

**Minutes of the Florida MPO Advisory Council
Governing Board Meeting
October 30, 2013**

Governing Board Members in Attendance:

Mayor Richard J. Kaplan, Broward MPO, Chair
Deputy Mayor Susan Haynie, Palm Beach MPO, Vice-Chair
Commissioner Tom Bausch, Martin MPO
Councilman Jim Bennett, Sarasota/Manatee MPO
Commissioner James Herston, Charlotte County-Punta Gorda MPO
Commissioner Frannie Hutchinson, St. Lucie TPO
Commissioner Trudie Infantini, Space Coast TPO
Mayor Walter T. Kelley, Bay County TPO
Councilmember Thomas Leonardo, Lee County MPO
Councilmember Delores Madison, Capital Region TPA
Mayor Jim Richards, Lake-Sumter MPO
Commissioner Mark Sharpe, Hillsborough County MPO
Commissioner Gene Valentino, Florida-Alabama TPO
Councilman James Wood, Okaloosa-Walton TPO
Commissioner Thomas Hawkins, Gainesville MTPO

Others in Attendance:

Howard Glassman, MPOAC Executive Director
Brigitte Messina, MPOAC Assistant
Paul Gougelman, MPOAC General Counsel
Jeff Kramer, USF/CUTR
Karen Seggerman, USF/CUTR
Karen Brunelle, FHWA
Lee Ann Jacobs, FHWA
Bob Romig, FDOT
Jim Wood, FDOT
Mayor Rocky Randels, Space Coast TPO
Phil Matson, Indian River MPO
Susan Adams, Indian River MPO
Michael Howe, Sarasota/Manatee MPO
Georganna Gillette, Space Coast TPO
Nick Uhren, Palm Beach MPO
Sarah Ward, Pinellas County MPO
Gregory Stuart, Broward MPO
Peter Buchwald, St. Lucie TPO
Bob Herrington, Charlotte County-Punta Gorda MPO
Lucie Ayer, Collier MPO
Mike Spain, LANE
Shundreka R Givan, FHWA
Harold Barley, MetroPlan Orlando
Doug McCleod, FDOT
Mary Bo Robinson, Florida-Alabama, Okaloosa-Walton and Bay County TPOs
Michael Escalante, Gainesville MTPO
Erika Young, Transportation for America
Harry Reed, Capital Region TPA
T.J. Fish, Lake-Sumter MPO
Matthew Herston

1. Call to Order

Mayor Richard J. Kaplan, Broward MPO, Chair, called the meeting to order at 3:30 p.m.

He noted a change in order of agenda items to move Item 7. Erika Young, Transportation for America to after Item 4 and Item 10. Public Comments to after approval of minutes to fulfill the spirit of the public comment law that went into effect on October 1st. All rose for the Pledge of Allegiance.

2. Approval of Minutes

Councilman James Wood, Okaloosa-Walton TPO made a motion to approve the minutes of the July 25, 2013 meeting of the MPOAC Governing Board. Vice-Chairman Susan Haynie, Palm Beach MPO seconded the motion. The motion was approved unanimously.

3. Public Comments on Non-Agenda Items.

There were no public comments.

4. Executive Director's Report (previously Item 3)

Mr. Howard Glassman, MPOAC Executive Director, provided a status report on the MPOAC budget for July 1st through September 30th (Attachment 1 of the MPOAC agenda package under the Executive Director's Report). He noted that dues for the National Association of Regional Councils (NARC) and the Association of Metropolitan Planning Organization (AMPO) are no longer paid from the MPOAC budget but from the PL formula that will be addressed later in the agenda. FDOT will pay the dues on behalf of the MPOAC.

Chairman Kaplan introduced the agenda item regarding MPOAC Rules of Procedure for Public Comments (Implementation of SB 50) (Attachment 2 Memorandum from Paul Gougelman by Chairman Kaplan on Rules of Procedure, dated September 8, 2013, and (Attachment 3 of the MPOAC Resolution 2013-1 Rules of Procedures for Public Comments). On page 3 of 7, Chairman Kaplan recommended removal of Item 9. Public Comments due to its redundant nature. Mr. Gougelman noted that the staff directors had reviewed the procedures and recommended in favor of them.

Councilmember Thomas Leonardo, Lee County MPO moved to remove Item 9. Public Comments. The motion was seconded by Commissioner Gene Valentino, Florida-Alabama TPO. The motion carried unanimously.

Vice-Chairman Susan Haynie moved approval of the MPOAC Resolution 2013-1 Rules of Procedures for Public Comments as amended. Councilman James Wood seconded. Chairman Kaplan opened the floor for public comment, seeing none closed the floor and called the question. The motion carried unanimously.

Mr. Glassman brought the memorandum on page 4 of 4 to the attention of the Chair. Mr. Gougelman presented the item. He explained that the MPOAC is not subject to Florida's

Administrative Procedures Act as confirmed by the Joint Administrative Procedures Committee representative. Yet there are existing rules in the Florida Administrative Code (F.A.C.) that are out of date. Mr. Gougelman recommended that the existing rules in the F.A.C. be prepared for repeal; that the existing rules be revised and prepared for re-adoption by a much simpler and more expeditious process of adoption of a resolution and posting of the rules on the MPOAC website.

Mayor Rocky Randels, Space Coast TPO moved to accept the recommendation. It was seconded by Vice-Chairman Susan Haynie and carried unanimously.

Mr. Glassman presented the 2014 MPOAC State Legislative Policy Positions (Attachment 4 of the 2014 State Legislative Policy Positions). He explained that the Policy Committee met in August to formulate the positions with input from all of the staff directors. Policy Positions have been reformatted to reinforce the important positions in response to Policy Committee concerns that policy positions were being diluted due to the sheer number of them. Therefore, three priority policy positions along with background are presented including the most feasible recommendations from the Revenue Study, restoring funding to the TRIP program, and provide more flexibility in how the Department allocates SIS funds. In addition, the staff directors recommended a fourth position – To allow the use of State Transportation Trust Funds for regional multiuse trail capital improvements. He further reviewed the remaining policy positions including the change made by the staff directors to remove all references to the cap on the number of MPO Governing Board members and instead rely on federal law to dictate the membership and number of members. He noted that most MPOs across the country operate in accordance with federal law because it not generally addressed in state law. He noted a technical change in Number 6 to read "...smart card technology and other innovative technologies." Number 7 deals with not having the car-rental surcharge apply to hourly car rentals.

Discussion ensued regarding the MPO Governing Board membership issue during which Florida law and federal law requirements were clarified. Discussion occurred regarding the policy position on car rental and the concept of car-sharing by the hour. There was also discussion regarding the need for a mileage-based user fee, the restoration of funds to the State Transportation Trust Fund, and the possibility of identifying a secondary funding source for TRIP funds. Additional discussion involved the mileage-based user fees and concerns raised were the potential to cause a hardship for individuals and privacy invasion.

Mayor Walter T. Kelley, Bay County TPO moved to add the fourth priority policy provision as recommended by the staff directors - to allow the use of State Transportation Trust Funds for regional multiuse trail capital improvements. Vice-Chair Susan Haynie seconded. The motion passed unanimously.

Commissioner Mark Sharpe, Hillsborough County MPO moved to retain the Number 7 Additional Policy Position regarding the exemption of car sharing services from the rental car surcharge. Vice-Chair Susan Haynie seconded. The motion carried with 8 in favor and 6 against.

Vice-Chair Susan Haynie moved to amend the Number 5 Additional Policy Position to remove all references to the cap on the number of MPO Governing Board members and

instead rely on federal law to dictate the membership and number of members. Commissioner Gene Valentino, Florida-Alabama TPO seconded. The motion carried.

Vice-Chair Susan Haynie moved to accept the policy positions as amended. Commissioner Gene Valentino, Florida-Alabama TPO seconded. The motion carried with four voting against the motion.

Mr. Glassman presented MPOAC Institute Recruitment Strategies (Attachment 5 of the MPOAC Institute Recruitment Strategies for 2014).

The Chair noted that Ms. Erika Young, Transportation for America would be next to enable her to catch her flight.

Mr. Glassman announced dates and locations for the 2014 MPOAC Institute – March 28 – 30th at the Rosen Centre Hotel in Orlando and May 30-June 1 at the Renaissance Hotel International Plaza in Tampa.

5. Transportation for America (previously Item 7)

Ms. Erika Young, Director of Strategic Partnerships for Transportation for America (T4America), presented an overview of Transportation for America and federal transportation issues of interest to the MPOs. Transportation for America is an alliance of elected, business and civic leaders from communities across the country, united to ensure that states and the federal government step up to invest in smart, homegrown, locally-driven transportation solutions. These are the investments that hold the key to our future economic prosperity.

Ms. Young shared a brochure to assist local governments – “Making the Most of Map 21.” T4America is concerned that MAP-21 did not get to where it needed to be. Ms. Young noted the changing world including demographic and housing changes such as the demand for housing near transit. She noted that Salt Lake City has added five new transit lines in five years using federal, state, and local funding sources. How do we continue to support these local economic efforts that support the national economy? T4America has 5 key focus areas – investment, innovation, options, local authority, and access to jobs. She noted that Polk Transit is focusing more on a business to business model. The transportation bill should establish the federal government as an investor that focuses on the expenditure of funds where the greatest economic returns would occur. When MAP 21 expires, the Transportation Trust Fund will be empty with only a couple of options: Option 1. Reduce federal role and return control to the states; however, the amount of money coming in has not been enough. Option 2. National Surface Transportation Revenue Policy Commission. Increase money and competition in the federal bill to increase investment in infrastructure and increase competitiveness. T4America revenue proposal is to increase funds, support transit initiatives, support maintenance, and dedicate funding to competitive programs. This policy will be available soon. T4 America asked for the MPOAC’s assistance in the following ways:

- Work with the them to craft their message
- Review and comment on the revenue proposal

- Be part of the growing metropolitan network to develop a consensus that gives Congress no other option than to act

More information is available at T4America.org. Erika Young may be contacted at Erika.young@t4america.org.

Discussion ensued. One member suggested that we sunset federal government departments that are unnecessary rather than raising more money. Another noted that federal grants affect what locals pursue and that funding for alternatives analysis needs to be backed up by capital funding at the end. A shift toward merit-based funding would be welcome. Support was expressed for the T4 America direction. It was asked that Mr. Glassman bring forth a recommendation at the January meeting.

6. Agency Reports (previously Item 4)

a. FDOT Agency Report

The Chair introduced Jim Wood, Director of Policy Planning at FDOT, who provided an update of Department efforts. He noted that the Future Corridors Concept Studies are complete for Tampa Bay-Central Florida and Tampa Bay-Northeast Florida. The studies are available on the website. He noted that the Department will be ramping up on the Florida Transportation Plan and the Strategic Intermodal System Strategic Plan which will both be updated by the end of 2015. He noted that the Department is working on long range transportation plan needs guidance and the draft report is expected in April 2014. The Statewide Freight Database has been slightly delayed and is now expected to be available in April 2014.

Mr. Wood noted the MPO status regarding reaffirmation plans based on the 2010 U. S. Census. Only six MPOs have yet to complete their plans. The new urbanized area in Citrus County will likely be joining the Hernando MPO. The Sebring/Avon Park Urbanized Area will not be joining the Polk TPO but will be joining with five other counties to form a new regional MPO. He noted that the Recreational Trails Program Opt Out allows the funding to be used in a more flexible manner.

In regard to performance measures (MAP-21 and Florida Transportation Plan Scorecard), the Department is developing Statewide Mobility Performance Measures that will be discussed Mr. Doug McLeod. Mr. Wood noted that the Florida Transportation Plan Scorecard is available on the FDOT website.

Mr. Wood explained the Metropolitan Planning (PL) Funds Formula Change (Attachment 3 of the Metropolitan Planning (PL) Funds Formula Change). He requested action to approve the Metropolitan Planning (PL) Funds Formula Change regarding the off-the-top allocations. Mr. Glassman clarified the staff director's recommendation that changes are only to the off-the-top allocations and the letter will be changed to address only the MPOAC Planning Funds Formula.

Discussion ensued regarding the possibility of a 27th MPO. Mr. Wood clarified that rather than join the Polk TPO as encouraged by FDOT, Highlands County proposed another arrangement. As proposed, Highlands County and five other counties including DeSoto,

Glades, Hardee, Hendry, and Okeechobee would form a regional MPO. Among other things, concerns were expressed that small MPOs have a difficult time meeting requirements with available resources let alone planning for four additional counties. Mr. Romig clarified that a concern regarding portions of DeSoto County in other MPO areas would be addressed in the interlocal agreement.

Councilmember Thomas Leonardo, Lee County MPO moved to approve the PL Funding Formula allocation and letter. Vice-Chairman Susan Haynie seconded by Susan. In response to a question regarding AMPO and NARC dues and the value of these organizations to the MPOAC, Chairman Kaplan clarified the overall dues reduction for all MPOs in Florida who are members under the MPOAC membership. Mr. Peter Buchwald, St. Lucie TPO explained that they work on legislative policy as well as providing webinar guidance and training. In response to another question, Mr. Glassman clarified the staff director's recommendation regarding the motion. The motion carried unanimously.

b. FHWA Agency Report

Ms. Karen Brunelle, Director, Federal Highway Administration (FHWA) Office of Project Development, and Ms. Lee Ann Jacobs, Planning and Programs Coordinator at the FHWA Florida Division Office, provided updates regarding FHWA activities. Ms. Brunelle noted that Mr. Christian, the new Florida Division Administrator is now in place. The new FHWA office in Orlando is now operational but not yet fully functional. She noted the office personnel is listed as attachment 1 in the agenda packages.

Ms. Brunelle reported on the TIGER V Grants. In September, \$474 million was awarded for 52 grants, three in Florida. A total of 585 applications totaling \$9 billion were received. Florida projects included the Florida International University (FIU) City Prosperity for ITS and Complete Streets, Lee County MPO for Complete Streets, and FDOT for Freight Logistics.

Ms. Brunelle gave the MAP-21 Update, which was comprised of the following:

- Result of Sequestration on NHPP funds. In FY 2013, Florida lost \$2 million in National Highway Performance Program funds and, in FY 2014, about \$2.3 million will also be lost due to sequestration.
- Notice of Proposed Rule Making for Categorical Exclusions. Regarding projects that are likely to have fewer environmental impacts. Comment period closes on November 18th.
- Proposed Rule Making for Planning Process regarding Performance Measures. Should begin in the 4th quarter. Sign up for email alerts on the FHWA performance management page.
- Proposed FHWA/FTA Policy Guidance on Transit Representation on MPOs serving TMAs (Attachment 3 of the Proposed Policy Guidance on MPO Transit Representation on MPOs serving TMAs, dated September 30, 2013). Comment period closes today. Mr. Gougelman sent comments to the MPOAC (see agenda attachment). This is only

proposed guidance at this point; there will be an additional opportunity to comment during rule-making.

Discussion ensued regarding transit representatives on the MPO Board.

7. Florida's Rail Initiatives (previously Item 5)

Mr. Fred Wise, Executive Director of the Florida Rail Enterprise, presented Florida's Rail Initiatives and discussed Safety and Quiet Zone Issues.

- Florida East Coast (FEC) – Direct connection to the Port of Miami via a tunnel to ease congestion in Downtown Miami and become a competitive gateway for international trade.
- South Florida Regional Transportation Association (SFRTA) – Commuter rail for south Florida since January 1989. Tri-Rail up to Jupiter. TIGER V Grant will fund two major connectors: the Northwood Connector and the Iris Connector. These will maximize the use of lines for freight, and future transit/intercity rail service.
- CFRFC – Commuter Rail for Central Florida – SunRail anticipated in April 2014.
- CSX Intermodal Logistics Center being constructed in Winter Haven. Development of this facility is occurring due to the opening of SunRail.
- CSX S-Line Capacity Improvements Freight will be diverted from the A-line to the S-line due to SunRail.
- FECI – All Aboard Florida. Line from Miami to Orlando with 3-hour travel time. Service may be initiated by late 2015.

Mr. Wise also reviewed the Crossing Safety Improvement Program and the Locomotive Horn Rule (Quiet Zones). While normally quiet zone improvements are funded by the local government requesting the zone, Florida East Coast Industries has stated they would pay for the quiet zones associated with All Aboard Florida.

In response to a question regarding why old technology is being used, Mr. Wise noted that cost was a great consideration.

8. Mobility Performance Measures (previously Item 6)

Mr. Doug McLeod, FDOT Planning Manager for Mobility Performance Measures, presented an overview of Mobility Performance Measures and MAP-21 (Attachment 1 of the Mobility Performance Measures and MAP-21, dated October 30, 2013).

In January of 2013, a statewide team was established to look at mobility performance measures. It was agreed that MPOs would serve on the team, one from each of the seven FDOT Districts. Broward County was the lead on the team. FDOT must comply with MAP 21 requirements. Because they must collect the data necessary to do so, it is FDOT's intent to also provide the MPOs with the MAP 21 performance requirement information for their area, thereby, relieving MPOs of that financial burden. The FDOT and each MPO will need to

develop their individual reports, performance measures, targets, and plans. FDOT will work with MPOs through each FDOT District to develop their targets and provide training and technical support.

9. Communications (previously Item 8)

Members were referred to the communications in the agenda packet.

- Letter from FDOT Secretary Ananth Prasad to FHWA Division Administrator David Hawk certifying the state's transportation planning process and approving the MPOs Transportation Improvement Programs, dated September 4, 2013.
- Letter from MPOAC General Counsel Paul R. Gougelman to Howard Glassman, MPOAC Executive Director regarding Central Cities in MPO reapportionment plans, dated September 7, 2013.
- Letter from AMPO, NARC and NADO to USDOT Secretary Anthony Foxx regarding representation of public transit providers on MPOs, dated September 19, 2013.

10. Member Comments (previously Item 9)

There were no member comments.

The meeting was adjourned at 6:12 p.m.