



Hillsborough TPO

Transportation Planning Organization

Meeting of the Technical Advisory Committee

Monday, March 7, 2022, 1:30 pm

All voting members are asked to attend in person, in compliance with Florida's Government in the Sunshine Law. Please RSVP for this meeting. An accurate head-count will allow us to plan facilities. People attending in person are recommended to wear a mask while inside the County Center building consistent with CDC guidance. Some voting members may participate via web conference due to the ongoing national and local states of emergency re: COVID-19.

Audience members, presenters, and any others are asked to participate remotely, to minimize the potential for transmitting illness.

Remote participation:

- To view presentations and participate your computer, tablet or smartphone:
- <https://attendee.gotowebinar.com/register/9089847765883443472>
- Register in advance to receive your personalized link, which can be saved to your calendar.
- Dial in LISTEN-ONLY MODE: 1-562-247-8422 Access Code 917-648-427
- Presentations, full agenda packet, and supplemental materials [posted here](#), or phone us at 813-756-0371 for a printed copy.
- Please mute yourself after joining the conference to minimize background noise.
- Technical support during the meeting: Priya Nagaraj (813) 310-9709.

Rules of engagement:

Professional courtesy and respect for others at this meeting are expected, and failure may result in dismissal from the meeting. For more information on expectations for participation, please see the TPO's [Social Networking & Media Policy](#).

Call to Order

Agenda

- I. **Call to Order & Introductions**
- II. **Public Comment** - 3 minutes per speaker, please
- III. **Approval of Minutes** – February 7, 2022
- IV. **Action Items**
 - A. Transportation Improvement Program (TIP) Amendments: HART Maintenance Facility and Gibsonton Drive Widening Study (Connor MacDonald, TPO Staff)
 - B. Commuter Benefits Ordinance Request Letter (Sara Hendricks, CUTR)

Commissioner Harry Cohen
Hillsborough County
MPO Chair

Commissioner Pat Kemp
Hillsborough County
MPO Vice Chair

Paul Anderson
Port Tampa Bay

Councilman Joseph Citro
City of Tampa

Councilman John Dingfelder
City of Tampa

Commissioner Nate Kilton
City of Plant City

Adelee LeGrand
HART

Joe Lopano
Hillsborough County
Aviation Authority

Councilman Guido Maniscalco
City of Tampa

Commissioner Gwen Myers
Hillsborough County

Commissioner
Kimberly Overman
Hillsborough County

Cody Powell
Planning Commission

Mayor Andrew Ross
City of Temple Terrace

Greg Slater
Expressway Authority

Commissioner
Mariella Smith
Hillsborough County

Jessica Vaughn
Hillsborough County
School Board

Beth Alden, AICP
Executive Director



Plan Hillsborough

planhillsborough.org
planner@plancom.org

813 - 272 - 5940
601 E Kennedy Blvd
18th Floor
Tampa, FL, 33602

V. Status Reports

- A. Project Development & Environmental Study for US301 from Fowler Ave to SR56 (Amber Russo, FDOT)
- B. Highway and Road Projects to be added to 2050 Tampa Bay Regional Planning Model Network (Vishaka Shiva Raman, TPO Staff)

VI. Old Business & New Business

VII. Adjournment

VIII. Addendum

- A. TPO Meeting Summary and Committee Reports
- B. April 5-6 [Regional Resiliency Leadership Summit](#)

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

The TPO 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.

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 ext. 1.

In accordance with Title 17 U.S.C. Section 107, materials attached are for research and educational purposes, and are distributed without profit to TPO Board members, TPO staff, or related committees or subcommittees the TPO supports. The TPO has no affiliation whatsoever with the originator of attached articles nor is the TPO endorsed or sponsored by the originator. Persons wishing to use copyrighted material for purposes of their own that go beyond 'fair use' must first obtain permission from the copyright owner. The TPO cannot ensure 508 accessibility for items produced by other agencies or organizations.

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.

**HILLSBOROUGH COUNTY
TRANSPORTATION PLANNING ORGANIZATION
TECHNICAL ADVISORY COMMITTEE
HYBRID MEETING OF FEBRUARY 7, 2022**

I. CALL TO ORDER

Vice Chair Williams called the meeting to order at 1:33 PM

Members Present In-Person: Mike Williams, Brian McCarthy, Jonathan Scott, Brian Pessaro, Anna Quinones, Gina Evans, Mark Hudson, Jay Collins

Members Present Virtually: Jeff Sims, Michelle Jenkins, Leland Dicus, Danni Jorgenson, Melissa Lienhard, Chedeline Apollon

Members Absent/ Excused: Michael English

Others Present: Clay Hollis (future member, Port Tampa Bay); Sarah Caper (future member, Hillsborough County); Gena Torres, Connor MacDonald, Lizzie Ehrreich, Wade Reynolds, Johnny Wong, Allison Yeh, Lionel Fuentes, Amber Simmons, Beth Alden, Rich Clarendon, Vishaka Shiva Raman, Davida Franklin, Gail Reese (TPO Staff); Nina Mabileau (City of Tampa); Peyton McLeoud (Patel Greene); Christopher Fellerhoff (Hillsborough County); Christopher DeAnnuntil (HART)

An in-person quorum has been met. Some members are participating virtually because of medical reasons and the local declaration of emergency.

II. PUBLIC COMMENT – None at this time

III. APPROVAL OF MINUTES – December 15, 2021 and January 3, 2022

Motion to approve December 15, 2021 and January 3, 2022 minutes by Jay Collins, seconded by Jonathan Scott. Voice vote, motion passes unanimously.

IV. ACTION ITEMS

A. Safety Performance Targets CY2022 (Connor MacDonald, TPO Staff) (Timestamp 0:04:06)

- Review of the measures required by the Highway Safety Improvement Program (HSIP).
 - TPO has elected to track year-end fatality totals and motorcycle fatalities separate.
 - 7th year of setting targets
 - Must set realistic, data-driven targets
- Project the number of crashes for the next given year and subtract the crash reduction benefits achievable given the expected level of investment
 - Projection expects a 1% projection on all crash types
- Went over actual numbers

- Annual actual fatalities in 2021 = 255 (record number); targets set on 5-year rolling average (2018 – 2022)
- 5-year Rolling Average Targets
 - Total fatalities – target of no more than 253 through 2022; rolling average is 224; showed map of fatality locations – along major roadways
 - Motorcycle Fatalities – target of no more than 36.13
 - Serious Injuries – target of no more than 1107; steadily decreasing
 - Nonmotorized Fatalities + Serious Injuries – target of no more than 232; increase in 5-year average
 - Fatality Rate per 100 million Vehicle Miles Traveled – target no more than 1.59
 - Serious Injury Rate per 100 million Vehicle Miles Traveled – have seen steady decline in trend; target set at no more than 7.49
- Review of Report Card – 3 targets met; 4 targets not met
- Current ways of improving
 - Vision Zero’s 4 Action Tracks
 - Asking the Committee to provide information on what details the TPO Staff can provide to make informed, data-driven decisions and recommendations
 - Review of 2022 Performance Targets for review to aid in recommendations

Presentation Slides: [Safety Targets Presentation](#)

Recommended Actions: Approve the CY2022 safety performance targets and forward to the TPO Board. Submit suggestions to improve performance in high crash areas.

Discussion:

Discussion around how equitable enforcement will lead to fewer fatalities. It is based on enforcement of consistent trouble spots. Auto-enforcement takes out other concerns around enforcement in general. It can also have graduated fines associated. Current bill in the Florida House for auto-enforcement in school zones.

It was noted that there were less drivers on the road through the pandemic but more crashes and deaths. Questioned if this is corroborated in other jurisdictions. This has been addressed as a national trend. Trips are now happening outside of typical peak hours which is leading to higher speeds. Seatbelt use is down and EMS response being delayed are also trends. Hillsborough and Pinellas saw the highest jump in fatal crashes. The overall trend is up in the region but more so in the more densely populated areas.

It was pointed out that Serious Injuries have shown a consistent downward trend since 2012. Something must be going right on that. The fatality totals included motorist and non-motorist deaths. What is the ramification from not meeting the targets; none. There are penalties for the state. Safety is the number two priority in the TIP.

Are requesting the TPO Board to hold a summit at the end of the year to address the jurisdictional, high-injury corridors.

Wade Reynolds: Noted the comments from Bob Frey in the chat.

Robert Frey (to Organizers and Panelists Only):

1:55 PM: What has changed? Enforcement? Volume?

Robert Frey (to Organizers and Panelists Only):

1:56 PM: Has anyone looked at increased volume in reduced lanes? Do we have more vehicles and peds in less space?

At some point during the summer of 2020, VMT had gone down; overall, it has been going up, may reach 3%. Coordinating on a presentation with a jurisdiction on enforcement. 2020 was high with pedestrian crashes; 2021 it decreased a bit. Asked what other areas who have gone through this type of growth to mitigate these challenges. Talked about aggressive driving, if there a way to find out or track this as well. It is tracked by law enforcement when there is a crash. TOD is a solution that has been used in other areas.

Jonathan Scott moves to approve, Jay Collins seconded. Voice vote, motion passes unanimously.

V. STATUS REPORTS

A. Low-Cost Air Quality Monitoring Pilot Study (Lizzie Ehrreich, TPO Staff) (*Timestamp 0:33:51*)

- Partnership with USF College of Public Health, Hillsborough County EPC, US FHWA
- Started in September 2021
- Review of project overview
 - In initial part – working out challenges to gain solid foundation of the equipment and how to implement it with the community effectively.
- Went over Regulatory and Low-Cost Monitoring
 - EPC – expensive, fixed locations
 - Low-cost monitors – emerging types of sensors, affordable, smaller, manufacturers striving to provide quality data; decreases cost to increase the number of monitors for larger coverage; companies provide crowd-sourced maps with data provided by users.
- Timeline review
- Types of monitors chosen – PurpleAirII PM and ENVEA Cairsens NO2
 - Conducted small scale field testing
 - Showed example of PurpleAir crowd-sourced map across Tampa Bay area, one-week average of particulate matter.
- Identifying communities to monitor
 - Narrowed down with three criteria – environmental, demographic (low income and communities of color), and opportunities for community access and engagement.
- Public engagement to help identify where the monitors will be placed.

Study Website: [Low-Cost Air Quality Monitoring Pilot Study](#)

Discussion:

Question about how many locations the low-cost monitors will be installed in and what type of site. Approximately five, based on community input and sites willing to host. Sites will be community locations such as churches, schools, community centers, etc.

Discussion about what the goal of the data is; will it be compared to other areas of the county. Identifying challenges, how planning can play a part in mitigating air quality issues and seeing where the data goes. Limited with the number of monitors; will be targeted along the interstate. Can compare to data from the regulatory monitors around the county.

EPC is excited to be a partner in this; is interested in this type of work and how it will compliment the regulatory monitors; believes this type of program will grow and fill in where data is not being collected. The component of equity and community involvement is going to go a long way in building faith with the community towards the government.

B. West River Multimodal Safety & Network Improvements (Nina Mabileau, City of Tampa)
(Timestamp 0:57:19)

- Applied for a BUILD grant through FDOT, awarded in September.
- Joint project between mobility and Parks and Rec; includes on and off-road. Addresses Mayor's priority. Complete over 12-mile multi-modal path separated from vehicle traffic.
 - Addressing crashes with Complete Streets design
 - Sustainability and Resilience – shoreline restoration
- 44 people killed and 289 severely injured per year in City of Tampa, looking to get to zero.
 - Safer people, streets, speeds, vehicles, post-crash care
- Review of project team
- Divided into six segments – utility and financial project numbers
 - Segment 1 – Platt St to Brorein St
 - Segment 2 – Kennedy Blvd to Palmetto St / Rome Ave
 - Segment 3 – Rome Ave to Bayshore Blvd
 - Segment 4 – Rome Ave from Platt St to Columbus Dr
 - Segment 5 – Columbus Dr. from Rome Ave to N. Boulevard
 - Segment 6 – Ridgewood Park from Columbus to North Blvd.
 - Parks and Recreation are working with Rome Yard on building that out.
- Many other planned multimodal & safety improvements projects
- Using PROWAG guidelines for bicyclists and pedestrians
- Review of public outreach
- Went over BUILD Grant Timeline (December 15, 2021 – December 11, 2026). Funds must be spent by 2027.
- Partners and Agency Stakeholders: Hillsborough County, US DOT, FDOT, HART, Plan Hillsborough, THEA, Tampa Downtown Partnership, League of American Bicyclists, ITE, NACTO.

Project Website: [West River Multimodal Safety & Network Improvements](#)

Discussion:

It was asked about the multiple phases and the requests being sent out; is the City looking for one firm to handle everything. Yes, one firm will decide when and in what order the segments will be built. It is one project.

Asked how Columbus will be crossed. It is not planning to be widened. Intention is to put a separator and leave a wide area on the south side of the bridge for pedestrians and bicycles.

Discussion on how Cass will be crossed and if it is possible to run next to CSX and continue that into the city. There is currently an easement with the University of Tampa that parallels the river and then goes west. That is where the trail is going to stop. The University will do their own improvements. To the north, there is a CSX facility that has pedestrian crossing. Will not be interacting with CSX. That leads into the City of Tampa's Cass St. right-of-way.

C. **Hillsborough County Multimodal Level of Service Update** (Wade Reynolds, TPO Staff) (*Timestamp 1:35:04*)

- County is looking to include bicycle and pedestrian level of service in the Capital Improvements section in the updates in the Comprehensive Plan.
- Four levels of traffic stress – most of unincorporated county falls into level four; looking to change the methodology and add two additional levels to make it six. This will allow the addition of facilities for bicycles and pedestrians.
- As the facilities go up in separation or safety, can achieve a high level of service; as speed goes up, the level of service goes down; do not provide levels of service for anything over 35 mph.
- FDOT Multimodal Level of Service – used mixed traffic assessments and came up with volume thresholds
- Mixed Traffic Thresholds – there are thresholds for urban 30 mph, urban 35 mph, urban 40 mph, and urban 45 mph. Each has volume thresholds. Proposing to use those shared use facilities. Can change over time by lowering the speeds through design, adding more facilities, etc.
- Previous LTS Mixed Traffic Methodology – anything over 35 mph was coming up as a four. Adding the differentiations for speed and volume takes it to the five and six.
- Pedestrian Level of Stress – many of the same things just talked about. LTS4 – is there a minimum of a five-foot sidewalk on both sides. Have added to that – is there a sidewalk on one side, LTS 5 (LOS E); is there no sidewalk on either side, LTS 6 (LOS F).
- Allows for greater differentiation and a way to track improvements as sidewalks are completed on at least one side of those facilities. Have a few more categories to move in with the different roadway speeds.

Discussion:

Goal is to get this into the Comprehensive Plan. Seems logical and helpful.

VI. OLD BUSINESS & NEW BUSINESS –

A. Next meeting on March 7, 2022.

VII. ADJOURNMENT

Meeting adjourned at 3:16 PM

A recording of this meeting may be viewed at:

https://www.youtube.com/channel/UCsojHyZb_mkYIU3o32Tbg4w/videos

DRAFT



Hillsborough TPO

Transportation Planning Organization

Board & Committee Agenda Item

Agenda Item:

Transportation Improvement Program (TIP) Amendments: HART Maintenance Facility and Gibsonton Dr. Widening Study

Presenter:

Connor MacDonald, TPO Staff

Summary:

These TIP amendments will impact three projects, noted below:

- 414963-2 HART Bus Replacements
- 443140-1 Heavy Maintenance Facility
- 450438-1 Gibsonton Drive from Fern Hill Drive to US301

If approved, the amendments will reallocate funds from the HART Bus Replacements pool toward HART's Heavy Maintenance Facility. A third amendment will add funds to conduct a Project Development & Environmental (PD&E) study for the widening project on Gibsonton Drive.

The first two amendments come at the request of HART. Replacement of its Heavy Maintenance Facility on 21st Ave is the top priority on the TPO's TIP Priority List and is also HART's number one priority. Surface Transportation funds currently allocated to bus replacements will instead be used to help replace the facility. The third amendment will add new funds for a PD&E study on Gibsonton Dr from Fern Hill Dr to US301. PD&E studies ensure that transportation projects are developed with consideration of current engineering standards, project costs, and minimization of social and environmental impacts, while involving the public throughout the entire study process.

Recommended Action:

Approval of the TIP Amendments: reallocate funding from 414963-2 HART Bus Replacements to 443140-1 HART Heavy Maintenance Facility, and add funds to 450438-1 Phase I Gibsonton Drive from Fern Hill Dr to US 301

Prepared By:

Connor MacDonald, TPO Staff

Attachments:

[Comparative Report](#)
[Presentation Slides](#)



Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 - 272 - 5940
601 E Kennedy Blvd
18th floor
Tampa, FL, 33602



Hillsborough TPO Transportation Planning Organization

Board & Committee Agenda Item

Agenda Item:

Commuter Benefits Ordinance Request Letter

Presenter:

Sara Hendricks, CUTR

Summary:

Transportation Demand Management (TDM) is a set of strategies aimed at maximizing traveler choices. The result of a successful TDM initiative will be mode-shifting away from single occupancy vehicles toward alternative modes including walking, biking, carpooling, vanpooling, and transit.

The presenter has previously discussed this topic with the TPO Committees, during which the Citizens Advisory Committee made a motion to draft and distribute a letter encouraging local governments to explore implementation of a commuter benefits ordinance.

The presenter will discuss TDM, how it is implemented in the Tampa Bay region, and summarize the letter of support regarding potential ordinances. To clarify, if approved by the board, the TPO would transmit a letter encouraging partner agencies to consider implementation.

Recommended Action:

Request the TPO Board approve the letter and transmit it to the governing boards of partner agencies for consideration.

Prepared By:

Johnny Wong, PhD, TPO Staff

Attachments:

Commuter Benefits Ordinance Letter of Support

Seattle Case Study

Berkeley Case Study



Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 - 272 - 5940
601 E Kennedy Blvd
18th floor
Tampa, FL, 33602



Hillsborough TPO Transportation Planning Organization

Commissioner Harry Cohen
Hillsborough County
MPO Chair

Commissioner Pat Kemp
Hillsborough County
MPO Vice Chair

Paul Anderson
Port Tampa Bay

Councilman Joseph Citro
City of Tampa

Councilman John Dingleider
City of Tampa

Derek Doughty
Planning Commission

Joe Lopano
Hillsborough County
Aviation Authority

Mayor Rick A. Lott
City of Plant City

Councilman Guido Maniscalco
City of Tampa

Commissioner Gwen Myers
Hillsborough County

Commissioner
Kimberly Overman
Hillsborough County

Mayor Andrew Ross
City of Temple Terrace

Commissioner
Mariella Smith
Hillsborough County

Jessica Vaughn
Hillsborough County
School Board

Joseph Waggoner
Expressway Authority

Melanie Williams
HART

Beth Alden, AICP
Executive Director

March 9, 2022

Jane Castor, Mayor
City of Tampa

Bill McDaniel, City Manager
City of Plant City

?
City of Temple Terrace

Bonnie Wise, County Administrator
Hillsborough County

RE: Commuter Benefits Ordinances

Dear recipient,

On the recommendation of our Citizens' Advisory Committee, the Hillsborough TPO encourages the local governments of Hillsborough County to implement innovative practices in support of a multimodal transportation system. As of 2019, only 75% of Hillsborough's interstate miles and 81% of non-interstate miles allow for reliable travel times. In these two areas of performance, Hillsborough lags behind its peers across the state.

Specifically, the TPO supports and encourages its local government partners to consider adopting commuter benefits ordinances. Commuter benefits ordinances are already in use in at least nine U.S. cities and the State of New Jersey. Effective commuter benefits ordinances often require large employers (>100 workers) to provide information about the commuter transportation options available to employees. Second, large employers offer their employees the option of setting aside some amount of gross income, up to the limit specified by 26 IRC §132(f) Qualified Transportation Fringe Benefits (any amount up to \$280 per month in 2022), to purchase commuter transportation. If adopted locally, employees could choose to use the pre-tax income for HART transit passes or TBARTA vanpool expenses.

More information about Qualified Transportation Fringe Benefits is in the newly updated free Commuter Benefits Guide e-book found at [Best Workplaces for Commuters](#). Transportation services and assistance are provided by TBARTA's [Commute Tampa Bay](#) in coordination with [HART](#). Employers can receive assistance to provide information about commuter transportation alternatives from Commute



Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 - 272 - 5940
601 E Kennedy Blvd
18th Floor
Tampa, FL, 33602

Tampa Bay and from three transportation management organizations in Hillsborough County, including the [Tampa Downtown Partnership](#), the [New North Transportation Alliance](#), and the [Westshore Alliance](#).

Technical assistance to local governments in crafting a commuter benefits ordinances can be provided by the [Florida Statewide TDM Clearinghouse](#) at the USF Center for Urban Transportation Research. Attached please find two examples of adopted ordinances.

Field Code Changed

We are proud to support this initiative. For more information, please contact Ken Boden with TBARTA at 813.282.8200 or Sara Hendricks with CUTR at 813.974.9801. Thank you for your favorable consideration of Commuter Benefits Ordinances.

Sincerely,

Beth Alden, AICP
Executive Director

Cc: Ken Boden, TBARTA
Sara Hendricks, CUTR
Danni Jorgensen, City of Tampa
John Lyons, Hillsborough County

Enclosures



Seattle Office of Labor Standards

Commuter Benefits Ordinance

Questions and Answers

The **Seattle Commuter Benefits Ordinance** became effective on January 1, 2020. Businesses with 20 or more employees must allow covered employees to make a monthly pre-tax payroll deduction for transit or vanpool expenses. An employer may instead offer a partially or wholly employer-paid transit pass to satisfy its obligations under this law. The law encourages commuters to use transit or vanpool to reduce traffic congestion and carbon emissions. Because the deduction is pre-tax, the law has the added benefit of lowering costs for both workers and businesses. **The Office of Labor Standards' enforcement begins January 1, 2021.**

The Seattle Office of Labor Standards (OLS) is responsible for implementing this law. OLS partners with the Seattle Department of Transportation, Commute Seattle, and other community partners to equip workers and businesses with the information and tools to understand these requirements.

If you have additional questions, visit the [Office of Labor Standards website](#). You may also call 206-256-5297 or reach us electronically:

- Employees – submit an [online inquiry form](#).
- Employers – send an email to business.laborstandards@seattle.gov or submit an [online inquiry form](#).

If you are an employer with a question about how to create a commuter benefits program, contact Commute Seattle, a community partner contracted by the Seattle Department of Transportation, by visiting the [Commute Seattle web site](#), by calling 206-613-3233, or by emailing Pre-Tax@commuteseattle.com.

Note: Information provided by the Office of Labor Standards, Commute Seattle, or the Seattle Department of Transportation does not constitute legal advice, create an agency decision, or establish an attorney-client relationship with the recipient of the information.

Table of Contents

| | |
|---|---|
| A. Basic Information..... | 2 |
| B. Employers..... | 3 |
| C. Employees..... | 3 |
| D. Offering Commuter Benefits..... | 4 |
| E. Administering Commuter Benefits..... | 5 |
| F. Notice & Posting..... | 6 |
| G. Protection from Retaliation..... | 6 |
| H. Office of Labor Standards..... | 7 |

A. Basic Information

1. What does this ordinance do?

This ordinance requires employers with 20 or more employees (worldwide) to allow an employee to make a monthly pre-tax payroll deduction for transit or vanpool expenses. The ordinance encourages employees to take transit or vanpool to work, which reduces traffic congestion and carbon emissions. It also may result in tax savings for both workers and businesses.

2. Where can I read the ordinance's language?

You can find the ordinance in the [City of Seattle's Municipal Code](#).

3. What are pre-tax election commuter benefits?

Under this law, "pre-tax election commuter benefits" are monthly payroll deductions that are made before taxes to cover transit and vanpool expenses. The Internal Revenue Code (Section 132(f)) refers to this benefit as "qualified transportation fringe" benefits.

Employers can administer a program themselves by working with King County Metro or use a third-party benefits administrator to oversee a program for them. An employer may instead offer a partially or wholly employer-paid transit pass to satisfy the law. More information about the options available to employers can be found under "Administering Commuter Benefits" on page 5.

Note: While the Internal Revenue Code also allows pre-tax deductions for parking expenses, this ordinance does not require a business to offer pre-tax deductions for parking.

4. When does enforcement begin?

While employers are currently required to comply with the ordinance, the Office of Labor Standards (OLS) will not conduct investigations or assess penalties for noncompliance until January 1, 2021. In the meantime, OLS will accept complaints and questions from workers, and may contact businesses to help them understand their obligations under the law before 2021.

5. Where can you find more information about the ordinance?

For information about ordinance requirements, visit the [Office of Labor Standards' web site](#) or by calling our office at 206-256-5297.

For information on creating a commuter benefits program, contact Commute Seattle, a community partner contracted by the Seattle Department of Transportation, by visiting the [Commute Seattle web site](#), by calling 206-613-3233, or by emailing Pre-Tax@commuteseattle.com.

Note: Information provided by the Office of Labor Standards, Commute Seattle, or the Seattle Department of Transportation does not constitute legal advice, create an agency decision, or establish an attorney-client relationship with the recipient of the information.



B. Employers

1. What businesses does this ordinance cover?

Employers who employ 20 or more employees worldwide are required to provide commuter benefits. The ordinance does not apply to tax-exempt organizations and government agencies.

2. What businesses are exempt from this ordinance?

The ordinance does not apply to employers with fewer than 20 employees worldwide. It also does not apply to tax-exempt organizations and government agencies.

3. What is a tax-exempt organization?

A tax-exempt organization is one that is exempt from some federal income taxes. For more information about tax-exempt organizations, please visit the [Internal Revenue Service webpage](#). To find out if a certain business is tax-exempt, use the [IRS's tax-exempt organization search](#).

4. How does a business determine how many employees that they have?

A business calculates the number of employees by counting the average number of employees who worked for compensation each calendar week during the prior calendar year. In doing so, businesses must remember to do the following:

- Count all employees worldwide;
- Count employees of all employment statuses (full-time, part-time, interns, seasonal, temporary, employees supplied by a placement agency, etc.); and,
- Include any week during which at least one employee worked. *Employers should not include weeks where no employees worked.*

5. How do new businesses calculate the number of employees that they have?

Employers with no employees during the previous calendar year count the average number of employees employed per calendar week during the first 90 calendar days that the employer engaged in business.

6. Does an employer have to comply if it undergoes a workforce reduction to fewer than 20 employees?

No. If the average number of employees who worked for compensation each week in the *prior calendar year* does not meet 20, an employer is not required to provide commuter benefits to their employees beginning in the *new calendar year*. However, an employer is encouraged to continue doing so voluntarily.

C. Employees

1. Which employees does this ordinance cover?

The ordinance applies to an employee if they worked at least an average of 10 hours per week in the previous calendar month.

2. How does an employer calculate the average number of hours per week in the previous calendar month?

To calculate an employee's average weekly hours in the previous calendar month, determine the number of *complete seven-day workweeks* in that previous calendar month. The workweeks could be based on how an employer already defines their workweek to calculate overtime pay. This number will either be



three or four workweeks, depending on the month. Determine the total number of hours worked for all complete seven-day workweeks during the previous calendar month and divide by the number of complete workweeks.

For example, if a business calculates its workweeks from Sunday to Saturday, then January 2020 had three complete workweeks. An employer would take the number of hours an employee worked from January 5th to January 24th and divide by three.

| 2020 | | | | | | |
|---------|----|----|----|----|----|----|
| January | | | | | | |
| Su | Mo | Tu | We | Th | Fr | Sa |
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |

3. Must an employer offer the pre-tax deduction to employees who telecommute?

Yes, if the employee works an average of ten or more hours per week in Seattle. The employee can choose not to make a payroll deduction if they do not have commuting expenses.

4. Does the ordinance apply to employees who live outside Seattle but commute to Seattle to work?

Yes. The ordinance covers employees who work in Seattle. It does not matter where the employee lives.

5. Does the ordinance apply to employees who occasionally work in the City of Seattle?

Yes, the ordinance may apply. If the employee worked an average of ten or more hours per complete workweek in the previous calendar month in Seattle, the ordinance applies.

6. What if an employee qualifies one month, but not the next? Must an employer continue to offer the benefit if the employee falls out of coverage?

If an employee falls out of coverage, the employer is not obligated to continue to offer the benefit. However, the Ordinance does not prevent an employer from voluntarily continuing to offer the commuter benefit to their workers who fall out of coverage.

D. Offering Commuter Benefits

1. What must an employer do?

Covered employers can meet the law’s requirements by offering one of the following to their employees:

- a) The ability to make a pre-tax deduction for transit or vanpool expenses up to the full amount allowed by federal law; or
- b) A transit pass that is fully or partially paid for by the employer.

Please see questions under “Administering Commuter Benefits” for more details on these options.

2. When must an employer first offer the pre-tax deduction or transit pass to their employees?

Employers must offer a commuter benefit to covered employees within 60 calendar days after beginning employment. The employer must then provide the benefit within 30 calendar days of the covered employee selecting the option.

If an employee is not initially covered by the law, but later comes into coverage by working more than an average of 10 hours a week in the previous calendar month, the employer must make an offer of the benefit to the newly covered worker at that time. The employer must then provide the benefit within 30 calendar days of the covered employee selecting the option.



3. How should an employer make the offer of commuter benefits to their employees?

An employer must make the offer of commuter benefits in writing. How an employer makes an offer is the employer's choice. For example, an employer may provide an offer letter as part of the employee handbook and/or orientation materials. Please note, an "offer" is something that is presented specifically to the employee for acceptance or rejection.

4. Is an employee required to make a pre-tax deduction or take a transit pass?

No. The ordinance does not require an employee to make a pre-tax deduction or accept a transit pass. Rather, the ordinance requires an employer to make a pre-tax deduction or transit pass available to the employee and the employee may choose whether to take advantage of the benefit.

5. What if an employer offers a pre-tax deduction or transit pass, but no employee accepts that offer?

If no covered employee accepts the initial offer of a commuter benefit, then the employer has no further obligation unless or until an employee elects a commuter benefit at a later date.

6. Can an employee "change their mind" after initially declining an offer of a commuter benefit?

Yes, the ordinance requires an employer to make a pre-tax deduction or transit pass available to a covered employee and the employee may choose to take advantage of the benefit at any time. If the employee chooses to elect a commuter benefit at a later date, and they remain covered under the ordinance, the employer must provide the benefit within 30 calendar days of the employee selecting the option.

7. After an employee elects to exclude money from their taxable wages, or accepts the employer's offer of a transit pass, how soon must an employer provide the commuter benefit?

The employer must provide the benefit within 30 calendar days of the employee selecting the option.

E. Administering Commuter Benefits

1. How does an employer administer a pre-tax deduction fund for commuting expenses?

An employer has a couple options in administering a pre-tax deduction fund for commuting expenses. The first involves partnering with a third-party benefits administrator that can provide a way for employees to directly access the funds to pay for their transit or vanpool costs (similar to a Flexible Spending Account debit card). The second method involves the employer working with King County Metro to facilitate using the deducted funds to contribute to the employee's ORCA e-purse account.

For more detailed assistance in setting up a pre-tax deduction program, you can contact Commute Seattle, a local nonprofit that works with businesses to implement commuter benefits. They will explain the range of options available. You can call them at 206-613-3233, or visit [the Commute Seattle website](#). You can also talk to King County Metro about how a worker's pre-tax funds can be used to load their ORCA card, through the "Business Choice" program. You can contact them at 206-477-3700.

2. How much pre-tax money may an employee deduct from their wages?

In 2020, the limit is \$270 per employee per month for transit (bus, light rail, ferry, and water taxi) and vanpool. Each year, the Internal Revenue Service will announce the new limit. OLS will update this document with future relevant amounts when available. Please also see the [Internal Revenue Service Employer's Tax Guide to Fringe Benefits \(2020\)](#) for more information.



3. If an employer chooses to provide a subsidized transit pass instead of a pre-tax deduction, how much of a transit pass subsidy do they have to provide to meet the ordinance's requirements?

An employer offering a subsidized transit pass instead of a pre-tax deduction to their employee must subsidize the pass with a monthly amount that is equal to or greater than 30% of a retail monthly transit pass covering the fares for King County Metro and Sound Transit Link Light Rail service. In 2020, that amount is 30% of \$117/month, or **\$35.10 per month**. Note: these amounts may be subject to change based on King County Metro and Sound Transit Light Rail. Please check those agencies for the most up-to-date fares.

4. Does an employer that provides employees with an ORCA card through the Business Passport Program meet the law's requirements?

Yes. An employer may satisfy the requirements of the Ordinance by offering a transit pass through the ORCA Business Passport Program, which requires an employer to pay for at least a 50% of a discounted annual transit pass. For more information, visit the [ORCA Business Passport Program website](#).

5. Does an employer's participation in the ORCA Business Choice program meet this law's requirements?

Participation in the ORCA Business Choice program allows for, but does not require, the employer to provide a transit subsidy. If an employer provides a subsidized transit pass through the ORCA Business Choice program, at the level described in Question E.3. above, they would meet the law's requirements.

If an employer does not intend to subsidize a pass provided through the ORCA Business Choice program, they must still create a pre-tax commuter benefit election, and can use employees' pre-tax funds to load their ORCA cards through the Business Choice program.

6. Does an employer that reimburses employees for their commuting costs meet the law's requirements?

The ordinance requires that employers either provide a pre-tax election commuter benefit, or provide a "fully or partially subsidized, employer-provided, transit passes." As such, reimbursements for transit commuting costs do not fulfill the law's requirements. OLS encourages an employer who currently reimburses their worker's commuting costs to contact King County Metro at 206-477-3700 to determine if an ORCA business product may satisfy the law's requirements at a similar cost to the employer.

F. Notice & Posting

1. What are the notice and posting requirements of the ordinance?

As of January 1, 2020, covered employers must display a poster that gives notice of an employee's rights to exclude commuting costs incurred for transit or vanpool expenses from their taxable earnings. Employers must display the poster in English and in the primary languages of the employees at the workplace. OLS has incorporated information about the Commuter Benefits Ordinance into the existing Office of Labor Standards Workplace Poster.

2. Where can I find a copy of the Office of Labor Standards Workplace Poster?

You can find a copy of the Office of Labor Standards Workplace Poster online on our [website](#) or you can pick one up at our office. We are located in downtown Seattle at 810 Third Avenue in Suite 375.



3. What records must an employer keep?

Employers are required to keep records that document compliance with the ordinance, including written documentation of the employer's offer of pre-tax deduction to individual employees. OLS strongly encourages employers to retain documentation of an employee's response to the offer as it may be required to show compliance. Employers must keep these records for three years.

G. Protection from Retaliation

1. Does the ordinance prohibit retaliation?

Yes. Retaliation is illegal. Employers may not take adverse actions or discriminate against employees who, in good faith, assert the rights given by this ordinance.

These rights include but are not limited to:

- a. Engaging in the protections afforded by this ordinance (for example, making a pre-tax deduction or requesting that an employer allow employees to make a pre-tax deduction);
- b. Asking questions about commuter benefits rights or the law;
- c. Talking to OLS or other coworkers about commuter benefits rights or the law;
- d. Filing a complaint about alleged violations; or
- e. Participating in an investigation of an alleged violation.

H. Office of Labor Standards

1. How will OLS enforce this ordinance?

The ordinance is designed with voluntary compliance in mind. Even after OLS enforcement begins on January 1, 2021, OLS may provide a business with a 90-day voluntary "cure" period during which an employer has an opportunity to achieve compliance. In that event, OLS will not pursue further investigation if the business complies with the ordinance.

2. The ordinance is in effect in 2020, but enforcement begins in 2021. What does this mean?

The ordinance recognizes that businesses will need time to learn about and implement a commuter benefits (pre-tax deduction) program. While employers are currently required to comply with the ordinance, OLS will not conduct investigations or assess penalties for noncompliance until January 1, 2021. In the meantime, OLS will accept complaints and questions from workers, and may contact businesses to help them understand their obligations under the law before 2021.

3. What is the statute of limitations for bringing a complaint to OLS?

After January 1, 2021, individuals have three years from the date of the alleged violation to file a complaint with OLS.





Seattle Office of Labor Standards

Commuter Benefits Ordinance

Questions and Answers

The **Seattle Commuter Benefits Ordinance** became effective on January 1, 2020. Businesses with 20 or more employees must allow covered employees to make a monthly pre-tax payroll deduction for transit or vanpool expenses. An employer may instead offer a partially or wholly employer-paid transit pass to satisfy its obligations under this law. The law encourages commuters to use transit or vanpool to reduce traffic congestion and carbon emissions. Because the deduction is pre-tax, the law has the added benefit of lowering costs for both workers and businesses. **The Office of Labor Standards' enforcement begins January 1, 2021.**

The Seattle Office of Labor Standards (OLS) is responsible for implementing this law. OLS partners with the Seattle Department of Transportation, Commute Seattle, and other community partners to equip workers and businesses with the information and tools to understand these requirements.

If you have additional questions, visit the [Office of Labor Standards website](#). You may also call 206-256-5297 or reach us electronically:

- Employees – submit an [online inquiry form](#).
- Employers – send an email to business.laborstandards@seattle.gov or submit an [online inquiry form](#).

If you are an employer with a question about how to create a commuter benefits program, contact Commute Seattle, a community partner contracted by the Seattle Department of Transportation, by visiting the [Commute Seattle web site](#), by calling 206-613-3233, or by emailing Pre-Tax@commuteseattle.com.

Note: Information provided by the Office of Labor Standards, Commute Seattle, or the Seattle Department of Transportation does not constitute legal advice, create an agency decision, or establish an attorney-client relationship with the recipient of the information.

Table of Contents

| | |
|---|---|
| A. Basic Information..... | 2 |
| B. Employers..... | 3 |
| C. Employees..... | 3 |
| D. Offering Commuter Benefits..... | 4 |
| E. Administering Commuter Benefits..... | 5 |
| F. Notice & Posting..... | 6 |
| G. Protection from Retaliation..... | 6 |
| H. Office of Labor Standards..... | 7 |

A. Basic Information

1. What does this ordinance do?

This ordinance requires employers with 20 or more employees (worldwide) to allow an employee to make a monthly pre-tax payroll deduction for transit or vanpool expenses. The ordinance encourages employees to take transit or vanpool to work, which reduces traffic congestion and carbon emissions. It also may result in tax savings for both workers and businesses.

2. Where can I read the ordinance's language?

You can find the ordinance in the [City of Seattle's Municipal Code](#).

3. What are pre-tax election commuter benefits?

Under this law, "pre-tax election commuter benefits" are monthly payroll deductions that are made before taxes to cover transit and vanpool expenses. The Internal Revenue Code (Section 132(f)) refers to this benefit as "qualified transportation fringe" benefits.

Employers can administer a program themselves by working with King County Metro or use a third-party benefits administrator to oversee a program for them. An employer may instead offer a partially or wholly employer-paid transit pass to satisfy the law. More information about the options available to employers can be found under "Administering Commuter Benefits" on page 5.

Note: While the Internal Revenue Code also allows pre-tax deductions for parking expenses, this ordinance does not require a business to offer pre-tax deductions for parking.

4. When does enforcement begin?

While employers are currently required to comply with the ordinance, the Office of Labor Standards (OLS) will not conduct investigations or assess penalties for noncompliance until January 1, 2021. In the meantime, OLS will accept complaints and questions from workers, and may contact businesses to help them understand their obligations under the law before 2021.

5. Where can you find more information about the ordinance?

For information about ordinance requirements, visit the [Office of Labor Standards' web site](#) or by calling our office at 206-256-5297.

For information on creating a commuter benefits program, contact Commute Seattle, a community partner contracted by the Seattle Department of Transportation, by visiting the [Commute Seattle web site](#), by calling 206-613-3233, or by emailing Pre-Tax@commuteseattle.com.

Note: Information provided by the Office of Labor Standards, Commute Seattle, or the Seattle Department of Transportation does not constitute legal advice, create an agency decision, or establish an attorney-client relationship with the recipient of the information.



B. Employers

1. What businesses does this ordinance cover?

Employers who employ 20 or more employees worldwide are required to provide commuter benefits. The ordinance does not apply to tax-exempt organizations and government agencies.

2. What businesses are exempt from this ordinance?

The ordinance does not apply to employers with fewer than 20 employees worldwide. It also does not apply to tax-exempt organizations and government agencies.

3. What is a tax-exempt organization?

A tax-exempt organization is one that is exempt from some federal income taxes. For more information about tax-exempt organizations, please visit the [Internal Revenue Service webpage](#). To find out if a certain business is tax-exempt, use the [IRS's tax-exempt organization search](#).

4. How does a business determine how many employees that they have?

A business calculates the number of employees by counting the average number of employees who worked for compensation each calendar week during the prior calendar year. In doing so, businesses must remember to do the following:

- Count all employees worldwide;
- Count employees of all employment statuses (full-time, part-time, interns, seasonal, temporary, employees supplied by a placement agency, etc.); and,
- Include any week during which at least one employee worked. *Employers should not include weeks where no employees worked.*

5. How do new businesses calculate the number of employees that they have?

Employers with no employees during the previous calendar year count the average number of employees employed per calendar week during the first 90 calendar days that the employer engaged in business.

6. Does an employer have to comply if it undergoes a workforce reduction to fewer than 20 employees?

No. If the average number of employees who worked for compensation each week in the *prior calendar year* does not meet 20, an employer is not required to provide commuter benefits to their employees beginning in the *new calendar year*. However, an employer is encouraged to continue doing so voluntarily.

C. Employees

1. Which employees does this ordinance cover?

The ordinance applies to an employee if they worked at least an average of 10 hours per week in the previous calendar month.

2. How does an employer calculate the average number of hours per week in the previous calendar month?

To calculate an employee's average weekly hours in the previous calendar month, determine the number of *complete seven-day workweeks* in that previous calendar month. The workweeks could be based on how an employer already defines their workweek to calculate overtime pay. This number will either be



three or four workweeks, depending on the month. Determine the total number of hours worked for all complete seven-day workweeks during the previous calendar month and divide by the number of complete workweeks.

For example, if a business calculates its workweeks from Sunday to Saturday, then January 2020 had three complete workweeks. An employer would take the number of hours an employee worked from January 5th to January 24th and divide by three.

| 2020 | | | | | | |
|---------|----|----|----|----|----|----|
| January | | | | | | |
| Su | Mo | Tu | We | Th | Fr | Sa |
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |

3. Must an employer offer the pre-tax deduction to employees who telecommute?

Yes, if the employee works an average of ten or more hours per week in Seattle. The employee can choose not to make a payroll deduction if they do not have commuting expenses.

4. Does the ordinance apply to employees who live outside Seattle but commute to Seattle to work?

Yes. The ordinance covers employees who work in Seattle. It does not matter where the employee lives.

5. Does the ordinance apply to employees who occasionally work in the City of Seattle?

Yes, the ordinance may apply. If the employee worked an average of ten or more hours per complete workweek in the previous calendar month in Seattle, the ordinance applies.

6. What if an employee qualifies one month, but not the next? Must an employer continue to offer the benefit if the employee falls out of coverage?

If an employee falls out of coverage, the employer is not obligated to continue to offer the benefit. However, the Ordinance does not prevent an employer from voluntarily continuing to offer the commuter benefit to their workers who fall out of coverage.

D. Offering Commuter Benefits

1. What must an employer do?

Covered employers can meet the law’s requirements by offering one of the following to their employees:

- a) The ability to make a pre-tax deduction for transit or vanpool expenses up to the full amount allowed by federal law; or
- b) A transit pass that is fully or partially paid for by the employer.

Please see questions under “Administering Commuter Benefits” for more details on these options.

2. When must an employer first offer the pre-tax deduction or transit pass to their employees?

Employers must offer a commuter benefit to covered employees within 60 calendar days after beginning employment. The employer must then provide the benefit within 30 calendar days of the covered employee selecting the option.

If an employee is not initially covered by the law, but later comes into coverage by working more than an average of 10 hours a week in the previous calendar month, the employer must make an offer of the benefit to the newly covered worker at that time. The employer must then provide the benefit within 30 calendar days of the covered employee selecting the option.



3. How should an employer make the offer of commuter benefits to their employees?

An employer must make the offer of commuter benefits in writing. How an employer makes an offer is the employer's choice. For example, an employer may provide an offer letter as part of the employee handbook and/or orientation materials. Please note, an "offer" is something that is presented specifically to the employee for acceptance or rejection.

4. Is an employee required to make a pre-tax deduction or take a transit pass?

No. The ordinance does not require an employee to make a pre-tax deduction or accept a transit pass. Rather, the ordinance requires an employer to make a pre-tax deduction or transit pass available to the employee and the employee may choose whether to take advantage of the benefit.

5. What if an employer offers a pre-tax deduction or transit pass, but no employee accepts that offer?

If no covered employee accepts the initial offer of a commuter benefit, then the employer has no further obligation unless or until an employee elects a commuter benefit at a later date.

6. Can an employee "change their mind" after initially declining an offer of a commuter benefit?

Yes, the ordinance requires an employer to make a pre-tax deduction or transit pass available to a covered employee and the employee may choose to take advantage of the benefit at any time. If the employee chooses to elect a commuter benefit at a later date, and they remain covered under the ordinance, the employer must provide the benefit within 30 calendar days of the employee selecting the option.

7. After an employee elects to exclude money from their taxable wages, or accepts the employer's offer of a transit pass, how soon must an employer provide the commuter benefit?

The employer must provide the benefit within 30 calendar days of the employee selecting the option.

E. Administering Commuter Benefits

1. How does an employer administer a pre-tax deduction fund for commuting expenses?

An employer has a couple options in administering a pre-tax deduction fund for commuting expenses. The first involves partnering with a third-party benefits administrator that can provide a way for employees to directly access the funds to pay for their transit or vanpool costs (similar to a Flexible Spending Account debit card). The second method involves the employer working with King County Metro to facilitate using the deducted funds to contribute to the employee's ORCA e-purse account.

For more detailed assistance in setting up a pre-tax deduction program, you can contact Commute Seattle, a local nonprofit that works with businesses to implement commuter benefits. They will explain the range of options available. You can call them at 206-613-3233, or visit [the Commute Seattle website](#). You can also talk to King County Metro about how a worker's pre-tax funds can be used to load their ORCA card, through the "Business Choice" program. You can contact them at 206-477-3700.

2. How much pre-tax money may an employee deduct from their wages?

In 2020, the limit is \$270 per employee per month for transit (bus, light rail, ferry, and water taxi) and vanpool. Each year, the Internal Revenue Service will announce the new limit. OLS will update this document with future relevant amounts when available. Please also see the [Internal Revenue Service Employer's Tax Guide to Fringe Benefits \(2020\)](#) for more information.



3. If an employer chooses to provide a subsidized transit pass instead of a pre-tax deduction, how much of a transit pass subsidy do they have to provide to meet the ordinance’s requirements?

An employer offering a subsidized transit pass instead of a pre-tax deduction to their employee must subsidize the pass with a monthly amount that is equal to or greater than 30% of a retail monthly transit pass covering the fares for King County Metro and Sound Transit Link Light Rail service. In 2020, that amount is 30% of \$117/month, or **\$35.10 per month**. Note: these amounts may be subject to change based on King County Metro and Sound Transit Light Rail. Please check those agencies for the most up-to-date fares.

4. Does an employer that provides employees with an ORCA card through the Business Passport Program meet the law’s requirements?

Yes. An employer may satisfy the requirements of the Ordinance by offering a transit pass through the ORCA Business Passport Program, which requires an employer to pay for at least a 50% of a discounted annual transit pass. For more information, visit the [ORCA Business Passport Program website](#).

5. Does an employer’s participation in the ORCA Business Choice program meet this law’s requirements?

Participation in the ORCA Business Choice program allows for, but does not require, the employer to provide a transit subsidy. If an employer provides a subsidized transit pass through the ORCA Business Choice program, at the level described in Question E.3. above, they would meet the law’s requirements.

If an employer does not intend to subsidize a pass provided through the ORCA Business Choice program, they must still create a pre-tax commuter benefit election, and can use employees’ pre-tax funds to load their ORCA cards through the Business Choice program.

6. Does an employer that reimburses employees for their commuting costs meet the law’s requirements?

The ordinance requires that employers either provide a pre-tax election commuter benefit, or provide a “fully or partially subsidized, employer-provided, transit passes.” As such, reimbursements for transit commuting costs do not fulfill the law’s requirements. OLS encourages an employer who currently reimburses their worker’s commuting costs to contact King County Metro at 206-477-3700 to determine if an ORCA business product may satisfy the law’s requirements at a similar cost to the employer.

F. Notice & Posting

1. What are the notice and posting requirements of the ordinance?

As of January 1, 2020, covered employers must display a poster that gives notice of an employee’s rights to exclude commuting costs incurred for transit or vanpool expenses from their taxable earnings. Employers must display the poster in English and in the primary languages of the employees at the workplace. OLS has incorporated information about the Commuter Benefits Ordinance into the existing Office of Labor Standards Workplace Poster.

2. Where can I find a copy of the Office of Labor Standards Workplace Poster?

You can find a copy of the Office of Labor Standards Workplace Poster online on our [website](#) or you can pick one up at our office. We are located in downtown Seattle at 810 Third Avenue in Suite 375.



3. What records must an employer keep?

Employers are required to keep records that document compliance with the ordinance, including written documentation of the employer's offer of pre-tax deduction to individual employees. OLS strongly encourages employers to retain documentation of an employee's response to the offer as it may be required to show compliance. Employers must keep these records for three years.

G. Protection from Retaliation

1. Does the ordinance prohibit retaliation?

Yes. Retaliation is illegal. Employers may not take adverse actions or discriminate against employees who, in good faith, assert the rights given by this ordinance.

These rights include but are not limited to:

- a. Engaging in the protections afforded by this ordinance (for example, making a pre-tax deduction or requesting that an employer allow employees to make a pre-tax deduction);
- b. Asking questions about commuter benefits rights or the law;
- c. Talking to OLS or other coworkers about commuter benefits rights or the law;
- d. Filing a complaint about alleged violations; or
- e. Participating in an investigation of an alleged violation.

H. Office of Labor Standards

1. How will OLS enforce this ordinance?

The ordinance is designed with voluntary compliance in mind. Even after OLS enforcement begins on January 1, 2021, OLS may provide a business with a 90-day voluntary "cure" period during which an employer has an opportunity to achieve compliance. In that event, OLS will not pursue further investigation if the business complies with the ordinance.

2. The ordinance is in effect in 2020, but enforcement begins in 2021. What does this mean?

The ordinance recognizes that businesses will need time to learn about and implement a commuter benefits (pre-tax deduction) program. While employers are currently required to comply with the ordinance, OLS will not conduct investigations or assess penalties for noncompliance until January 1, 2021. In the meantime, OLS will accept complaints and questions from workers, and may contact businesses to help them understand their obligations under the law before 2021.

3. What is the statute of limitations for bringing a complaint to OLS?

After January 1, 2021, individuals have three years from the date of the alleged violation to file a complaint with OLS.



Chapter 9.88

COMMUTER BENEFIT PROGRAM

Sections:

| | |
|----------|------------------------------|
| 9.88.010 | Findings. |
| 9.88.020 | Definitions. |
| 9.88.030 | Commuter benefit program. |
| 9.88.040 | Enforcement. |
| 9.88.041 | Employee complaints to City. |
| 9.88.042 | Private rights of action. |
| 9.88.050 | Severability. |

Section 9.88.010 Findings.

A. The City of Berkeley is committed to protecting the public health, safety, welfare and environment. Air pollution is one of the major public health threats in Berkeley and contributes to asthma and other respiratory diseases. Encouraging commuters to use public transit, vanpools, and bicycles to reach their place of employment will reduce air pollution from private cars.

B. Berkeley's General Plan Policies T-3, T-10, and T-14 call for programs and laws to encourage employers to enable more employees to use public transit and other alternative commute modes through provision of pre-tax commute benefits.

C. The Bay Area Air Quality Management District's 2005 Ozone Strategy Transportation Control Measures 1 and 13 target commute travel, which accounts for approximately twenty-five (25) percent of trips and thirty-three (33) percent of vehicle miles travelled on a typical weekday.

D. The Federal Transit Administration Transit Cooperative Research Program Report 107 (2005) reports that employer transit benefits programs reduce single occupancy commuting by an average of ten (10) percent.

E. Expanded commuter benefits programs are expected to help the City achieve its adopted goal to reduce Berkeley greenhouse gas emissions thirty-three (33) percent by 2020, and eighty (80) percent by 2050.

F. The City of Berkeley and many public and private employers in Berkeley currently offer employees the opportunity to elect to use pre-tax dollars to purchase qualifying transit and vanpool expenses.

G. The City will assist employers to establish the required commuter benefit programs through its website, print materials, webinars, and other technical assistance.

H. Federal tax law, Internal Revenue Code Section 132(f), allows employers and employees to reduce the cost of public transit by enabling employers to deduct as a business expense, qualified transportation benefits that the employer provides for employees' personal transportation costs for commuting to and from work, or by allowing employees to elect to purchase qualifying transit passes or reimbursement for vanpool rides with pre-tax dollars. Additional benefits and maximum deduction allowances may be changed or added to IRS Code Section 132(f) from time to time. Any commute benefits allowed pursuant to IRS Code Section 132(f) as amended from time to time, including any added after passage of the ordinance codified in this chapter are to be included in the ordinance codified in this chapter by reference, with the exception of pre-tax commute parking benefits.

I. This chapter will preserve and enhance the environment within the City of Berkeley and is exempt from the requirements of the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines 15307 and 15308. (Ord. 7113-NS § 1 (part), 2009)

Section 9.88.020 Definitions.

Whenever used in this chapter, the following terms shall have the meanings set forth below.

A. "Alternative commute mode" shall mean public transit (bus, train, ferry, etc.), vanpool, carpool (including "casual carpool"), bicycling, and walking.

B. "City" shall mean the City of Berkeley.

C. "Covered employee" shall mean any person who:

1. Performed an average of at least ten (10) hours of work per week for compensation within the geographic boundaries of Berkeley for the same employer within the previous twelve (12) months; and

2. Qualifies as an employee entitled to payment of a minimum wage from the employer under the California minimum wage law, as provided under Section 1197 of the California Labor Code and wage orders published by the California Industrial Welfare Commission, or is a participant in a welfare-to-work program.

D. "Covered employer" shall mean an employer, as defined in Section 18 of the California Labor Code, for which an average of ten (10) or more persons per week performs work for compensation. In determining the number of covered employees performing work for an employer during a given week, all persons performing work for compensation on a full-time, part-time or temporary basis, including those who perform work outside of the geographic boundaries of Berkeley, shall be counted, including persons made available to work through the services of a temporary services or staffing agency or similar entity. "Covered employer" shall not include any governmental entity.

E. "Transit expense" shall mean any pass, token, fare card, voucher, or similar item entitling a person to transportation on public transit, including but not limited to, travel by ferry, bus, light rail or train by AC Transit, BART, AMTRAK, Caltrain, or other regional public transit provider.

F. "Vanpool" shall mean a commuter highway vehicle within the meaning of 26 U.S.C. Section 132(f)(5)(B), as the federal law may be amended from time to time, which currently means any highway vehicle that has a seating capacity of at least six adults (not including the driver), and at least eighty (80) percent of the mileage use of which can reasonably be expected to be:

1. For the purpose of transporting employees in connection with travel between their residences and their place of employment; and

2. On trips during which the number of employees transported for such purposes is at least one-half of the seating capacity of such vehicle (not including the driver).

G. "Bicycle expense" shall mean reasonable expenses incurred by the employee for the purchase of a bicycle and bicycle improvements, repair, and storage, if such bicycle is regularly used for travel between the employee's residence and place of employment, or other allowable expenses as allowed by IRS code 132(f). (Ord. 7113-NS § 1 (part), 2009)

Section 9.88.030 Commuter benefit program.

No later than one year after the effective date of this chapter, all covered employers shall provide at least one of the following transportation benefit programs to covered employees:

A. A Pre-Tax Election: A program, consistent with allowable pre-tax commute benefits, except parking benefits, allowed by Internal Revenue Code Section 132(f), allowing employees to elect to exclude from taxable wages and compensation employee commuting costs incurred for transit expenses, vanpool expenses, or bicycle expenses, up to the maximum level allowed by federal tax law; or

B. Employer Paid Benefit: A program whereby the employer supplies an annual, monthly or other form of transit pass, or reimbursement for equivalent vanpool expenses at least equal in value to the purchase of the appropriate benefit which shall not exceed the cost of an adult monthly AC Transit regular pass, for the public transit system requested by each employee or to reimburse qualified vanpool charges; or

C. Employer Provided Transit: Commute transportation furnished by the employer at no cost to the employee in a vanpool or bus, or similar multi-passenger vehicle operated by or for the employer. (Ord. 7113-NS § 1 (part), 2009)

Section 9.88.040 Enforcement.

(Ord. 7113-NS § 1 (part), 2009)

Section 9.88.041 Employee complaints to City.

A. An employee who alleges violation of any provision of the requirements of this chapter may report such acts to the City. City staff will respond to any such complaints by providing compliance information and instructional materials to the employer.

B. Any complaint received shall be treated as a confidential matter, to the extent permitted by law. Any complaint received and all investigation documents related thereto shall be deemed exempt from disclosure pursuant to California Government Code Sections 6254 and 6255. (Ord. 7113-NS § 1 (part), 2009)

Section 9.88.042 Private rights of action.

A. An employee claiming violation of this chapter may bring an action in the Superior Court of the State of California against an employer. In order to file such an action, the employee must have made a complaint to the City and allowed sufficient time for the employer to institute a program as required by this chapter in response to that complaint.

B. No remedy set forth in this chapter is intended to be exclusive or a prerequisite for asserting a claim for relief to enforce any rights hereunder in a court of law.

C. Nothing in this chapter shall be interpreted to authorize a right of action against the City. (Ord. 7113-NS § 1 (part), 2009)

Section 9.88.050 Severability.

If any word, phrase, sentence, part, section, subsection, or other portion of this chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City Council hereby declares that it would have passed this title, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional. (Ord. 7113-NS § 1 (part), 2009)



Hillsborough TPO Transportation Planning Organization

Board & Committee Agenda Item

Agenda Item:

Project Development & Environmental Study for US301 from Fowler Avenue to SR56

Presenter:

Amber Russo, FDOT

Summary:

The Florida Department of Transportation (FDOT) is undertaking a Project Development and Environment (PD&E) study to consider roadway improvements along US301 in Hillsborough and Pasco counties. The project begins at Fowler Avenue and extends north to the State Road 56 intersection with US301, a distance of 13.1 miles. The PD&E study involves developing roadway alternatives that widen US301 from two to four lanes. The project team will evaluate the engineering, social and environmental effects of widening the road and compare the effects for each alternative.

The purpose of this project is to provide additional roadway capacity and improve safety on this portion of US301 in unincorporated Hillsborough and Pasco counties. US301 is a major north-south roadway used for travel through Hillsborough and Pasco counties and provides access to many of the area's major roadways including I-4, SR39, SR54, and SR52. It is an important roadway in the overall Tampa Bay area, as it is listed as an emergency evacuation route.

The estimated project cost for design, right-of-way and construction is \$199.5 million. It currently is not a funded project in the TPO's 2045 Long Range Transportation Plan.

A public hearing is scheduled for Thursday, March 24th, beginning at 5:30 PM, and can be attended in person at FDOT's District Headquarters (11201 N. McKinley Dr. in Tampa) or virtually by registering on the [project website](#).

Recommended Action:

None; for information only

Prepared By:

Rich Clarendon, AICP, TPO Staff

Attachments:

[Presentation Slides](#)



Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 - 272 - 5940
601 E Kennedy Blvd
18th floor
Tampa, FL, 33602



Hillsborough TPO Transportation Planning Organization

Board & Committee Agenda Item

Agenda Item

Highway and Road Projects to be added to 2050 Tampa Bay Regional Planning Model Network

Presenters

Vishaka Shiva Raman, TPO Staff

Summary

The Hillsborough TPO is gearing up for the 2050 update of the Long Range Transportation Plan. We are in the process of updating near-term projects to add to the plan. This presentation will highlight road and highway capacity projects completed over the last five years or projects anticipated to be done in the next five years.

The Tampa Bay Regional Planning Model (TBRPM) is used to forecast travel demand in Hillsborough and surrounding counties in FDOT District 7. As part of the model development and network validation, it is essential to update the model network for the 2020 base year as well as the Existing + Committed network, defined as new capacity projects programmed for construction by FY 2025.

The feedback received from the Committee, especially on projects within their own jurisdiction, will help to lay the groundwork for updating the LRTP.

Recommended Action

Review and comment on list of near-term road and highway capacity projects.

Prepared By

Vishaka Shiva Raman, TPO Staff

Attachments

Project status spreadsheet



Plan Hillsborough
planhillsborough.org
planner@plancom.org
813 - 272 - 5940
601 E Kennedy Blvd
18th floor
Tampa, FL, 33602

From 2045 LRTP - Projects for 2020-2024

| Map ID | Sponsor | FM Number | Project Corridor | From | To | Description | Lanes | Will be included in | Completed as of 2020? |
|--------|---------|-----------|---------------------------------------|-------------------------|------------------------|-------------------------------------|-------|---------------------|-----------------------|
| S-22 | FDOT | 427454-3 | I-75 NB On-Ramp | NB US 301 | NB I-75 | Ramp Widening | 1L | E+C Network | No |
| R-1 | FDOT | 446270-1 | Fowler Ave | I-275 | Bruce B Downs Blvd | Reduce from 8D to 6D | 8D | E+C Network | No |
| L-1 | HC | N/A | Sligh Ave | US 301 | Williams Rd | New Road 2U | 2U | Beyond E+C Network | Yes- NO |
| L-2 | FDOT | 449050-1 | Gibsonton Dr | I-75 | US 301 | Add 2 lanes, 4D to 6D | 4D | E+C Network | No |
| L-3 | HC | N/A | Orient Rd | Sligh Ave | Columbus Dr | Add 2 lanes, 2U to 4D | 2U | Beyond E+C Network | No |
| L-4 | HC | N/A | Lutz Lake Fern Rd | Suncoast Expwy | Dale Mabry Hwy | Add 2 lanes, 2U to 4D | 2U | Beyond E+C Network | No |
| L-18 | HC | C69640000 | 19th Ave NE | US 41 | US 301 | Add 2 lanes, 2U to 4D | 2U | E+C Network | No |
| T-1 | FDOT | 255893-4 | SR 574 / MLK Blvd | E of Kingsway Rd | E of McIntosh Rd | Widen from 2 to 4 lanes | 2U | E+C Network | No |
| T-2 | FDOT | 422904-4 | I-275 | N of Howard Frankland | S of SR 60 | Bridge - Replace and Add lanes | 8F | E+C Network | No |
| T-3 | FDOT | 424513-3 | I-75 at Big Bend Rd | W of Covington | E of Simmons | Interchange - Add lanes | 4D | E+C Network | No |
| T-4 | FDOT | 429251-1 | I-75 | S of CSX/Broadway Ave | EB/WB I-4 Exit Ramp | Interchange - Add lanes | 6F | E+C Network | No |
| T-5 | FDOT | 431821-2 | I-275 | N of MLK Blvd | N of Hillsborough Ave | Add lanes and rehabilitate pavement | 6F | E+C Network | No |
| T-6 | HC | 437002-1 | Madison Ave | E of US 41 | E of 78th St | Add lanes and reconstruct | 2U | Beyond E+C Network | No |
| T-7 | HC | 438752-1 | Apollo Beach Extension (Paseo al Mar) | US 41 | Paseo Al Mar Blvd | New Road construction | 4D | E+C Network | Partially |
| T-8 | FDOT | 443316-1 | I-4 | W of Park Rd | E of Park Rd | Interchange improvement | | E+C Network | No |
| T-9 | FDOT | 443317-1 | I-4 | W of Thonotosassa Rd | E of Thonotosassa Rd | Interchange improvement | | E+C Network | No |
| T-10 | FDOT | 443318-1 | I-4 | W of Branch Forbes Rd | E of Branch Forbes Rd | Interchange improvement | | E+C Network | No |
| T-11 | FDOT | 443319-1 | I-4 | E of EB Weigh Station | E of Mango Rd | Interchange improvement | | E+C Network | No |
| T-12 | FDOT | 443320-1 | I-4 | E of Mango Rd | Weight Station on Ramp | Interchange improvement | | E+C Network | No |
| T-13 | FDOT | 443321-1 | I-4 | W of Mango Rd | E of Mango Rd | Interchange improvement | | E+C Network | No |
| T-14 | FDOT | 443770-1 | I-275 | N of I-4 Ramp | N of MLK Blvd | Interchange improvement | | E+C Network | No |
| T-15 | FDOT | 433071-2 | N 62nd St | CSX Intermodal Entrance | N of E Columbus Dr | Add lanes | 2U | E+C Network | No |
| T-16 | HC | 437639-1 | US 301 | S of Bloomingdale Ave | Bloomingdale Ave | Widen / Resurface Existing lanes | 6D | E+C Network | yes |
| T-17 | THEA | TBD | Selmon East Phase I | I-4 Connector | I-75 | Add 1 WB lane | 2L/3L | Beyond E+C Network | Partially |
| T-18 | THEA | TBD | Selmon East Phase I | I-4 Connector | I-75 | Add 1 EB Lane | 2L/3L | E+C Network | Partially |
| T-19 | THEA | TBD | Selmon South | Whiting St | Gandy Blvd | Add 1 lane each direction | 4D | E+C Network | No |

| | | | | | | | | | |
|------|-------|-------------------------------|--------------------------|-------------------|--------------------|---|-----|--------------------|--------------|
| T-20 | HC | 69647000 | Big Bend Rd | US 41 | US 301 | Add 2 lanes and interchange improvement | 4D | E+C Network | No |
| T-21 | HC | 69112000 | Bell Shoals Rd | Bloomington Ave | Boyette Rd | Add 2 lanes and interchange improvement | 2U | E+C Network | No Partially |
| T-22 | HC | N/A | Citrus Park Dr Extension | Countryway Blvd | Sheldon Rd | New 4 Lane Road | UC | E+C Network | No Partially |
| T-23 | TT | N/A | Davis Rd Extension | Harney Rd | Maislin Dr | New 2 Lane Road | n/a | Beyond E+C Network | No |
| T-24 | HC | N/A | Selmon West Extension | Selmon Expressway | Gandy Bridge | Add 2 Elevated Lanes | UC | E+C Network | No Partially |
| T-25 | Tampa | No: 1001220; FPN: 437246-1 | 46th St S | Fletcher Rd | Bruce B Downs Blvd | Add 2 Lane and New Road | 2U | E+C Network | No |
| T-26 | HC | 69646000 | Van Dyke Rd | Suncoast Expwy | Calusa Trace Blvd | Add 2 lanes | 2U | E+C Network | No |
| T-27 | | 69649000 | Lithia Pinecrest Rd | Lumsden Rd | Fishhawk Blvd | Add 2 lanes | 2U | Beyond E+C Network | No |

| From 2040 LRTP - Projects for 2015-2019 | | | | | | | | Compared with Google | |
|---|----------------|-------------|------------------------------|-------------------------------|------------------------------|---------------|---------------|------------------------|-----------------------|
| Map ID | Sponsor | FM Number | Project | From | To | Description | Lanes | Will be included in | Completed as of 2020? |
| 101 | FDOT | 415489-3 | US 301 | SR 674 / Sun City Center Blvd | Balm Rd | 6D | 2U/2D, UC | E+C Network | No Partially |
| 102 | HC | | Clement Pride Blvd | Balm Rd | Big Bend Rd | 2D | 2D | Base Year Network | Yes |
| 103 | HC | | Boyett Rd | Balm Riverview Rd | Bell Shoals Rd | 4D | 4D | Base Year Network | Yes |
| 104 | See T-21 above | HC_69112000 | Bell Shoals Rd | Boyette Rd | E Bloomington Ave | 4D | 2U | E+C Network | No |
| 105 | HC | | Duncan Rd | US 301 | E Bloomington Ave | 2U | 2U | Base Year Network | Yes |
| 106 | See T-6 above | | Madison Ave | S 50th St | S 66th St | 4D | 2U | E+C Network | No |
| 107 | HC | | Countyline Rd | SR 60 | Ewell Rd | 4D | 4D | Base Year Network | Yes |
| 108 | HC | | Gornto Lake Rd | Towncenter Blvd | SR 60 / W Brandon Blvd | 4D | 4D | Base Year Network | Yes |
| 109/R-3 | FDOT | | Falkenburg Rd | Crosstown Expressway WB Ramp | SR 60 / W Brandon Blvd | 6D | 4D | E+C Network | No |
| 110 | FDOT | | Adamo Dr E | US 301 | Falkenburg Rd | 6D | 6D | Base Year Network | Yes |
| 111 | FDOT | | Crosstown / I-4 Connector | | | 8T | | Base Year Network | Yes |
| 112 | FDOT | | 21st / 22nd St - Oneway Pair | SR 60 | E 22nd Ave | 2 Oneway | 2L One-way | Base Year Network | Yes |
| 113 | THEA | | Crosstown Expressway | Morgan St | 19th St | 6T | 6T | Base Year Network | Yes |
| 114 | FDOT | 447107-2 | I-275 | Westshore Blvd | Ashley St | 8F | 8F | Base Year Network | Yes |
| 115 | Tampa | | O'Brian St | Cypress Blvd | Spruce St | 4D | 2U | E+C Network | No |
| 116 | FTE | | Veteran's Expressway | Memorial Hwy | Gunn Highway | 6T+2E | 6T+2E | Base Year Network | Yes |
| 117 | FTE | | Veteran's Expressway | Gunn Highway | Van Dyke Rd | 6T+2E | 6T+2E | Base Year Network | Yes |

| | | | | | | | | | |
|------|---------------|--|---------------------------------|-------------------------------|------------------------------|---------------|-------------------|------------------------|-------------------------|
| 119 | HC | | Sun Lake Blvd | Lutz Lake Fern Rd | Pasco County Line | 2U | 2U | Base Year Network | Yes |
| 120 | HC | | Racetrack Rd | W Linebaugh Ave | Countryway Blvd | 4D | 4D | Base Year Network | Yes |
| 121 | HC | | Racetrack Rd | Tampa Rd | E Douglas Rd | 6D | 6D | Base Year Network | Yes |
| 122A | FDOT | | SR 574 / MLK Jr Blvd | CR 579 / Mango Rd | Parsons Ave | 4D | 4D | Base Year Network | Yes |
| 122B | FDOT | | SR 574 / MLK Jr Blvd | Parsons Ave | Kingsway Rd | 4D | 4D | Base Year Network | Yes |
| 122C | See T-1 above | | SR 574 / MLK Jr Blvd | Kingsway Rd | McIntosh Rd | 4D | 2U | E+C Network | No |
| 123 | FDOT | | Alexander St Ext | I-4 | Paul Buchman Hwy | 4D | 4D | Base Year Network | Yes |
| 124 | FDOT | | Sam Allen Rd | Paul Buchman Hwy | Park Rd | 4D | 2U, UC | E+C Network | No Partially |
| 125 | FDOT | | Park Rd | I-4 | Sam Allen Rd | 4D | 4D | Base Year Network | Yes |
| 126 | FDOT | | US 301 | I-75 | E Fowler Ave | 4D | 4D | Base Year Network | Yes |
| 127 | FDOT | | E Fletcher Ave | Nebraska Ave | 30th St / Bruce B Downs Blvd | 4D | 4D | Base Year Network | Yes |
| 128 | FDOT | | I-275 N | Bearss Ave | I-75 Ramps | 6F | 6F | Base Year Network | Yes |
| 129 | HC | | Bruce B Downs Blvd | Skipper Rd | I-75 | 8D | 8D | Base Year Network | Yes |
| 130 | HC | | Bruce B Downs Blvd | I-75 | Countyline Rd / Pasco | 8D | 8D | Base Year Network | Yes |
| 131 | FDOT | | I-75 | Fowler Ave | Bruce B Downs Blvd | 8F | 8F | Base Year Network | Yes |
| 132 | FDOT | | I-75 | Bruce B Downs Blvd | I-275 | 6F | 6F | Base Year Network | Yes |
| 133 | Tampa | | Commerce Park Blvd Ext | Ashington Landing Dr | New Tampa Blvd | 2U/4U | 4D | Base Year Network | Yes |
| 134 | Tampa | | Cross Creek Blvd | Shadow Branch Dr | Morris Bridge Rd | 4D | 4D | Base Year Network | Yes |
| 135 | Tampa | | E Zack St | N Ashley Dr | N Florida Ave | 2D | 2U | E+C Network | No |
| 136 | Tampa | | E Madison St | N Ashley Dr | Pierce St | 2U | 2U | Base Year Network | Yes |
| 137 | HC | | 30th St | SR 674 / Sun City Center Blvd | Shell Point Rd | 4D | 4D | Base Year Network | Yes |
| 138 | HC | | 30th St | Shell Point Rd | 19th Ave NE | 4D | 4D | Base Year Network | Yes |
| 139 | HC | | Summerfield Blvd | Big Bend Rd | Rodine Rd | 2U | 2U | E+C Network | Partial |
| 140 | HC | | Summerfield Blvd | Rodine Rd | Symmes Rd | 2U | 2U (Ramble Creek) | Base Year Network | Yes |
| 141 | HC | | Symmes Rd Ext | US 301 | Balm Riverview Rd | 2U | 2U | Base Year Network | Yes |
| 142 | FDOT | | US 301 | SR 674 / Sun City Center Blvd | Boyette Rd | 6D | 6D | Base Year Network | Yes |
| 143 | HC | | Fishhawk Blvd | Belle Shoals Blvd | Circa Fishhawk Blvd | 4D | 4D | Base Year Network | Yes |

| | | | | | | | | | |
|-----|------|--|---------------|-----------------|---------|----|----|-------------|----|
| 144 | FDOT | | Broadway Blvd | US 41 / 50th St | 62nd St | 2D | 2U | E+C Network | No |
|-----|------|--|---------------|-----------------|---------|----|----|-------------|----|

| From Project List / Model Network | | | | | | | | 2021 Google Maps | |
|-----------------------------------|------|-----------|---------------------------------------|-------------------------|--------------------------------|-----------------------------|----------------------------------|---------------------|------------|
| | | FM Number | Project | From | To | Description | Lanes | Will be included in | Completed? |
| | FDOT | 443770-1 | I-275 | I-4 INTERCHANGE | MLK BLVD S OF OSBORNE | Widening, 6F to 8F | 8F | Base Year Network | Yes |
| | FDOT | 424513-3 | I-75 at Big Bend Rd | | | Interchange Reconfiguration | | E+C Network | No |
| | FDOT | N/A | I-75 at MLK | | | DDI Interchange | | E+C Network | No |
| | FDOT | | I-75 | I-4 INTERCHANGE | S of Bypass Canal | Lane Reconfiguration | | Base Year Network | Yes |
| S-27 | FDOT | 435750-1 | SR 60 | E of Valrico Rd | E of Dover Rd | Widen, 4D to 6D | 4D | E+C Network | No |
| | HC | | 24th St | 19th Ave NE | Big Bend Rd | New Road, 2D | 2D, Waterset Blvd | Base Year Network | Yes |
| | HC | | Ambleside Blvd | US 301 | Clement Pride Blvd | New Road, 4D | 4D | Base Year Network | Yes |
| | HC | | Ambleside Blvd | Clement Pride Blvd | Triple Creek Blvd | New Road, 2U/4D | 2U/4D | Base Year Network | Yes |
| See T-7 above | | | Apollo Beach Blvd Ext | US 41 | Covington Garden Dr | New Road, 4D | 4D, Paseo Al Mar Blvd | E+C Network | Partially |
| | HC | | Covington Gardens Dr | Apollo Beach Blvd ext | Big Bend Rd | New Road, 2U | 2U | Base Year Network | Yes |
| | HC | | Triple Creek Blvd | Balm Rd /CR 672 | Balm Riverview Rd | New Road, 2U | 2D, Pradera Reserve Blvd | Base Year Network | Yes |
| See 116 above | | | Veterans Expwy G101-L101ay | Memorial Hwy | Gunn Hwy | Widen, 6T+2EL | 6T+2EL | Base Year Network | Yes |
| See 117 above | | | Veterans Expway | Gunn Hwy | Dale Mabry Spur | Widen, 6T+2EL | 6T+2EL | Base Year Network | Yes |

**HILLSBOROUGH TRANSPORTATION PLANNING ORGANIZATION BOARD
HYBRID MEETING, FEBRUARY 9, 2022
DRAFT MINUTES**

I. CALL TO ORDER, PLEDGE OF ALLEGIANCE (Timestamp 1:32:16)

Commissioner Cohen, called the meeting to order at 10:00 AM and led the pledge of allegiance. The regular monthly meeting was held in-person and virtual via WebEx.

II. ROLL CALL (Timestamp 1:32:50) (Gail Reese, TPO Staff)

The following members were present in person: Commissioner Harry Cohen, Commissioner Pat Kemp, Commissioner Kimberly Overman, Commissioner Gwen Myers, Councilman Guido Maniscalco, Councilman John Dingfelder, Vice Mayor Cheri Donohue, Commissioner Nate Kilton, Gina Evans, Adalee Le Grand, Greg Slater, Charles Klug, Planning Commissioner Cody Powell

The following members were present virtually: Commissioner Mariella Smith, School Board Member Jessica Vaughn

The following members were absent/excused: Councilman Joseph Citro

A quorum was met in person.

Some members are participating virtually because of medical reasons and the local declaration of emergency.

III. APPROVAL OF MINUTES (Timestamp 1:33:57) – January 11, 2022

Chair Cohen sought a motion to approve the January 11, 2021 minutes. Commissioner Kemp so moved, seconded by Councilman Maniscalco. Voice vote: motion carries unanimously.

IV. PUBLIC COMMENT (Timestamp 1:34:19) (3 minutes per speaker)

Connie Rose, Life Malcolm, Robert Miley, Doreen Jesseph, Michelle Cookson, Tim Keeports, and Jane Mankins were present and donated their time Rick Fernandez. Mr. Fernandez will have up to 24 minutes; he deferred his time to allow others signed up for public comment to speak first.

Nicole Perry: Expressed opposition to further interstate wall intrusion into Tampa Heights. Asked the TPO Board to support Tampa Heights to protect land, history, and quiet for community enjoyment. Voters voted for measures and representatives to look out for their interests. This includes no more expansion and much needed mass transit, safety measures to existing roads, and a more bikable and walkable city. *(Time expired)*

Dayna Lazarus: Owns a home in North Ybor and is a fifth generation Tampa homeowner. Is respectfully asking the TPO Board to declare a moratorium on the interstate widening happening in Tampa Heights as recommended by the TPO CAC on January 5th per resolution passed 6 to 8 in

favor. Asking that the TPO Board declare a moratorium based on four facts. One: that the people most impacted are upset, protesting, and asking. Two: because the public engagement was such that the aforementioned people did not know that wall movement was happening. Three: the TPO Board passed an equity resolution that explicitly names the racist impact I-275 had and unanimously adopted an equity planning process recommendations that deemphasize car-centric spending, including specifically seeking transportation demand management solutions and alternative multi-modal solutions, before approving widening spending. And Four: in the near future, the Reconnecting Communities Pilot Program will unlock funds for planning and projects aimed at either removing, retrofitting, or mitigating pieces of highway and similar infrastructure that has hampered the connectivity of communities.

Matt Suarez: 406 West Azeel Street, Unit 508, Tampa, FL 33606. Would like the TPOs governing board to make and approve a motion to adopt the Citizens Advisory Committee's resolution passed on January 5, 2022. The purpose of the resolution relates to the following: stop funding the FDOT work program that continues to destroy historic property and nationally recognized historic districts that it's Tampa interstate facilities run through including the Tampa Heights Historic District. Stop the FDOT's intent to expand the I-275 barrier wall movement in Tampa Heights. And declare a temporary moratorium on the FDOT Downtown Interchange Safety Improvement Project to allow for a full vetting including the impact of barrier wall movement. On Monday, January 31, 2022, the structure at 1902 North Lamar Ave., Tampa, FL 33602 was demolished by the FDOT. Mr. Suarez issued a public objection to the demolition based on the evidence that FDOT failed to complete the salvage of the building's historic architectural elements and materials before proceeding with the demolition. It is also suspected that it is not installing steel piles for the I-275 North of Downtown Tampa project in a manner that would both minimize vibration presently being experienced by residents. *(Time expired)*

Josh Frank: Serves as the Hillsborough County representative to TBARTA as well as the Hillsborough County School Board representative to the CAC. Has great respect and admiration for this Board. Knows the members are just as invested as he and other callers are. The developments associated with the DTI expansion and the contributing structure on Lamar are unacceptable. The TIP list is a powerful and completely underutilized tool of the Board. Urging the Board to reassess the way they accept projects before they reach the design phase. Secondly, it should be the TPO Board's focus to remove of trips from our system. Please reassess the way that you allocate your TIP funding and prioritization.

Brian Seel: 313 West Park Avenue, Tampa Heights. Is the President of the Tampa Heights Civic Association. Asking the TPO Board to support the CAC's resolution and to call for a moratorium to address some of the issues already mentioned by the other speakers, and to make a similar case. This boils down to communication from FDOT and the lack there of. In communication from FDOT, we were told that no impacts were going to happen to Tampa Heights. We were not addressed between January 2020 and November 2021. This is a nearly two-year period where FDOT was making plans and did not come back to notify the citizens that it impacts. Similarly, with the demolition of 1902 North Lamar. We find that level of communication unacceptable. We are asking for a moratorium on the work. So that FDOT can take a step back and perform proper

communication as well as listening to the concerns and mitigating the concern of the residents that it impacts. Agrees with previous speakers on the need to focus on alternative modes of transportation, mass transportation, and prioritize those.

Shane Ragiell: 507 East Floribraska Avenue. That is five houses in from I-275 on Floribraska. Comes to share a story and concerns with neighbors regarding the lack of communication from FDOT regarding the construction project as well as the impact to the neighborhood. Tampa Heights has stood firm, active, and against highway expansion. Our neighborhood has not communicated anything differently and I would suggest that, amongst the neighborhoods being impacted by this large, highway construction project in the county, we have also been amongst the most active. FDOT has done nothing to show that they are willing to be a transparent partner with Tampa Heights. Whether you represent Tampa Heights, a city outside Tampa, the port, schools, or airport, if FDOT did this to your constituency, you would be upset. Please support the CAC resolution and support your neighborhood in Tampa Heights.

Lena Young Greene: Stated that her heart was heavy this morning. The building that the community came to the TPO Board about at the January meeting was demolished on January 31, 2022. After years of trying to protect this building and being vigilant and concerned about another landmark in our community, FDOT came in and tore it down. That is not right. In regard to the walls; FDOT is treating us the same way. Asked that the TPO Board support the resolution that the CAC passed and sent to the Board. Asked that the TPO send out staff that could teach the community how to file Title VI. For Robles Park Wall, lives directly across from Robles Park. She hears all the noise from I-275. The noise gets louder and the impact from the dust in the air, the children are at the park all the time. Tampa Heights residents feel that this interstate is forever intruding. The quality of the air, the water impact, the soil impact affects them. We feel that, at the TPO level, we are not getting much support. Asked that the people of Tampa Heights and the surrounding neighborhood is not sacrificed for the benefit of moving other people through their community.

Rick Fernandez: Lives in Tampa Heights, is the CAC Vice-Chair, is speaking as a citizen today. 2906 North Elmore Avenue. Will be talking about the wall's intrusion, FDOT's misrepresentation of the project to the community and to the TPO Board as recently as last month. And the resolution passed by the TPO CAC in January seeking a moratorium on the wall intrusion, a full vetting of the project, and identification of community centric alternatives. He filed detailed, written public comments. They took hours to write and will likely be summarized by TPO Staff in about 30 seconds. Hopes the Board members will or have taken the time to read them.

Noted the amount of time and effort it takes for the community to show up at these meetings. Expressed how dealing with FDOT is like hotly contested litigation. Believes when FDOT gets uncomfortable, they move on and bring in a new team; that they hesitate to share inconvenient truths with the community. Residents are angry. More than angry, they are disappointed and distrustful of a system and those that could approve a project like this without courtesy to the individuals and neighborhoods carrying the burden.

Mr. Fernandez reviewed the timeline of how the community found out about the wall movement. This consisted of maps presented at various meetings since 2018. The timeline is presented in a detailed public comment included in the [Email Public Comment section](#).

Noted that the CAC resolution passed in January will be re-presented today. Also stated that he wrote the resolution with a lot of input. After robust discussion, it was moved forward and adopted by a vote 8 to 6 in favor. It is before the TPO Board for adoption. Summarized the resolution. Asked the Board to support the motion.

Secretary Gwynn (Timestamp 2:23:51):

- Has been in the position for 5 years. Hopes that no one believes he would come in front of the TPO Board to lie or misrepresent for any purpose.
- Did not enjoy the decision to destroy the property at 1902 Lamar. The CRC has met 96 times. Relocated 64 historic homes: 8 in Tampa Heights, 2 in West Tampa, 54 in Ybor City. FDOT relocated all of these properties and rehabilitated 35 and partnered with the City of Tampa to rehabilitate the remaining 29 buildings. The homes were sold to first time home buyers and funds established a revolving trust fund to be used to rehabilitate historic homes. Per the MOA, the remaining homes were eligible for demolition. In 2017, a hold was put on right-of-way acquisition and the demolition of properties until the SEIS was completed.
- Work that has been done with Tampa Heights community. This SEIS was completely different. Worked with the concerns about taking 200 – 300 parcels of property. Tasked the team to not do that. Four alternatives came out of that. All had express lanes coming through, but each had less and less property impact. Tampa Heights didn't want any more right-of-way and had been impacted enough. Tasked the team to address the safety concerns while staying within the right-of-way. This was done late in the process. Things were being added during the process as it was determined what could and couldn't be done. Tampa Heights said that FDOT only cared about the highway. Tasked the team to find projects in Tampa Heights that would help in other areas. Over 5 years, programmed ~\$120 million of projects that have nothing to do with roads other than covering transit, bike/ped facilities, and safety.
- Can always do better on communication. Continuing to try. For the I-275 project, have done way more communication than any other project in District 7. Talked about the public engagement. After an open house with Commissioner Myers, told his team to go out and go door to door with information. Will continue to try and work with the community.

Discussion (Timestamp 2:37:18):

TPO Board recognized the work from the community and FDOT. Would like to have an on-the-ground meeting with public officials. Would like to have the nighttime work addressed sooner rather than later. Discussion about timeframe of work. Talked about issues that come from decisions made decades ago and the interstate going through it. Many people have moved there in recent years due to sense of community and beauty. Community is asking to not be hurt anymore. Different projects are being talked about to try and restore the neighborhood. Talked about current circumstances and getting clarity on what is happening. The TPO Board asked to be copied on communications that go out that are going to affect the people they represent. Would

also like to know what is said at community meetings to be on the same page. Asked for transparency.

FDOT has asked that the Tampa Heights Civic Association come up with a list of concerns and questions and get them to FDOT ahead of time. Once that is done, FDOT is ready to set up the community meeting. Monitoring vibration, within normal expectation. Finding ways to avoid nighttime work when possible. Will be happy to add the TPO Board to the email groups that have signed up for communication around these projects and to copy on other correspondence.

Jessica Vaughn (*Timestamp 2:50:55*): Is the TPO able to move for a moratorium on this project.

Cameron Clark: No, the TPO is a planning organization with the primary function to adopt the Long-Range Transportation Plan and the five-year Transportation Improvement Plan. The project being discussed is on both plans. There is no statutory authority in the MPO statutes that would allow for the MPO to impose a moratorium on construction of roadway projects from FDOT.

Continued discussion on the difference in feedback from public engagement and what is being heard today. Investigate ways to do better in communication so the community doesn't feel misled. Would like to see action items working with the community. Comments of the citizens and the CAC have been appreciated and the hurt feelings are acknowledged. We all need to use this as a learning tool to do better. It is time to work together and come up with real, workable solutions. There is still time to affect the project in the details.

V. COMMITTEE REPORTS & ADVANCE COMMENTS (Bill Roberts, CAC Chair; Davida Franklin, TPO Staff; Beth Alden, TPO Director) (*Timestamp 3:03:40*)

A. CAC – Bill Roberts, CAC Chair (February 2, 2022 meeting)

- Highlights – heard fair amount of public comment regarding FDOT barrier wall, reviewed action item and forwarded to Board on the safety performance targets with a vote of 14 to 1 in favor, also heard three status reports.
- Some of our members did not feel that Chair Roberts accurately represented the CAC committee in regard to the resolution. The CAC has submitted that resolution to a second time.
- The CAC approved a motion to ask the legal counsel for the TPO at what legal actions are available to the CAC and the TPO with regard to action they believe FDOT has taken that may be in violation or inconsistent with TPO actions. This was approved with a 15 to 0 vote in favor.

B. Pertaining to the Consent Agenda Items (Davida Franklin, TPO Staff)

- The CAC and the TAC approved the Safe Access to Parks Study

C. Pertaining to Action Items (Davida Franklin, TPO Staff)

- The TAC supported the Hillsborough County's request for an additional seat on the committee.
- The CAC, LRC, BPAC all approved the 2022 Safety Performance Targets

D. Pertaining Items at Upcoming Meetings (Davida Franklin, TPO Staff)

- There is a report on the Storm Evacuation and Shelter-In-Place Study that will be heard soon. The TAC, ITS, BPAC and LRC have heard the status report on this study.

E. Public Comments Received Through Email & Social Media (Davida Franklin, TPO Staff)

- Heard a lot of the email and social media comments during public comment today.

Detailed [Email](#) and [Social Media](#) are located at the end of the minutes.

F. TPO Policy Committee – February 8, 2022 Meeting (Beth Alden, TPO Executive Director)

- Reviewed the Safe Access to Parks Pilot Study and has forwarded to you for approval.
- Committee directed staff to get going on the Membership Apportionment Plan.
- Staff was asked to bring back a letter about the FDOT policy on Class 2 noise walls.
- Councilman Citro, Chair of the LRC, asked that one of the officers of the LRC briefly address the TPO Board.
 - Catherine Coyle – the motion that was made for more accounting and accountability for the implementation of Vision Zero; in the spending arch in the presentation, the LRC saw Vision Zero as the main or overarching goal to each one of the pieces should have the accounting for Vision Zero.

VI. CONSENT AGENDA (Timestamp 3:12:06)

A. Updated Committee Appointments

- ITS – City of Plant City: Fred Baxter with Paulinne Nunez as alternate
- ITS – City of Temple Terrace: Troy Tinch with Brian McCarthy as alternate
- LRC – HART: Scott Drainville with Bobby Edwards as alternate
- TAC – Port Tampa Bay: Clay Hollis

B. Safe Access to Parks Pilot Study – presented at Policy Committee

Commissioner Kemp moved to approve the Consent Agenda, seconded by Commissioner Overman. Voice vote, motion to approve the Consent Agenda in total passes unanimously.

VII. ACTION ITEMS (Timestamp 3:12:39)

Annual Update of Safety Performance Targets (Johnny Wong, TPO Staff)

A. Performance Measures and Trends (Johnny Wong, TPO Staff)

- Review of the measures required by the Highway Safety Improvement Program (HSIP).
 - TPO has elected to track year-end fatality totals and motorcycle fatalities separate.
 - 7th year of setting targets
 - Must set realistic, data-driven targets
- Project the number of crashes for the next given year and subtract the crash reduction benefits achievable given the expected level of investment
 - Projection expects a 1% projection on all crash types

- Went over actual numbers
 - Annual actual fatalities in 2021 = 255 (record number); targets set on 5-year rolling average (2018 – 2022)
- 5-year Rolling Average Targets
 - Total fatalities – target of no more than 253 through 2022; rolling average is 224; showed map of fatality locations – along major roadways
 - Motorcycle Fatalities – target of no more than 36.13
 - Serious Injuries – target of no more than 1107; steadily decreasing
 - Nonmotorized Fatalities + Serious Injuries – target of no more than 232; increase in 5-year average
 - Fatality Rate per 100 million Vehicle Miles Traveled – target no more than 1.59
 - Serious Injury Rate per 100 million Vehicle Miles Traveled – have seen steady decline in trend; target set at no more than 7.49
- Review of Report Card – 3 targets met; 4 targets not met
- Current ways of improving
 - Vision Zero’s 4 Action Tracks
 - Asking the Committee to provide information on what details the TPO Staff can provide to make informed, data-driven decisions and recommendations
 - Review of 2022 Performance Targets for review to aid in recommendations

Presentation Slides: [Performance Measures and Trends](#)

B. Policy Steps and Target Adoption (Gena Torres, TPO Staff)

- Review of what is being done.
 - City of Tampa programs
 - Hillsborough County programs
 - Additional programs combining Engineering, Education, Enforcement, Emergency Response, Information Intelligence, Innovation, Insight into Communities, Investments and Policies
- Over 50 more people died in 2021, Why?
 - Local thought – motorist behavior once pandemic subsided
 - National Reports
 - Seatbelt use down
 - Driving under the influence
 - EMS response rates slower due to high pandemic-related demand and possibly protocols at hospitals
 - Trips being taken at off-peak times; many roads designed for peak-hour congestion; easier to speed
- Review of 2019 and 2021 hours and crash data
- HIN Crash Statistics from 2014 - 2018
 - 67% involved people over 35 years
 - 53% on “dark-lighted” streets
 - 92% on 40+ speed limit roads
 - 83% in non-peak hours
 - 59% not at intersections

- 50% on roads with 4 or more travel lanes
- 71% involved aggressive driving/speeding
- Types of vehicles
 - 43% cars
 - 24% SUV
 - 14% motorcycles
- Review of TPO committee discussions
 - Overarching – implementing the strategies outlined in the Speed Management Action Plan
- Review of Actions and Implementation Strategy – Engineering & Operations
1 – 3 (short-term, 1-2 years); 4 – 7 (mid-term, 3-5 years); 8 (long-term, 5+ years)
- Review of Actions and Implementation Strategy – Education – short-term (1-3 years)
- Review of Actions and Implementation Strategy – Policy / Legislation
1 – 2 (short-term, 1-2 years); 3 – 5 (mid-term, 3-5 years)
- Review of Action and Implementation Strategy – Plan Evaluation – short-term (1-3 years)

Presentation Slides: [Policy Steps and Target Adoption](#)

Recommended Actions:

- **Approve the 2022 safety performance targets.**
- **Request responsible agencies focus their efforts on the Top 50 High Injury Network corridors and identify countermeasures based on national best practices.**
- **Organize a coordinated grant application to design and fund improvements using the new Safe Streets and Roads for All Grant Program.**
- **Send a letter to the BOCC asking them to identify funds be set aside for safety-focused improvements on the High Injury Network.**
- **Request member agencies to identify a public relations staffer to generate at least one Vision Zero related message each month on their social media platforms.**
- **Send a letter of support for HB 189 regarding school speed zone automated enforcement cameras.**
- **Host a Mini-Safety Summit in November 2022 to highlight progress made on the Top 50 high Injury corridors.**

Discussion (*Timestamp 3:30:37*):

Commissioner Kemp moved to accept, seconded by Commissioner Overman.

Interesting to see with the impact of the pandemic how it has influenced traffic patterns: less congestion and higher speeds. Clarified the numbers and noted a substantial increase from 2022 to 2021. Requested the breakout of bicycle/pedestrian fatalities for future years. Commissioner Smith is unable to support set the annual fatality target at 253 due to poor performance. The bar should not be lowered.

Commissioner Smith made the request to amend the motion to set the annual fatality rate to 212. Amendment to the motion accepted by Commissioner Kemp and Commissioner Overman.

Accepting a target that is unacceptable is not a good idea. The numbers have gone up nationwide, this is not unique to Hillsborough County. The U.S. Department of Transportation, National Highway Safety Administration came out with a report citing four factors contributing to the increase in fatalities: speeding, lack of seatbelt use, driving while not sober, and driving distracted. Recommendation of digging into each of the categories to see how impactful we can be in influencing each and the overall fatality number. Would be helpful to have further data on the specific areas.

TPO Staff is working on getting the data together. New messaging is going around the state. It was noted that the target setting is required by February 28, 2022. An additional meeting of the TPO Board can be set up if there is a desire to continue discussion. Staff will see about getting some breakdown numbers to the Board.

Roll call vote of the amended motion was approved 13 to 0 in favor.

VIII. STATUS REPORTS (Timestamp 3:40:50)

A. I-75 Project Development & Environmental Studies (FDOT Rep) – Deferred until the TPO Policy Committee meeting in March.

B. Bylaws Amendment: Hillsborough County request for an additional seat on the TAC (Gena Torres, TPO Staff)

- Hillsborough County has a new department called County Community and Infrastructure Planning. Believed their membership would benefit the committee.
- It is required to be brought to the TPO twice, this is the status update and will likely be on the Consent Agenda in March.

IX. EXECUTIVE DIRECTOR'S REPORT (Timestamp 3:42:42)

A. Quarterly report is in the Board Folder in the email you received on the evening of February 8, 2022.

B. Congratulate everyone on the outreach in the Fall of 2021 to the legislative delegation regarding the bill making it more difficult to use Rapid Flashing Beacons at existing crosswalks. That bill did not get filed during this legislative session.

C. Discussion a few months ago about sponsoring a workshop through the Florida MPO Advisory Council on rail planning at the statewide level. Slated for Thursday, April 28th in Orlando. Will be working on getting virtual access to that.

X. OLD & NEW BUSINESS (Timestamp 3:43:54)

A. Cancelling November policy and TPO Board meetings due to meeting conflicts surrounding the general election (Beth Alden, TPO Director)

- Do not usually have urgent business during November and should be able to attend to business in December.
- Agreed by the TPO Board

B. Landscaping adjacent to Robles Park wall (Commissioner Myers)

- Clarification on the motion made in January. This Board would like FDOT to construct a wall along Robles Park. Unsure whether the language included landscaping.
- Would like for the community to have input before a final decision is made on this issue.
- Would like FDOT to consider adjacent to Robles Park is the wall and landscaping in coordination with the community members' wishes.

Discussion:

It was noted that the noise wall has to be built with local funds unless the law is changed. The Policy Committee agreed that the law was put into place after the interstate was put into place. There has not been a study to determine the environmental impact as it currently stands. This is going to be recomunicated to the District 7 office. The rules state that when there are no noise receptors in an area, no federal funds can be used to build a noise wall. Last month, FDOT is in agreement to build a visual barrier. Clarifying today that landscaping would also be considered.

It was clarified that FDOT will use state funds to build an eight-foot wall and add landscaping. Commissioner Myers requested that community input be considered as to the aesthetics of the wall and landscaping.

C. Commissioner Overman: All Board members are invited to Hillsborough Day in Tallahassee on February 22, 2022.

D. Next meeting March 9, 2022, from 10:00 AM – 12:00 Noon.

XI. ADJOURNMENT – The meeting adjourned at 12:21 PM

The recording of this meeting may be viewed on YouTube: [Meeting Recording](#)

Social Media

- **Facebook**
 - **2/6**
Rick Fernandez (commenting on the Feb. TPO Board Meeting event page):
Public Comment for TPO Board Meeting February 9, 2022:

I was asked a few days ago what Tampa Heights wanted out of its current battle with the Florida Department of Transportation (Quick Fix Project with threatened wall intrusion along the eastern boundary of Tampa Heights).

After a few days of Pile Driving, drilling, noise and vibration, a return to peace and quiet sounds pretty good.

While thinking about what to say to the TPO Board on Wednesday, February 9, an idea struck me ... When the final page of this current FDOT saga is written, this is what I hope it will document:

“Tampa and Hillsborough County leadership, together with FDOT, listened to the justified objections of the Tampa Heights community. FDOT plans for the Downtown Interchange have been modified. There will be no further expansion of the Interstate footprint along the eastern boundary of Tampa’s oldest suburb. This means the walls will stay where they are.

“The existing walls between Floribraska Ave and Jefferson Street will stay in place, while multi modal transit options are developed to address traffic volume, pollution, congestion and safety issues. FDOT is pursuing other creative engineering options to improve safety for the DTI itself.

“FDOT and the City of Tampa will work with the Tampa Heights community to mitigate damages and address concerns of long standing, including, but not limited to: installation of robust landscaping along the entire interstate boundary; upgrades to historic district standards for existing walls; installation of context appropriate barrier infrastructure along the eastern boundary of Robles Park and in the gap between Amelia and Ross, adjacent to the community garden; traffic calming for surface streets impacted by exit ramp traffic flow (Floribraska and Elmore Avenues, for example); traffic calming and bike/ped infrastructure development for Florida Ave. and Tampa Street.

“All parties acknowledge Tampa Heights has been among the most negatively impacted communities secondary to Interstate construction and expansion through the city’s urban core. The road to reparations and reconciliation will be long. Today we take the first steps. When next we discuss the relocation of walls, let it be in furtherance of #BoulevardTampa. The Boulevard feasibility study approved by the MPO/TPO Board in 2019, will move forward this year.”

Respectfully Submitted,
Rick Fernandez
2906 N. Elmore Ave
Tampa, FL 33602

- **1/27**
Chris Vela (commenting on a Vision Zero Hillsborough post):

“The Hillsborough TPO is largely driven by # of car crashes with the DTI but the problem are that all fatal crashes during the study period were human behavior. This a specific tax paid studied signed and sealed by our county then state. The problem is we need to overhaul TPOs and get rid of armchair representation.”

○ **1/26**

Chris Vela (commenting on a post shared by the Pinellas Suncoast Transit Authority regarding FDOT funding support for the Central Ave. Bus Rapid Transit Project):

“The money should just go straight to Hillsborough TPO or other TPOs. It is easy if it defaults to the state.”

○ **1/12**

Save the Historic Lamar (in a post that tagged Hillsborough TPO):

“We just wanted to thank everyone who participated in yesterday's public comment period during the Hillsborough TPO Governing Board Meeting!

Collectively, all comments totaled 45+ minutes of speaking time and were in favor of both stopping the demolition of the contributing structure at 1902 N. Lamar Ave. & in protest of the Florida Department of Transportation's plans to further impact Tampa's historic, urban neighborhoods through continued interstate highway expansion.

“With the Governing Board not yet making a motion to put a resolution relating to these items to vote as requested by the TPO Citizens Advisory Committee (CAC) & the community, we must continue with our efforts to get this resolution put up for a vote & passed by continuing to address the Governing Board at its upcoming monthly meetings. #SaveHistoricLamar”

● **Twitter**

○ **2/2**

Tampa Egret Bicycle (regarding a BayNews9 article about the i275 wall in Tampa Heights”

“We need commuter rail, not wider freeways or more freeway lanes. #StopTBX
cc: @tampaheightsmag, @RFexecsearch, @JustinGarciaFL, @WolfColin”

○ **1/29**

Chris Vela (regarding a post about the TPO's Storm Evacuation Study)

“Will do but really this needs to be “managed retreat.” You all know this, why you are not exploring it is beyond me.”

○ **1/28**

Sarah H. (regarding a BizJournals.com article about the Hillsborough tax refund process)

“That tax should have remained. “

○ **1/14**

Tatiana Morales (commenting on a post about the Tampa Hillsborough Expressway Authority's (THEA) Connected Vehicle (CV) Pilot:

“Or we could actually just start reducing and disincentivizing car usage on our roads by investing in public transportation and reducing lanes.”

- **Email**

[February Board folder emails](#)

[\(Return to Minutes\)](#)

DRAFT



Hillsborough TPO

Transportation Planning Organization

Committee Reports

Meeting of the Technical Advisory Committee (TAC) of January 3

The TAC approved action items:

- Safe Access to Parks – unanimously approved. Comments focused on next steps, how to move recommendations forward, who would be responsible. Depending on the countermeasure, it could be the responsibility of a jurisdiction's Transportation Department or Parks and Recreation Department. A suggestion was made to provide the recommended improvements in a GIS format that could be layered on CIP projects, even stormwater, resurfacing, waste, etc. so that all departments would be aware of the needs surrounding a nearby park.
- Hillsborough's Request for an Additional Seat – unanimously supported. The TAC was reminded that the TPO Board will first consider and then approve the bylaws change over two meetings. If approved, Sarah Caper, the candidate representative from HC Community and Infrastructure Planning, was present at the in-person meeting to observe.
- Election of Officers – the current TAC slate of officers was re-affirmed for 2022: Jeff Sims, Chair; Mike Williams, Vice-Chair; Jay Collins, Officer At-Large.
- Attendance Review and Declaration of Vacant Seats – no committee member was in jeopardy of losing their seat due to consecutive absences. The TAC's airport representative, Gina Evans, offered to reach out to her contacts at the Port and the Trucking Industry to make them aware of vacancies on the TAC. A few changes will be made to the assignment of alternates for the current members. The committee was pleased that a HART representative has been assigned, after the position was temporarily vacant.

The TAC heard status reports:

- City of Tampa Neighborhood Commercial District Plans – county staff asked if there was still opposition to a lane reduction on Bay to Bay as previously heard when being resurfaced a few years ago. City staff responded that there were still mixed support/opposition comments regarding removing a lane but that the city would consider a "pilot" project to see how the roadway performed, if the residents felt it was safer, and if sentiments changed.
- Storm Evacuation and Shelter in Place Study – there was agreement that although most residents have, or should have, a plan in place, many new residents are moving into the area and methods of notification of an impending storm are important. Members were

supportive of the suggestions, although there was concern about using the emergency shoulder particularly on overpasses or other areas where the lane is narrow or the shoulder is not continuous. We learned the FDOT has a plan in place for use of emergency shoulders.

Approval of the joint CAC-TAC December minutes were deferred until the February TAC meeting.

Meeting of the Citizens Advisory Committee (CAC) of January 5

The CAC approved action items:

- Election of Officers
- Attendance Review and Declaration of Vacant Seats
- Safe Access to Parks Pilot Study

The CAC heard status reports on:

- City of Tampa Neighborhood Commercial District Plans
- TPO Social Media

During the Unfinished & New Business portion of the agenda, the CAC received an update regarding movement of the I-275 barrier wall along the eastern border of Tampa Heights. After a lengthy discussion, the committee approved a motion, 8-6, to recommend the following resolution to the TPO Board:

- 1. Stop Destruction of Historic Property in Tampa Heights (1902 N Lamar Ave.);**
- 2. Stop Interstate Expansion (barrier wall movement for I-275) in Tampa Heights;**
- 3. Declare Temporary Moratorium and conduct a full vetting of those aspects of the Downtown Interchange Operational and Safety Improvements project related to barrier wall movement along the eastern border of Tampa Heights.**

Since the 1940s, when streetcar lines were removed from Tampa's streets, our neighborhoods have been disconnected and fragmented. After the streetcars were removed, the Interstates (275 and 4) tore through Tampa's urban core, dividing the city, devastating historic neighborhoods, displacing families, destroying homes and businesses. Much of this violence fell upon the shoulders of our minority communities. The destructive practices continue to this day.

1. The latest historic property scheduled for demolition by the Florida Department of Transportation (FDOT) is located in Tampa Heights (TH) at 1902 N. Lamar Ave. This property is a contributing structure supporting the neighborhood's national and local historic designations. It was purchased by FDOT in 2015/2016 as part of its right of way acquisitions supporting the now defunct "Tampa Bay Express" (TBX) project. FDOT has allowed the property to deteriorate for the last six years and would now like to finalize the demolition by neglect with a wrecking ball. FDOT has advised this property is no longer needed for any department related purpose. Due in large part to strong community opposition, there are no (current) plans to sacrifice this land to future highway expansion.

The TH Community objects to this demolition. FDOT has been requested to stabilize and secure the building so as to allow opportunities for repurposing and restoration to active community service.

We, the Citizens Advisory Committee to the TPO Board, call upon FDOT and The City of Tampa, together with all relevant agencies, departments and boards (including the TPO Board and Staff) to take available action in support of these goals.

2. The latest Interstate I-4/I-275 expansion poised to disrupt and damage the Tampa Heights Historic District (THHD) and TH at large, involves outward (intrusive) movement of the Interstate barrier wall along the eastern border of the THHD and TH. The area of concern tracks from a point on N. Elmore Avenue, roughly halfway between Floribruska Avenue and Columbus Drive, along the Interstate's southbound arc, to Scott Street.

Members of the TH community first became aware of this intended wall movement on November 17, 2021, during an informal meeting between the TH Civic Association's Transportation Committee Chair and two members of FDOT's District 7 staff. Since that time, the community has learned the wall movement is allegedly required to enable a portion of the often cited "Downtown Interchange Operational and Safety Improvements" (DTI-OSI) first advanced by FDOT in 2019.

The extent of the wall movement is not clear as of the date of this writing. The Community has only been told a minimum 16-foot buffer will be maintained between the new wall location and the existing FDOT right of way line.

The DTI-OSI concept has been the subject of debate and controversy since its roll out in 2019. Community opposition to FDOT's original TBX project dates back to 2015. Through all that time the TH community has been steadfastly opposed to further expansion of the Interstate through Tampa's Urban core.

While wall movement through TH was most definitely a part of the original TBX plan in 2015, the community was relieved to learn, in 2019, of the supposedly less intrusive footprint anticipated secondary to the DTI-OSI approach. At no time before November 2021 has FDOT formally (or informally) informed the TH community of this intended further intrusion secondary to barrier wall movement. FDOT has also failed to provide specific design details, including the specific amount of wall movement, to the CAC of the Transportation Planning Organization Board. A review of TPO Board meeting materials suggests TPO Board members may have also been uninformed on these details.

As of this writing, FDOT has failed to present detailed information regarding its plans, including but not limited to:

1. An enlarged map with identified boundaries that includes annotations, existing streets, building footprints and property boundaries.
2. Cross-sections that represent each incremental change/change in east-west expansion from Floribruska Avenue to 7th Avenue that extend from the interstate through Central Avenue. These should include dimensions for widths and heights, a scale of 1/8" = 1' to be easily understood.
3. Narrative description and list of options for materials (finishes, fencing, etc.) and landscaping to be discussed with the neighborhood. This should include plans for maintenance agreements.

4. List of all potentially impacted structures and accompanying map. Those structures that may be impacted due to the construction and/or construction vibration. This needs to take into account historic structures within 200 feet of the proposed interstate wall, and should include but are not limited to those structures that line Elmore Avenue, Lamar Avenue, Central Avenue, and Nebraska Avenue. Additionally, those structures located on cross streets should also be listed/shown including Columbus Drive, Floribraska Avenue, Robles Street, Sparkman Avenue, Palm Avenue, Francis Street, Amelia Avenue, Park Avenue, Ross Avenue, Oak Avenue, and 7th Avenue. Also, the process for property owners to get their property/structures/houses added to the list.
5. A schedule available to property owners for structural testing and monitoring before and during construction.
6. Mitigation plans for structural damage to property and structures due to construction. What is the process?
7. Proposed construction schedule including time frame, active construction day/evening/night times.
8. FDOT's plan for engaging the neighborhood in the process beyond presentations after decisions are made. This engagement must take place beforehand.
9. Economic development study which includes the impacts to property value within 300 feet of the edge of the interstate structure. The study should include historic market trends, current values, and five-year projected value.
10. Construction work plan pertaining to the control of air-borne debris associated with construction activities.
11. Construction phasing/staging plans identifying locations for staging/storing construction materials/equipment, parking for contractor personnel, routes relating to receiving material/equipment deliveries, routes to be used for transporting materials/equipment from the project site.

The TH community objects to this proposed Interstate expansion. We, the Citizens Advisory Committee to the TPO Board, call upon FDOT, the Transportation Planning Organization (TPO) Staff, TPO Board and all institutional bodies represented thereon (including but not limited to Tampa City Council, Hillsborough County Board of County Commissioners and Hillsborough County School Board) to declare a temporary moratorium on the DTI-OSI project so as to allow a full vetting of FDOT's plans including impact of barrier wall movement. This vetting to include, but not limited to, thorough study of the information responsive to the above enumerated items together with meaningful, timely and ongoing community engagement.

Meeting of the Intelligent Transportation Systems Committee (ITS) on January 13

The ITS approved action items:

- Smart Cities Mobility Plan Recommendations
- Attendance Review and Declaration of Vacant Seats

The ITS heard status reports on:

- Storm Evacuation and Shelter in Place Study

Meeting of the Livable Roadways Committee (LRC) on January 26

The LRC approved action items:

- December Minutes
- Election of Officers
 - Current officers were re-affirmed for 2022: David Hey, Vice-Chair; Catharine Coyle, Officer At-Large.
- Attendance Review and Declaration of Vacant Seats
 - The seat for a Transit User has been vacant for several months; action was taken to officially vacate the seat until a member can be recruited.
- Safety Performance Targets 2022
 - The Committee moved approval and passed a motion that Vision Zero be an overriding principle, not a topic area; each of the other categories should also include safety; and that, built-in, should be metrics for seeing whether Vision Zero goals have been accomplished for each of these items.

Old Business & New Business:

- Solicitation of Projects for New TIP – TPO staff informed the committee of various funding sources available for transportation projects: Surface Transportation Block Grant (SU), Transportation Alternatives Set-Aside (TA), and Transportation Regional Incentive Program (TRIP).
- Discussion on the appropriate use of sidewalks– concern was expressed about micro-mobility uses interfering with pedestrians on sidewalks.

Meeting of the Bicycle Pedestrian Advisory Committee (BPAC) on January 26

The BPAC approved action items:

- Election of Officers
 - Tim Horst was elected Chair, Jim Shirk Vice Chair, Peter Davitt Officer at Large
- Attendance Review and Declaration of Vacant Seats
- US Bicycle Routes
 - The Committee heard a status report on the designation of us bike route 15 through Hillsborough County and Plant City. discussions are continuing with each local government and the committee will revisit this in March.
- Annual Updates of Safety Targets
 - The Committee approved the 2022 targets while noting the increase in deaths on our roadways and questioning the reasons for the increase.

The BPAC heard status reports on:

- Tri-County Mobile Bike Map
 - The committee heard a status report on the Tri-County Mobile Bike Map. Several members volunteered to test the map and will provide feedback at the March Tri-County BPAC meeting hosted by Pinellas.

Meeting of the Citizens Advisory Committee (CAC) on February 2

The CAC approved action items:

- Meeting minutes from December 2021 and January 2022 - pending some minor revisions and clarifications. Committee members noted that based on the meeting minutes from December, it was unclear what action was taken regarding 9 TIP Amendments. The committee requests that the minutes be elaborate to make clear that some Dale Mabry intersections be considered for redesigns in the future. For the January minutes, the committee requests that a comment be clarified to read that posted speed limits are too high and that it is the responsibility of system owners and operators to correct them. Several points regarding a lengthy discussion about the I-275 DTI project were requested to be clarified or corrected.
- CY2022 Safety Performance Targets – the committee approved, by a vote of 14-1, the proposed safety performance targets for CY2022 and expressed disappointment at the crash performance over the previous year. A lengthy conversation ensued regarding the numerous factors contributing to both high crash rates overall, and specifically regarding fatal crashes. Several committee members remarked that an app for reporting unsafe road conditions may help proactively inform jurisdictions of potential safety problems.

The CAC heard status reports on:

- Low-Cost Air Quality Monitoring Pilot Study – the committee was very excited to hear the presentation and several requested information on how to participate in the study.

TBARTA CSX Study-

- How Should We Create the Monthly Agenda? – the committee heard a presentation and entertained a proposal to democratically determine which agenda topics they would like to receive presentations on during future meetings. The committee requested that urgent or time-sensitive matters be noted and that presentation topics include some supplementary information on their importance to help inform decision-making.
- During the Unfinished & New Business portion of the agenda, the CAC received updates regarding the 2021 State of the System report and a presentation on encouraging transportation demand management (TDM) ordinances. The latter presentation yielded a motion by the committee to begin drafting a letter on behalf of the TPO Board encouraging jurisdictions to explore resources available for incentivizing TDM.
- The committee also passed a motion, 15-0, requesting that the TPO attorney explaining what consequences result if jurisdictions, specifically FDOT, fail to meet their construction obligations as outlined in planning documents. Additional suggestions were

made for the presentation to include information regarding Title VI requirements and the obligation to communicate information about projects.

- Finally, the committee passed a motion, 13-1, requesting that the CAC Chair re-present the committee's January 5, 2022 resolution to the TPO Board during committee reports.