

Key Chapter Changes

Key chapter changes highlighted **yellow** are new changes.

- Section 2.3 (Census Designation of Urban Areas) – Definition of urban area updated to reflect 2020 Census methodology. (June 6, 2023)
- Section 2.4 (MPO Designations) - Updated Census data distribution/sharing processes to reflect current practices. (June 6, 2023)
- Section 2.5.5 (Membership Apportionment Plan Content) - Updated contents of MPO Apportionment Plan. (June 6, 2023)
- Section 2.6.1 (MPA Boundary Maps) - Updated requirements for MPA Boundary maps. (June 6, 2023)
- Section 2.7 (Redesignation and Reapportionment) - Updated contents of MPO Reapportionment Plan. (June 6, 2023)
- Section 2.9.5 (Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement) - Added section describing the Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement (ICAR). (March 3, 2023)
- Section 2.6 (Metropolitan Planning Area Boundaries) – Updated urban area boundary information based on the 2020 Census. This includes changing the numbers of calendar days the MPO has to create or revise a final map in consultation with the District showing the MPA boundaries from 120 days to 180 days. The MPO will adopt the MPA Boundary Map when it adopts its Membership Apportionment Plan. (March 3, 2023)

2 Metropolitan Planning Organization Formation and Modification

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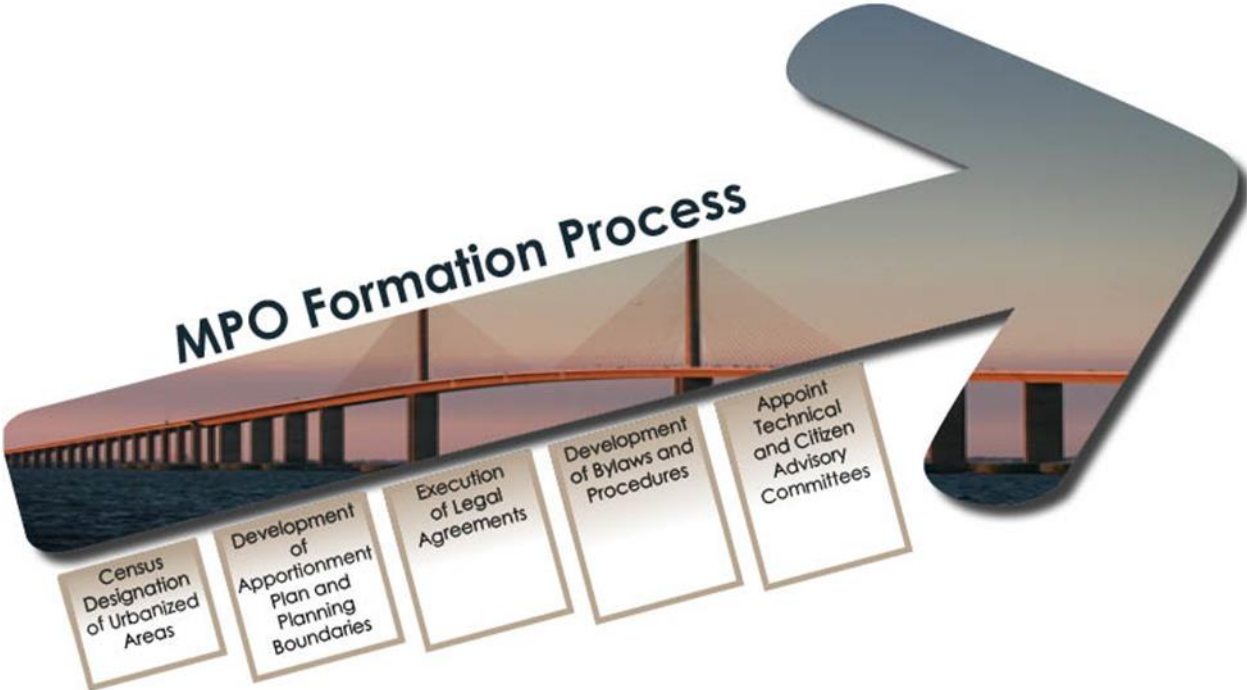
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2.1 Purpose

This chapter addresses Metropolitan Planning Organization (MPO) designation and redesignation, establishing and reviewing transportation planning boundaries, MPO membership apportionment, and required agreements for MPO formation, organization, planning, and compliance. This chapter may be used by Florida Department of Transportation (FDOT) staff as a guideline for the formation of an emerging MPO and changes to an existing MPO’s membership or boundaries. [Figure 2.1](#) illustrates the general process for MPO designation and formation.

Figure 2.1 MPO Designation and Formation



2.2 Authority

This section lists the Federal and State statutes, regulations, and rules related to the designation of MPOs.

Table 2.1 Federal and State Statutes and Codes

Citation	Description
Designation/Redesignation	
23 U.S.C. 134(d) and (e) 49 U.S.C. 5303(d) and (e) 23 C.F.R. 450.310 s.339.175(2), F.S.	Describes the requirements for the designation and redesignation of MPOs
Voting & Apportionment	
23 U.S.C. 134(d)(2) 49 U.S.C. 5303(d)(2) 23 C.F.R. 450.310(d) s.339.175(3) and (4), F.S. s.339.176, F.S.	Describes the MPO voting membership and membership apportionment requirements
Planning Boundaries	
23 U.S.C. 134(e) 49 U.S.C. 5303(e) 23 C.F.R. 450.312 s.339.175(2)(c) and (d), F.S.	Describes the requirements and process for establishing MPO transportation planning boundaries
Agreements	
23 C.F.R. 450.314 s.339.175(2)(b), F.S. s.339.175(10), F.S.	Describes the agreements necessary to implement the metropolitan transportation planning process
Advisory Committees	
s.339.175(6)(d) and (e), F.S.	Specifies the requirement to appoint an MPO Technical Advisory Committee and Citizens' Advisory Committee

Citation	Description
Census	
Urban Area for the 2020 Census-Final Criteria	Census Bureau, Department of Commerce, Federal Register March 24, 2022, pages 16706-16715
2020 Census Qualifying Urban Areas and Final Criteria Clarifications	Census Bureau, Department of Commerce, Federal Register December 29, 2022, pages 80114-80154

2.3 Census Designation of Urban Areas

The United States Census Bureau conducts a census of the population and housing of the United States of America every 10 years. Approximately two years after the census, the Census Bureau designates Urban areas throughout the United States. For the 2020 Census, urban areas are defined as areas that comprise a densely settled core of census blocks that encompass at least 2,000 housing units or has at least 5,000 people.

The Census Bureau used to designate Urbanized Areas (UZA) as urban areas with 50,000 residents or more. Additionally, the Census used to define urban clusters as densely settled cores created from census tracts or blocks and contiguous qualifying territory that together have at least 2,500 residents but fewer than 50,000 residents. The 2020 Census no longer distinguishes between urbanized areas and urban clusters. All qualifying areas are now designated as urban areas. [\[Urban Area Criteria for the 2020 Census-Final Criteria\]](#)

Urban areas (UAs) designations are critical to the administration of the nation’s surface transportation programs. Key Federal Highway Administration (FHWA) and Federal Transit Authority (FTA) planning programs impacted by UA designations include MPO designation, application of metropolitan transportation planning requirements, FHWA and FTA funding availability and eligibility, and application of air quality conformity requirements.

2.4 MPO Designations

UAs are the building blocks of MPO formation. Federal law and regulations require an MPO to be designated for each UA with a population of 50,000 or more, or group of contiguous UAs. [\[23 C.F.R 450.310\(a\)\]](#) The designation must be made by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population, including the largest incorporated city, or according to procedures established by State or local law. [\[23 C.F.R 450.310\(b\)\]](#)

To the extent possible, only one MPO shall be designated for each UA or group of contiguous UAs. More than one MPO may be designated to serve a UA only if the Governor and the existing MPO determine that the size and complexity of the UA makes designation of more than one MPO appropriate. [\[23 C.F.R. 450.310\(e\), s.339.175\(2\)\(a\)\(2\), F.S.\]](#) If more than one MPO is designated for a UA, the MPOs must establish an official written agreement that identifies the areas of coordination and division of responsibilities between MPOs.

Each designated MPO carries out the metropolitan transportation planning process within a defined Metropolitan Planning Area (MPA). The MPA must encompass the entire UA plus the contiguous area expected to become urban within a 20-year forecast period. An MPA boundary may encompass more than one UA. See [Section 2.6: Metropolitan Planning Area Boundaries](#) for more information about establishing and reviewing MPA boundaries.

Each designated MPO may encompass newly designated UAs. A newly identified UA may be incorporated into an existing MPA, which is encouraged by FDOT, and does not require redesignation of the existing MPO. [\[23 C.F.R 450.312\(e\)\]](#)

When the Census Bureau designates a new UA that is not within or overlaps an existing MPA, the District will provide the information to all local governmental entities (e.g., cities and counties); administrators or operators of major modes of transportation; local and regional planning agencies; and, where applicable, Native American Tribal governments. Designation and redesignation must be agreed upon by the Governor and units of local government that together represent at least 75 percent of the affected population, including the largest incorporated city, as named by the Census Bureau.

An existing MPO should review new census data to assess potential changes in its boundaries or Governing Board membership. When the Census Bureau releases UA designations, FDOT's Office of Policy Planning (OPP) will review and transmit the information to MPOs, including applicable UA boundaries and population information. This information will be used by MPOs to develop apportionment plans, as well as to assist in potential MPO redesignation and/or reapportionment. OPP shall keep the MPOs informed on all census information affecting new and existing UAs.

Existing MPOs must review the information to determine whether the membership on the MPO policy body and other committees maintains the appropriate level of representation. If the census information indicates that UAs of separate existing MPOs have become a single UA, the affected MPOs should consider consolidating into a single MPO. If the MPOs and Governor agree the MPOs will remain separate, the affected MPOs must develop and implement a coordinated planning process. This process must result in, but not be limited to, the following: a regional Long-Range Transportation Plan (LRTP) covering the combined MPA that will serve as the basis for the Transportation Improvement Programs (TIP) of each MPO, a coordinated project prioritization and selection process, a regional public involvement process, and a coordinated air quality planning process if in a nonattainment area.

FDOT will schedule meetings to fully acquaint the emerging and existing MPOs with Federal and State requirements. The following topics will be discussed:

- Census population.
- The process the MPO uses for submitting a Membership Apportionment Plan for review and approval/disapproval by the Governor and subsequent designation (or redesignation) of an MPO by the Governor.
- The required legal agreements for formation, organization, transportation planning, and funding.
- The establishment of bylaws and procedures.
- Delineation of boundaries for the MPA.
- Types of funding available to an MPO. This will include an explanation that an emerging MPO is not eligible to receive Federal planning funds to establish an

MPO. The District also should explain what funding is available after designation: Metropolitan Planning (PL) Funds and FTA Section 5305(d) funds.

- All Federal regulations concerning the formation and responsibilities of an MPO.
- All State laws and rules that govern the organization, operation, and responsibilities of MPOs.
- All procedures, handbooks, and manuals used by FDOT to assist MPOs in meeting the requirements for Federal and State funding purposes and fulfilling the requirements of the transportation planning process in an MPA.
- All FDOT procedures, software, and user manuals concerning the development and validation of travel demand forecasting models using the Florida Standard Urban Transportation Model Structure (FSUTMS) or any other FDOT-approved travel demand forecasting model.
- The overall role of FDOT, including any pertinent planning documents (e.g., Florida Transportation Plan, Strategic Intermodal System, Strategic Highway Safety Plan, and the Annual Performance Report) and specific District contact persons.
- The role of the MPO and its intergovernmental relationships with State and local governments, regional planning councils or agencies, and other transportation and land use agencies.

Each new MPO must be fully operational no later than six months following its designation. [\[s.339.175\(2\)\(e\), F.S.\]](#) An MPO designation remains in effect until an official redesignation has been made. [\[23 C.F.R. 450.310\(g\)\]](#)

2.5 Membership Apportionment Plan

Federal law and regulation allow the State and units of local government to largely determine the composition of the MPO. [\[23 U.S.C. 134\(d\), 23 C.F.R. 450.310\]](#) Florida Statute refers to this process as “apportionment.” [\[s.339.175\(4\), F.S.\]](#) The Governor apportions the membership of the MPO with the agreement of the affected local governments. [\[s.339.175\(4\)\(a\), F.S.\]](#) Each MPO must review the composition of its membership in conjunction with each decennial census. Each existing and emerging

MPO must submit a Membership Apportionment Plan that meets the requirements of [s.339.175\(3\), F.S.](#), [s.339.175\(4\), F.S.](#), and [23 C.F.R. 450.310](#).

2.5.1 Voting Membership

The MPO voting membership, as reflected in the Membership Apportionment Plan, must consist of between 5 and 25 apportioned members; the exact number is to be determined on an equitable geographic-population ratio basis by the Governor, based on an agreement among the affected units of general purpose local government, as required by Federal rules and regulations. [\[s.339.175\(3\)\(a\), F.S.\]](#) In determining the composition of the MPO Board:

- With the exception of instances in which all of the county commissioners in a single-county MPO are members of the MPO Governing Board, county commissioners shall compose at least one-third of the MPO Governing Board membership. A multicounty MPO may satisfy this requirement by any combination of county commissioners from each of the counties constituting the MPO. In cases where the MPO has more than 15 voting members with a 5-member county commission, or the MPO comprises 19 members with a 6-member county commission, the county commissioners can comprise less than one-third of the voting members. In the two situations outlined above, all county commissioners must be members of the Board.
- All voting members shall be elected officials of general purpose local governments, except that an MPO may include as part of its apportioned voting members a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, and/or an official of the Spaceport Florida Authority. As used in [s.339.175\(3\)\(a\), F.S.](#), the term “elected official” excludes constitutional officers, such as sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials.
- County commissioners shall compose not less than 20 percent of the voting membership of the MPO Board if an official of an agency that operates or administers a major mode of transportation has been appointed to the MPO. [\[s.339.175\(3\)\(a\), F.S.\]](#)

- Any authority or agency created by law to perform transportation functions that is not under the jurisdiction of a local government represented on the MPO may be provided voting membership on the MPO. [\[s.339.175\(3\)\(b\), F.S.\]](#)

The Governor also may provide that MPO members who represent municipalities on an MPO Board may alternate with representatives from other municipalities within the MPA that do not have members on the MPO. [\[s.339.175\(3\)\(a\), F.S.\]](#)

Any county chartered under [Subsection 6\(e\), Article VIII](#) of the Constitution of the State of Florida may elect to have its county commission serve as the MPO Board if the MPO jurisdiction is wholly contained within the county. In addition to the entire county commission, the MPO established under this provision must include four additional voting members to the MPO: one of whom must be an elected official representing a municipality within the county, one of whom must be an expressway authority member, one of whom must be a nonelected individual residing in the unincorporated portion of the county, and one of whom must be a school board member. [\[s.339.175\(3\)\(d\), F.S.\]](#)

In addition, the voting membership of any MPO, whose geographical boundaries include any “county” as defined in [s.125.011\(1\), F.S.](#), [a county chartered under Subsection 6(e) Article VIII of the Constitution of the State of Florida (Miami-Dade County)], must include an additional voting member appointed by that city’s governing body for each city with a population of 50,000 or more residents. [\[s.339.176, F.S.\]](#)

A Transportation Management Area (TMA) is a UA with a population over 200,000, as defined by the Census Bureau and designated by the U.S. Department of Transportation (U.S. DOT). Note that in some cases, a UA with less than 200,000 residents has been designated as a TMA; this is upon special request from the Governor and the MPO designated for the area. Federal law requires the voting membership of an MPO Board in a TMA must include:

- Local elected officials;
- Officials of public agencies that administer or operate major transportation systems in the metropolitan area (such as rail, airports, ports, and transit); and
- Appropriate State officials. [\[23 C.F.R. 450.310\(d\)\(1\)\]](#)

Florida law states these transportation agencies may be given voting membership on the MPO, regardless of TMA status, if such agencies are performing functions that are not under the jurisdiction of a general purpose government represented on the MPO. If such operators of major modes of transportation are represented by elected officials from general purpose governments that are on the MPO, the MPO shall establish the process by which the interests of these operators are expressed. [\[s.339.175\(3\)\(b\), F.S.\]](#)

2.5.2 Nonvoting Advisors

Florida Statutes require FDOT to serve as a nonvoting advisor to the MPO Governing Board. FDOT will be represented by the District Secretary or designee. Additional nonvoting advisors may be appointed by the MPO as deemed necessary; however, to the maximum extent feasible, each MPO shall seek to appoint nonvoting representatives of various multimodal forms of transportation not otherwise represented by voting members of the MPO. Representatives of major military installations, upon their request and subject to the agreement of the MPO, shall be appointed as nonvoting advisors of the MPO. [\[s.339.175 \(4\)\(a\), F.S.\]](#) All nonvoting advisors may attend and fully participate in board meetings but may not vote or be members of the Board.

Urban areas that include Tribal reservation lands should include the appropriate Native American Tribal Council's government in the metropolitan transportation planning process.

2.5.3 Alternate Members

At the request of the majority of the affected units of general-purpose local government comprising an MPO, they and the Governor shall cooperatively agree upon and prescribe who may serve as an alternate member and agree on a method for appointing alternate members. This method must be included as part of the MPO's interlocal agreement, operating procedures, or bylaws. The alternate member may vote at any MPO Board meeting in place of the regular member if the regular member is not in attendance. [\[s.339.175\(4\)\(a\), F.S.\]](#)

2.5.4 Board Member Terms

The MPO Board members shall serve four-year terms. The membership of any public official automatically terminates upon the member leaving his or her elected or appointed office for any reason or may be terminated by a majority vote of the entity's governing board represented by the member. A vacancy shall be filled by the original appointing

entity. A member may be reappointed for one or more additional four-year terms. The MPO Board members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the MPO may serve terms up to four years, as provided in the MPO interlocal agreement, operating procedures, or bylaws. [\[s.339.175\(4\)\(b\), F.S.\]](#)

2.5.5 Membership Apportionment Plan Content

The MPO Membership Apportionment Plan shall include the following:

- 2010 and 2020 Census population data for the total MPO area
- Current MPO membership (local governments and agencies)
- Proposed MPO membership (local governments and agencies)
- The methodology used to determine the proposed MPO membership changes (if there are proposed changes)
- MPA Boundary map
- MPO Board resolution adopting the Apportionment Plan

Under Florida law, a chartered county with a population over one million may elect to reapportion the membership of the MPO whose jurisdiction is wholly within the county.

[\[s.339.175\(3\)\(c\), F.S.\]](#) The charter county may exercise this option if:

- The MPO approves the Reapportionment Plan by a three-fourths vote of its membership;
- The MPO and charter county determine the Reapportionment Plan is needed to fulfill specific goals and policies applicable to that MPA; and
- The charter county determines the reapportionment plan otherwise complies with all Federal requirements pertaining to MPO membership.

Any chartered county that elects to exercise this option must notify the Governor in writing. [\[s.339.175\(3\)\(c\), F.S.\]](#) This may be addressed in a cover letter accompanying the MPO Membership Apportionment Plan.

2.5.6 Membership Apportionment Plan Review

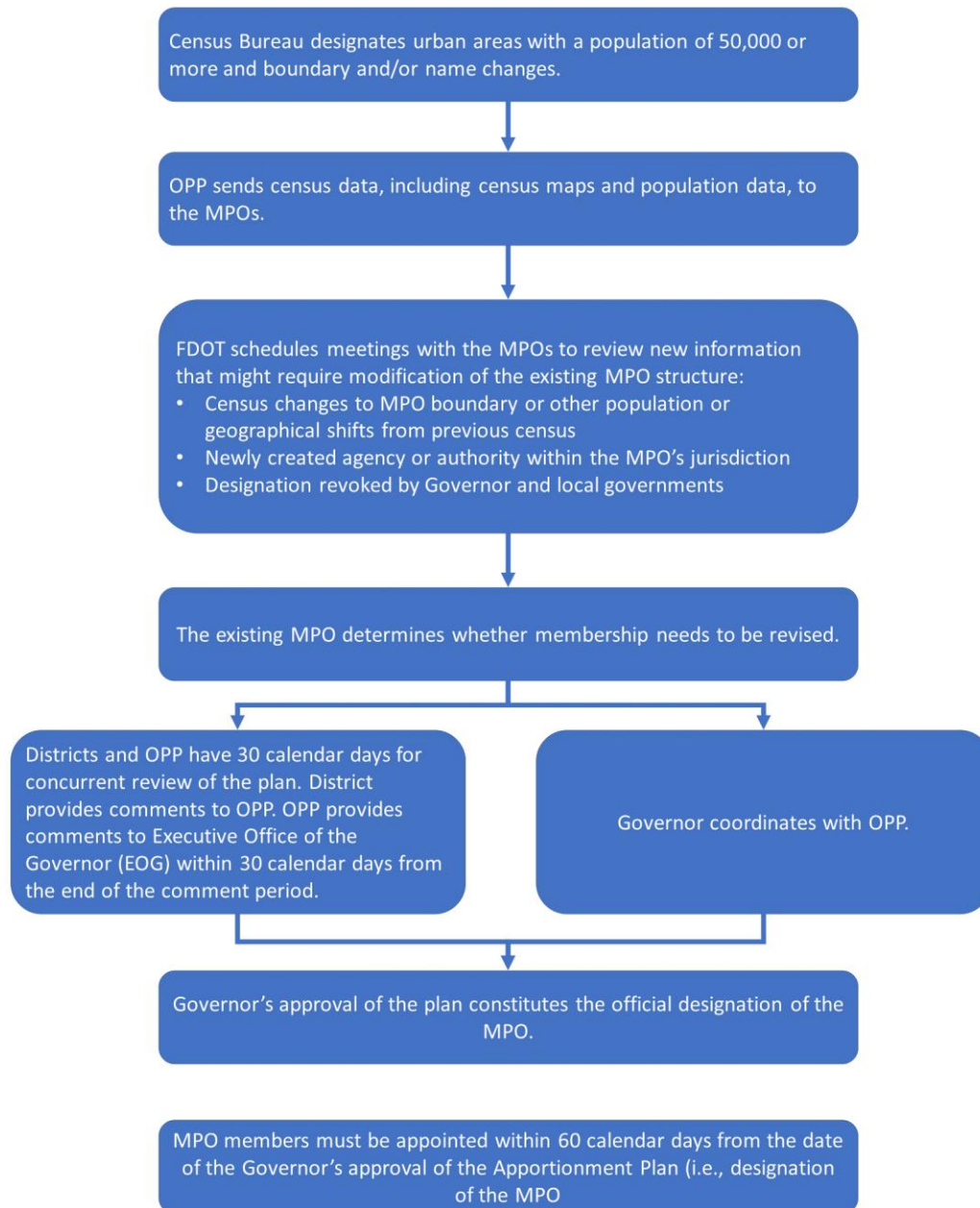
The MPO submits the Membership Apportionment Plan and MPA Boundary Map (see page 2-15) to OPP's MPO Statewide Coordinator. The MPO shall at the same time provide copies of the Plan to the District Planning Manager or designee. The District planning staff and OPP will have 30 calendar days from the date of receipt to concurrently review the MPO Membership Apportionment Plan for consistency with Federal and State requirements. At the end of the 30-day review period, the District will provide comments to OPP. Within 30 calendar days after the end of the 30-day review period, FDOT will provide a recommendation to the Policy Coordinator in the Transportation Unit of the Executive Office of the Governor (EOG). The recommendation will be for the Governor to either approve or disapprove the proposed Membership Apportionment Plan. The Governor's approval of the Apportionment Plan constitutes official designation of the MPO, as required by [23 U.S.C. 134\(d\)\(5\)](#), [s.339.175\(3\), F.S.](#), and [s.339.175\(4\), F.S.](#)

2.5.7 Governor's Action on Membership Apportionment Plan

The MPO should appoint representatives to serve on the Board within 60 days after the Governor has approved the proposed Membership Apportionment Plan. If a governmental entity fails to fill an assigned appointment to an MPO within 60 days after notification by the Governor of its duty to appoint, that appointment shall be made by the Governor from the eligible representatives of that governmental entity. [\[s.339.175\(4\)\(c\), F.S.\]](#) If the Governor should disapprove the proposed Membership Apportionment Plan, the District shall assist in addressing any issues identified by the Governor.

[Figure 2.2](#) shows the process for developing the MPO Membership Apportionment Plan.

Figure 2.2 Developing the MPO Membership Apportionment Plan



2.6 Metropolitan Planning Area Boundaries

The Federal requirements for establishing and adjusting MPA boundaries are set out in [23 C.F.R 450.312](#). The boundaries of an MPA must be determined by agreement between the MPO and the Governor. At a minimum, the MPA boundaries must

encompass the entire existing urban area of 50,000 people plus the contiguous area expected to become part of the urban area within a 20-year forecast period. An MPA boundary may encompass more than one UA and may be established to coincide with regional economic development and growth forecasting areas, as well as with a Metropolitan Statistical Area or Combined Statistical Area, as defined by the U.S. Office of Management and Budget. In addition, MPA boundaries must not overlap with each other.

If more than one MPO is designated within an urban area with a population of 50,000 or more, the Infrastructure Investment and Jobs Act (IIJA) requires MPOs to ensure, to the maximum extent practicable, consistency of any data used in the planning process. The IIJA also clarifies that MPOs are not required to jointly develop planning documents (i.e., a unified LRTP or unified TIP). [\[23 U.S.C. 134\(g\)\(4\) and \(5\)\]](#)

Where part of a UA that is served by one MPO extends into an adjacent MPA, the MPOs must, at a minimum, establish written agreements that clearly identify areas of coordination and the division of transportation planning responsibilities among and between the MPOs. Alternatively, the MPOs may adjust their existing boundaries so the entire UA lies within only one MPA. Boundary adjustments that change the composition of the MPO may require redesignation of one or more of the MPOs. [\[23 C.F.R. 450.312\(h\)\]](#)

The MPA can include all or part of a given county; this can include areas that, due to their growth characteristics, are anticipated to become a UA within the next 20 years. The District, in consultation with the MPO, shall review and make recommendations on areas outside the projected 20-year area. FHWA should be consulted in such expansions with supporting documentation that justifies the expansion.

The MPO must review its MPA boundaries after each Census, in cooperation with the State and public transportation operator(s), to determine if existing MPA boundaries meet the minimum statutory requirements for new and updated UAs. The boundaries should be adjusted as necessary. [\[23 C.F.R. 450.312\(j\)\]](#)

2.6.1 MPA Boundary Maps

OPP provides 2020 Census urban area boundaries and population data to MPOs for the purpose of establishing or updating existing MPA boundaries. These data can be found on the [Urban Area Boundary and Functional Classification Data Hub](#).

Within 180 calendar days of receipt of the decennial census information, the MPO shall create or revise a final map showing the MPA boundaries. Information used to develop the map shall include, but not be limited to, the following:

- The Census-based criteria and data assumptions (i.e., population estimates provided by the Bureau of Economic and Business Research, University of Florida) used to determine the 20-year growth area for drawing the MPA boundary; and
- Documentation used to support the inclusion of any geographic areas for MPA funding purposes that are not expected to be urban within the next 20 years.

The MPO will adopt the MPA Boundary Map when it adopts its Membership Apportionment Plan. The MPO shall submit both documents to OPP's MPO Statewide Coordinator and the District Planning Manager or designee in accordance with the review procedure set out in [Section 2.5.6: Membership Apportionment Plan Review](#). In accordance with [23 C.F.R. 450.312\(j\)](#), OPP will provide copies of the maps to FHWA and FTA following approval by the MPO and the Governor.

MPA boundary maps should be developed at a scale that best meets the needs of the urban area; in addition to the aforementioned boundaries, the maps shall clearly designate the following information:

- 2020 urban areas with 50,000+ people
- Graphic scale and north arrow
- Legend, including the date the map was initially approved and the date of revision(s)
- Major city or county-designated roadways
- Interstates, U.S., and State highways
- Transit/intermodal facilities and airports
- MPA Boundary

2.6.2 Modification of MPO Boundary Maps

Requests for modification to the MPA boundary may be initiated by the MPO or the District. OPP periodically releases Census population information developed by the Bureau of Economic and Business Research Department at the University of Florida. This information may be used to modify transportation planning boundaries.

Any changes to the relevant MPO boundaries may require the MPO to review and/or revise its voting apportionment, LRTP, TIP, UPWP, and all existing agreements and documents, as necessary.

2.7 Redesignation and Reapportionment

An existing MPO may be redesignated only by agreement between the Governor and units of local government that together represent at least 75 percent of the existing MPA population, including the largest incorporated city. [\[23 C.F.R. 450.310\(h\)\]](#)

Redesignation of an existing MPO is required whenever the MPO proposes to make 1) a substantial change in the proportion of its voting members, or 2) a substantial change in the decision-making authority or responsibility of the MPO or in decision-making procedures established in the MPO's bylaws. [\[23 C.F.R. 450.310\(j\)\]](#)

The following changes to an MPO do not require a redesignation if the changes do not trigger a substantial change as described in 23 C.F.R. 450.310(j):

- Identification of a new UA (as determined by the Census Bureau) within an existing MPA;
- Adding members to the MPO that represent new units of general purpose local government resulting from expansion of the MPA;
- Adding members to satisfy the specific membership requirements for an MPO that serves a TMA; and/or
- Periodic rotation of members representing units of general purpose local government, as established under MPO bylaws.

An MPO seeking redesignation must submit a Reapportionment Plan that meets the same requirements and must go through the same review and approval process as

outlined in [Section 2.5: Membership Apportionment Plan](#). The District shall assist the MPO and provide the MPO with guidance as the proposed MPO Reapportionment Plan must include the following:

- 2010 and 2020 Census population data for the total MPO area
- Current MPO membership (local governments and agencies)
- Proposed MPO membership (local governments and agencies)
- The methodology used to determine the proposed MPO membership changes (if there are proposed changes)
- MPA Boundary map
- MPO Board resolution adopting the Apportionment Plan

As appropriate, the MPO should appoint or remove representatives to serve on the Board within 60 days after completion of an amended interlocal agreement. The interlocal agreement should be updated to incorporate the changes made in the approved Membership Apportionment Plan. The MPO shall notify the District when membership changes are made. If the Governor disapproves the proposed Redesignation Plan, the District shall assist the MPO in addressing the issues identified by the Governor.

2.8 Execution of an Interlocal Agreement

The responsibilities of each agency involved in carrying out the metropolitan transportation planning process shall be clearly identified by written agreement between the parties. [\[23 C.F.R. 450.314\(a\), s.339.175\(2\)\(b\), and s.339.175\(10\)\(a\), F.S.\]](#) This is accomplished through the execution of an interlocal agreement [\[Form No. 525-010-01\]](#) pursuant to the Florida Interlocal Cooperation Act of 1969 [\[s.163.01, F.S.\]](#). This form should be used for the creation of a new MPO, as well as for the re-designation of an existing MPO. This form is available for download from the [FDOT Procedural Document Library](#).

The interlocal agreement is a standard document drafted specifically to address the metropolitan transportation planning requirements identified in Federal and State law and regulations. The parties to this interlocal agreement shall be FDOT and the governmental

entities designated by the Governor for MPO membership, including nonvoting members. [\[s.339.175\(2\)\(b\), F.S.\]](#)

After a new MPO has been designated, or modifications to an existing MPO have been approved by the Governor, the District shall hold a meeting with the responsible MPO staff to discuss the execution of a new or updated interlocal agreement.

The interlocal agreement should indicate if a member government is to represent other local governments on the MPO and whether the voting membership is to rotate annually. The District shall request its legal staff to review the agreement before forwarding it to the MPO for execution. The text of all standard interlocal agreements shall not be modified in any manner that impacts FDOT or changes the statutory duties and responsibilities of the MPO.

Copies of the approved interlocal agreement shall be distributed to the MPO, the District, OPP, and each signatory to the agreement. Copies of the interlocal agreement must be filed with the Clerk of the Circuit Court in each county in which a party to the agreement is located. The District legal office shall ensure the interlocal agreement is filed in the county in which the District office is located.

The interlocal agreement is reviewed and updated at least every five years, or sooner when MPO membership changes. [\[s.339.175\(10\)\(a\), F.S.\]](#) When an interlocal agreement is updated, the MPO serves as the coordinating body for agreement review, negotiations, and execution among all parties. The MPO provides copies of the updated agreement to all signatories for filing purposes.

An emerging MPO, upon execution of the interlocal agreement, must immediately establish bylaws or operating procedures for the conduct of daily business and decision-making. Once the MPO is formally designated, the bylaws or operating procedures should be revised as needed and adopted again by the MPO. Each District and emerging MPO should coordinate and mutually agree to a timetable suitable for the MPO to be fully operational within six months from its designation.

2.9 Execution of Other Required Agreements

The District shall meet with the MPO to develop each of the standard agreements discussed below. The District shall process each standard agreement after approval by all parties and approved by the MPO through a resolution. The District shall coordinate the

review of the agreement with District legal staff and FDOT's Comptroller's Office, if needed, before transmitting it for execution. The language contained in all standard agreements shall not be modified in any manner that impacts FDOT or changes the statutory duties and responsibilities of the MPO. The District shall request the MPO approve each agreement and provide an appropriate number of copies of the agreement to FDOT. The MPO will return all signed versions to the District for FDOT approval. The District Secretary (or designee) must sign each agreement, thereby, executing the agreement for FDOT.

One original agreement shall be sent to each of the following: the MPO, the District, the OPP MPO Statewide Coordinator, and each signatory as needed. For Joint Participation Agreements, two copies of the executed agreement should be provided to the Comptroller's Office. The same process applies whenever an agreement is updated. The following subsections provide detail on each of the agreements.

2.9.1 MPO Agreement

The MPO Agreement establishes the cooperative relationship between the MPO and FDOT to accomplish the transportation planning requirements of Federal and State law. [\[s.339.175\(10\)\(a\)\(1\), F.S., 23 C.F.R. 450.314\(a\)\]](#). Specifically, the Agreement accomplishes three things: 1) provides Federal financial assistance to the MPOs for transportation-related planning activities, as found in the Unified Planning Work Program (UPWP); 2) establishes the terms and conditions for accepting that Federal assistance; and 3) creates the framework of cooperation between FDOT and the MPO for development of the UPWP. The Agreement must be reviewed and updated, as necessary, or at least every two years.

The standard MPO Agreement is [Form No. 525-010-02 1](#) and is available for download from the [FDOT Procedural Document Library](#). **Note:** The Central Office General Counsel Office must review all proposed changes to the standard MPO Agreement.

2.9.2 Public Transportation Grant Agreement

To fund its public transportation programs using FTA planning funds, the designated MPO may choose to enter into a Public Transportation Grant Agreement with FDOT. This agreement provides "State funding" to the MPO to assist in meeting FTA local match requirements. It outlines certain administrative and program requirements that must be met to receive State funds for FTA match purposes. These agreements are executed annually and differ in how FDOT chooses to provide the "State match," which may be

cash, in-kind services, or both. At this time, the soft-match option used for FHWA Metropolitan Planning (PL) funds is not applicable for FTA planning funds. The Public Transportation Grant Agreement, including exhibits, extensions, and amendments ([Form No. 725-000-01](#), [Form No. 725-000-02](#), [Form No. 725-000-03](#), and [Form No. 725-000-04](#)) are available for download from the [FDOT Procedural Document Library](#).

2.9.3 Interstate Compact

Where the boundaries of the MPA extend across two or more states, the governors, the MPO(s), and public transportation operators must coordinate transportation planning for the entire multistate area; this includes jointly developing planning products for the MPA. The states may enter into agreements or compacts for cooperative efforts and mutual assistance in support of metropolitan planning activities, and may establish agencies to implement the compacts or agreements. [\[23 C.F.R. 450.314\(f\)\]](#)

2.9.4 Multiple MPOs in One Urban Area

If more than one MPO has been designated to serve an urban area, then there must be a written agreement between the MPOs, the state(s), and the public transportation operator(s) that describes how the metropolitan transportation planning processes will be coordinated to ensure the development of consistent LRTPs and TIPs across the MPA boundaries, particularly in cases in which a proposed transportation investment extends across the boundaries of more than one MPA. The planning processes must reflect coordinated data collection, analysis, and planning assumptions across the MPAs. Alternatively, a single LRTP and/or TIP for the entire area may be developed jointly by the MPOs. Coordination is also strongly encouraged for neighboring MPOs that are not within the same MPA. Coordination efforts and outcomes must be documented in submittals of the UPWP, the LRTP, and the TIP to the state(s), the FHWA, and the FTA. [\[23 C.F.R. 450.314\(e\)\]](#)

2.9.5 Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement

The Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement (ICAR) is an agreement that promotes cooperation between FDOT, the MPO, the regional planning council(s) (RPC), and local government agencies to optimize the planning and programming of the transportation system within the Metropolitan Planning Area (MPA). This agreement ensures cooperation between these

agencies on the UPWP, TIP, LRTP, and any applicable corridor or subarea studies. This agreement also provides a process through the RPC(s) for intergovernmental coordination and review and identification of inconsistencies between proposed MPO transportation plans and local government comprehensive plans. [\[s. 163, F.S.\]](#) Furthermore, the agreement provides a process for conflict and dispute resolution through the RPC. The ICAR has a term of five years. At the end of each term, the agreeing parties review the ICAR, where they will reaffirm the agreement unless the parties agree on changes to the provisions. If changes are agreed upon, the ICAR is amended. The standard MPO Agreement is [Form No. 525-010-03](#) is available for download from the [FDOT Procedural Document Library](#).

2.10 Appointment of Technical and Citizens' Advisory Committees

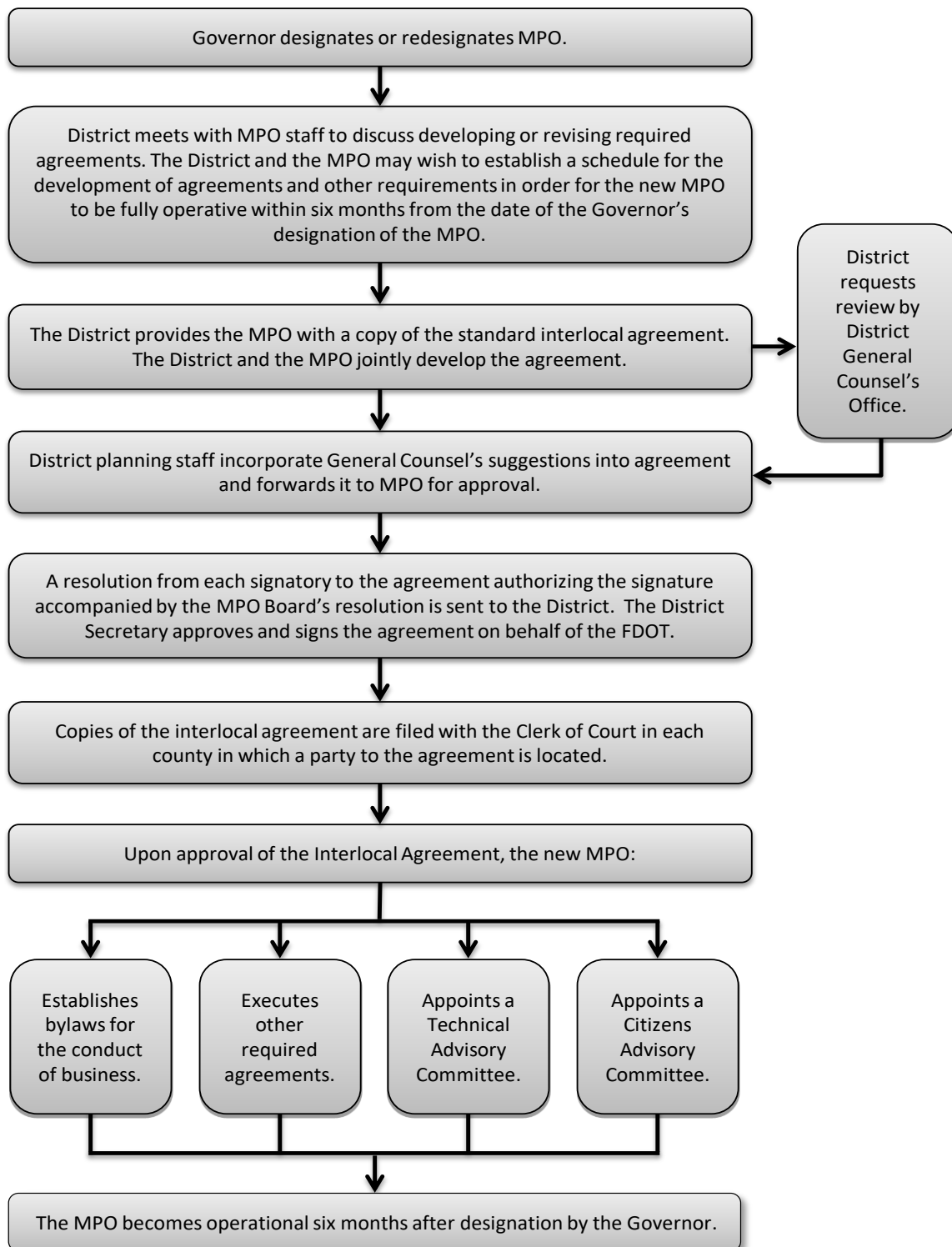
Florida Statute requires that each MPO appoint a Technical Advisory Committee (TAC) and a Citizens' Advisory Committee (CAC), the members of which shall serve at the pleasure of the MPO. The District shall assist the MPO, as requested in the appointment of a TAC and CAC. [\[s.339.175\(6\)\(d\) and \(e\), F.S.\]](#)

The TAC, when possible, must include planners, engineers, representatives of local aviation authorities, port authorities, public transit authorities or representatives of aviation departments, seaport departments, public transit departments of municipal or county governments, the school superintendent (or designee) of each county covered by the MPO, as well as other appropriate representatives of affected local governments. While not required by State law, Federal and State agency representatives, whose actions are transportation related, may also serve on the TAC. [\[s.339.175\(6\)\(d\), F.S.\]](#)

The CAC must reflect a broad cross-section of local residents. Minorities, the elderly, and the handicapped must be adequately represented. An MPO, with FDOT, FHWA, and FTA approval, may adopt an alternative program or mechanism to ensure citizen involvement in the transportation planning process. [\[s.339.175\(6\)\(e\), F.S.\]](#)

Figure 2.3 provides an overview of the process to develop agreements and appoint the required committees.

Figure 2.3 Agreement Development Process



2.11 References

This section provides a list of references/definitions from State law, including key procedures and forms, related to MPOs.

Table 2.2 **References**

Reference	Description
Florida Constitution	
Article VIII of the Florida Constitution Section 6(e)	Provides for home rule and charter counties
Florida Statutes	
s.125.011(1), F.S.	Defines “county”
Section 163.01, F.S., The Florida Intergovernmental Cooperation Act of 1969	Provides for interlocal agreements
Section 339.175, F.S.	Florida’s MPO Statute
FDOT Procedures	
Procedure No. 525-020-311	FHWA Urban Boundary and Federal Functional Classification, defines the procedures and responsibilities for designating urban boundaries and determining Federal functional classification designations for all public roads
<p><i>(The language in the samples may be adjusted with the advice and guidance of the District general counsel to address an individual MPO’s needs.)</i></p>	
Form No. 525-010-01	Interlocal Agreement for Creation of the MPO
Form No. 525-010-02	Metropolitan Planning Organization Agreement

Reference	Description
Procedure No. 725-000-005-j Form No. 725-000-01	Public Transportation Grant Agreement
Form No. 725-000-02	Public Transportation Grant Agreement Exhibits
Form No. 725-000-03	Amendment to the Public Transportation Grant Agreement
Form No. 725-000-04	Amendment for Extension of the Public Transportation Grant Agreement
Form No. 525-010-03	Intergovernmental Coordination and Review and Public Transportation Collaborative Planning Agreement