Hybrid Virtual & In-Person Meeting of the Policy Committee
Wednesday, January 13, 2021, 8:30 AM

The County Center and Plan Hillsborough offices continue to be closed to the public in response to the COVID-19 pandemic. A minimum number of board members will meet in person at the County Center, and all other participation will continue to be virtual.

This meeting may be viewed on Hillsborough Television (HTV) by visiting Spectrum: 637, Frontier: 22 or live stream from Hillsborough County’s Live YouTube Channel or the County website’s Live Meetings link, also found in the County Newsroom.

The agenda packet, presentations, and any supplemental materials are posted on the MPO’s online meeting calendar.

Public comment opportunities:
To speak during the meeting - No later than 30 minutes before the meeting, please sign up here or phone 813-756-0371 for assistance. Provide the phone number you will call in from, so that we can recognize your call in the queue. You will receive an auto-reply confirming we received your request, along with instructions.
Comments may also be given up to 5pm the day before the meeting:
- by leaving a voice message at (813) 756-0371
- by e-mail to mpo@plancom.org
- by visiting the event posted on the MPO Facebook page.

Advance comments will be provided in full to the board members and verbally summarized during the meeting by MPO staff.

Agenda: Workshop on MPO Composition & Bylaws

I. Call to Order & Pledge of Allegiance

II. Approval of Minutes – May 26, 2020 and September 22, 2020

III. Public Comment - 3 minutes per speaker, please

IV. Action Items
   A. Election of Officers (Cameron Clark, MPO Attorney)

V. Discussion Items
   A. Board Requests & MPO Organizational Documents (Beth Alden, MPO Director)
      i. Board officer term limits
      ii. Organizational name change
      iii. Changes in quorum/voting members
   B. MPO Reapportionment Process Overview (Sarah McKinley, MPO Staff)
VI. Old & New Business

VII. Adjournment

VIII. Addendum
   A. FDOT Tentative Work Program Public Hearing Flyer
   B. Federal Certification Review Public Comment Period

The full agenda packet is available on the MPO’s website, www.planhillsborough.org, or by calling (813) 272-5940.

The MPO does not discriminate in any of its programs or services. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Learn more about our commitment to non-discrimination.

Persons needing interpreter services or accommodations for a disability in order to participate in this meeting, free of charge, are encouraged to contact Joshua Barber, (813) 576-2313 or barberj@plancom.org, three business days in advance of the meeting. If you are only able to speak Spanish, please call the Spanish helpline at (813)272-5940 or (813) 273-3774 and dial 1 for Spanish.

Se recomienda a las personas que necesiten servicios de interpretación o adaptaciones por una discapacidad para participar en esta reunión, o ayuda para leer o interpretar los temas de esta agenda, sin costo alguno, que se pongan en contacto con Joshua Barber, (813) 576-2313 o barberj@plancom.org, tres días hábiles antes de la reunión. Si sólo habla español, por favor llame a la línea de ayuda en español al (813)272-5940 o (813) 273-3774 y dial 1 for Spanish.

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If a person decides to appeal any decision made by the board, he or she will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
MAY 26, 2020 - METROPOLITAN PLANNING ORGANIZATION POLICY COMMITTEE

The Metropolitan Planning Organization (MPO) Policy Committee (MPOPC), Hillsborough County, Florida, met in Regular Meeting, scheduled for Tuesday, May 26, 2020, at 9:00 a.m., held telephonically.

The following members were present:

Pat Kemp, Chairman
Guido Maniscalco
   (arrived at 9:08 a.m.)
Kimberly Overman (alternate)
Mariella Smith
Cindy Stuart
   (arrived at 9:08 a.m.)
Joseph Waggoner

Commissioner, Hillsborough County
Councilman, City of Tampa City Council
Commissioner, Hillsborough County
Commissioner, Hillsborough County
Hillsborough County School Board
Tampa-Hillsborough Expressway Authority

I. CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

► Chairman Kemp called the meeting to order at 8:59 a.m. and led in the pledge of allegiance to the flag. ► The Deputy Clerk called the roll and noted a quorum was present.

II. APPROVAL OF MINUTES - MARCH 24, 2020, AND OCTOBER 22, 2019

► Chairman Kemp called for a motion to approve the minutes. Commissioner Smith said approval, seconded by Commissioner Overman, and carried unanimously by members present.

III. PUBLIC COMMENT - ► None.

IV. ACTION ITEMS

   a. Comments on Regional Transit Development Plan “Envision 2030”

► Messrs. William Ball, Tindale Oliver and Associates Incorporated representing Tampa Bay Area Regional Transportation Authority (TBARTA) and Richard Clarendon, MPO, presented the item. ► Commissioner Smith requested the presentation slides, questioned who wanted TBARTA to adopt the Regional Transit Development Plan, discussed the low/high impact scenarios on TBARTA managing HART/Pinellas Suncoast Transit Authority lines, and expressed concern for the transportation budget. ► Commissioner Overman sought direction on Hold Harmless funding for local transit agencies. ► Chairman Kemp opposed the item, queried about money lost, and did not feel transit should be privatized. ► Commissioner Smith was not supportive of
the TBARTA plan and inquired about money given to TBARTA and spent on lobbyist. Mr. Waggoner desired to know if TBARTA had benchmarks based on urban areas that had a regional local/arrangement and how the concept worked. Ms. Beth Alden, MPO Executive Director, clarified staff recommendations for the item. Upon suggestion from Commissioner Smith, no action was taken.

b. Public Participation Measures of Effectiveness Report

Ms. Wanda West, MPO, discussed the item. After favorable remarks, Commissioner Smith moved acceptance of the report, seconded by Commissioner Overman, and carried unanimously by members present.

c. Public Participation Plan Amendments

Ms. West expounded on the item. Commissioner Kemp appreciated the organizational chart. Commissioner Smith inquired about the cooking demonstration. Commissioner Smith made the motion to approve the item, seconded by Commissioner Overman, and carried unanimously by members present.

V. STATUS REPORTS

a. Hurricane Evacuation Analysis and Assumptions

Mr. Marshall Flynn, Director, Tampa Bay Regional Planning Council, presented the item. Commissioner Overman requested the background material. Chairman Kemp wanted information about interstate lanes being switched from southbound to northbound during evacuations, addressed the lack of available gasoline during a hurricane, and inquired on a shelter-in-place and shouldering during a hurricane.

b. Mobility after COVID-19 – Will telecommuting be our “New Normal”?

Dr. Peng Chen, University Of South Florida, School of Public Affairs, provided a presentation. Chairman Kemp and Commissioner Overman offered appreciative remarks. Mr. Waggoner spoke on population density in Florida versus the northeast United States, opined the immigration of businesses/workers might increase, and asserted transportation facilities would need to be enhanced. Chairman Kemp remarked on the ridership drop in the transit system. Commissioner Overman requested the presentation be sent to the MPOPC. After opining on telecommuting resources/benefits, Chairman Kemp questioned the role of government in promoting telecommuting. Mr. Waggoner discussed the federal
TUESDAY, MAY 26, 2020

transit plans for employers/employees and payroll tax deductions by cosponsoring employee transit service/rides and wondered if the same would be done for employees working from home.

VI. OLD BUSINESS AND NEW BUSINESS - None.

VII. Addendum
   a. Vision Zero Quarterly Report
   b. Plant City Transit Master Plan Workshop Flyer

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:18 a.m.

READ AND APPROVED: ____________________________ CHAIRMAN

ATTEST:
PAT FRANK, CLERK

By: ____________________________
   Deputy Clerk
   ad
The Metropolitan Planning Organization (MPO) Policy Committee, Hillsborough County, Florida, met in Vision Zero Leadership Summit, scheduled for Tuesday, September 22, 2020, at 9:00 a.m., held telephonically.

The following members were present:

Pat Kemp, Chairman
Joseph Citro for
Guido Maniscalco
Mariella Smith
Kimberly Overman
Joseph Waggoner
Gina Evans
Melanie Williams
Adam Harden
Michael Maurino
Robert Frey

Commissioner, Hillsborough County
Councilman, City of Tampa (Tampa) City
Counsel
Commissioner, Hillsborough County
Commissioner, Hillsborough County
Tampa-Hillsborough Expressway Authority
Hillsborough County Aviation Authority
Hillsborough Area Regional Transit (HART)
HART
Planning Commission (PC)
Tampa-Hillsborough Expressway Authority

Chairman Kemp called the meeting to order at 9:02 a.m. and led in the pledge of allegiance to the flag. Ms. Cheryl Wilkening, MPO, called the roll for members present.

I. WELCOME AND INTRODUCTIONS

Chairman Kemp provided the meeting process.

II. PURPOSE OF THE MEETING

Ms. Beth Alden, MPO, Executive Director, supplied the meeting purpose.

III. VISION ZERO OVERVIEW

Ms. Gena Torres, MPO, Executive Planner, delivered an overview.

IV. LAND USE AND DESIGN – SINCE SAFE COMMUNITIES DON’T HAPPEN BY ACCIDENT, HOW DOES THE MPO AVOID MAKING DECISIONS NOW THAT REQUIRED COSTLY FIXES LATER?

Chairman Kemp introduced the panelist. Mr. Ian Lockwood, P.E., Toole Design; Ms. Melissa Zornitta, PC, Executive Director; Ms. Lucia Garsys, Deputy County Administrator, Development and Infrastructure; and Mr. Michael Callahan, Tampa, supplied a presentation.
V. HIGH VISIBILITY ENFORCEMENT – WORKING TOGETHER, HOW COULD THE MPO MAKE THE BEST USE OF LAW ENFORCEMENT RESOURCES TO DETER THE MOST DANGEROUS TRAFFIC BEHAVIORS?

▶ Chairman Kemp welcomed panelist for the item. ▶ Chief Brett C. Railey, Institute of Police Technology and Management; ▶ Sergeant Paul Pramberger, Hillsborough County Sheriff Office; ▶ Captain Patrick Messmer, Tampa Police Department; and ▶ Mr. David Gwynn, Florida Department of Transportation, expounded on the item. ▶ Chief Railey summed up the item.

VI. PUBLIC MESSAGING – ACKNOWLEDGING THE HUMAN TENDENCY TO BE SKEPTICAL OF CHANGE, HOW DOES THE MPO ENGAGE RESIDENTS AND BUSINESS PEOPLE IN BECOMING CHAMPIONS FOR SAFE STREETS?

▶ Chairman Kemp greeted the presenters. ▶ Mr. Billy L. Hattaway, P.E., Principal, Fehr and Peers; ▶ Ms. MaryLou Whaley, Hillsborough County Public Schools; ▶ Ms. Liana Lopez, Chief Communications Administrator; and ▶ Ms. Ashley Bauman, Tampa, presented the item. ▶ Mr. Hattaway questioned how to encourage community involvement for safer streets and create a cultural shift to support bike rides/walking, to which the panelists responded.

VII. WRAP-UP AND OBSERVATIONS

▶ Dialogue began on the safety of crosswalk designs, future cost prevention fixes, and creating relationships with developers to leverage investments to improve safety. Mr. Callahan noted the Land Development Code would need updating, creating new fees, and provide developer forums between the cities and developers. ▶ Chairman Kemp inquired about providing an interconnected network with smaller streets and current challenges. Ms. Zornitta addressed grid connectivity/patterns, roadway/pedestrian connection, community/property buy-in, and environmental concerns. ▶ Ms. Alden indicated the 1950-1960 transportation framework was the reason for lack of street/network interconnectivity. Chairman Kemp believed better-built environment and creating a place where people want to be/live/work was a direction the MOP should move. ▶ Commissioner Overman responded to pedestrian generator traffic and urged the technical manuals needed updated to include the Vision Zero plan. Ms. Williams supplied favorable remarks. ▶ Ms. Alden shared questions from the audience regarding crosswalks and
crosswalk spacing, the hardships caused by State legislation, and State lawmakers being more informed.

VIII. ADJOURN

There being no further business, the meeting was adjourned at 11:43 a.m.

READ AND APPROVED: ____________________________

CHAIRMAN

ATTEST:
PAT FRANK, CLERK

By: ____________________________

Deputy Clerk

ad
Agenda Item
Election of Officers

Presenter
Cameron Clark, MPO Attorney

Summary
The MPO Bylaws require that officers are to be elected each year. There are currently no term limits for officers, therefore they can be re-elected and serve indefinitely. The Bylaws state:

Officers of Standing Committees: The committee shall hold an organizational meeting each year for the purpose of electing a committee chair, a committee vice-chair, and, at the discretion of the committee chair, an officer-at-large. Officers shall be elected by a majority vote of a quorum of the members.

The current Policy Committee officers are:

- Chair: Commissioner Pat Kemp
- Vice Chair: Councilman Guido Maniscalco

Members can nominate themselves or any other member. No second is needed, and each nomination is voted on individually until one member receives a majority of votes for an officer’s position.

Recommended Action
Hold election

Prepared By
Cheryl Wilkening, MPO Staff

Attachments
None
Board & Committee Agenda Item

**Agenda Item:**
Board Requests & MPO Organizational Documents

**Presenter:**
Beth Alden, MPO Director

**Summary:**
In December, the MPO Board discussed potential organizational changes:

i. Board officer term limits
ii. Organizational name change
iii. Changes in quorum/voting members

The first two items can be done relatively simply, with changes to the bylaws and the filing of a fictitious name. Staff will discuss the steps for considering changes to the voting membership of the board. A review of the board’s voting membership, a.k.a. Membership Reapportionment, is on tap within the next 1-2 years as a follow-up to the 2020 Census.

**Recommended Action:**
Per committee discussion

**Prepared By:**
Beth Alden, MPO Director

**Attachments:**
- MPO Bylaws, with potential changes highlighted
- Process for filing a fictitious name in Florida, FL Department of State
- Interlocal Agreement for Creation of the MPO
BY-LAWS OF
THE HILLSBOROUGH COUNTY
METROPOLITAN PLANNING ORGANIZATION
AND ITS COMMITTEES
Amended February 5, 2019

1.0 PURPOSE: These By-laws are adopted by the Hillsborough County Metropolitan Planning Organization hereinafter called the “MPO” to govern the performance of the MPO’s duties as well as those of MPO committees and to inform the public of the nature of the MPO’s internal organization, operations and other related matters.

1.1 DOING BUSINESS AS: Consistent with the Fictitious Name Act (s.865.09, F.S.), and as registered with the Florida Department of State, the MPO will conduct business as the “Hillsborough Transportation Planning Organization.”

2.0 DEFINITIONS:

2.1 EMERGENCY: Any occurrence or threat thereof, whether accidental or natural, caused by man, in war or in peace, which necessitates immediate action because it results or may result in substantial injury or harm to the population or the MPO or substantial damage to or loss of property or public funds.

2.2 GOOD CAUSE: A substantial reason which is put forward in good faith.

2.3 INTERESTED PERSON: Any person who has or may have or who represents any group or entity which has or may have some concern, participation or relation to any matter which will or may be considered by the MPO.

2.4 MEMBER(S): The MPO consists of sixteen (16) official members, with FDOT designated as a non-voting advisor. Each member government or authority may also appoint an alternate member, who may vote at any MPO meeting in place of a regular member. MPO committee membership is as provided in these By-laws.

2.5 PUBLIC HEARING: A meeting of the MPO convened for the purpose of receiving public testimony regarding a specific subject and for the purpose of taking action on amendment to or adoption of a plan or program. A public hearing may be convened with less than a quorum present; however, no official action other than adjournment or continuation of the public hearing to another time may be taken unless a quorum is present.

2.6 REGULAR MEETING: The regular scheduled meeting of the MPO at which all official business may be transacted.
2.7 **SPECIAL MEETING:** A meeting of the MPO held at a time other than the regularly scheduled meeting time. All official business may be transacted at a special meeting.

2.8 **WORKSHOP:** A conference where members are present and are meeting to discuss a specific subject. A workshop may be convened with less than a quorum present; however, no official action other than adjournment or continuation of the workshop to another time may be taken.

3.0 **MPO OFFICERS:** There shall be a Chair and a Vice-Chair. All officers shall be voting members of the MPO.

3.1 **TENURE:** All officers shall hold office for one (1) year or until a successor is elected. However, any officer may be removed by a majority of the total members. **No officer may serve for more than two years consecutively.**

3.2 **SELECTION:** At the regular meeting in December, the members shall nominate one or more candidates to fill each office. Immediately following the close of nominations, the MPO shall vote to fill each office, with the vote for each office being taken in the order in which candidates for that office were nominated, until one is elected. New officers shall take office immediately upon the conclusion of the election of officers.

3.3 **VACANCY IN OFFICE:** A vacant office shall be filled by the MPO at its first regular meeting following the vacancy. The officer so elected shall serve the remainder of their predecessor’s term in office.

3.4 **DUTIES:** The officers shall have the following duties:

3.4.1 **CHAIR:** The Chair shall:

(a) Preside at all regular and special meetings, workshops and public hearings.
(b) Represent the MPO on the West Central Florida MPO Chairs Coordinating Committee (CCC) and the Florida MPO Advisory Council (MPOAC).
(c) Establish such ad hoc committees as the Chair may deem necessary and appoint their members and chairs.
(d) Call special meetings and workshops and public hearings.
(e) Sign all contracts, resolutions, and other official documents of the MPO, unless otherwise specified by the By-laws or Policies.
(f) Express the position of the MPO as determined by vote or consensus of the MPO.
(g) See that all actions of the MPO are taken in accordance with the By-laws, Policies and applicable laws.
(h) Perform such duties as are usually exercised by the Chair of a commission or board, and perform such other duties as may from time to time be assigned by the MPO.
3.4.2 Vice-Chair: The Vice-Chair shall, during the absence of the Chair or the Chair's inability to act, have and exercise all of the duties and powers of the Chair, and shall perform such other duties as may from time to time be assigned to the Chair by the MPO.

4.0 COMMITTEES:

4.1 AD HOC COMMITTEES:

4.1.1 Chair and Expiration: An ad hoc committee shall consist of a committee chair, who shall be a member of the MPO. All ad hoc committees shall have an expiration time identified by the Chair at the time of creation or shall dissolve at the expiration of the Chair’s term.

4.1.2 Purpose: The purpose of establishing ad hoc committees is to facilitate the accomplishment of a specific task identified by the Chair.

4.2 STANDING COMMITTEES:

4.2.1 Appointment of Committee Members: Members and alternate members of all committees shall be appointed by action of the MPO. Members representing an organization on a committee, as specified in the committee membership list, shall be nominated in writing by their organization. Members representing the citizens of Hillsborough County, and not representing any particular entity as specified in the committee membership list, shall be recommended for membership by action of the committee on which they would like to serve. Using the same procedure, alternate members may be designated to act on behalf of regular members with all the privileges accorded thereto. The MPO shall not appoint committee applicants who are affiliated with private MPO consultants or contractors. If such an affiliation occurs, an existing committee member shall be deemed to have resigned.

4.2.2 Termination of Committee Membership: Any member of any committee may resign at any time by notice in writing to the Chair. Unless otherwise specified in such notice, such resignation shall take effect upon receipt thereof by the Chair. Each member of each committee is expected to demonstrate his/her interest in the committee’s activities through attendance of the scheduled meetings, except for reasons of an unavoidable nature. In each instance of an unavoidable absence, the absent member should ensure that his/her alternate will attend. The MPO may review, and consider rescinding, the appointment of any member of any committee who fails to attend three (3) consecutive meetings. In each case, the MPO will warn the member in writing, and if applicable the member's nominating organization, thirty days in advance of an action to rescind membership. The MPO Chair may immediately terminate the membership of any committee member.
for violations of standards of conduct, defined as conduct inconsistent with Florida Senate Administrative Policies and Procedures. At a minimum, committee member attendance will be reviewed annually. In the case of members representing an organization on a committee as specified in the committee membership list, the individual’s membership may also be rescinded by the nominating organization, by letter to the Chair.

4.2.3 **Officers of Standing Committees:** The committee shall hold an organizational meeting each year for the purpose of electing a committee chair (unless designated by the MPO), a committee vice-chair, and, at the discretion of the committee chair, an officer-at-large. Officers shall be elected by a majority vote of a quorum of the members. Except as otherwise provided in these By-laws, officers shall serve a term of one year starting with the next meeting. The powers and duties of the committee chair shall be to preside at all meetings; to express the position of the committee as determined by vote or consensus of the committee; and to ensure that all actions of the committee are taken in accordance with the bylaws and applicable law. The committee vice chair shall have these same powers and responsibilities in the absence of the committee chair. The officer-at-large shall, during the absence of both the committee chair and the committee vice-chair or their inability to act, have these same duties and responsibilities, and in addition shall perform other duties as may from time to time be assigned by the committee chair.

4.2.4 **Conduct of Committee Meetings:** Sections 5 through 9, excluding Section 8.1, of these MPO By-laws shall be used for the conduct of all MPO committee meetings.

4.2.5 **Standing Committee Sub-Committees:** An MPO standing committee or the MPO may establish such sub-committees to a standing committee as deemed necessary to investigate and report on specific subject areas within the scope of the standing committee. Such sub-committees shall be of limited duration and shall dissolve at such time as designated at the time of establishment or upon completion of the task(s) specified at the time of establishment. These MPO By-laws shall be used for the conduct of such sub-committees meetings in the same manner as the MPO committees.

4.2.6 **MPO Technical Advisory Committee (TAC):** Established pursuant to Section 339.175, Florida Statutes, the TAC shall be responsible for considering safe access to schools in the review of transportation project priorities, long-range transportation plans and transportation improvement programs and shall advise the MPO on such matters. In addition, the TAC shall be responsible for assisting in the development of transportation planning work programs; coordinating transportation planning and programming; review of all transportation studies, reports, plans and/or programs, and making
recommendations to the MPO that are pertinent to the subject
documents based upon the technical sufficiency, accuracy, and
completeness of and the needs as determined by the studies, plans
and/or programs. The TAC shall coordinate its actions with the
School Board of Hillsborough County and other local programs and
organizations within Hillsborough County that participate in school
safety activities and shall also coordinate its actions with the
appropriate representatives of the Florida Department of
Transportation.

TAC Membership: The TAC shall be composed of technically
qualified representatives for the purpose of planning, programming
and engineering of the transportation system within the Hillsborough
County Metropolitan Planning Organization area boundary.

The membership shall be composed of: two (2) members from
Hillsborough County, two (2) members from City of Tampa, two (2)
members from the Hillsborough County City-County Planning
Commission, one (1) member from the Tampa Hillsborough
Expressway Authority, one (1) member from the Hillsborough Area
Regional Transit Authority, one (1) member from Environmental
Protection Commission, one (1) member from the Tampa Port
Authority, one (1) member from City of Temple Terrace, one (1)
member from the Tampa Bay Regional Planning Council, one (1)
member from the Florida Department of Environmental Protection,
one (1) member from City of Plant City, one (1) member from the
Hillsborough County Aviation Authority, one (1) member from the
Hillsborough County School Board, one (1) member from the Tampa
Bay Area Regional Transportation Authority, one (1) member from
the Tampa Historic Streetcar, Inc., one (1) member from the
Department of Health-Hillsborough and one (1) member from the
Florida Trucking Association.

Terms of Membership: Members shall serve terms of indefinite length
at the pleasure of their respective nominating organizations and the
MPO.

4.2.7 MPO Citizens Advisory Committee (CAC): The CAC shall be
responsible for providing information and overall community values
and needs into the transportation planning program of the MPO;
evaluating and proposing solutions from a citizen’s perspective
concerning alternative transportation proposals and critical issues;
providing knowledge gained through the CAC into local citizen group
discussions and meetings; and establishing comprehension and
promoting credibility for the MPO Program.

CAC Membership: The CAC shall be composed of appointed citizens
(transportation agency staff are not eligible) who together shall
represent a broad spectrum of social and economic backgrounds and
who have an interest in the development of an efficient, safe and cost-

effective transportation system. Minorities, the elderly and persons with disabilities must be adequately represented on the CAC.

All members must be residents of Hillsborough County. Membership will be as follows: one (1) member nominated by each member of the Board of County Commissioners serving on the MPO, one (1) member nominated by each member from the City of Tampa serving on the MPO, one (1) member from the City of Temple Terrace nominated by the Mayor of the City of Temple Terrace, one (1) member from the City of Plant City nominated by the Mayor of the City of Plant City, one (1) member nominated by each respective Chairperson of the Hillsborough County Aviation, Tampa-Hillsborough Expressway, Tampa Port and Hillsborough Area Regional Transit Authorities, one (1) member representing the transportation disadvantaged nominated by the Chairman of the Transportation Disadvantaged Coordinating Board, one (1) member nominated by the Chairperson of the Hillsborough County City-County Planning Commission and one (1) member nominated by the School Board member serving on the MPO. In addition, there shall be six (6) at-large members nominated by local organizations representing the following constituencies or through application directly to the CAC as provided in Section 4.2.1. These shall comprise one (1) person of Hispanic ethnicity, one (1) person of African-American descent, one (1) person under the age of 30, one (1) woman, one (1) person to represent neighborhoods, and one (1) person to represent the business community.

Terms of appointment shall be for a two-year period with an opportunity for reappointment thereafter, unless the official who appointed the member leaves office or the MPO board during the term of the member’s appointment. In that case, the member shall be deemed to have resigned from the CAC and the new official shall have the right to appoint a new member or reappoint the same member. A member of the committee whose term has expired shall continue to serve until they are reappointed or replaced. The terms of appointment notwithstanding, CAC members shall serve at the pleasure of the MPO.

4.2.8 MPO Policy Committee: The MPO Policy Committee shall be responsible for the review and in-depth discussion of items and issues proposed to come before the MPO and for development of recommendations to the MPO, as appropriate, regarding such items and issues in order to facilitate the accomplishment of the MPO’s responsibilities to manage a continuing, cooperative and comprehensive transportation planning process and the development of transportation plans and programs.

Membership: The Policy Committee shall be composed of at least five (5) members of the MPO who shall serve on a voluntary basis. Volunteers for membership will be solicited at the MPO meeting at
which the Chair is elected and at any MPO meeting thereafter if the total membership of the Policy Committee falls below five (5). Those MPO members requesting to be made Policy Committee members in response to such solicitation or upon the initiative of an individual MPO member shall be so appointed by action of the MPO and shall serve terms that last until the next MPO meeting at which the Chair is elected.

4.2.9 Transportation Disadvantaged Coordinating Board (TDCB): The primary purpose of the TDCB is to assist the MPO in identifying local service needs and providing information, advice, and direction to the Community Transportation Coordinator (CTC) on the coordination of services to be provided to the transportation disadvantaged pursuant to Section 427.0157, Florida Statutes.

The following agencies or groups shall be represented on the TDCB as voting members:

- an elected official serving on the Hillsborough County MPO who has been appointed by the MPO to serve as TDCB Chairperson;
- a local representative of the Florida Department of Transportation;
- a local representative of the Florida Department of Children & Families;
- a local representative of the Public Education Community, which could include, but is not limited to, a representative of Hillsborough County Public Schools, School Board Transportation Office or Head Start Program;
- a local representative of the Florida Division of Vocational Rehabilitation or the Division of Blind Services, representing the Department of Education;
- a person recommended by the local Veterans Service Office representing the veterans in the county;
- a person who is recognized by the Florida Association for Community Action (President) as representing the economically disadvantaged in the county;
- a person over sixty years of age representing the elderly citizens in the county;
- a person with a disability representing the disabled citizens in the county;
- two citizen advocates in the county, one of whom must be a user of the transportation services of the coordinated transportation disadvantaged system as their primary means of transportation;
- a local representative for children at risk;
- the chairperson or designee of the local mass transit system’s board except when they are also the CTC;
- a local representative of the Florida Department of Elder Affairs;
• a local representative of the local for-profit transportation industry;
• a local representative of the Florida Agency for Health Care Administration;
• a local representative of the Regional Workforce Development Board;
• a representative of the local medical community, which may include, but is not limited to, kidney dialysis centers, long term care facilities, assisted living facilities, hospitals, local health department or other home and community based services, and;
• A local representative of the Agency for Persons with Disabilities

TDCB Terms of Appointment. Except for the TDCB Chairperson, the members of the TDCB shall be appointed for three (3) year terms which shall be staggered equally among the membership. The TDCB Chairperson shall serve until elected term of office has expired or is otherwise replaced by the MPO.

TDCB Duties. The TDCB shall perform the following duties which include those specified in Chapter 41-2, Florida Administrative Code and Section 427.0157, Florida Statutes.

a. Maintain official meeting minutes, including an attendance roster, reflecting official actions and provide a copy of same to the Commission for the Transportation Disadvantaged and the MPO Chairperson;

b. Review and approve the CTC’s memorandum of agreement and the transportation disadvantaged service plan;

c. On a continuing basis, evaluate services provided under the transportation disadvantaged service plan. Not less than annually provide the MPO with an evaluation of the CTC’s performance relative to the standards adopted by the Commission for the Transportation Disadvantaged and the MPO. Recommendations relative to performance and the renewal of the CTC’s memorandum of agreement with the Commission for the Transportation Disadvantaged shall be included in the report;

d. In cooperation with the CTC, review and provide recommendations to the Commission for the Transportation Disadvantaged and the MPO on all applications for local, state, or federal funds relating to transportation of the transportation disadvantaged in the county to ensure that any expenditures within the county are provided in the most cost effective and efficient manner;

e. Review coordination strategies for service provision to the transportation disadvantaged in the county to seek innovative ways to improve cost effectiveness, efficiency, safety, working hours, and types of service in an effort to increase ridership to a broader population. Such strategies
should also encourage multi-county and regional transportation service agreements between area CTCs and consolidation of adjacent counties when it is appropriate and cost effective to do so;

f. Appoint a Grievance Subcommittee to process, investigate, resolve complaints, and make recommendations to the TDCB for improvement of service from agencies, users, or potential users, of the systems in the county. This Subcommittee shall meet as often as necessary to resolve complaints in a timely manner;

g. In coordination with the CTC, jointly develop applications for funds that may become available;

h. Prepare quarterly reports outlining the accomplishments and activities or other areas of interest to the Commission for the Transportation Disadvantaged and the MPO;

i. Consolidate the annual budget of local and federal government transportation disadvantaged funds estimates and forward them to the Commission for the Transportation Disadvantaged. A copy of the consolidated report shall also be used by the TDCB for planning purposes;

j. Develop and maintain a vehicle inventory and utilization plan of those vehicles purchased with transportation disadvantaged funds for inclusion in the transportation disadvantaged service plan for the Commission for the Transportation Disadvantaged;

k. Assist the MPO in preparing a Transportation Disadvantaged Element in their Transportation Improvement Program (TIP);

l. Assist the CTC in establishing eligibility guidelines and priorities with regard to the recipients of nonsponsored transportation disadvantaged services that are purchased with Transportation Disadvantaged Trust Fund moneys;

m. Work cooperatively with regional workforce boards established in Chapter 445, Florida Statutes, to provide assistance in the development of innovative transportation services for participants in the welfare transition program.

4.2.10 **MPO Intelligent Transportation Systems (ITS) Committee**: The ITS Committee is responsible for assisting in the development of Intelligent Transportation System (ITS) planning work programs, as well as reviewing ITS related studies, reports, plans, projects (including consistency with regional architecture and other standards and/or programs) and making recommendations to the MPO and/or other agencies. ITS Committee recommendations to the MPO shall be based upon the technical sufficiency, accuracy, and completeness of studies, plans and/or programs. The ITS Committee shall coordinate its actions with the appropriate representatives of the Florida Department of Transportation.
ITS Committee Membership: The ITS Committee shall be composed of members technically qualified in the planning, programming, engineering and/or implementation of intelligent transportation systems or projects within the Hillsborough County Metropolitan Planning Organization area boundary or in the case of the member nominated by the Environmental Protection Committee, technically qualified in the area of air quality impacts of transportation. The membership shall be composed of: one (1) member each from Hillsborough County, the City of Tampa, the Environmental Protection Commission, Tampa-Hillsborough Expressway Authority, Hillsborough Area Regional Transit Authority, the City of Plant City and the City of Temple Terrace. Members and Alternate Members shall serve terms of indefinite length at the pleasure of their respective governmental bodies or agencies and the MPO.

4.2.11 MPO Bicycle/Pedestrian Advisory Committee (BPAC): The BPAC shall be responsible for making recommendations to the MPO, Hillsborough County, City of Tampa, City of Plant City, City of Temple Terrace, the Hillsborough County Environmental Protection Commission, the Florida Department of Transportation, the Southwest Florida Water Management District, and others, on matters concerning the planning, implementation and maintenance of a comprehensive bikeway and pedestrian system. In addition, the BPAC shall be responsible for studying and making recommendations concerning the safety, security, and regulations pertaining to bicyclists and pedestrians. The BPAC shall coordinate its actions with the appropriate representatives of the Florida Department of Transportation.

BPAC Membership: The BPAC shall be composed of up to twenty-five members. One member shall represent each of the following entities, except as noted: City of Tampa (three seats), City of Temple Terrace, City of Plant City, Hillsborough County (three seats), University of South Florida USF, the Environmental Protection Commission of Hillsborough County, the Hillsborough County City-County Planning Commission, HART, and the Florida Health Department. The remaining members shall be citizen representatives.

All members of this Committee shall serve for a two-year term, ending on June 30th of its respective year. Without restriction, each member can be appointed to serve an unlimited number of two-year terms.

4.2.12 MPO Livable Roadways Committee (LRC): The LRC shall be responsible for integrating Livable Roadways principles into the design and use of public rights-of-way and the major road network throughout Hillsborough County. The LRC seeks to accomplish this responsibility by: making recommendations to create a
transportation system that balances design and aesthetics with issues of roadway safety and function; ensuring that public policy and decisions result in a transportation system that supports all modes of transportation, with a special emphasis on pedestrian and bicycle infrastructure and transit infrastructure and service; providing information and assistance to the MPO, local governments and transportation agencies relating to the mission of the Committee; and enhancing coordination among MPO member agencies and public participation in the transportation planning process. The LRC shall coordinate its actions with the appropriate representatives of the Florida Department of Transportation.

LRC Membership: The LRC shall be composed of representatives of local government departments, transportation agencies and other organizations. They may be elected officials, appointed officials, organization members, designated representatives or staff, but may not be staff to the MPO. Members will represent the following: City of Plant City; City of Tampa Parks and Recreation Department, Public Works, Transportation Division, or Urban Development Department (up to two members); City of Temple Terrace; Hillsborough County Planning and Infrastructure (up to two members); Hillsborough Area Regional Transit; Hillsborough County MPO Board Member (appointed by the MPO to serve as chair of the committee); Hillsborough County City-County Planning Commission; Tampa Hillsborough Expressway Authority and five members from professional organizations whose mission is consistent with the principles of Livable Roadways (such as American Planning Association; American Society of Landscape Architects; Urban Land Institute; Institute of Transportation Engineers; Congress for New Urbanism and American Institute of Architects); University of South Florida; New North Transportation Alliance; Tampa Downtown Partnership; Westshore Alliance; Person with disabilities; Neighborhood representative; Transit user representative; Citizen advocate for livable communities and/or multimodal transportation.

5 MEETINGS:

5.1 SCHEDULE OF MPO MEETINGS:

5.1.1 Regular Meetings: Regular meetings shall take place on the first Tuesday of each month, unless otherwise decided by the MPO and shall be held in the Chamber of the Hillsborough County Board of County Commissioners or at another suitable location designated by the Chair.

5.1.2 Special Meetings and Workshops: Special meetings and workshops shall be held at the call of the Chair or majority of officers. Special meetings and workshops shall convene at a time designated by the Chair and shall be held in the Chambers of the Hillsborough County Board of County Commissioners or at another suitable location designated by the Chair.
5.1.3 **Public Hearings:** Public hearings of the MPO shall be held at a time designated by the Chair. A public hearing can be continued until a date and time certain, with due allowance of time for public notice of the continuance of the public hearing. Public hearings shall be held in the Chambers of the Hillsborough County Board of County Commissioners or at another suitable location designated by the Chair.

5.2 **SCHEDULE OF STANDING COMMITTEE MEETINGS:** Each standing committee shall meet monthly, with the exception of the Intelligent Transportation Systems Committee and the Transportation Disadvantaged Coordinating Board which shall meet every two months, at a regular date and time designated by the Chair.

5.3 **SCHEDULE OF AD HOC COMMITTEE MEETINGS:** Each ad hoc committee shall meet at the call of the committee chair. Ad hoc committee meetings shall not be scheduled during the times reserved for MPO meetings. Ad hoc committee meetings shall be held at a suitable location designated by the committee chair.

5.4 **NOTICE OF MPO AND COMMITTEE MEETINGS:** The Executive Director of the MPO shall be responsible for providing written public notice of all MPO meetings, public hearings and committee meetings. Except in case of emergencies, written notice of any meeting shall be given at least five (5) days prior to the meeting. In case of emergency, notice of such meeting shall be given to each member as far in advance of the meeting as possible and by the most direct means of communications. In addition, notice of such emergency meeting shall be given to the media, utilizing the most practicable method. Written notice of any meeting shall state the date, time and place of the meeting, a brief description of the agenda for the meeting, and shall be provided in accordance with the requirements of Florida law and the MPO's Public Participation Plan.

5.5 **AGENDA OF MPO AND COMMITTEE MEETINGS:** The agenda for all MPO regular and special meetings, workshops and public hearings shall be established by the Chair with the assistance of the Executive Director. Members or the Executive Director may request that an item be placed on the agenda by communicating such request to the Executive Director at least ten (10) days prior to the meeting date. The Chair shall consider with the Executive Director on a month to month basis whether there shall be a consent agenda.

The agenda for each committee meeting shall be established by the committee chair and shall be prepared by the Executive Director or designated MPO support staff. Members of a committee or the Executive Director may request that an item be placed on a committee agenda by communicating such request to the MPO support staff assigned to the committee, or the Executive Director at least ten (10) days prior to the committee meeting date.
The agenda shall list the items in the order they are to be considered. For good cause stated in the record, items on the agenda may be considered out of order with the approval of the MPO Chair or the committee chair.

The agenda for any MPO or committee meeting shall be delivered to each member at least five (5) days prior to the meeting date and shall be mailed or delivered to interested persons at that time, except in case of an emergency meeting, where the agenda will be provided to members, and interested parties as far in advance of such meetings as practicable.

5.6 **RULES OF ORDER:** Except where they are inconsistent with the *By-laws, Roberts Rule of Order* shall be used for the conduct of all MPO and committee meetings.

5.7 **QUORUM:** A simple majority of the total non-vacant membership of the MPO or MPO committee shall constitute a quorum for the transaction of business at all regular and special meetings and public hearings, except seven (7) members shall constitute a quorum for the CAC. Public hearings may be conducted with less than a quorum, but no action, other than as noted at the end of this section, shall be taken unless a quorum is present. When a quorum is present, a majority of those present may take action on matters properly presented at the meeting. Workshops may be conducted with less than a quorum, but no official action may be taken. A majority of the members present, whether or not a quorum exists, may adjourn any meeting or continue any public hearing to another time.

5.8 **CONDUCT OF MEETINGS:**

5.8.1 **Chair Participation:** The presiding MPO Chair, or committee chair, shall not be deprived of any rights and privileges by reason of being presiding Chair, but may move or second a motion only after the gavel has been passed to the Vice-Chair or another member.

5.8.2 **Form of Address:** Each member shall address only the presiding Chair for recognition; shall confine his/her remarks to the question under debate; and shall avoid personalities or indecorous language or behavior.

5.8.3 **Public Participation:** Any member of the public may address the MPO or MPO committee at a regular or special meeting, public hearing, or public participation type workshop, after signing in with the MPO Staff for a specific item. When recognized by the Chair, a member of the public shall state their name, address, the person on whose behalf they are appearing and the subject of their testimony. Each member of the public shall limit his or her presentation to three (3) minutes unless otherwise authorized by the Chair.

5.8.4 **Limitation of Testimony:** The Chair may rule testimony out of order if it is redundant, irrelevant, indecorous or untimely.
5.8.5 Motions: The Chair shall restate motions before a vote is taken and shall state the maker of the motion and the name of the supporter.

5.8.6 Voting: Voting shall be done by voice, as a group, but a member shall have his/her vote recorded in the minutes of the meeting if so desired. A roll call vote shall be taken if any member so requests. Any member may give a brief explanation of his/her vote. A tie vote shall result in failure of a motion.

5.8.7 Reconsideration: A motion to reconsider an item on which vote has been taken may be made only by a member who voted with the prevailing side. The motion to reconsider must be made on the day the vote to be reconsidered was taken, or at the next succeeding meeting of the same type of meeting at which the vote to be reconsidered was taken (i.e., at the next succeeding regular meeting if the vote to be reconsidered was taken at a regular meeting). To be in order, the motion to reconsider must be made under the consideration of old business. Adoption of a motion to reconsider requires the approval of at least a simple majority of the votes cast. If a motion to reconsider is adopted, the members shall consider the need for additional notice to interested persons before a vote subject to the motion for reconsideration was taken at a special meeting or a public hearing for which no subsequently scheduled meeting will provide an opportunity for reconsideration of the item, then the motion to reconsider may be made at the next regular meeting in the manner provided.

5.9 ORDER OF BUSINESS AT MEETINGS: The order of business shall be determined by the Chair; however, the following is provided as a guide:

5.9.1 Regular MPO Meetings:

(a) Call to Order and Pledge of Allegiance
(b) Approval of minutes of prior meetings, workshops and public hearings.
(c) Public input on Agenda Items, MPO Committee Reports
(d) Presentation of the Chair’s Report
(e) Presentation of the Executive Director’s Report
(f) Consideration of Action Items
(g) Consideration of Status Reports
(h) Public input regarding general concerns
(i) Consideration of items under old business
(j) Consideration of items under new business
(k) Adjournment

5.9.2 Special Meetings or Workshops

(a) Call to Order
(b) Consideration of individual agenda items
(c) Adjournment
5.9.3 Public Hearings

(a) Call to Order
(b) Consideration of individual agenda items
   1. Presentation by staff
   2. Public comment
   3. Board deliberation
(c) Adjournment

5.9.4 Order of Consideration of Action Items: The order of consideration of any individual agenda item shall be as follows unless otherwise authorized by the Chair:

(a) Chair introduces the agenda item.
(b) Staff presents the agenda item.
(c) Other invited speaker(s) make presentations.
(d) MPO or committee members ask questions.
(e) Motion is made, seconded and debated.
(f) Vote is taken.

The Chair may expand all time limitations established by this section.

5.9 OPEN MEETINGS: All MPO regular and special meetings, workshops and public hearings, MPO committee meetings, and all meetings of the committees are open to the public as provided by Florida’s Government-in-the-Sunshine Law, Section 286.011, Florida Statutes.

6.0 ATTENDANCE: Members are expected to attend all regular and special meetings, public hearings and workshops of the MPO and its committees.

6.1 EXCUSAL FROM MEETINGS: Each member who knows that his/her attendance at a regular or special meeting, public hearing or workshop will not be possible, shall notify the Executive Director, or committee support staff, of the anticipated absence and the reason thereof. The Executive Director, or committee support staff, shall communicate this information to the Chair who may excuse the absent member for good cause.

7.0 CODE OF ETHICS:

7.1 COMPLIANCE WITH LAWS: Members shall comply with the applicable provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.

7.2 REQUESTS FOR INFORMATION: Members may request information readily available to the general public directly from the appropriate staff person. Requests for information not readily available to the general public, or information which would involve the expenditure of staff time in preparation or compilation, shall be made to the Executive Director, who may consult with the Chair for guidance.
7.3 **LOBBYING ACTIVITIES:** Members shall use their discretion in conducting private discussions with interested persons regarding MPO business, as long as all interested persons are treated equally. Any written material received by a member in connection with a private discussion with an interested person shall be given to the Executive Director for distribution to other members and as appropriate, to staff.

7.4 **GOVERNMENT IN THE SUNSHINE:** Members shall refrain from participating in any private communications regarding MPO business involving two or more members. For purposes of this section, a private discussion is one that is not conducted in accordance with the requirements of Florida’s Government-in-the-Sunshine Law, Section 286.011, Florida Statutes.

Any written material received by a member in connection with MPO Business shall be given to the Executive Director or the member’s committee support staff for distribution to other members and as appropriate, to staff.

7.5 **STATEMENTS BY MEMBERS:** Members will from time to time be asked to give their opinions regarding matters which have been or will be considered by the MPO or one of its committees. No member shall be prohibited from stating his/her individual opinion on any matter; however, in doing so, each member shall take care to make clear that the opinion expressed is his/her own, and does not constitute the official position of the MPO or one of its committees.

8.0 **ADMINISTRATION:** The administration of MPO activities shall be accomplished through official actions of the MPO in accordance with the following guidelines:

8.1 **POLICIES:** The MPO shall adopt, by a vote of a majority of the total membership, Policies to guide the administration of the MPO. The Policies shall be published in conjunction with the By-laws. The Policies may be amended from time to time by a vote of a majority of the total voting membership of the MPO.

8.2 **STATUTES:** The MPO shall abide by legislation authorizing and specifying its duties and functions and all other requirements of Florida law.

8.3 **STAFF:** The staff of the MPO shall consist of the Executive Director and such additional employees as provided by the Hillsborough County City-County Planning Commission. The staff shall be directed by the Executive Director of the MPO.

9.0 **RULES OF CONSTRUCTION:** The following rules apply to the text of this document.

9.1 The particular controls the general.

9.2 The word “shall” is mandatory and not discretionary. The word “may” is permissive.
9.3 Words used in the present tense include the future; words used in the singular number shall include the plural and the plural the singular unless the context indicates the contrary.

9.4 Words not defined shall have the meaning commonly ascribed to them.

10.0 AMENDMENT: The By-laws may be amended by two-thirds majority vote of the total voting membership of the MPO. Any amendment shall be proposed at a regular meeting and voted upon the next regular meeting.
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
INTERLOCAL AGREEMENT FOR CREATION OF THE
METROPOLITAN PLANNING ORGANIZATION

THIS INTERLOCAL AGREEMENT for the formation of a Metropolitan Planning Organization is made and entered into on this [4th] day of [September, 2014], by and between the FLORIDA DEPARTMENT OF TRANSPORTATION; HILLSBOROUGH COUNTY; the CITIES OF TAMPA, TEMPLE TERRACE and PLANT CITY; HILLSBOROUGH AREA REGIONAL TRANSIT AUTHORITY; HILLSBOROUGH COUNTY AVIATION AUTHORITY; TAMPA-HILLSBOROUGH EXPRESSWAY AUTHORITY; TAMPA PORT AUTHORITY AND THE HILLSBOROUGH COUNTY CITY-COUNTY PLANNING COMMISSION, collectively known as the “parties.”

RECOLALS

WHEREAS, the federal government, under the authority of Title 23 United States Code (USC) §134 and Title 49 USC §5303, requires each metropolitan area, as a condition for the receipt of federal capital or operating assistance, to have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the metropolitan area;

WHEREAS, the parties to this Interlocal Agreement desire to participate cooperatively in the performance, on a continuing basis, of a coordinated, comprehensive transportation planning process to assure that highway facilities, mass transit systems, bicycle and pedestrian facilities, rail systems, air transportation and other facilities will be properly located and developed in relation to the overall plan of community development;

WHEREAS, Title 23 USC §134 and Title 49 USC §§5303-5305, as amended by the Moving Ahead for Progress in the 21st Century Act (MAP-21) and Section 339.175, Florida Statutes (F.S.), provide for the creation of Metropolitan Planning Organizations to develop transportation plans and programs for urbanized areas;

WHEREAS, pursuant to Titles 23 USC §134(d), 49 USC §5303, 23 CFR §450.310(b), and Section 339.175(2), F.S., a determination has been made by the Governor and units of general purpose local government representing at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of Census) in the urbanized area to designate a Metropolitan Planning Organization;

WHEREAS, pursuant to this Interlocal Agreement, the parties wish to collectively participate in the metropolitan planning process as the Hillsborough County Metropolitan Planning Organization, herein after referred to as “the Metropolitan Planning Organization” or “the MPO”. Further, each party approved an apportionment and boundary plan, the MPO 2013 Membership Apportionment Plan, for presentation to the Governor;

WHEREAS, pursuant to Section 339.175(4), F.S., the Governor, by letter dated the 13th day of February, 2014, approved the MPO 2013 Membership Apportionment Plan submitted by the MPO;

WHEREAS, this Interlocal Agreement is required to create the Metropolitan Planning Organization and delineate the provisions for operation of the MPO;

WHEREAS, the undersigned parties have determined that this Interlocal Agreement is consistent with statutory requirements set forth in Section 163.01, F.S., relating to Interlocal Agreements; and
NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the parties desiring to be legally bound, do agree as follows:

**ARTICLE 1**
**RECITALS; DEFINITIONS**

Section 1.01. **Recitals.** Each and all of the foregoing recitals are incorporated herein and acknowledged to be true and correct to the best of the parties' knowledge. Failure of any of the foregoing recitals to be true and correct shall not operate to invalidate this Interlocal Agreement.

Section 1.02. **Definitions.** The following words when used in this Interlocal Agreement (unless the context shall clearly indicate the contrary) shall have the following meanings:

- **Interlocal Agreement** means and refers to this instrument, as may be amended from time to time.
- **Department** means and refers to the Florida Department of Transportation, an agency of the State of Florida created pursuant to Section 20.23, F.S.
- **FHWA** means and refers to the Federal Highway Administration.
- **FTA** means and refers to the Federal Transit Administration.
- **Long Range Transportation Plan (LRTP)** is the 20-year transportation planning horizon which includes transportation facilities; identifies a financial plan that demonstrates how the plan can be implemented and assesses capital improvements necessary to preserve the existing metropolitan transportation system and make efficient use of existing transportation facilities; indicates proposed transportation activities; and in ozone/carbon monoxide nonattainment areas is coordinated with the State Implementation Plan, all as required by Title 23 USC §134, Title 49 USC §5303, Title 23 CFR §450.322, and Section 339.175(7), F.S.
- **Metropolitan Planning Area** means and refers to the planning area determined by agreement between the MPO and the Governor for the urbanized area containing at least a population of 50,000 as described in Title 23 USC §134(b)(1), Title 49 USC §5303, and Section 339.175(2)(c) and (d), F.S., and including the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period, which shall be subject to the Metropolitan Planning Organization's planning authority, which for purposes of this Interlocal Agreement shall consist of the entirety of Hillsborough County.
- **MPO** means and refers to the Metropolitan Planning Organization formed pursuant to this Interlocal Agreement as described in 23 USC §134(b)(2), 49 USC §5303, and Section 339.175(1), F.S.
- **Transportation Improvement Program (TIP)** is the staged multi-year program of transportation improvement projects developed by a Metropolitan Planning Organization consistent with the Long Range Transportation Plan, developed pursuant to 23 USC §134, 49 USC §5303, 23 CFR §450.324 and Section 339.175(8), F.S.
- **Unified Planning Work Program (UPWP)** is the biennial program developed in cooperation with the Department and public transportation providers, that identifies the planning priorities and activities to be carried out within a metropolitan planning area to be undertaken during a 2-year period, together
with a complete description thereof and an estimated budget, all as required by 23 CFR §450.308, and Section 339.175(9), F.S.

ARTICLE 2
PURPOSE

Section 2.01. General Purpose. The purpose of this Interlocal Agreement is to establish the MPO and recognize the boundary and apportionment approved by the Governor. This Interlocal Agreement shall serve:

(a) To assist in the development of transportation systems embracing various modes of transportation in a manner that will maximize the mobility of people and goods within and through this metropolitan planning area and minimize, to the maximum extent feasible, transportation-related fuel consumption and air pollution;

(b) To develop transportation plans and programs, in cooperation with the Department, which plans and programs provide for the development of transportation facilities that will function as a multi-modal and intermodal transportation system for the metropolitan planning area;

(c) To implement and ensure a continuing, cooperative, and comprehensive transportation planning process that results in coordinated plans and programs consistent with the comprehensively planned development of this affected metropolitan planning area in cooperation with the Department;

(d) To assure eligibility for the receipt of federal capital and operating assistance pursuant to Title 23 USC §134 and Title 49 USC §§5303, 5304, 5305, 5307, 5309, 5310, 5311, 5314, 5326, 5337 and 5339, 5340; and

(e) To carry out the metropolitan transportation planning process, in cooperation with the Department, as required by federal, state and local laws.

Section 2.02. Major MPO Responsibilities. The MPO is intended to be a forum for cooperative decision making by officials of the governmental entities which are parties to this Interlocal Agreement in the development of transportation-related plans and programs, including but not limited to:

(a) The LRTP;

(b) The TIP;

(c) The UPWP;

(d) Incorporating performance goals, measures, and targets into the process of identifying and selecting needed transportation improvements and projects;

(e) A congestion management process for the metropolitan area and coordinated development of all other transportation management systems required by state or federal law;

(f) Assisting the Department in mapping transportation planning boundaries required by state or federal law;
(g) Supporting the Department in performing its duties relating to access management, functional classification of roads, and data collection; and

(h) Performing such other tasks required by state or federal law.

Section 2.03. Coordination with the Department and Consistency with Comprehensive Plans. Chapter 334, F.S., grants broad authority for the Department’s role in transportation. Section 334.044, F.S., includes the legislative intent declaring that the Department shall be responsible for coordinating the planning of a safe, viable, and balanced state transportation system serving all regions of the State. Section 339.155, F.S., requires the Department to develop a statewide transportation plan, which considers, to the maximum extent feasible, strategic regional policy plans, MPO plans, and approved local government comprehensive plans. Section 339.175(5), F.S., specifies the authority and responsibility of the MPO and the Department to manage a continuing, cooperative, and comprehensive transportation planning process for the metropolitan area.

In fulfillment of this purpose and in the exercise of the various powers granted by Chapters 334 and 339, F.S., the parties to this Interlocal Agreement acknowledge that decisions made by the MPO will be coordinated with the Department. All parties to this Interlocal Agreement acknowledge that actions taken pursuant to this Interlocal Agreement will be consistent with local government comprehensive plans.

ARTICLE 3
MPO ORGANIZATION AND CREATION

Section 3.01. Establishment of MPO. The MPO for the metropolitan planning area as described in the membership apportionment plan approved by the Governor is hereby created and established pursuant to this Interlocal Agreement to carry out the purposes and functions set forth in Articles 2 and 5. The legal name of this Metropolitan Planning Organization shall be the Hillsborough County Metropolitan Planning Organization.

Section 3.02. MPO to operate pursuant to law. In the event that any election, referendum, approval, permit, notice, other proceeding or authorization is required under applicable law to undertake any power, duty, or responsibility hereunder, or to observe, assume, or carry out any of the provisions of this Interlocal Agreement, the MPO will, to the extent of its legal capacity, comply with all applicable laws and requirements.

Section 3.03. Governing board to act as policy-making body of MPO. The governing board established pursuant to Section 4.01 of this Interlocal Agreement shall act as the policy-making body for the MPO, and will be responsible for coordinating the cooperative decision-making process of the MPO’s actions, and will take required actions as the MPO.

Section 3.04. Data, reports, records, and other documents. Subject to the right to claim an exemption from the Florida Public Records Law, Chapter 119, F.S., the parties shall provide to each other such data, reports, records, contracts, and other documents in its possession relating to the MPO as is requested. Charges are to be in accordance with Chapter 119, F.S.

Section 3.05. Rights of review. All parties to this Interlocal Agreement and the affected federal funding agencies (e.g., FHWA, FTA, and FAA) shall have the rights of technical review and comment on MPO’s projects.
ARTICLE 4
COMPOSITION; MEMBERSHIP; TERMS OF OFFICE

Section 4.01. Composition and membership of governing board.

(a) The MPO shall consist of 15 voting members and 1 non-voting advisor. The names of the member local governmental entities and the voting apportionment of the governing board as approved by the Governor shall be as follows: Hillsborough County (5), City of Tampa (3), Temple Terrace (1), Plant City (1); Hillsborough Area Regional Transit Authority (1), Hillsborough County Aviation Authority (1), Tampa-Hillsborough Expressway Authority (1), Tampa Port Authority (1), Hillsborough County City-County Planning Commission (1). The Florida Department of Transportation is designated as a non-voting advisor to the MPO.

(b) All voting representatives of general purpose local governments shall be elected officials, the voting representative of the Hillsborough County City-County Planning Commission shall be a Planning Commission member and the voting representatives of each of the authorities shall be an official of the respective authority. All voting representatives shall be appointed by the governing body of the county, city or authority, which may also appoint an alternate member who may vote at any MPO meeting that such alternate member attends in place of a regular member.

(c) In the event that a governmental entity that is a member of the MPO fails to fill an assigned appointment to the MPO within sixty days after notification by the Governor of its duty to appoint a representative, the appointment shall then be made by the Governor from the eligible individuals of that governmental entity.

Section 4.02. Terms. The term of office of members and alternate members of the MPO shall be four years. The membership of a member or alternate member who is a public official automatically terminates upon said official leaving the elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of the governmental entity represented by the member. A vacancy shall be filled by the original appointing entity. A member may be appointed for one or more additional four year terms.

ARTICLE 5
AUTHORITIES, POWERS, DUTIES AND RESPONSIBILITIES

Section 5.01. General authority. The MPO shall have all authorities, powers and duties, enjoy all rights, privileges, and immunities, exercise all responsibilities and perform all obligations necessary or appropriate to managing a continuing, cooperative, and comprehensive transportation planning process as specified in Section 339.175, F.S.

Section 5.02. Specific authority and powers. The MPO shall have the following powers and authority:

(a) As provided in Section 339.175(6)(g), F.S., the MPO may employ personnel and/or may enter into contracts with local or state agencies and private planning or engineering firms to utilize the staff resources of local and/or state agencies;
(b) As provided in Section 163.01(14), F.S., the MPO may enter into contracts for the performance of service functions of public agencies;

(c) As provided in Section 163.01(5)(j), F.S., the MPO may acquire, own, operate, maintain, sell, or lease real and personal property;

(d) As provided in Section 163.01(5)(m), F.S., the MPO may accept funds, grants, assistance, gifts or bequests from local, state, and federal resources;

(e) The MPO may promulgate rules to effectuate its powers, responsibilities, and obligations enumerated herein; provided, that said rules do not supersede or conflict with applicable local and state laws, rules and regulations; and

(f) The MPO shall have such powers and authority as specifically provided in Section 163.01 and Section 339.175, F.S., and as may otherwise be provided by federal or state law.

Section 5.03. Duties and responsibilities. In addition to those duties and responsibilities set forth in Article 2, the MPC shall have the following duties and responsibilities:

(a) As provided in Section 339.175(6)(d), F.S., the MPO shall create and appoint a technical advisory committee;

(b) As provided in Section 339.175(6)(e), F.S., the MPO shall create and appoint a citizens’ advisory committee;

(c) As provided in Section 163.01(5)(o), F.S., the MPO membership shall be jointly and severally liable for liabilities, and the MPO may respond to such liabilities through the purchase of insurance or bonds, the retention of legal counsel, and, as appropriate, the approval of settlements of claims by its governing board;

(d) As provided in Section 339.175(9), F.S., the MPO shall establish an estimated budget which shall operate on a fiscal year basis consistent with any requirements of the UPWP;

(e) The MPO, in cooperation with the Department, shall carry out the metropolitan transportation planning process as required by Title 23 CFR Parts 420 and 450, and Title 49 CFR Part 613, Subpart A, and consistent with Chapter 339, F.S., and other applicable state and local laws;

(f) As provided in Section 339.175(10)(a), F.S., the MPO shall enter into agreements with the Department, operators of public transportation systems and the metropolitan and regional intergovernmental coordination and review agencies serving the metropolitan area. These agreements will prescribe the cooperative manner in which the transportation planning process will be coordinated and included in the comprehensively planned development of the area;

(g) Perform such other tasks presently or hereafter required by state or federal law;

(h) Execute certifications and agreements necessary to comply with state or federal law; and

(i) Adopt operating rules and procedures.
ARTICLE 6
FUNDING; INVENTORY REPORT; RECORD-KEEPING

Section 6.01. Funding. The Department shall allocate to the MPO for performance of its transportation planning and programming duties, an appropriate amount of federal transportation planning funds consistent with the approved planning funds formula.

Section 6.02. Inventory report. The MPO agrees to inventory, to maintain records of and to insure proper use, control, and disposal of all nonexpendable tangible property acquired pursuant to funding under this Interlocal Agreement. This shall be done in accordance with the requirements of Title 23 CFR Part 420, Subpart A, Title 49 CFR Part 18, Subpart C, and all other applicable federal regulations.

Section 6.03. Record-keeping and document retention. The Department and the MPO shall prepare and retain all records in accordance with federal and state requirements, including but not limited to 23 CFR Part 420, Subpart A, 49 CFR Part 18, Subpart C, 49 CFR §18.42, and Chapter 119, F.S.

Section 6.04 Compliance with laws. All parties shall allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the parties in conjunction with this Agreement. Specifically, if a party is acting on behalf of a public agency the party shall:

(a) Keep and maintain public records that ordinarily and necessarily would be required by the Department in order to perform the services being performed by the party.

(b) Provide the public with access to public records on the same terms and conditions that the Department would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.

(c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

(d) Meet all requirements for retaining public records and transfer, at no cost, to the Department all public records in possession of the party upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the Department in a format that is compatible with the information technology systems of the Department.

ARTICLE 7
MISCELLANEOUS PROVISIONS

Section 7.01. Constitutional or statutory duties and responsibilities of parties. This Interlocal Agreement shall not be construed to authorize the delegation of the constitutional or statutory duties of any of the parties. In addition, this Interlocal Agreement does not relieve any of the parties of an obligation or responsibility imposed upon them by law, except to the extent of actual and timely performance thereof by one or more of the parties to this Interlocal Agreement or any legal or administrative entity created or authorized by this Interlocal Agreement, in which case this performance may be offered in satisfaction of the obligation or responsibility.
Section 7.02. Amendment of Interlocal Agreement. Amendments or modifications of this Interlocal Agreement may only be made by written agreement signed by all parties hereto with the same formalities as the original Interlocal Agreement. No amendment may alter the apportionment or jurisdictional boundaries of the MPO without approval by the Governor.

Section 7.03. Duration; withdrawal procedure.

(a) Duration. This Interlocal Agreement shall remain in effect until terminated by the parties to this Interlocal Agreement. The Interlocal Agreement shall be reviewed by the parties at least every ten years, concurrent with the decennial census, and/or concurrent with a new Federal Reauthorization bill, and updated as necessary.

(b) Withdrawal procedure. Any party, except Hillsborough County and the City of Tampa, may withdraw from this Interlocal Agreement after presenting in written form a notice of intent to withdraw to the other parties to this Interlocal Agreement and the MPO, at least 90 days prior to the intended date of withdrawal. Upon receipt of the intended notice of withdrawal:

(1) The withdrawing member and the MPO shall execute a memorandum reflecting the withdrawal of the member and alteration of the list of member governments that are signatories to this Interlocal Agreement. The memorandum shall be filed in the Office of the Clerk of the Circuit Court of each county in which a party hereto is located; and

(2) The MPO shall contact The Office of the Governor and the Governor, with the agreement of the remaining members of the MPO, shall determine whether any reapportionment of the membership is appropriate. The Governor and the MPO shall review the previous MPO designation, applicable federal, state and local law, and MPO rules for appropriate revision. In the event that another entity is to afforded membership in the place of the member withdrawing from the MPO, the parties acknowledge that pursuant to Title 23 CFR §450.310(l)(2), adding membership to the MPO does not automatically require redesignation of the MPO. In the event that a party who is not a signatory to this Interlocal Agreement is afforded membership in the MPO, membership shall not become effective until this Interlocal Agreement is amended to reflect that the new member has joined the MPO.

Section 7.04. Notices. All notices, demands and correspondence required or provided for under this Interlocal Agreement shall be in writing and delivered in person or dispatched by certified mail, postage prepaid, return receipt requested. Notice required to be given shall be addressed as follows:

Hillsborough County Aviation Authority
P. O. Box 22287
Tampa, FL 33622

Hillsborough County Board of County Commission
601 E. Kennedy Blvd, 2nd Floor
Tampa, FL 33602

Tampa City Council
315 E. Kennedy Blvd, 3rd Floor
Tampa, FL 33602

Hillsborough Area Transit Authority
4305 E. 21st Avenue
Tampa, FL 33605

City of Plant City
302 W. Reynolds Street
P. O. Box C
Plant City, FL 33563

City of Plant City
302 W. Reynolds Street
P. O. Box C
Plant City, FL 33563

Tampa Port Authority
1101 Channelside Drive
Tampa, FL 33602
Tampa-Hillsborough
Expressway Authority
1104 E. Twiggs Street
Tampa, FL 33602

The Planning Commission
601 E. Kennedy Blvd., 18th Fl
Tampa, FL 33602

City of Temple Terrace
11250 N. 56th Street
Temple Terrace, FL 33617

FDOT - District 7
11201 N. McKinley Dr.
Tampa, FL 33612

Hillsborough MPO
601 E. Kennedy Blvd., 18th
Floor
Tampa, FL 33602

A party may unilaterally change its address or addressee by giving notice in writing to the other parties as provided in this section. Thereafter, notices, demands and other pertinent correspondence shall be addressed and transmitted to the new address.

Section 7.05. Interpretation.

(a) Drafters of the Interlocal Agreement. The Department and the parties were each represented by or afforded the opportunity for representation by legal counsel and participated in the drafting of this Interlocal Agreement and in choice of wording. Consequently, no provision should be more strongly construed against any party as drafter of this Interlocal Agreement.

(b) Severability. Invalidation of any one of the provisions of this Interlocal Agreement or any part, clause or word, or the application thereof in specific circumstances, by judgment, court order, or administrative hearing or order shall not affect any other provisions or applications in other circumstances, all of which shall remain in full force and effect; provided, that such remainder would then continue to conform to the terms and requirements of applicable law.

(c) Rules of construction. In interpreting this Interlocal Agreement, the following rules of construction shall apply unless the context indicates otherwise:

(1) The singular of any word or term includes the plural;

(2) The masculine gender includes the feminine gender; and

(3) The word “shall” is mandatory, and “may” is permissive.

Section 7.06. Enforcement by parties hereto. In the event of any judicial or administrative action to enforce or interpret this Interlocal Agreement by any party hereto, each party shall bear its own costs and attorney’s fees in connection with such proceeding.

Section 7.07. Interlocal Agreement execution; Use of counterpart signature pages. This Interlocal Agreement, and any amendments hereto, may be simultaneously executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

Section 7.08. Effective date; Cost of recordation.

(a) Effective date. This Interlocal Agreement shall become effective upon its filing in the Office of the Clerk of the Circuit Court of each county in which a party hereto is located. Any amendment
hereto shall become effective only upon its filing in the Office of the Clerk of the Circuit Court for each county in which a party hereto is located.

(b) Recordation. The MPO hereby agrees to pay for any costs of recordation or filing of this Interlocal Agreement in the Office of the Circuit Court for each county in which a party is hereto located. The recorded or filed original, or any amendment, shall be returned to the MPC for filing in its records.

IN WITNESS WHEREOF, the undersigned parties have executed this Interlocal Agreement on behalf of the referenced legal entities and hereby establish the above designated MPO.

Signed, Sealed and Delivered in the presence of:
Interlocal agreement to re-establish the HILLSBOROUGH COUNTY METROPOLITAN PLANNING ORGANIZATION

Signed, Sealed and Delivered in the presence of:

District Seven
Florida Department of Transportation
Tampa, Florida

BY:  

TITLE: District Secretary

ATTEST:  

TITLE: Executive Assistant
(SEAL)

Attorney:  

MARTIN T. HENRY
Signed, Sealed and Delivered in the presence of:

BOARD OF COUNTY COMMISSIONERS
Hillsborough County, Florida

[Signature]
Deputy Clerk to the Board of County Commissioners

[Signature]
The Honorable Mark Sharpe
Chairman of the Board of County Commissioners

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
Esquire
Assistant County Attorney

BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY FLORIDA
DOCUMENT NO. 14-0508
Interlocal agreement to re-establish the HILLSBOROUGH COUNTY METROPOLITAN PLANNING ORGANIZATION

Signed, Sealed and Delivered in the presence of:

CITY OF TEMPLE TERRACE
Hillsborough County, Florida

BY:  
TITLE:  
ATTEST:  
TITLE:  City Clerk (SEAL)

Attorney:
Interlocal agreement to re-establish the HILLSBOROUGH COUNTY METROPOLITAN PLANNING ORGANIZATION

Signed, Sealed and Delivered in the presence of:

CITY OF TAMPA
Hillsborough County, Florida

BY: [Signature]

TITLE: Mayor of City of Tampa

ATTEST: [Signature]

TITLE: City Clerk (SEAL)

Attorney: [Signature]
Interlocal agreement to re-establish the HILLSBOROUGH COUNTY METROPOLITAN PLANNING ORGANIZATION

Signed, Sealed and Delivered in the presence of:

CITY OF PLANT CITY
Hillsborough County, Florida

BY: __________________________
TITLE: Mayor

ATTEST: ________________________
TITLE: City Clerk
(SEAL)

Approved as to form and correctness:

Attorney: ________________________
Interlocal agreement to re-establish the HILLSBOROUGH COUNTY METROPOLITAN PLANNING ORGANIZATION

Signed, Sealed and Delivered in the presence of:

TAMPA PORT AUTHORITY
Hillsborough County, Florida

BY: ____________________________
TITLE: ____________________________
ATTEST: ____________________________
TITLE: ____________________________
(SEAL)

Attorney: ____________________________
Interlocal agreement to re-establish the HILLSBOROUGH COUNTY METROPOLITAN PLANNING ORGANIZATION

Signed, Sealed and Delivered in the presence of:

HILLSBOROUGH AREA REGIONAL TRANSIT AUTHORITY
Hillsborough County, Florida

BY:  
TITLE:  HART Board Chair

ATTEST:  Yelena Lett
TITLE:  Clerk of the Board
(SEAL)

Attorney:  


Interlocal agreement to re-establish the HILLSBOROUGH COUNTY METROPOLITAN PLANNING ORGANIZATION

Signed, Sealed and Delivered in the presence of:

HILLSBOROUGH COUNTY AVIATION AUTHORITY
Hillsborough County, Florida

BY: __________________________
TITLE: Chairman, Robert I. Watkins
ATTEST: __________________________
TITLE: Secretary, Victor D. Crist
(SEAL)

Attorney: __________________________
Interlocal agreement to re-establish the HILLSBOROUGH COUNTY METROPOLITAN PLANNING ORGANIZATION

Signed, Sealed and Delivered in the presence of:

TAMPA-HILLSBOROUGH EXPRESSWAY AUTHORITY
Hillsborough County, Florida

BY: _____________________________
TITLE: Chairman

ATTEST: __________________________
TITLE: Ex. Off (SEAL)

Attorney: __________________-----
Interlocal agreement to re-establish the HILLSBOROUGH COUNTY METROPOLITAN PLANNING ORGANIZATION

Signed, Sealed and Delivered in the presence of:

HILLSBOROUGH COUNTY CITY-COUNTY PLANNING COMMISSION
Hillsborough County, Florida

BY: ____________________________
TITLE: CHAIRMAN

ATTEST: _________________________

TITLE: _________________________
(Seal)

Attorney: ________________________
FIRST MODIFICATION TO THE
INTERLOCAL AGREEMENT FOR CREATION OF
THE METROPOLITAN PLANNING ORGANIZATION

THIS FIRST MODIFICATION to the INTERLOCAL AGREEMENT for the formation of a Metropolitan Planning Organization, which became effective on September 4, 2014, is made and entered into on this [19th] day of [August], 2015, by and between the FLORIDA DEPARTMENT OF TRANSPORTATION; HILLSBOROUGH COUNTY; the CITIES OF TAMPA, TEMPLE TERRACE and PLANT CITY; HILLSBOROUGH AREA REGIONAL TRANSIT AUTHORITY; HILLSBOROUGH COUNTY AVIATION AUTHORITY; TAMPA-HILLSBOROUGH EXPRESSWAY AUTHORITY; TAMPA PORT AUTHORITY; THE HILLSBOROUGH COUNTY CITY-COUNTY PLANNING COMMISSION; and the SCHOOL BOARD OF HILLSBOROUGH COUNTY, collectively known as the “parties.”

RECITALS

WHEREAS, the federal government, under the authority of Title 23 United States Code (USC) §134 and Title 49 USC §5303, requires each metropolitan area, as a condition for the receipt of federal capital or operating assistance, to have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the metropolitan area;

WHEREAS, Title 23 USC §134 and Title 49 USC §§5303-5305, as amended by the Moving Ahead for Progress in the 21st Century Act (MAP-21) and Section 339.175, Florida Statutes (F.S.), provide for the creation of Metropolitan Planning Organizations to develop transportation plans and programs for urbanized areas;

WHEREAS, an Interlocal Agreement is required to create the Metropolitan Planning Organization and delineate the provisions for operation of the MPO;

WHEREAS, the Interlocal Agreement was fully executed by the parties, recorded with the Office of the Clerk of the Circuit Court, and became effective on September 4, 2014; and

WHEREAS, subsequent to the Interlocal Agreement becoming effective, the School Board of Hillsborough County ("School Board"), a public agency that operates a major mode of transportation in the Metropolitan Planning Area, expressed interest joining the MPO as a voting member; and

WHEREAS, the Department and the MPO agree that the addition of a voting member from the School Board does not require a redesignation pursuant to 23 CFR 450.310, and does not require a reapportionment of the MPO under Section 339.175(4), F.S.; and

WHEREAS, after publicly discussing the issue, the MPO voted to add a representative of the School Board as a voting member of the MPO, pursuant to Section 339.175(3) F.S., and adopted a resolution (Resolution 15-1) to that effect on March 3, 2015; and

WHEREAS, modifications to the Interlocal Agreement may only be made by written agreement signed by all parties, with the same formalities as the original Interlocal Agreement; and

WHEREAS, the parties to the Interlocal Agreement and the School Board of Hillsborough County wish to modify the Interlocal Agreement in order to add a member of the School Board as a voting member of the MPO;
NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the parties desiring to be legally bound, do hereby agree to modify the Interlocal Agreement as follows:

FIRST MODIFICATION TO THE INTERLOCAL AGREEMENT

The Articles and Sections contained in this FIRST MODIFICATION correspond with the same Articles and Sections contained in the INTERLOCAL AGREEMENT. This FIRST MODIFICATION amends the INTERLOCAL AGREEMENT only to the extent expressly stated herein. All terms and conditions of the INTERLOCAL AGREEMENT that are not expressly modified herein remain unchanged and are hereby re-adopted by the parties in their entirety. In the event of a conflict between the terms of this FIRST MODIFICATION and the INTERLOCAL AGREEMENT, the terms of this FIRST MODIFICATION shall control. By adopting this FIRST MODIFICATION, the parties hereby agree to abide by its terms and all of the terms of the INTERLOCAL AGREEMENT.

ARTICLE 1
RECKITALS; DEFINITIONS

Section 1.01. Recitals. Each and all of the foregoing recitals are incorporated herein and acknowledged to be true and correct to the best of the parties' knowledge. Failure of any of the foregoing recitals to be true and correct shall not operate to invalidate this FIRST MODIFICATION.

Section 1.02. Definitions. The following words when used in this FIRST MODIFICATION (unless the context shall clearly indicate the contrary) shall have the following meanings:

First Modification means and refers to this instrument.

School Board means the School Board of Hillsborough County.

ARTICLE 4
COMPOSITION; MEMBERSHIP; TERMS OF OFFICE

Section 4.01. Composition and membership of governing board.

(a) The MPO shall consist of 16 voting members and 1 non-voting advisor. The names of the member local governmental entities and the voting apportionment of the governing board shall be as follows: Hillsborough County (5), City of Tampa (3), Temple Terrace (1), Plant City (1); Hillsborough Area Regional Transit Authority (1), Hillsborough County Aviation Authority (1), Tampa-Hillsborough Expressway Authority (1), Tampa Port Authority (1), Hillsborough County City-County Planning Commission (1), School Board of Hillsborough County (1). The Florida Department of Transportation is designated as a non-voting advisor to the MPO.

(b) All voting representatives of general purpose local governments shall be elected officials, the voting representative of the School Board shall be an elected member of the School Board, the voting representative of the Hillsborough County City-County Planning Commission shall be a Planning Commission member, and the voting representatives of each of the authorities shall be an official of the respective authority. All voting representatives shall be appointed by the governing body of the
county, city or authority, which may also appoint an alternate member who may vote at any MPO meeting that such alternate member attends in place of a regular member.

ARTICLE 7
MISCELLANEOUS PROVISIONS

Section 7.04. Notices. All notices, demands and correspondence required or provided for under the INTERLOCAL AGREEMENT or this FIRST MODIFICATION shall be in writing and delivered in person or dispatched by certified mail, postage prepaid, return receipt requested. Notice required to be given to the School Board shall be addressed as follows:

School Board of Hillsborough County
Attn: Chair Valdes
P.O. Box 3408
Tampa, FL 33601

Section 7.07. First Modification execution; Use of counterpart signature pages. This FIRST MODIFICATION may be simultaneously executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

Section 7.08. Effective date; Cost of recordation.

(a) Effective date. This FIRST MODIFICATION shall become effective upon its filing in the Office of the Clerk of the Circuit Court of each county in which a party hereto is located.

(b) Recordation. The MPO hereby agrees to pay for any costs of recordation or filing of this FIRST MODIFICATION in the Office of the Circuit Court for each county in which a party is hereto located. The recorded or filed original shall be returned to the MPO for filing in its records.

IN WITNESS WHEREOF, the undersigned parties have executed this FIRST MODIFICATION on behalf of the referenced legal entities and hereby establish the above designated MPO.

Signed, Sealed and Delivered in the presence of:
Signed, Sealed and Delivered in the presence of:

BOARD OF COUNTY COMMISSIONERS
Hillsborough County, Florida

Deputy Clerk to the Board
of County Commissioners

By: [Signature]

The Honorable Sandra L. Murman
Chairman of the Board of
County Commissioners

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: [Signature]
Esquire
Assistant County Attorney

Approval Date: June 17, 2015
Signed, Sealed and Delivered in the presence of:

District Seven  
Florida Department of Transportation  
Tampa, Florida

BY:  

TITLE: District Seven Secretary

ATTEST:  

TITLE: Executive Assistant  
(SEAL)

Attorney:  

[Signature]
Signed, Sealed and Delivered in the presence of:

CITY OF TAMPA
Hillsborough County, Florida

BY: Bob Bucchorn
TITLE: BOB BUCKHORN, MAYOR

ATTEST: Shandra D. Marshall
TITLE: CITY CLERK/DEPUTY CITY CLERK
(SEAL)

Attorney: [Signature]

Sign, Sealed and Delivered in the presence of:

CITY OF TEMPLE TERRACE  
Hillsborough County, Florida

BY:  
Frank M. Chillura

TITLE:  Mayor

ATTEST  
Cheryl A. Mooney

TITLE:  City Clerk  (SEAL)

Attorney:  
Mark Connolly
Signed, Sealed and Delivered in the presence of:

CITY OF PLANT CITY
Hillsborough County, Florida

BY:  

TITLE: Mayor

ATTEST:  

TITLE: City Clerk
(Seal)

APPROVED AS TO FORM AND CORRECTNESS

Attorney:
Signed, Sealed and Delivered in the presence of:

HILLSBOROUGH AREA REGIONAL TRANSIT AUTHORITY
Hillsborough County, Florida

BY: [Signature]
TITLE: HART Board Chair
ATTEST: [Signature]
TITLE: HART Clerk
(SEAL)

Attorney: [Signature]
Signed, Sealed and Delivered in the presence of:

TAMPA PORT AUTHORITY
Hillsborough County, Florida

BY:    Paul Anderson
TITLE: President & CEO
ATTEST: Cheryl L. Reece
TITLE:    (SEAL)

Attorney:  [Signature]
Signed, Sealed and Delivered in the presence of:

HILLSBOROUGH COUNTY AVIATION AUTHORITY
Hillsborough County, Florida

BY: __________________________
   Robert L. Watkins

TITLE: Chairman

ATTEST: ________________________
        Lourdes M. Swope
        (SEAL)

TITLE: Lourdes M. Swope, Board Secs. Administrator

Attorney: ________________________
Signed, Sealed and Delivered in the presence of:

TAMPA-HILLSBOROUGH EXPRESSWAY AUTHORITY
Hillsborough County, Florida

BY: [Signature]
TITLE: Chair

ATTEST: [Signature]
TITLE: Exec Dir (SEAL)

Attorney: [Signature]
Signed, Sealed and Delivered in the presence of:

HILLSBOROUGH COUNTY CITY-COUNTY PLANNING COMMISSION
Hillsborough County, Florida

BY: mittry Frenzer
TITLE: Chair

ATTEST:  
TITLE: (SEAL)

Attorney:  
6/8/15
Signed, Sealed and Delivered in the presence of:

SCHOOL BOARD OF HILLSBOROUGH COUNTY
Hillsborough County, Florida

BY: ______________
TITLE: SCHOOL BOARD CHAIR

ATTEST: ______________
TITLE: ACTING SUPERINTENDENT
(SEAL)

Attorney: __________________________
Agenda Item:
MPO Reapportionment Process Overview

Presenter:
Sarah McKinley, MPO Staff

Summary:
Federal transportation planning requirements provide that a metropolitan planning organization be designated for each urbanized area with a population of more than 50,000. The Hillsborough MPO was so designated in 1974.

The designation of MPOs and establishment of voting membership is accomplished by agreement among the largest affected local governments with the approval of the Governor. Florida Statutes provide some additional stipulations for membership composition, and require that the Governor review the membership composition of each MPO following each decennial census.

In conjunction with the release of 2020 Census data, the Hillsborough MPO will take the following steps during the next 1-2 years:

1. Draft and finalize an updated Membership Apportionment Plan;
2. Seek the approval of (at a minimum) the Hillsborough County BOCC, the City of Tampa, and the Governor for the updated membership apportionment and the redesignation of the Hillsborough MPO to serve this geographic area;
3. Update the Interlocal Agreement for the Creation of the MPO and obtain signatures from all organizations that are voting or non-voting members of the MPO.

The MPO may begin the process at any time by reviewing its voting membership against current population estimates. However, the Apportionment Plan cannot be finalized until the Census Bureau releases 2020 counts and urbanized area maps.

Recommended Action:
Per committee discussion

Prepared By:
Beth Alden, MPO Director

Attachments:
- Presentation slides
- F.S. 339.175 Metropolitan planning organizations
Hillsborough MPO Metropolitan Planning for Transportation

APPORTIONMENT PROCESS OVERVIEW

Policy Committee January 13, 2021
What is an Apportionment Plan?

Identifies the geographic area and voting membership of an MPO.

Why is this required?

Federal law states that an MPO must be designated for each urbanized area over 50,000 population (as defined by Census).

Why are we talking about ours right now?

State law requires the apportionment be reviewed after each Census. Relevant data is to be available in 2021.
MPO APPORTIONMENT PLAN 101

- MPO designation/re-designation is based on agreement between Governor and local elected officials representing 75% of the population and the central city/cities.
- The designation of an existing MPO remains in effect until the MPO is re-designated.
- State Law restricts MPO membership to between 5 and 25 members.
- More than one MPO may be designated to serve an urbanized area if appropriate for the size and complexity of the area.
Apportionment Plan updated and approved by the MPO Board

The BOCC and Central City approve the Redesignation

The Governor approves the Redesignation

Interlocal Agreement signed by all member organizations, including non-voting members

About an 18 month process
CURRENT MPO APPORTIONMENT

• 16 voting members:

• Jurisdictional representatives (10) based on population:
  - Hillsborough County (5)
  - Tampa (3)
  - Plant City (1)
  - Temple Terrace (1)

• Agency representatives - one each:
  - Aviation Authority
  - Expressway Authority
  - Planning Commission
  - Florida Department of Transportation (non-voting advisor)
  - HART
  - Port Authority
  - School District
CHANGES TO APPORTIONMENT MADE IN 2013

- **Designate FDOT as advisor, not member**
  Per recent state law. Why? All members, even non-voting, are subject to Government in the Sunshine.

- **Voting membership for Planning Commission**
  State law allows for voting members “of a statutorily authorized planning board” for land use coordination.

- **Increase County Commission members by one**
  Due to population growth in the unincorporated County
NEXT STEPS & TIMELINE

- Receive population estimates and urbanized area maps from 2020 Census; time TBD

- What can we do now?
  - Discuss voting representation using current BEBR* 2020 Population Estimates:
    - Unincorporated Hillsborough County: 1,019,128
    - City of Tampa: 392,953
    - City of Plant City: 39,846
    - City of Temple Terrace: 26,832
    - Hillsborough County Total: 1,478,759

*Bureau of Economics & Business Research
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<th>TYPE OF REP.</th>
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<td>Hillsborough County Aviation Authority</td>
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<td>Florida Department of Transportation</td>
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<td>Advisor</td>
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*Planning Commission added as voting member in 2013*
TOPICS TO CONSIDER?

Staff to bring back options at a future Board meeting
TENTATIVE FIVE-YEAR WORK PROGRAM ONLINE PUBLIC HEARING

FISCAL YEAR 2022 TO FISCAL YEAR 2026

VISIT D7WPPH.COM BEGINNING JANUARY 11, 2021
PUBLIC COMMENTS DUE BY JANUARY 29, 2021

OPEN HOUSE DATE
JANUARY 14, 2021 FROM 9 AM TO 6 PM

FDOT DISTRICT 7 OFFICES
11201 N. MCKINLEY DR.
TAMPA, FL 33612

Persons wishing to attend the Public Hearing in person are encouraged to wear a mask/face covering consistent with the Safe, Smart Step-by-Step Plan for Florida's Recovery and practice safe social distancing.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Alex Henry, at (813) 975-6405, (800) 226-7220 or email: D7wpph@dot.state.fl.us.

Si usted tiene preguntas o comentarios o si simplemente desea mas información sobre este proyecto, favor de ponerse en contacto con el señor Manuel Flores, al teléfono (813) 975-4248 o correo electrónico manuel.flores@dot.state.fl.us.

FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 7 | PROJECTS FUNDED JULY 1, 2021 TO JUNE 30, 2026
VISIT US ONLINE AT D7WPPH.COM BEGINNING JANUARY 11, 2021