



Hillsborough TPO Transportation Planning Organization

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Executive Director



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Tampa, FL, 33602

Meeting of the Policy Committee

Wednesday, March 9, 2022, 8:30 AM

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 headcount 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.

This meeting may be viewed on Hillsborough Television (HTV) by visiting Spectrum: 637, Frontier: 22 or live stream from [Hillsborough County's Live YouTube Channel](#) or the County website's [Live Meetings](#) link, also found in the County [Newsroom](#). The agenda packet, presentations, and any supplemental materials are posted on the [TPO's online calendar](#).

Public comment opportunities:

To speak during the meeting - No later than 30 minutes before the meeting, please sign up [here](#) or phone 813-756-0371 for assistance. Provide the phone number you will call in from, so that we can recognize your call in the queue and unmute you when the chair calls on you. You will receive an auto-reply confirming we received your request, along with instructions.

Comments may also be given up to 5pm the day before the meeting:

- by leaving a voice message at (813) 756-0371
- by e-mail to tpo@plancom.org
- by visiting the event posted on the [Facebook page](#).

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

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](#).

Agenda

- I. Call to Order & [Pledge of Allegiance](#)
- II. Roll Call of Committee Members & Welcome of Other TPO Board Members (Gail Reese, TPO Staff)
- III. [Approval of Minutes: February 9, 2022](#)

IV. Public Comment – 3 minutes per speaker, for a maximum of 30 minutes.

V. Previously Deferred Items

A. I-75 Project Development & Environmental Studies (Amber Russo, FDOT District 7)

VI. Action Items

A. Class 2 Noise Wall Letter (Beth Alden, TPO Director)

VII. Status Reports

A. Apportionment Plan Options for the TPO (Elizabeth Watkins, TPO Staff)

VII. Old & New Business

VIII. Adjournment

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

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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.

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**HILLSBOROUGH TRANSPORTATION PLANNING ORGANIZATION
POLICY COMMITTEE
MEETING, FEBRUARY 09, 2022
DRAFT MINUTES**

I. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Vice Chair Maniscalco, called the meeting to order at 8:36 AM and led the pledge of allegiance. The regular monthly meeting was held in-person and virtual via WebEx.

II. ROLL CALL OF COMMITTEE MEMBERS & WELCOME TO OTHER TPO BOARD MEMBERS (Gail Reese, TPO Staff)

The following members were present in person: Councilman Guido Maniscalco, Commissioner Kimberly Overman, Charles Klug

The following members were present virtually: Commissioner Mariella Smith

The following members were Excused/Absent: Commissioner Pat Kemp, Commissioner Harry Cohen, Commissioner Gwen Myers, Bob Frey

Welcome to other TPO Board Members present: None present

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 – January 11, 2022

Vice Chair Maniscalco sought a motion to approve the meeting minutes from January 11, 2022. Commissioner Overman so moved, seconded by Charles Klug. Voice vote; motion passes unanimously

IV. PUBLIC COMMENT – None at this time

V. ACTIONS ITEMS (Timestamp 0:09:13)

A. Safe Access to Parks Pilot Study (Lisa Silva, TPO Staff and Kathrin Tellez, Fehr & Peers)

- Previously known as the Park Speed Zone Study
- Further implementation of the Vision Zero Goals
- Reviewed project steps – detailed information is on the project website
 - Park Selection
 - Sulphur Springs and adjacent River Tower Parks
 - Copeland Park – coordinated with Green ARTery on this one
 - Upper Tampa Bay Trail – adjacent to dog park, added that in as well.

- Did extensive existing conditions around each park; looked for other studies that could be connected; studied best practices related to safe route studies nationwide; and created a web map with all of the data.
- Key findings review – highlights of each park.
- Public outreach – yard signs around parks and adjacent centers; fliers to local businesses and websites serving the local area; online, interactive map allowing comment and picture comment; online survey; on-site representation at each park.
- Countermeasure Toolbox Development – many have speed reduction, but they crosscut several safety strategies and provide multiple benefits. Toolbox was applied to each location. Asked for feedback at each location based on applying red dots and green dots to the proposed fix-it ideas. No red dots were applied.
- Copeland – 21 fix-it ideas – 9 general, 12 location specific. Most fell into walking, some in traffic calming, some in crosswalks.
- Sulphur Springs – discovered new things based on feedback. 21 fix-it ideas – 9 general, 12 location specific. Most fell into pedestrian. There is no pedestrian connection between Sulphur Springs and River Tower. Opportunities to redesign some roads.
- Upper Tampa Bay Trail – broke into 2 portions. 28 fix-it ideas – 8 general and 20 specific. Most fell into bicycle. Noted implementing the two-mile gap, saw a lot of problems getting from Peterson to the other portion of the Upper Tampa Bay Trail. Wayfinding was noted as needing help.
- In all the parks, design seems to be to get cars to and from the park and the entrances are not inviting for those arriving as anything other than a vehicle.
- Changes from feedback
 - Changed project name
 - Nothing was removed
 - Some additions made based on recommendations and feedback
- Develop a How to Guide that can be applied at other parks across the county and jurisdictions.
 - Prioritization of the parks is ranked

Presentation: [Safe Access to Parks Presentation](#)

Project Page: [Safe Access to Parks](#)

Recommended Action: Provide comments or recommendations and Recommend approval to the TPO Board.

Discussion:

Commissioner Smith: Commended outreach on this study and from the staff in general.

Charles Klug moved to accept the study as presented and forward to the TPO Board for approval, seconded by Commissioner Overman. Voice vote, motion passes unanimously.

VI. STATUS UPDATE (Timestamp 0:26:14)

A. Low-Cost Air Quality Monitoring Pilot Study (Allison Yeh, TPO Staff) (Timestamp 0:26:19)

- 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:

Beth Alden: We believe there is a great opportunity for an additional grant through the US EPA. Hoping to expand from the first few sites and out to twenty locations. Great opportunity and appreciated the TPO Policy Committee’s support and prioritization of this project.

VII. OLD & NEW BUSINESS (Timestamp 0:33:40)

A. Class 2 Noise Wall Correspondence (Beth Alden, TPO Director) (Timestamp 0:33:44)

- Asked for clarification on the direction of the Policy Committee
- Different options were presented at the January meeting for where there is no wall today along I-275. Since there are no lanes being added, no walls can be added.
- If there are additional lanes being added, noise studies can be done to determine impact. An expenditure can be done to mitigate impacts if found.
- Federal funds can be used to build noise walls next to adjacent communities if that highway was built through an existing community and the wall was not built originally. Considered Class 2, retrofit.
- Last summer, at the public hearing, when the TPO Board asked for no additional lanes be added north of Hillsborough Avenue but asked for the noise walls; communicated the position to FDOT in Tallahassee asking for a reconsideration of not funding class 2 noise walls. This is a state decision at the agency level and under the purview of the Stated FDOT Secretary.
- Copy of a letter in the agenda packet. Received a response and it is attached to the TPO Board packet. Was delegated back to the District Office. The District office restated the state position.
- Was suggested that another be sent to Tallahassee and possibly other recipients.

- As it was brought up by one board member, is now looking for direction from this committee on whether or not to draft another letter and who it should be sent to.

Discussion:

There was much discussion regarding the history of the area where I-275 was built, the damage to the communities where it was constructed, and that the highway was built prior to environmental standards being in place. These neighborhoods have been significantly impacted. There are roads that are no longer in existence due to I-275. There are questions on whether or not the original plans for the highway included noise walls. The conversation also included asking how a study could be done to look at the current state of I-275 through the neighborhoods where there are no walls and bring things up to current standards. There are safety and health issues at stake. There needs to be communication around the clarity and information on the impacts of making changes that are proposed to be positive for the community but have the potential to harm in the process. There needs to be equitable measures put in place to correct things done in the past. When the highway was constructed, it was announced with no public input. Councilman Maniscalco, Commissioner Overman, and Commissioner Smith all agree that something needs to be done to make the situation right. Ms. Alden suggested a stronger letter be sent to FDOT in Tallahassee to consider changing the policy on the Class 2 Noise Wall retrofit and the committee members agreed to that.

In regard to Robles Park, Commissioner Overman pointed out that when you have a hole in something, that is where things go through. If there is a hole left in the wall at Robles Park, all the noise, air pollution, and highway trash will come through into the park where children are playing.

Beth Alden will bring back a new letter for review at the March meeting.

B. Appointment Plan Timing and Process (Beth Alden, TPO Director) (*Timestamp 1:04:28*)

- The Census has continued to run behind in provided data product.
- Current timing is to
 - Identify urban boundaries, Summer 2022, have run months behind on everything else so far.
 - Have been waiting for about a year for recommendation on Board composition.
 - Asked central office if there was any reason not to move ahead with an apportionment plan. There is not
- Very unlikely that the planning area boundaries will change. If the same rules are applied, the urban area will go into Lakeland, Norther Manatee, and already goes into Pinellas and Pasco. There are MPO's serving all of those areas. We have a reciprocal planning agreement with all of them.
- We have the data about internal demographics and can bring forward different membership options for your consideration based on that.

All present Policy Committee members are in favor of this moving forward.

VIII. **ADJOURNMENT** – The meeting adjourned at 9:35 AM

The recording of this meeting can be viewed at: https://www.youtube.com/watch?v=i8wYNSM_Sbc

DRAFT



Hillsborough TPO

Transportation Planning Organization

Board & Committee Agenda Item

Agenda Item:

I-75 Project Development & Environmental Studies

Presenter:

FDOT Representative

Summary:

Consistent with the TPO's 2045 Long Range Transportation Plan, FDOT is conducting two Project Development & Environmental (PD&E) studies on I-75.

The northern study covers the segment of I-75 from south of US 301 to north of Bruce B. Downs Blvd. The companion southern study looks at the segment of I-75 from Moccasin Wallow Rd (in Manatee County) to US 301.

As shown in the attached slides, FDOT proposes adding:

- Two 12-foot express lanes in each direction in the median of I-75
- Noise walls where needed and feasible
- Ramp modifications and/or new ramps at interchanges
- Right-of-way for stormwater facilities and some interchange modifications.

FDOT held a hybrid public hearing on December 16 from 5:30 – 7:30 PM at the Hilton Garden Inn, 4328 Garden Vista Drive, Riverview. The public was also able to attend virtually via GoToWebinar by registering ahead of time through the project website (<https://www.fdotd7studies.com/i75/index.html>).

Recommended Action:

None; for information only

Prepared By:

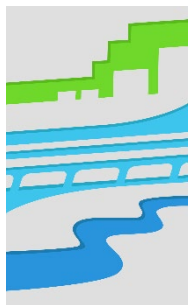
Rich Clarendon, AICP

Attachments:

I-75 Express Lane Access Points

[Presentation slides](#)

[Project website](#)



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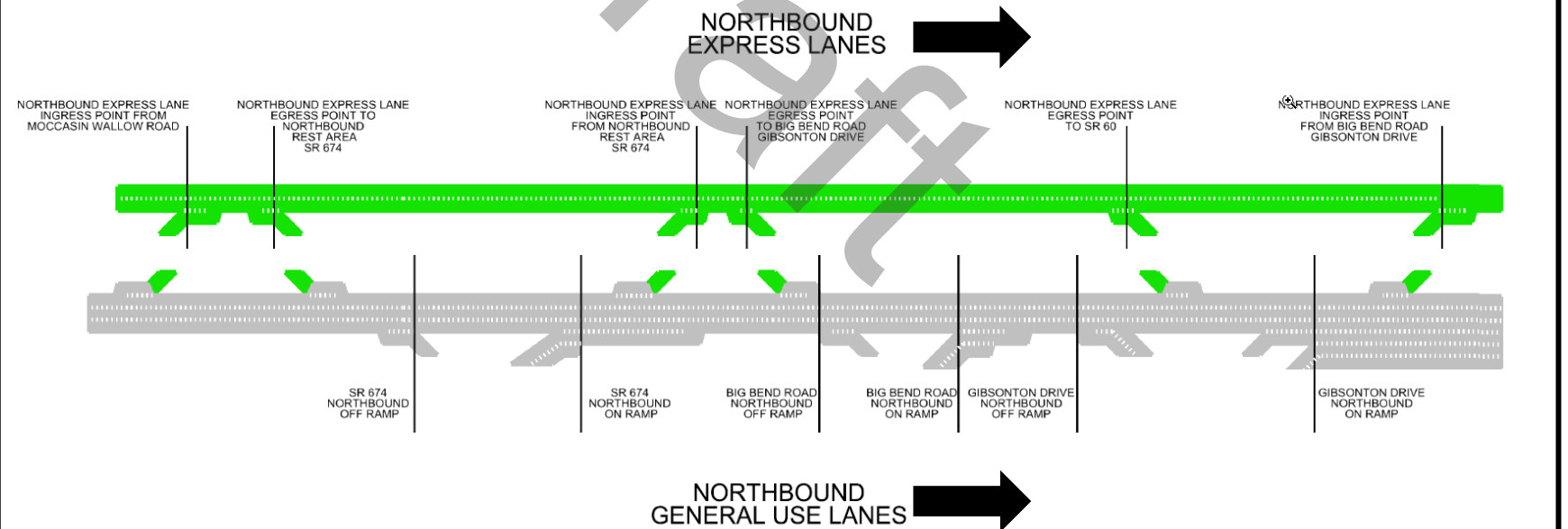
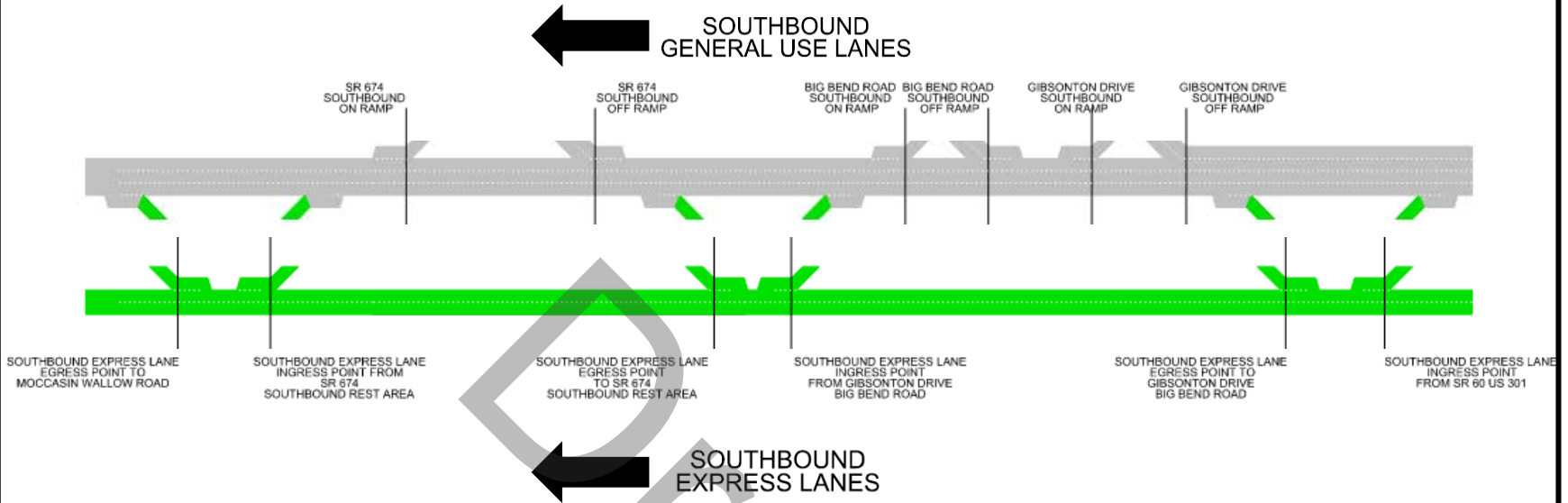


I-75 (SR 93A) PD&E Study

Moccasin Wallow Rd to South of US 301

WPI Segment No. 419235-2

Hillsborough and Manatee Counties



Express/General Use Lane

Ingress and Egress Locations

Figure 5-6

8.9 Temporary Traffic Control Plan

The traffic control plan for the Build Alternative will be significant and will require a Transportation Management Plan. This plan shall consist of three major components: 1. Temporary Traffic Control, 2. Transportation Operations, and 3. Public Information. Reference: FDM, Section 240.2. Detailed Temporary Traffic Control Plan will need to be analyzed for specifics in the next phase of the project.

Multiple phases are anticipated to construct the proposed widening and reconstruction of I-75. The median widening can be accomplished with minimal impact to the existing traffic. New construction of ramps where impacts to the existing general use traffic is also possible while median construction is staged and completed. Some diversions and detours will be needed while permanent connections are constructed to new ramps.

8.10 Pedestrian and Bicycle Facilities

Consistent with federal and state policies, no facilities for bicyclists or pedestrians are planned on this limited access interstate highway.

8.11 Access Points and Spacing

I-75 is a limited access facility. Access to the interstate is allowed only at the interchanges within the study limits. No new access points are planned for the General Use Lanes (GUL) of I-75. With the proposed addition of Express Lanes, ingress and egress points are necessary. The locations of the ingress and egress points are as follows:

Northbound I-75 (listed from south to north)

- Egress to westbound Selmon Expressway
- Egress to GUL north of SR 60
- Ingress from CD System north of SR 60
- Egress to westbound and eastbound I-4 south of the I-4 interchange.
- Ingress from eastbound and westbound I-4 north of the I-4 interchange
- Egress to GULs north of I-4
- Egress to westbound Fowler Avenue south of the Fowler Avenue interchange
- Ingress to the ELs north of Fletcher Avenue
- ELs transition back to GUL north of BBD Boulevard

Southbound I-75 (listed from south to north)

- Ingress from the CD system north of US 301
- Ingress north of SR 60
- Egress to CD system north of SR 60
- Ingress from I-4 eastbound and I-4 westbound ELs
- Egress north of I-4 to I-4 eastbound and westbound ELs
- Ingress to EL from GUL south of Fowler Avenue
- Ingress to EL from Fowler Avenue

- Ingress to EL from GUL south of BBD Boulevard
- ELs begin north of BBD Boulevard

DRAFT



Hillsborough TPO Transportation Planning Organization

Board & Committee Agenda Item

Agenda Item

Class 2 Noise Wall Letter

Presenter

Beth Alden, TPO Director

Summary

Staff has drafted a proposed letter based on the Policy Committee's February discussion. Please find the draft letter attached, along with the two pieces of correspondence that preceded it.

Recommended Action

None; for information

Prepared By:

Beth Alden, TPO Director

Attachments:

1. TPO Letter to FDOT, August 2021
2. FDOT Letter to TPO, February 2022
3. Draft Letter from TPO to FHWA



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Jessica Vaughn
Hillsborough County
School Board

Joseph Waggoner
Expressway Authority

Melanie Williams
HART

Beth Alden, AICP
Executive Director

August 2, 2021

Brad Thoburn
Assistant Secretary, Strategic Development
Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399

RE: Type II Noise Walls – Retrofit Project for Noise Abatement

Dear Brad,

On June 9, the Hillsborough TPO approved an annual update of the Transportation Improvement Program and List of Priority Projects. The board’s approval included a modification of the funding request for I-275 north of Hillsborough Ave in central Tampa.

Specifically, the List of Priority Projects now reflects the need for two additional general-purpose lanes on I-275 south of Hillsborough Avenue leading into the Downtown Interchange for safety and operational improvements; and on I-275 north of Hillsborough Avenue, the construction of noise walls.

This portion of I-275 was built through established neighborhoods in the 1960s. The neighborhoods south of Busch Boulevard remain unbuffered from noise and emissions. Several of these neighborhoods include concentrations of minority residents or low-income residents, protected under the Executive Order on Environmental Justice. These residents may have access to fewer resources to recover from the chronic health impacts that are statistically linked to living in proximity to high traffic volumes.

We request that the Florida Department of Transportation (FDOT) consider revising its policy that prevents the construction of noise walls in such contexts.

The Federal Highway Administration allows the expenditure of federal funds for Type II noise walls. “Also called a retrofit project for noise abatement, a Type II project as defined in 23 CFR 772.5, provides noise abatement on an existing highway per 23 CFR 772(7)(d), participation in a Type II program. The regulation limits Federal participation in the funding of such projects to noise abatement measures (barriers) along lands developed prior to construction of the original highway. FHWA participation in Type II projects also requires that the State develop a system to prioritize projects using a variety of factors in accordance with 23 CFR 772.7(e). Typically, these factors include the density of development, traffic volumes and the age of the community among others.” [Noise Policy FAQs - Frequently Asked Questions - Regulations And Guidance - Noise - Environment - FHWA \(dot.gov\)](#)



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Relevant Florida Statute says essentially that Florida will comply with federal law:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0335/Sections/0335.17.html

FDOT's Project Development & Environment (PD&E) Manual contains the following statement: "A Type II Project is a federal, federal-aid, or state funded highway project for noise abatement on an existing highway. Type II projects are commonly referred to as retrofit projects in 23 CFR Part 772. The development and implementation of Type II projects are not mandatory as described in 23 U.S.C. § 109(i). **FDOT does not have a Type II program.**" https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/environment/pubs/pdeman/2019/links/pt2ch18_011419-current.pdf?sfvrsn=15dee878_2

This is the policy that we request that FDOT reconsider. The historic impacts of the original construction of I-275 through central Tampa were significant. Some of those burdens continue to be experienced by adjacent neighborhoods today. In the last two decades, where I-275 has been widened even further, FDOT has put in place a number of mitigation measures. The mitigations are beneficial. They should be extended to all the neighborhoods that were impacted by the original construction.

We appreciate your consideration, and would be pleased to meet with you to discuss this in more detail. We will be in touch to arrange a time.

Sincerely,

Beth Alden
Executive Director

Cc: Roger Roscoe, FDOT District 7 Liaison
Ian Whitney, Tampa Mayor's Office



Florida Department of Transportation

RON DESANTIS
GOVERNOR

11201 North McKinley Drive
Tampa, FL 33612

KEVIN J. THIBAUT, P.E.
SECRETARY

February 2, 2022

Beth Alden, Executive Director
Hillsborough Transportation Planning Organization
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Re: Type II Noise Walls, Retrofit Project for Noise Abatement

Dear Beth Alden:

Assistant Secretary Brad Thoburn received your August 2nd letter regarding the FDOT's noise policy and asked District Seven to provide an update.

Below, you will find our responses to questions related to noise abatement near the area identified in your letter, specifically I-275 south of Hillsborough Avenue, leading into the Downtown Interchange and on I-275 north of Hillsborough Avenue.

A detailed traffic noise analysis was performed following procedures in FDOT's Project Development and Environment (PD&E) Manual and in accordance with Title 23, Part 772 of the Code of Federal Regulations (23 CFR 772)—Procedures for Abatement of Highway Traffic Noise and Construction Noise. Based on the analysis, it was recommended that noise barriers be constructed as part of this project for the residences impacted by highway traffic noise with the improvements to I-275. That report was finalized in January of 2021 and may be referred to for specifics regarding the results and proposed locations of the barriers.

Regarding implementation of a Type II retrofit program, FDOT evaluates traffic noise when roadway improvements are planned that increase capacity. The noise report documents existing and future noise levels and proposes abatement measures, such as noise barriers like you mentioned in your letter. Barriers must meet state and federal regulations and criteria before being further considered during the design and the construction phases. The State of Florida does not have a retrofit program that allows the expenditure of state or federal funds for existing noise impacts.

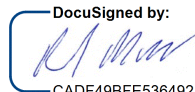
Beth Alden, TPO Executive Director

Page 2

February 2, 2022

If you require additional information on the completed noise study, please let us know.

Sincerely,

DocuSigned by:


CADF49BFE536492...
Richard Moss, P.E.

Director of Transportation Development

cc: Robin Rhinesmith, FDOT
Justin Hall, FDOT
Mary Lou Godfrey, P.E., FDOT
Kirk Bogen, P.E., FDOT
Catherine Bradley, FDOT-OEM
David Gwynn, P.E., FDOT
Brad Thoburn, FDOT



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Melanie Williams
HART

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Executive Director

March 9, 2022

Mr. Jamie Christian, Florida Division Administrator
Federal Highway Administration
500 Financial Plaza, Suite 400
Tallahassee, FL 32312

RE: A "Retrofit" Noise Wall Program To Help Mitigate a History of
Disproportionate Impacts in Tampa, Florida

Dear Mr. Christian,

We kindly request your administration's assistance in working with the Florida Department of Transportation to collaboratively create new solutions addressing past discriminatory planning decisions for what today is I-275 through central Tampa.

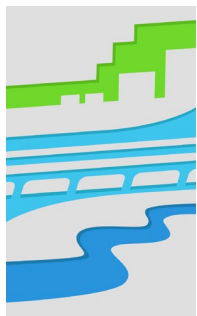
The historic impacts of the original construction of I-275 through central Tampa were significant. Displacements fell more heavily on Black and Hispanic neighborhoods and business districts, as documented in the Tampa Comprehensive Plan and Major Roadway Plan of the mid-20th century.

Further, the original construction of I-275 predated the National Environmental Policy Act. The requirements for mitigating impacts on adjacent neighborhoods, such as noise and air pollution, were not what they are today.

Much of I-275 through central Tampa has since been reconstructed up to more recent standards, or is scheduled to be reconstructed in the next few years. However, a three-mile segment from Hillsborough Ave to Busch Blvd remains unbuffered from noise and emissions, with homes, schools, and daycare centers immediately adjacent to the interstate highway. These neighborhoods predate the original construction of the highway.

The Federal Highway Administration allows the expenditure of federal funds for noise walls in this circumstance, under two conditions: one, that the neighborhood must predate the highway; and two, that the State must develop a system to prioritize projects. Our case satisfies the first condition but not the second.

The Florida Department of Transportation has an internal procedural manual which states that it does not have a program for these types of walls, also known as "retrofit" or "Type II" noise walls. We have formally asked FDOT to reconsider its position, and recently received a formal response in which FDOT simply restates its position.



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Noise walls have documented health benefits for the residents who live next to them. Roads with high traffic volumes are statistically linked to a number of chronic health conditions, including asthma and heart disease. Residents who are closest to those roads receive the most benefit from the construction of barrier walls.

The residents experiencing the health impacts of I-275 are more likely to be particularly vulnerable, with access to fewer resources to recover from the chronic health impacts. Several of the neighborhoods along the unbuffered segment from Busch Blvd to Hillsborough Ave include concentrations of minority residents or low-income residents, protected under the Executive Order on Environmental Justice.

The Florida Department of Transportation has proposed to bring I-275 up to current standards as part of a larger reconstruction of I-275 north of Hillsborough Ave that includes adding through lanes. However, in light of the historic impacts of I-275's original construction, the Hillsborough TPO has removed further widening of I-275 from the TPO priority list.

We are currently at an impasse in our coordination with FDOT regarding the unbuffered substandard segment of I-275 through central Tampa. We appreciate any assistance your administration can provide in restarting the discussion of what may be possible and appropriate given the history and context.

Sincerely,

Commissioner Harry Cohen
Chair, Hillsborough TPO

Cc: FDOT Assistant Secretary Brad Thoburn
Cathy Kendall, FHWA
Carey Shepherd, FHWA
Tampa Mayor Jane Castor
U.S. Rep. Kathy Castor
Sen. Marco Rubio
Sen. Rick Scott



Hillsborough TPO Transportation Planning Organization

Board & Committee Agenda Item

Agenda Item:

Apportionment Plan Options for the TPO

Presenter:

Elizabeth Watkins, TPO Staff

Summary:

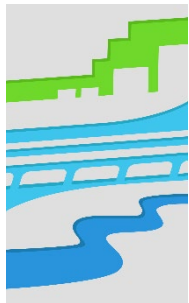
In 2022, using sets of data released following the 2020 Census, the Hillsborough TPO will review its membership composition and prepare an updated Apportionment Plan. Once reviewed and approved by the TPO, approval will be sought from the four local governments and then from the Governor. Following the Governor's approval, the TPO will update the Interlocal Agreement for the Creation of the MPO and seek approval of the new Interlocal Agreement from all signatories. The complete process will take up to two years.

Last year, the Policy Committee discussed options it would like to consider during the Apportionment Plan update. Today's presentation will provide an initial overview of options for consideration, in compliance with statutes. The following information is provided as background.

Designation of M.P.O.s - Federal transportation planning requirements provide that a metropolitan planning organization be designated for each urbanized area with a population of more than 50,000. The Hillsborough TPO was designated in 1974. The designation of MPOs is accomplished by agreement among local governments representing 75% of the population, including the central city (in our case, Hillsborough County and the City of Tampa must agree) with the approval of the Governor.

Membership composition - Florida Statutes provide additional stipulations for membership of the M.P.O.—what we refer to as the Board. The voting membership of an M.P.O. shall consist of at least 5 but not more than 25 apportioned members, with the exact number determined on an equitable geographic-population ratio basis, based on an agreement among the affected units of general-purpose local government and the Governor, as required by federal regulations. The emphasis on equitable representation is further reinforced by the federal 2021 Infrastructure Investment & Jobs Act. Note that in this section there is not a reference to local governments representing 75% of the population. It has been Hillsborough TPO's practice to seek approval of its proposed Apportionment Plan from all four local governments before submitting it to the Governor.

Post-Census review of membership – Florida Statute specifies that each M.P.O. shall review the composition of its membership in conjunction with the decennial census, as prepared by the United States Department of Commerce, Bureau of the



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Census. With the agreement of the Governor and the affected general-purpose local government units that constitute the existing M.P.O., the M.P.O. will reapportion the membership as necessary to comply with state and federal laws.

Florida Statutes have this to say about who may serve on the TPO Board:

General-purpose local governments - Voting members shall be elected officials of general-purpose local governments, one of whom may represent a group of general-purpose local governments through an entity created by an M.P.O. for that purpose. The Governor may also allow M.P.O. members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area which do not have members on the M.P.O. County commissioners shall compose at least one-third of the M.P.O. governing board membership, or at least 20% if an agency official of a major mode of transportation serves on the board. The term “elected officials of a general-purpose local government” excludes constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials.

Modes of transportation and planning boards - An M.P.O. may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida.

In metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions and are or will be performing transportation functions that are not under the jurisdiction of a general-purpose local government represented on the M.P.O., such authorities or other agencies may be provided voting membership on the M.P.O.

Representatives of the department [i.e. the Florida Department of Transportation] shall serve as nonvoting advisers to the M.P.O. governing board. Additional nonvoting advisers may be appointed by the M.P.O. as deemed necessary; however, to the maximum extent feasible, each M.P.O. shall seek to appoint nonvoting representatives of various multimodal forms of transportation not otherwise represented by voting members of the M.P.O. All nonvoting advisers may attend and participate fully in governing board meetings but may not vote or be members of the governing board.

Military installations - An M.P.O. shall appoint nonvoting advisers representing major military installations located within the jurisdictional boundaries of the M.P.O. upon the request of the aforesaid major military installations and subject to the agreement of the M.P.O.

What’s next? At the request of the Policy Committee, staff has drafted three voting membership scenarios for consideration and discussion. The current TPO apportionment includes 16 voting members:

- The general-purpose local government representatives, apportioned based on population, are Hillsborough County (5 votes), Tampa (3 votes), Plant City (1 vote) and Temple Terrace (1 vote).
- The major modes of transportation represented are Aviation Authority (1 vote), Expressway Authority (1 vote), HART (1 vote), Port Authority (1 vote), and School District (1 vote).
- As an interlocal planning board established in Florida Statute, the Hillsborough County City-County Planning Commission also serves (1 vote).

- Pursuant to state law and to facilitate compliance with Government in the Sunshine, FDOT's representative serves as a non-voting advisor to the board.

Policy Committee members last year expressed concern about the proportion of board members who are non-elected officials and potentially less accountable to county residents. Further, questions were raised about compliance with the Government in the Sunshine law, when elected officials need to consult with agency directors and all of them serve as TPO board members.

Staff has prepared three alternate membership scenarios for consideration and discussion. All scenarios maintain the jurisdictional representatives and their respective votes. The three scenarios are as follows:

- Scenario 1 – Voting membership for non-staff agency representatives, to include the School Board and appointed members of the HART Board and Planning Commission. Staff representatives of agencies to serve as non-voting advisors, similar to FDOT.
- Scenario 2 – Voting membership only for elected officials, including an elected member of the School Board. Agencies to be represented by non-voting staff advisors, similar to FDOT.
- Scenario 3 – Voting membership only for general-purpose local governments. Agencies to be represented by non-voting staff advisors, similar to FDOT.

Recommended Action:

Per committee discussion

Prepared By:

Elizabeth Watkins, TPO staff

Attachments:

- Presentation slides
- [F.S. 339.175 Metropolitan planning organizations](#)



APPORTIONMENT PLAN OPTIONS

Policy Committee March , 2022

MPO APPORTIONMENT PLAN REFRESHER

- **What is an Apportionment Plan?**

Identifies the geographic area and voting membership of an MPO.

- **Why is this required?**

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

- **Why are we talking about ours right now?**

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

MPO APPORTIONMENT PLAN REFRESHER

- MPO designation/re-designation is based on agreement between Governor and local elected officials representing 75% of the population and the central city/cities
- The designation of an existing MPO remains in effect until the MPO is re-designated
- State Law restricts MPO membership to between 5 and 25 members

ESTIMATED CENSUS TIMELINE

✓ February 2021	Census Bureau publishes proposed criteria for urban areas
DELAYED Fall/Winter 2021	Census Bureau publishes final criteria for urban areas
Spring/Summer 2022	Census Bureau releases list of qualifying urban areas
Spring/Summer 2022	USDOT provides urban area boundaries
Fall 2022	USDOT designates TMAs
Before October 2022	FDOT revisits PL distribution formula

Source: <https://ctpp.transportation.org/wp-content/uploads/sites/57/2021/03/FHWA-Adjusted-Urban-Area-Boundaries-AUAB.pdf>

	Scenario 1		Scenario 2		Scenario 3		Status Quo	
Hillsborough County BOCC (elected)	5	38%	5	45%	5	50%	5	31%
City of Tampa Council-2, Mayor-1 (elected)	3	23%	3	27%	3	30%	3	19%
Plant City Mayor (elected)	1	8%	1	9%	1	10%	1	6%
Temple Terrace Mayor (elected)	1	8%	1	9%	1	10%	1	6%
School Board (elected) or Superintendent* (staff)	1	8%	1	9%	0	0% *	1	6%
HART Board (appointed) or CEO*(staff)	1	8%	0	0% *	0	0% *	1	6%
Planning Commission (appointed) or Exec. Dir.* (staff)	1	8%	0	0% *	0	0% *	1	6%
FDOT D7 Secretary* (staff)	0	0% *	0	0% *	0	0% *	0	0% *
THEA CEO* (staff)	0	0% *	0	0% *	0	0% *	1	6%
HCAA CEO* (staff)	0	0% *	0	0% *	0	0% *	1	6%
PTB CEO* (staff)	0	0% *	0	0% *	0	0% *	1	6%
TOTAL	13	100%	11	100%	10	100%	16	100%

*Non-voting Technical Advisor; Florida's Government in the Sunshine Law does not apply.

NEXT STEPS & TIMELINE

1. Receive urbanized area maps based on 2020 Census – Spring/Summer 2022
2. Apportionment Plan Development and approval by TPO
3. Apportionment Plan approval by all four local governments and the Governor
4. Interlocal Agreement updated and signed by all member organizations, including non-voting members



THOUGHTS?