Discretionary Grant Program (PPPP)	May 1, 2024	Cathy Kendall/ Jean Parlow	https://www.fhwa.dot.gov/planning/pppp/
FY25-26 INFRA/MEGA/RURAL	May 6, 2024	Greg Hall/ Jose Ortiz	https://www.transportation.gov/grants/mpdg-program
Innovative Finance and Asset Concessions Grant Program	May 10, 2024	Cathy Kendall/ Karen Brunelle	https://www.transportation.gov/buildamerica/innovativefinancegrants
Safe Streets for All (SS4A) - Implementation	May 16, 2024	Kevin Burgess/ Cathy Kendall	https://www.fhwa.dot.gov/bipartisan-infrastructure-law/ss4a_fact_sheet.cfm



Upcoming Key Notices of Funding Opportunity (USDOT)

Program	Closing Date	Division POC	Link
F22-24 Strategic Innovation for Revenue Collection Program (SIRC)	May 27, 2024	Cathy Kendall/ Curlene Thomas	https://grants.gov/search-results-detail/353222
Low Carbon Transportation Materials	June 10, 2024	Erika Thompson/ Joseph Sullivan	https://www.fhwa.dot.gov/lowcarbon/
Active Transportation Infrastructure Investment Program (ATTIP)	June 17, 2024	Dana Knox/ Jean Parlow	https://www.fhwa.dot.gov/environment/bicycle_pedestrian/atiip/
FY24 Highway Construction Training Program (HCTP) Grants	June 17, 2024	TBD – Karen/Cathy if any immediate questions	https://grants.gov/search-results-detail/353577



Upcoming Key Notices of Funding Opportunity (USDOT)

Program	Closing Date	Division POC	Link
Roadside Pollinator Program	June 18, 2024	Luis Lopez/ Joseph Sullivan	https://www.environment.fhwa.dot.gov/env_topics/ecosystems/pollinators/RPP.aspx
Bridge Investment Program: FY25 Large Bridge	Aug 1, 2024	Rafiq Darji	https://www.fhwa.dot.gov/bridge/bip/
Planning and Other Bridge Projects	Planning: Oct 1, 2024 Bridge: Nov 1, 2024	Rafiq Darji	https://www.grants.gov/search-results-detail/351567



Legislation and Regulation Updates

- Greenhouse Gas Emissions (GHG)
 - March 27, 2024: US District Court vacated and remanded the Final Rule to USDOT
 - Final Rule nullified by the court's decision
 - States and MPOs are not required to submit initial targets and reports at this time
- Buy America Requirements for Manufactured Products
 - Notice of Proposed Rulemaking (NPRM): March 12, 2024
 - Comments due to the docket: May 13, 2024
 - *Federal Register*:
<https://www.federalregister.gov/documents/2024/03/12/2024-05182/buy-america-requirements-for-manufactured-products>



U.S. Department
of Transportation
**Federal Highway
Administration**

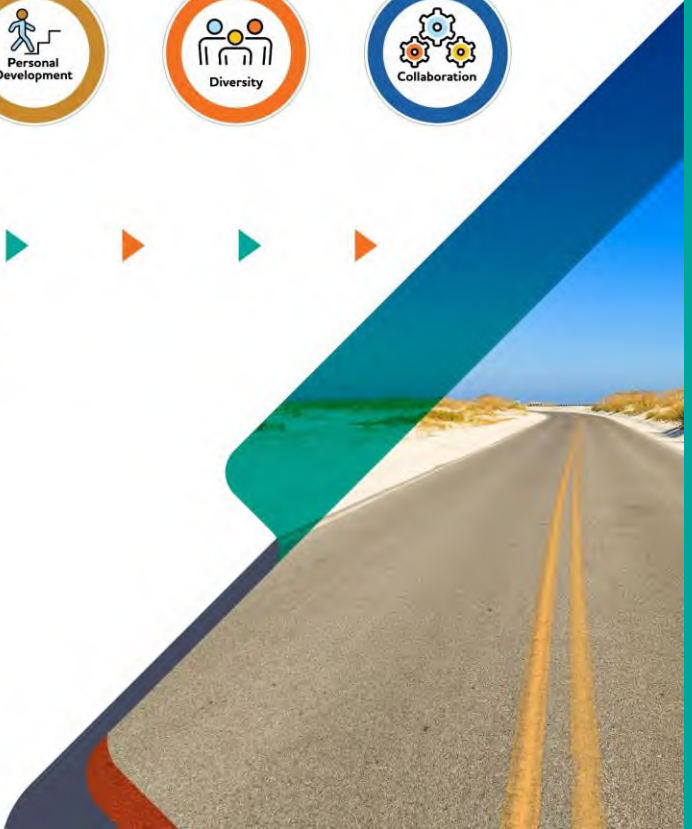
FLORIDA DIVISION



MISSION STATEMENT



The Florida Division inspires transportation solutions in collaboration with our stakeholders to address community needs.



Item Number 11

Discussion Item: Report from the Transportation Disadvantaged Commission

DISCUSSION:

David Darm, Executive Director of the TDC, will provide an update on the actions of and legislative impacts to the TDC.

REQUESTED ACTION:

Non requested. For discussion and action as may be desired.

ATTACHMENTS:

TDC Presentation.

TD 101

An Overview of the Transportation Disadvantaged Program



PRESENTED TO THE
METROPOLITAN PLANNING
ORGANIZATION ADVISORY
COUNCIL:

APRIL 25, 2024

Who Do We Serve?



OLDER ADULTS



PERSONS WITH
DISABILITIES



PEOPLE WITH
LOW INCOME



AT-RISK
CHILDREN

They Could Need A Ride To...



Medical Services



Work



School



Grocery Store

...And May Have Limited Transportation Options

- Personal or Family Vehicle
- Public Transit
- Government “Sponsored” Transportation (e.g., Medicaid)
- Private On-Demand Services (e.g., taxi, Uber or Lyft, etc.)

TD Program Foundation

Coordinated System established in 1979

Legislature created CTD & TD Trust Fund in 1989

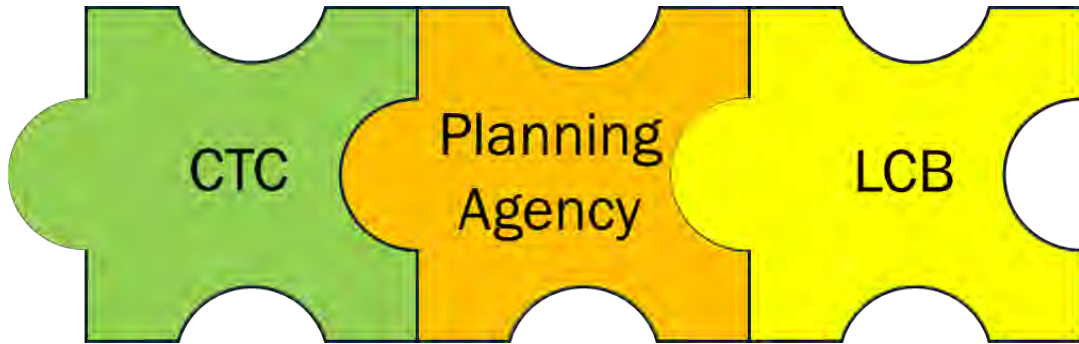
Governed under Chapter 427, Florida Statutes,
and Rule 41-2, Florida Administrative Code

Implemented at local level by:

Community Transportation Coordinator (CTC)

Designated Official Planning Agency (Planner)

Local Coordinating Board (LCB)



CTD Responsibilities

Independent state agency housed within FDOT.

Board members appointed by Governor, represent government agencies, transportation industry, and TD riders.

Administers the Trust Fund and distributes funding through grant programs (July 1 – June 30)

Develops rules and policies governing the Coordinated System.

Approves and contracts with CTCs to support TD services.

Contracts with planners to help implement local TD program.

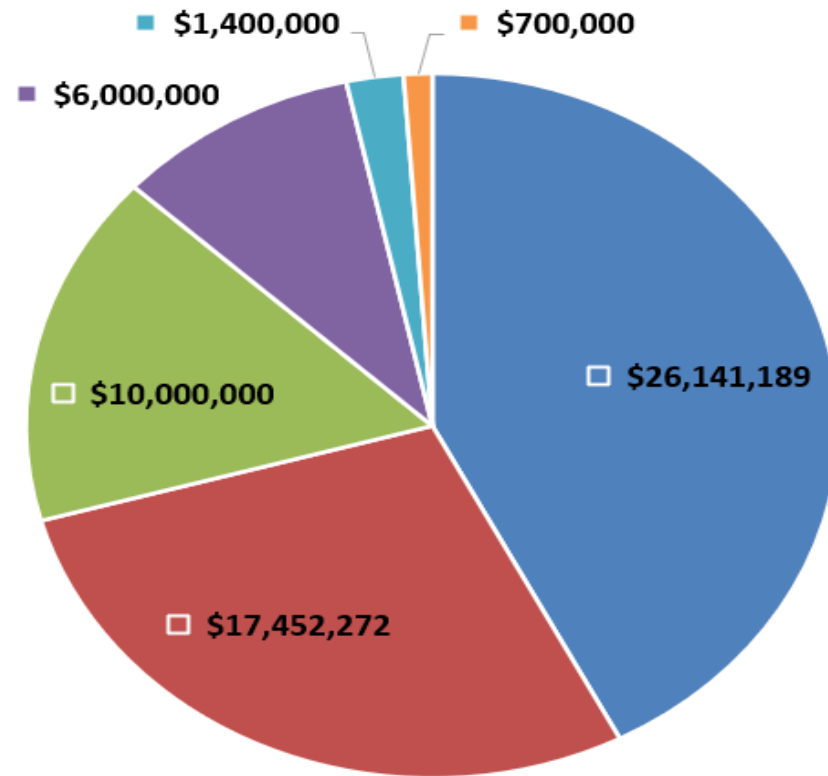
Collects and reports data on TD services in Annual Report to Governor and Legislature (January 1).

Florida Commission for the



**Transportation
Disadvantaged**

Transportation Disadvantaged Trust Fund Revenues FY23-24 \$61,693,461



- HSMV - Registration, Parking, Donations
- SB 1998 - State Transportation Trust
- FDOT Trust Fund - Capital Equipment
- FDOT Public Block Grant (15%)
- FDOT Trust Fund
- Interest

CTD Grant Programs FY 2024-2025

Trip & Equipment (T&E) Grant – \$52.9M

Funds to support the provision of "non-sponsored" trips, bus passes and capital equipment in every county.

Planning Grant –\$1.9M

Supports planning activities of the local TD Program.

“Shirley Conroy” Rural Area Capital Assistance Grant – \$1.4M

Competitive grant for CTCs to support the purchase of capital equipment.

Innovative Service Development Grant – \$3M

Competitive grant for CTCs for innovative projects that promote greater access to the community, cross-county mobility, and utilization of public transit.





Legislative Changes

2024 Florida Legislature passed CS/CS/SB 1380 related to paratransit services, which takes effect upon becoming law (if signed by the Governor).

Amends CTD board membership, from 7 to 11, including FDOT, APD, Elder Affairs, Blind Services and two county administrators as voting members (s. 427.012, F.S.).

Creates new contract requirements between local governments and transportation service providers related to paratransit for persons with disabilities (s. 427.02, F.S.).

Creates new requirements on reporting and investigating “adverse incidents” related to paratransit services to persons with disabilities (s. 427.021, F.S.).

Requires FDOT to ensure contract and grant agreements include certain requirements related to performance, insurance, and complaints (s. 341.041, F.S.).

Requires FDOT to review CTD and Coordinated System and report findings to Governor and Legislature by January 1, 2025.

CTD Priorities and Upcoming Events

Approve all ISD Grant projects for FY24-25 – Applications due April 30 and CTD approval expected during June 3rd Commission Board Meeting (Tampa)

Complete study to improve collection, verification and analyses of data reported in CTD Annual Operating Report, expected in June.

Approve “Shirley Conroy” Capital Equipment Grant projects for FY24-25 – Applications due May 31 and CTD approval expected by July (date TBD).

CTD will host its annual training conference September 23-25 (West Palm Beach).



Florida Commission for the



**Transportation
Disadvantaged**

For More Info...

Visit CTD website at:

[Florida Commission for the
Transportation Disadvantaged - Home
\(fdot.gov\)](https://www.fdot.gov/ctd/ctd-home)

<https://www.fdot.gov/ctd/ctd-home>

Or contact:

David Darm, CTD Executive Director
(850) 688-2953

David.Darm@dot.state.fl.us

Data on TD Program



Reporting Requirements

CTD is required to provide an annual report to the Governor and Legislature on January 1 (s. 427.013(13), F.S.).

Includes two data sources on state fiscal year (July 1 – June 30) performance:

- Annual Operating Report (AOR) – Provides macro-systemwide overview of TD services coordinated with CTD and other programs. Data provided in aggregated format (i.e., annual total trips, miles, etc.).
- CTD Grant Invoices – Provides micro-programmatic overview of TD “non-sponsored” services funded under TD Trust Fund. Data provided in disaggregated format (i.e., details on trips provided on monthly basis).

CTD annual report also highlights major events that occurred during the previous year, such as legislative activities, policy changes, and public engagement with stakeholders.

Coordinated Transportation Services in FY22-23 (AOR) Statewide

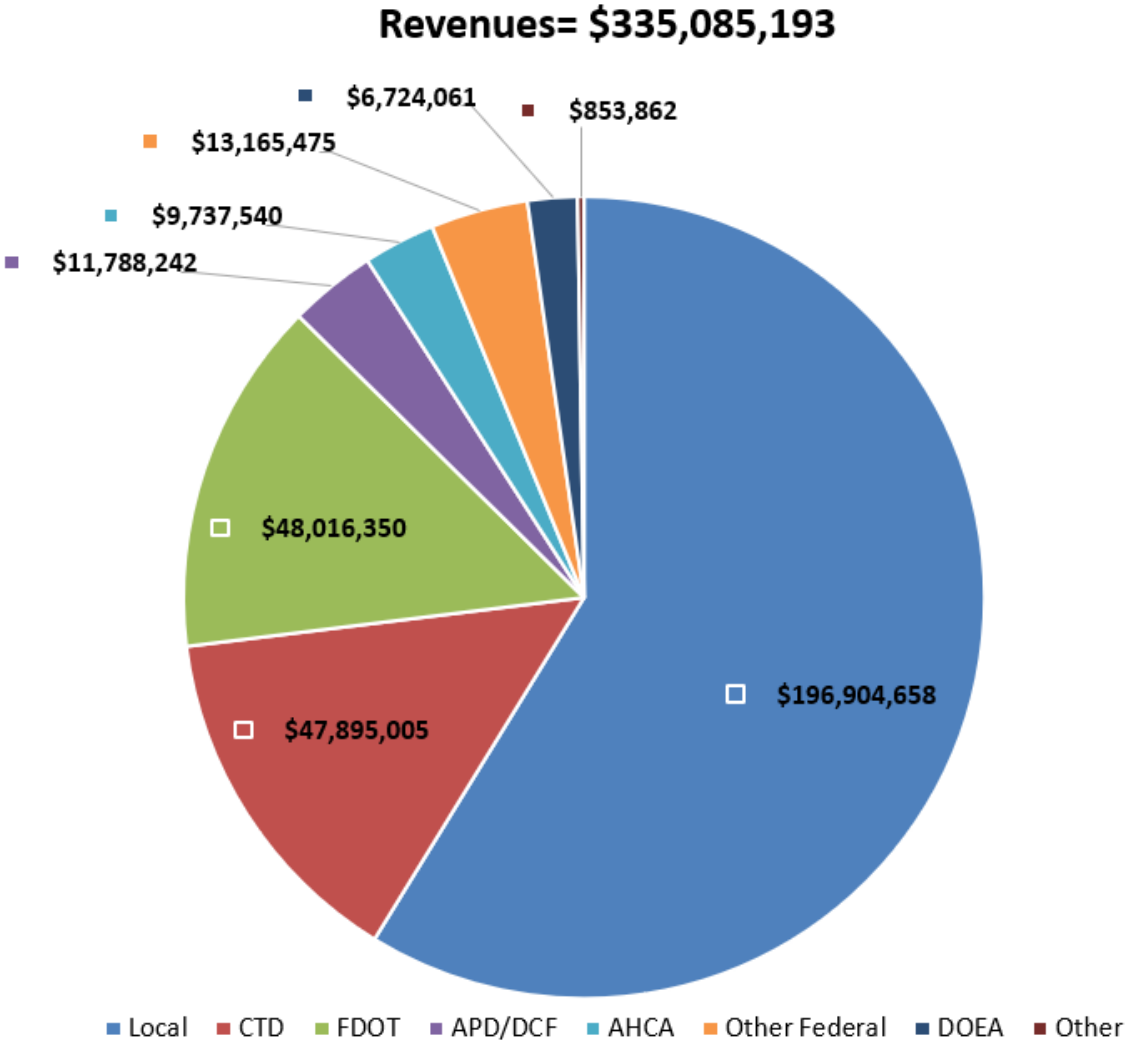
Ridership – 11.6 million trips to 193,241 riders

Trips by Purpose – 4 million for life-sustaining activities; 2.5 million trips for medical activities.

Trips by Service Type – 6.6 million (57%) of all reported trips were provided by fixed-route systems and the remaining (43%) were provided by paratransit services.

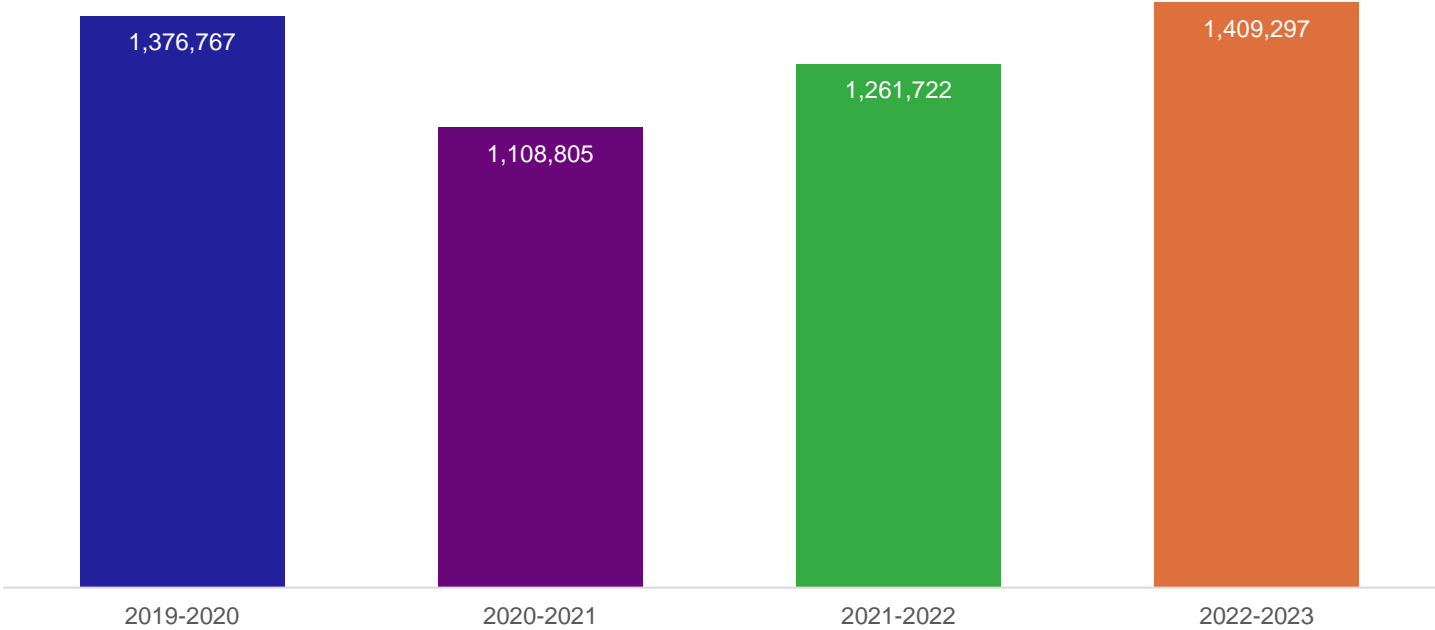
- 203,814 of reported trips were delivered by Taxicab or Transportation Network Companies (TNCs), such as Uber and Lyft.

Coordinated System Reported Revenues FY22-23 Statewide

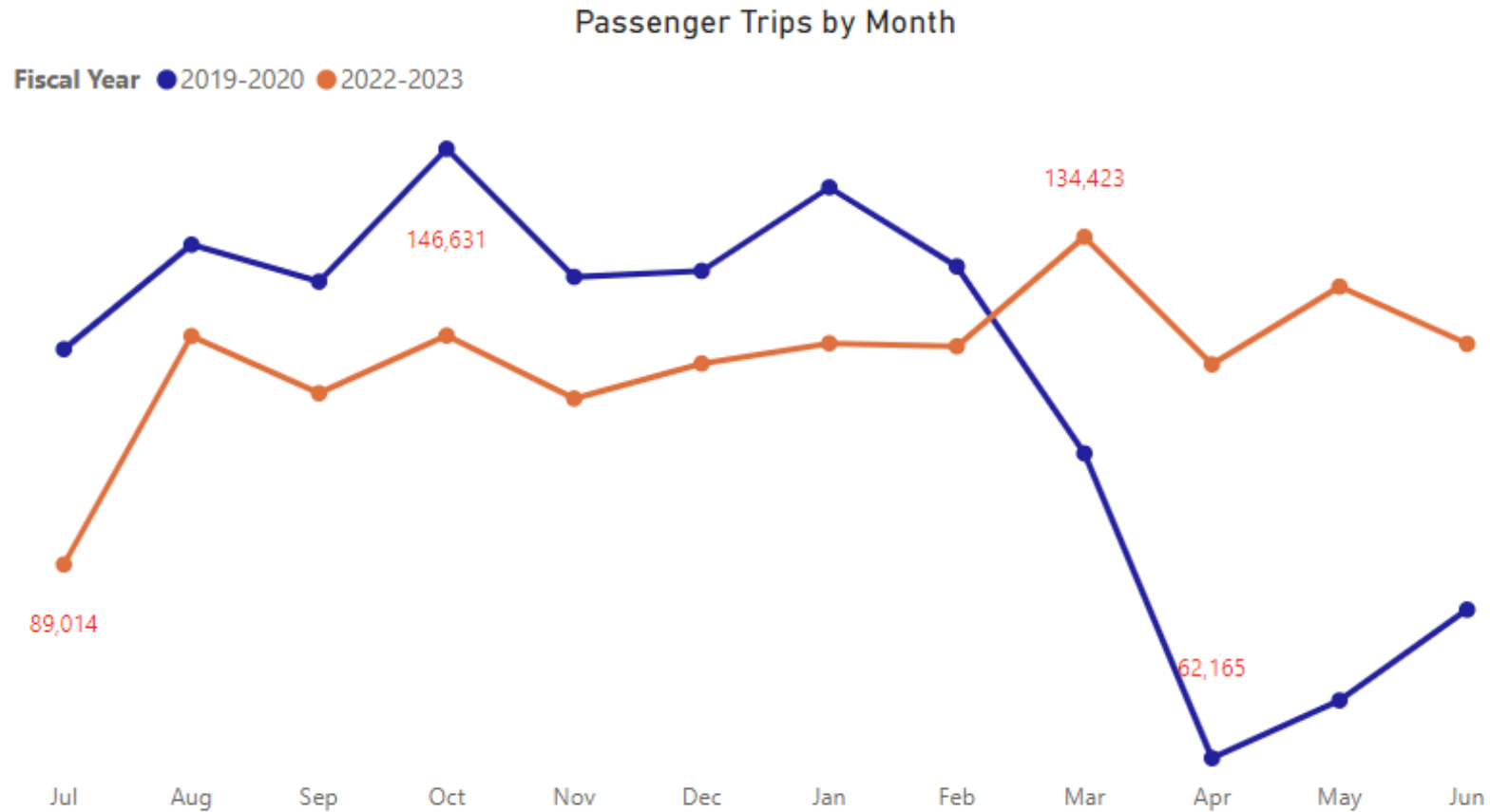


Statewide TD “Non-Sponsored” Passenger Trips

Total Passenger Trips by Fiscal Year



Before and After COVID-19 Pandemic (Statewide)



Item Number 12

Discussion Item: Report from Space Florida

DISCUSSION:

House Bill 7041 from the 2023 Legislative Session requires Space Florida to submit its Spaceport Master Plan to the appropriate metropolitan planning organization for review and to partner with the MPOAC to coordinate and specify how aerospace planning and programming will be part of the state's cooperative transportation planning process. This is the first report from Space Florida in that regard. Mike Miller, VP of External Affairs and Workforce Integration, and Matt Chesnut, VP of Economic and Business Development, will give the presentation.

REQUESTED ACTION:

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

ATTACHMENTS:

Space Florida Presentation.

SPACE FLORIDA



SPACE FLORIDA

BE WHERE NEW IDEAS TAKE OFF™



METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL

APRIL 2024

WHO WE ARE + WHAT WE DO

Space Florida is the state's aerospace finance and development authority. In 2006 a unique state statute was enacted that would open the door to more creative financing options and infrastructure access – making aerospace ventures much easier to launch. This attracted even more aerospace activity to the state. And every new deal brought new ideas and broader experience to the Space Florida community.

Today, Space Florida offers leading aerospace companies unrivaled experience, unmatched financial tools, and an unbeatable location for their new initiatives.

Space Florida: Be Where New Ideas Take Off™





Aerospace Defined in Florida Statute

“Aerospace” means the technology and industry related to the **design, manufacture, maintenance, repair, and operation of aircraft or any other device intended to be used or designed for flight or reentry**, including rockets, missiles, spacecraft, satellites, space vehicles, space stations, space and aircraft facilities or components thereof, and related equipment, systems, facilities, simulators, programs, and activities, including, but not limited to, the application of aerospace and aviation technologies in air-based, land-based, space-based, and sea-based platforms for commercial, civil, and defense purposes.

PORTFOLIO + BUSINESS AREAS

From spaceport authority operations and business development roles, **Space Florida brings finance, business, and industry experts** who have proven they know exactly what it takes to launch successful, groundbreaking aerospace initiatives.



SPACEPORT AUTHORITY

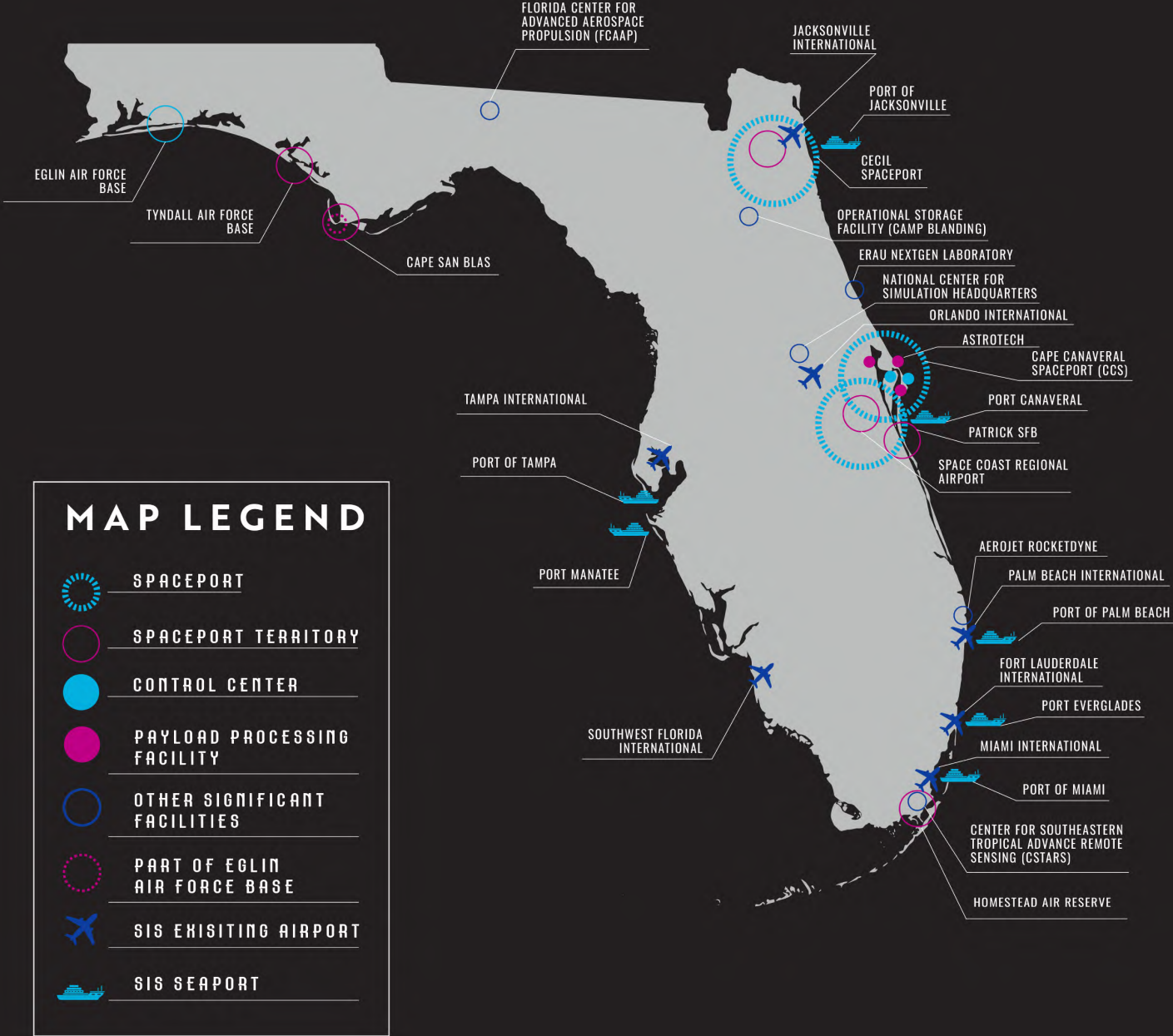
- Develop Infrastructure
- Statewide Planning
- Build, Own, Lease, & Operate
 - Launch Complex 46 and 20
 - Exploration Park
 - Launch & Landing Facility



BUSINESS DEVELOPMENT

- Statewide aerospace projects in both spaceport and non-spaceport territory
- Diverse financial toolkit of capital programs, structure providing financial and tax efficiencies, infrastructure investment, conduit financing
- Simplify treasury, tax, and intercompany issues

FLORIDA'S SPACEPORT SYSTEM



“AEROSPACE” TARGET MARKETS

\$68 Billion

Global advanced air mobility market by 2032

\$421 Billion

Global MRO market by 2030

\$7 Billion

Global flight simulator market by 2030

\$642 Billion

Aircraft manufacturing market by 2033

\$23 Billion
Global satellite manufacturing & launch systems market



OUR CAPITAL PROJECTS PIPELINE

Southeast: 16 Projects

Southwest: 6 Projects

Central Florida: 23 Projects

Space Coast: 56 Projects

Tampa Bay: 11 Projects

Northeast: 5 Projects

West Central: 1 Project

Big Bend: 2 Projects

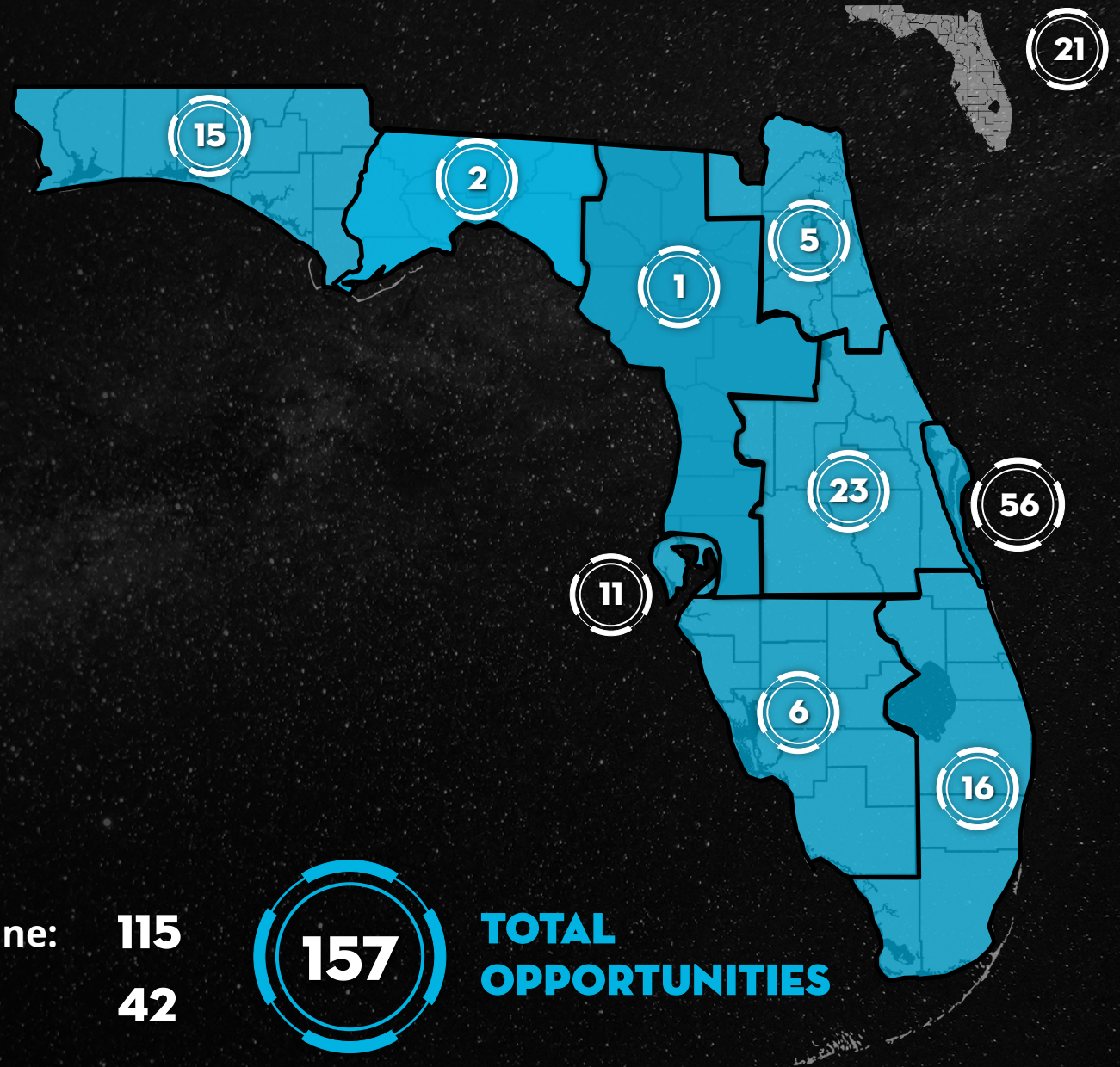
Northwest: 16 Projects

No Specific Region Selected: 21 Projects

107 Leads, 40 Opportunities, 10 Closing

Total Non-Spaceport Opportunities in Current Pipeline: 115

Total Spaceport Opportunities in Current Pipeline: 42



REPRESENTATIVE DEALS



PROJECT UPGRADE I & II

CAE USA Inc. - \$70 Million + \$12 Million
Training/HQ (Tampa Bay)



PROJECT BEVERLY

SIMCOM - \$110 Million
Flight Simulator Leasing
\$35 Million Add-on (Central Florida)



PROJECT POSEIDON

BAE Systems - \$200 Million
Shiplift Installation (Northeast)



AMAZON'S PROJECT KUIPER

\$120 million satellite processing facility
Launch and Landing Facility (Space Coast)



PROJECT CONSTITUTION

Airbus US Space And Defense - \$75 Million
Satellite Manufacturing Facility (Space Coast)



PROJECT REDLINE

Embraer S.A. - \$18 Million
Engineering and Technology Center
Tax-Exempt Issuance (Space Coast)



PROJECT LASER (CONFIDENTIAL)

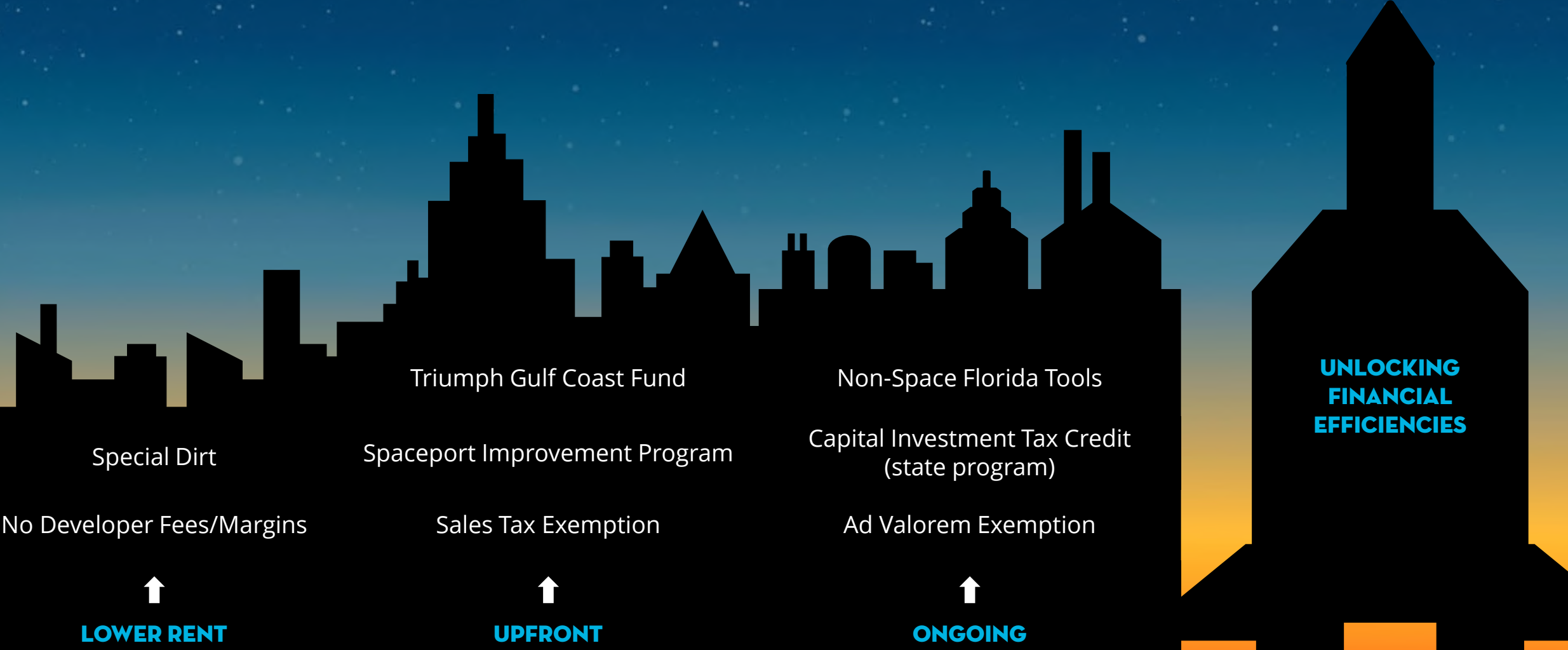
\$20 Million Advanced Manufacturing Facility
Triumph Gulf Coast Fund (Northwest Florida)



PROJECT MAPLE (CONFIDENTIAL)

\$25 Million Regional Aircraft MRO facility
Triumph Gulf Coast Fund (Northwest Florida)

WHY AEROSPACE COMPANIES WANT TO WORK WITH US



REGULATORY WORK

HOW DOES THIS IMPACT YOU?

Tax-exempt Bonds

Access to tax-exempt financing to leverage private capital markets for infrastructure investments.

Aligning with airport and seaport bonds are tax exempt.

Bipartisan and bicameral legislation introduced March 2024 as "Secure U.S. Leadership in Space Act".

Spaceport Systems

Will now include Homestead Air Reserve Base (South Florida) and Tyndall Air Force Base (Northwest Florida) and can leverage additional tools in the financial stack.

Space Florida attracted \$2.14 billion in private investment for space transportation projects.



FUTURE GROWTH AREAS

ADVANCED AIR MOBILITY

- Infrastructure
- Manufacturing & Maintenance
- Repair
- Overhaul

NON-TERRESTRIAL INFRASTRUCTURE

- In-Space Manufacturing
- Satellites
- Logistics & Servicing Hubs

TAX EXEMPT FINANCING OPPORTUNITIES

- Spaceports
- Multimodal Transportation Facilities
- R&D Center
- Link to Non-Terrestrial Infrastructure



FLORIDA is the global hub for aerospace commerce.

Item Number 13

Discussion Item: MPOAC Strategic Directions Plan Update

DISCUSSION:

The MPOAC consulting team, Renaissance Planning Group, will present an update to the MPOAC Strategic Directions Plan.

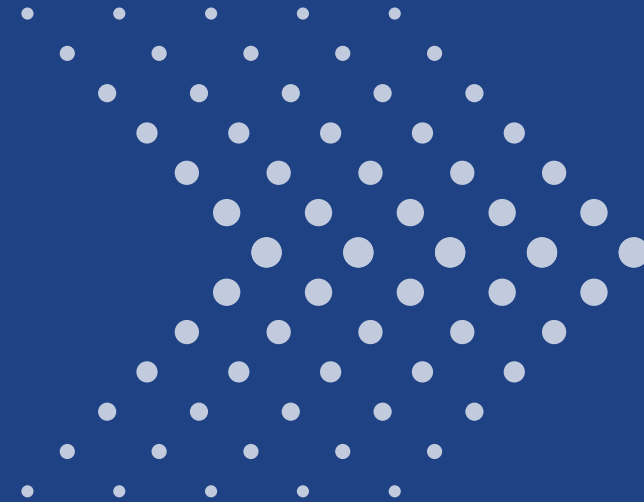
REQUESTED ACTION:

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

ATTACHMENTS:

MPOAC Strategic Directions Plan Presentation.

STRATEGIC DIRECTIONS PLAN 2024



Joint Governing Board and Staff Directors' Advisory Committee Meeting
April 25, 2024

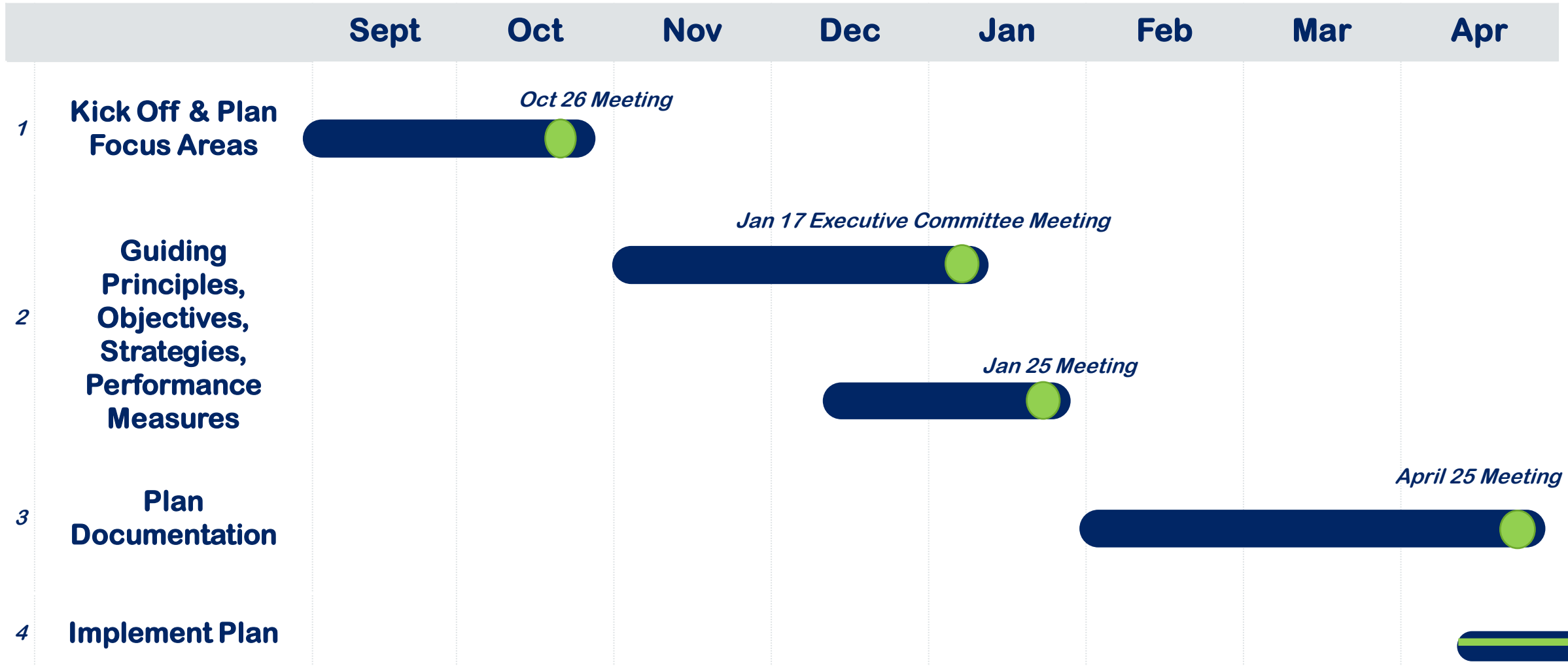
Agenda

- **Recap Strategic Directions Plan Context**
- **Recap of Process and Preliminary Outcomes**
 - Workshop and Survey Results
 - Focus Area alignment with Guiding Principles and 2016 SDP Goals
 - Draft Goals and Strategies
- **Next Steps**



Plan Update Schedule

● *Governing Board and Staff Director Input*



Process




Strategic Directions Plan Context Feedback from Survey and Workshop

Focus Areas Based on Requirements and Survey Results	High Priority	Other Priority
Represent the interests of MPOs and support MPOs, particularly with state and federal agencies.	13	12
Serve as a forum for sharing best practices, discussing relevant topics, and collaborating and networking among all MPOs.	12	15
Provide training and educational opportunities for elected officials and staff.	8	6
Develop resources and templates to aid MPO staff with developing core products and maintaining knowledge on relevant topics.	1	15
Be the lead contractor with data and software vendors on behalf of MPOs to reduce costs and ensure continuity.	1	8
Establish strategic partnerships with national and state organizations.	0	10
Continuously inform MPOs on the latest grant and funding opportunities and assist in understanding requirements and securing funds.	1	3
Serve as a forum to develop relationships amongst MPOs.	0	1

Strategic Directions Plan 2016 Guiding Principles

**Recommend removing
Guiding Principle 5.**

- 1 Maximize the role of the MPOAC in transportation policy, planning, and education.
- 2 Serve as a state transportation leader and agent of positive change.
- 3 Empower and enable individual M/TPOs to do their jobs better.
- 4 Provide opportunities for MPOAC members (MPO elected officials and staff) to participate in committee and workgroup efforts to enhance the organization's mission and impact.
-  Evaluate MPOAC's organizational effectiveness in implementing the strategic goals, objectives & actions.

Represent the interests of MPOs and support MPOs, particularly with state and federal agencies.

Serve as a forum for sharing best practices, discussing relevant topics, and collaborating and networking among all MPOs.

Provide training and educational opportunities for elected officials and staff.

Develop resources and templates to aid MPO staff with developing core products and maintaining knowledge on relevant topics.

Be the lead contractor with data and software vendors on behalf of MPOs to reduce costs and ensure continuity.

Establish strategic partnerships with national and state organizations.

Continuously inform MPOs on the latest grant and funding opportunities and assist in understanding requirements and securing funds.

Serve as a forum to develop relationships amongst MPOs.

**Focus Areas
inform
membership
needs and begin
to inform goals
and strategies.**

Grouped similar focus areas for clarity and simplicity.

Recommendation:

- Translate 3 high-priority Focus Areas to SDP core goals
- Focus Area 4 is administrative function
- Focus Area 5 not a strategic priority
- Focus Area 6 “relationship building” embodied in our business approach

1

Represent the interests of MPOs and support MPOs, particularly with state and federal agencies.
Establish strategic partnerships with national and state organizations.

2

Serve as a forum for sharing best practices, discussing relevant topics, and collaborating and networking among all MPOs.
Develop resources and templates to aid MPO staff with developing core products and maintaining knowledge on relevant topics.

3

Provide training and educational opportunities for elected officials and staff.

4

Be the lead contractor with data and software vendors on behalf of MPOs to reduce costs and ensure continuity.

5

Continuously inform MPOs on the latest grant and funding opportunities and assist in understanding requirements and securing funds.

6

Serve as a forum to develop relationships amongst MPOs.

Strategic Directions Plan Context

Alignment of Guiding Principles and Focus Areas

GUIDING PRINCIPLES

	1. Maximize the role of the MPOAC in transportation policy, planning, and education.	2. Serve as a state transportation leader and agent of positive change.	3. Empower and enable individual M/TPOs to do their jobs better.	4. Provide opportunities for MPOAC members (MPO elected officials and staff) to participate in committee and workgroup efforts to enhance the organization's mission and impact.
Represent the interests of MPOs and support MPOs, particularly with state and federal agencies.	X	X		
Serve as a forum for sharing best practices, discussing relevant topics, and collaborating and networking among all MPOs.	X	X	X	X
Provide training and educational opportunities for elected officials and staff.	X		X	

Focus Areas Consistent with 2016 Goals

Priority Focus Areas

Represent the interests of MPOs and support MPOs, particularly with state and federal agencies.

Serve as a forum for sharing best practices, discussing relevant topics, and collaborating and networking among all MPOs.

Provide training and educational opportunities for elected officials and staff.

2016 SDP Goals

The MPOAC will advocate and collaboratively lead effective local, regional and statewide transportation policy and planning.

The MPOAC will support the sharing of best practices and help coordinate and communicate with members and other organizations.

The MPOAC will implement effective internal and external communication and coordination strategies with members and other organizations.

The MPOAC will expand leadership training and education to engage members and build competence.

2024 Strategic Directions Plan Structure



Guiding principles



Focused goals



Prioritized strategies and actions

2016 Strategic Directions Plan



Clear roles and responsibilities



Timeline



Performance measures

New Elements

Recommended Goals

- **Goal 1:** Represent the interests and priorities of MPOs with FDOT, federal partners, and other organizations to ensure policies and programs encompass MPOs' needs and perspectives.
- **Goal 2:** Enhance knowledge and capacity to aid decision-making and strengthen the understanding of metropolitan planning practices.
- **Goal 3:** Foster collaboration, innovation, and knowledge sharing among MPOs for continuous improvement of transportation planning products.

DRAFT

Goal 1: Represent the interests and priorities of MPOs with FDOT, federal partners, and other organizations to ensure policies and programs encompass MPOs' needs and perspectives.

Strategy 1.1: Confirm the needs of MPOs.

Actions:

1. Poll the MPOs on their current and upcoming interests, ideas, concerns, and/or initiatives.
2. Organize and prioritize the MPO interests and needs.
3. Integrate priorities into engagement efforts with FDOT and federal partners, like the FMPP meetings.

Responsibility:

- MPOAC Governing Board and Staff
- MPOAC Executive Committee
- MPO Staff Directors

Timeline: Annually

Measures:

- Percentage of actions implemented to respond to MPO needs.

DRAFT

Goal 1: Represent the interests and priorities of MPOs with FDOT, federal partners, and other organizations to ensure policies and programs encompass MPOs' needs and perspectives.

Strategy 1.2: Continue to engage state and federal partners.

Actions:

1. Schedule periodic updates or briefings to share MPO perspectives and interests with partner agencies.
2. Continue to include state and federal partners in MPOAC Quarterly Meetings.
3. Identify other opportunities, as needed, for engaging state and federal partners with MPOs.

Responsibility:

- MPOAC Governing Board and Staff
- MPO representatives
- State and federal agencies

Timeline: Quarterly

Measures:

- Effectiveness of collaborative initiatives of MPOAC and state and federal agencies that support and advance MPO interests through a post-meeting evaluation.

DRAFT

Goal 1: Represent the interests and priorities of MPOs with FDOT, federal partners, and other organizations to ensure policies and programs encompass MPOs' needs and perspectives.

Strategy 1.3: Engage national organizations and associations.

Actions:

1. Identify key national organizations and associations that align with the interests and goals of MPOs.
2. Explore opportunities for collaboration, partnership, or information exchange.
3. Identify ways the MPOAC and the organizations can participate in each other's events, conferences, and forums. In addition to sharing best practices, resources, and relevant updates.

Responsibility:

- MPOAC Governing Board and Staff
- MPO representatives
- Identified organizations and associations

Timeline: Quarter 1: identify organizations and explore opportunities; Ongoing: Collaboration

Measures:

- Effectiveness and satisfaction of collaborative initiatives that support and advance MPO interests through a post-engagement evaluation.

DRAFT

Goal 1: Represent the interests and priorities of MPOs with FDOT, federal partners, and other organizations to ensure policies and programs encompass MPOs' needs and perspectives.

Strategy 1.4: Engage statewide organizations and associations.

Actions:

1. Identify key state organizations and associations that align with the interests and goals of MPOs.
2. Explore opportunities for collaboration, partnership, or information exchange.
3. Identify ways in which the MPOAC and the organizations can participate in each other's events, conferences, and forums. In addition to sharing best practices, resources, and relevant updates.

Responsibility:

- MPOAC Governing Board and Staff
- MPO representatives
- Identified organizations and associations

Timeline: Quarter 1: identify organizations and explore opportunities; Ongoing: Collaboration

Measures:

- Effectiveness and satisfaction of collaborative initiatives that support and advance MPO interests through a post-engagement evaluation.

DRAFT

Goal 2: Enhance knowledge and capacity to aid decision-making and strengthen the understanding of metropolitan planning practices.

Strategy 2.1: Continue to offer the MPOAC Weekend Institute to elected officials.

Actions:

1. Continue to offer in-person Weekend Institute sessions for elected officials.

Responsibility:

- MPOAC Governing Board and Staff

Timeline: Sessions are provided up to three times per year.

Measures:

- Number of participants
- Post-training participant evaluation score

DRAFT

Goal 2: Enhance knowledge and capacity to aid decision-making and strengthen the understanding of metropolitan planning practices.

Strategy 2.2: Offer training on advanced or specialized topics.

Actions:

1. Identify other training topics that offer advanced topics or specialized topics.
2. Provide virtual training opportunities for identified topics.

Responsibility:

- MPOAC Executive Director
- MPOAC Governing Board Members

Timeline: Training will be available on-demand year-round.

Measures:

- Number of virtual participants that complete the online training.
- Post-training participant evaluation score.

DRAFT

Goal 2: Enhance knowledge and capacity to aid decision-making and strengthen the understanding of metropolitan planning practices.

Strategy 2.3: Offer training opportunities to MPO staff.

Actions:

1. Conduct a thorough assessment of the training needs and skill gaps among MPO staff through surveys and consultations.
2. Develop specialized training programs and courses that address MPO staff's technical and professional development needs.
3. Deliver training sessions through various formats, including in-person workshops, webinars, and on-demand modules.

Responsibility:

- MPOAC Governing Board and Staff
- MPO representatives

Timeline: Annually

Measures:

- Number of training opportunities offered
- MPO participation rates and attendance in training sessions.
- Post-training participant evaluation score.

DRAFT

Goal 2: Enhance knowledge and capacity to aid decision-making and strengthen the understanding of metropolitan planning practices.

Strategy 2.4: Collaborate with other partners, agencies, and educational institutions to expand training resources and opportunities.

Actions:

1. Establish partnerships with organizations and associations to access additional training resources.
2. Share training materials, courses, and expertise to broaden the range of available training.
3. Promote cross-training and knowledge exchange.
4. Host joint training events and workshops.

Responsibility:

- MPOAC Executive Director, Executive Committee, Governing Board, and Staff Directors
- Partners, agencies, educational institutions

Timeline: Annually

Measures:

- Number of partnerships established with organizations
- MPO participation in joint training initiatives
- Post-training participant evaluation score

DRAFT

Goal 3: Foster collaboration, innovation, and knowledge sharing among MPOs for continuous improvement of transportation planning products.

Strategy 3.1: Maintain a webpage to share best practices and resources.

Actions:

1. Maintain a dedicated webpage for MPOs to access best practices, resources, templates, and guides by topic area.
2. Populate the webpage with relevant content, including best practice guides and case studies. Content could include local and national best practices.
3. Provide training and support to MPOs for using the webpage effectively.

Responsibility:

- MPOAC Governing Board and Staff
- MPO representatives

Timeline: Annually

Measures:

- Number of downloaded resources from webpage
- Number of visits to the webpage

DRAFT

Goal 3: Foster collaboration, innovation, and knowledge sharing among MPOs for continuous improvement of transportation planning products.

Strategy 3.2: Host knowledge-sharing webinars and workshops.

Actions:

1. Plan and organize regular webinars or workshops that address a topic of interest.
2. Distribute relevant presentations, guides, and any other information post-meeting.
3. Poll participants about the effectiveness of webinars and workshops after each event.

Responsibility:

- MPOAC Governing Board and Staff
- MPO representatives

Timeline: Quarterly

Measures:

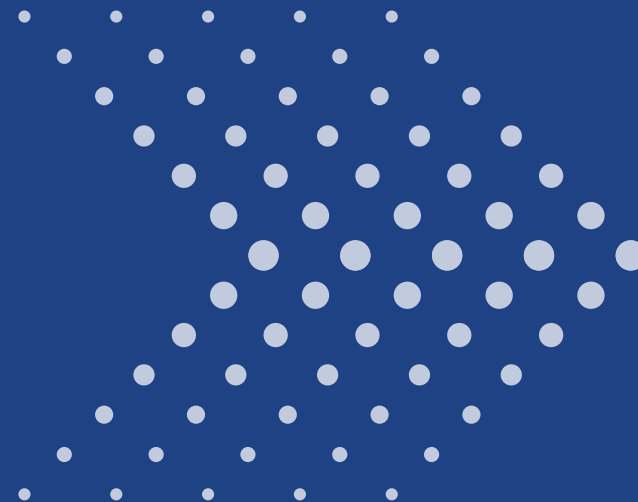
- Number of hosted webinars or workshops.
- MPO participation in webinars or workshops.
- Effectiveness of webinars and workshops based on participant evaluation.

Next Steps

- **Refine Goals, Strategies, and Performance Measures**
- **Requesting your comments by February 16, 2024**
- **Prepare and distribute draft document**
- **Present final plan on April 25, 2024**



STRATEGIC DIRECTIONS PLAN 2024



Joint Governing Board and Staff Directors' Advisory Committee Meeting
April 25, 2024

Item Number 14
Member Comments

DISCUSSION:

Comments or recommendations by MPOAC members.

REQUESTED ACTION:

As may be desired.

ATTACHMENT:

None.

Item Number 15

Adjournment

The next meeting of the MPOAC Governing Board and Staff Directors' Advisory Committee will be in Palm Beach Gardens in conjunction with the Floridians for Better Transportation Summer Camp Conference on July 24, 2024. A meeting notice will be sent approximately one month prior to the meeting date.