



# Hillsborough TPO

## Transportation Planning Organization

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## Meeting of the TPO Board

Wednesday, April 13, 2022, 10:00 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. Presenters, audience members, and committee members in exceptional circumstances may participate remotely.

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. 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](mailto: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 & Declaration of Quorum** (Gail Reese, TPO staff)
  - A. Vote of Consent for Remote Member Participation – *if applicable*
- III. **[Approval of Minutes – March 9, 2022](#)**
- IV. **Public Comment on Agenda Items** – *30 minutes total, with up to 3 minutes per speaker. Staff will unmute you when the chair recognizes you. As needed, the chair may allow for additional time later in the agenda.*

V. **Committee Reports & Advance Comments** (Bill Roberts, CAC Chair, Davida Franklin, TPO Staff, and Beth Alden, TPO Director)

VI. **Consent Agenda**

- A. Committee Appointments
- B. Letter requested by Policy Committee regarding I-75 PD&E Studies

VII. **Action Items**

- A. US 301 PD&E Study from Fowler Ave to SR 56 and TPO letter of comment (Amber Russo, FDOT and Gena Torres, TPO Asst. Director)
- B. FY21 & FY22 Unified Planning Work Program Amendment with Deobligation (Amber Simmons, TPO Staff)
- C. Annual Certification of Metropolitan Transportation Planning Process (Beth Alden, TPO Exec. Director)

VIII. **Status Reports**

- A. Introduction to new TPO Studies (Gena Torres, TPO Asst. Director)
- B. Bylaws Amendment: Code of Conduct (Beth Alden, TPO Exec. Director)

IX. **Executive Director's Report**

X. **Old Business & New Business**

XI. **Adjournment**

XII. **Addendum**

- A. Announcements
  - FDOT and East Tampa Community Conversation Meetings, April 19 and April 21, 5:30pm
  - FDOT and Tampa Heights Community Conversation Meetings, April 26 and May 3 (changed from April 28), 5:30pm
  - [Public survey for Tampa Comprehensive Plan 2045 Vision](#)
- B. Project Summaries, Fact Sheets & Other Status Reports
  - Kennedy Blvd median modifications, Woodlyne to Brevard Aves.
  - [Brandon High and Limona Elementary School Bike/Ped Safety Project](#)
  - Legislative Wrap-Up 2022 by Planning Commission

- [State gas tax adjustments have limited impacts on pump prices, new analysis shows](#) - Report and blogpost by American Road & Transportation Builders Association
- [FHWA Active Transportation Funding Toolkit](#)

#### C. Correspondence

- To Honorable Rep. Webster from Sun Coast Transportation Alliance re: regional transit
- To Mayor Castor, Bill McDaniel, Steven Spina, Bonnie Wise from TPO re: commuter benefits ordinances
- To Jamie Christian from TPO re: retrofit noise wall program
- To BOCC from TPO re: dedicated funds for safety
- To BOCC from Mayor Castor re: one cent sales tax
- To TPO Advisory Committees re: compliance with Sunshine law

#### D. Articles Related to TPO Work

- [City of Tampa unveiled its Vision Zero action plan. But will it work?](#) | Tampa Bay Business Journal | 03.17.22
- [City of Tampa to unveil Vision Zero Action Plan with Columbus Drive safety improvement project](#) | ABC Action News | 03.16.22
- [Tampa signs onto Vision Zero pledge for no traffic fatalities](#) | Florida Politics | 03.16.22
- [What you need to know about Brightline's plans for high-speed rail in Tampa Bay](#) | St. Pete Catalyst | 03.15.22
- [Hillsborough board hopes fed can deliver noise wall for unshielded span of I-275](#) | ABC Action News | 03.15.22
- [Hillsborough's disputed sales tax refund inches toward compromise](#) | Tampa Bay Times | 03.14.22
- [Brightline, Hillsborough officials agree to make future Tampa station part of a broader transit network](#) | Tampa Bay Business Journal | 03.11.22
- [Hillsborough's transportation tax question: Just hit repeat?](#) | Tampa Bay Times | 03.11.22
- [Brightline says a plan for high-speed rail between Tampa and Orlando is in the works](#) | WUSF Public Media | 03.10.22
- [Transportation open houses draw gridlock-weary, surtax-concerned residents](#) | The Observer News | 03.10.22
- [Legislature agrees to float transportation tax money back to Hillsborough if state receives funds](#) | Florida Politics | 03.10.22
- [Local leaders say rail is a priority statewide to counter rising prices](#) | ABC Action News | 03.09.22
- [Hillsborough objects to tolls on expanded I-75](#) | Tampa Bay Times | 03.09.22
- [Hillsborough County leaders to hold transportation workshop to discuss proposed surtax](#) | ABC Action News | 03.09.22
- [Interactive: See FDOT's proposed changes to the Downtown Interchange](#) | Tampa Bay Business Journal | 03.08.22
- [A promising new vision for Wimauma | Editorial](#) | Tampa Bay Times | 03.07.22
- [Good County Planning Leads To Good Living For Residents](#) | Osprey Observer | 03.03.22
- [Florida saw more than 701K crashes last year alone](#) | 10 Tampa Bay | 03.02.22
- [Can Tampa Bay keep growing without losing its soul?](#) | Tampa Bay Times | 03.02.22

- [New Report Offers Guidance for Building and Sustaining Healthy Communities Through Integration of Land and Water Planning](#) | Fox 5 San Diego | 02.23.22
- [Tampa Bay Traffic Bad And Getting Worse, Say Traffic Forecasters](#) | Patch | 02.23.22
- [Wimauma has a revitalization plan and it's already paying off in business](#) | Tampa Bay Times | 02.22.22
- [Wimauma rumbo al crecimiento](#) | Telemundo 49 | 02.22.22
- [Hillsborough roadblocks continue for Tampa Bay rapid transit plan](#) | Tampa Bay Times | 02.21.22
- [Tampa wants public input in city's future comprehensive plan](#) | 10 Tampa Bay | 02.18.22

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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](mailto: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 BOARD  
HYBRID MEETING, MARCH 9, 2022  
DRAFT MINUTES**

**I. CALL TO ORDER, PLEDGE OF ALLEGIANCE (Timestamp 0:00:08)**

Commissioner Cohen, called the meeting to order at 10:02 AM and led the pledge of allegiance. The regular monthly meeting was held in-person and virtual via WebEx.

**II. ROLL CALL (Timestamp 0:00:38) (Gail Reese, TPO Staff)**

The following members were present in person: Commissioner Harry Cohen, Commissioner Pat Kemp, Commissioner Kimberly Overman, Commissioner Gwen Myers, Councilman Joseph Citro, Commissioner Nate Kilton, Gina Evans, Greg Slater, Charles Klug, Planning Commissioner Cody Powell

The following members were present virtually: Commissioner Mariella Smith, Adalee Le Grand, Bob Frey, School Board Member Jessica Vaughn

The following members were absent/excused: Councilman Guido Maniscalco, Councilman John Dingfelder, Mayor Andrew Ross

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 0:02:29) – February 9, 2022**

**Chair Cohen sought a motion to approve the February 9, 2022 minutes. Commissioner Kemp so moved, seconded by Commissioner Myers. Voice vote: motion carries unanimously.**

**IV. PUBLIC COMMENT (Timestamp 0:02:50) (30 minutes total, with up to 3 minutes per speaker)**

**A. Christopher Hatten** – Transportation engineer with Kimley-Horn; assisting the Rithm development and working in conjunction with R.D. Management. Providing feedback on the type of transit development the Rithm development would like to see on the Fowler PD&E study. Would like to see the best development for safety, transit access, and flexibility for future developments and improvements along Fowler. In support of the BAT Lanes (Business and Transit). Have been in coordination with Mr. Craig Fox at FDOT. Understand public engagement is not scheduled yet. Are starting the process now and bringing forth their thoughts.

**B. Rick Fernandez** – From Tampa Heights. Noted he has time donors (Connie Rose & Michelle Cookson). Verified they are on the line. Tampa Heights and other historic districts in the region stand against highway expansion. Many, if not all of the Board, have cast votes for the expansion of I-275. Noted FDOT miscommunication dating back to at least January of 2020 regarding impact

of the retention walls around Tampa Heights. Reviewed history of current documentations that have been sent in via email. Also discussed CAC motions approved including striking amendments 8 and 9. Reviewed the time spend on this at the February 2022 meeting. Stated that the stakes for the wall movement have been put in place. Asked the TPO Board to consider further discussion and start with the supplemented materials provided.

- C. Nicole Perry** – Live by DTI in Tampa Heights. Expressed concerns for the neighborhood from the past and the immediate future with the construction on I-275 in the forms of air pollution, noise pollution, decreased property values, historic building destruction. Noted that wider highways induce demand and do not reduce congestion. Asked for increase in real transit solutions including mass transit. Opposes the expansion of I-275 and supports striking of TIP amendments 8 and 9.
- D. Robert Miley** – Live in Historic Ybor. Opposes the expansion of the walls in Tampa Heights and supports striking amendments 8 and 9 from the TIP.
- E. Matthew Suarez** – 406 W Azeal Street, Unit 508, Tampa, FL. Would like to request the TPO Board file and approve the amendments 8 and 9 be stricken from the TIP. This would stop further destruction of the Tampa Heights area. Noted that the TPO Board controls this project as it has not entered into the design phase pursuant to 23CFR section 771.113. Contract is not scheduled to be awarded until late June 2022.
- F. Doreen Jesseph** – Has come before this board for seven years. Brought up that Pat Kemp (not a Board member at the time) noted that the MPO (now TPO) could stop this. Opposes the movement of the walls and further destruction of urban neighborhoods: Downtown, Tampa Heights, Seminole Heights, Ybor, and Sulphur Springs. The lanes will harm the area and the region while not providing additional safety or improving congestion. Many members of the TPO know this and are choosing not to stop this.
- G. Adrienne Rodriguez** – Tampa native. Supporting the Tampa Heights area and opposes the I-275 expansion.
- H. Josh Frank** – Sits on the TPO CAC along with other boards across the city and region with multiple interests including transportation, land-use, architectural, etc. Expressed that this Board needs to understand their leverage over the TIP. The statute on projects entering the design phase has never been challenged. Expressed that a place on the TIP needs to be earned. The additional lanes will add additional capacity, induced demand, environmental impacts, equitable impacts, etc. New to reduce trips overall.
- I. Clive Hon** – Lives on Elmore Avenue directly adjacent to the west barrier of I-275. Noted that since work has started on the east side of I-275, there has been an increase in the shaking noticed on the west side; increased staining on his house; and increased pollution. There have been many construction vehicles drive up and down Elmore. Opposes further movement of the I-275 walls and supports the striking of TIP amendments 8 and 9. Hopes the elected officials will do what the citizens are requesting.

- J. **Lena Young Green** – Talking about safety and the expansion of the walls and the impact on the historic district. Have been hearing about safety for years from FDOT. That is being used to intrude further and further into the core communities and communities of color. That is happening again. There are health issues impacts, ongoing accidents around the interstates. Asked for the TPO Board to support the resolutions from the CAC.
- V. **COMMITTEE REPORTS & ADVANCE COMMENTS** (Bill Roberts, CAC Chair; Davida Franklin, TPO Staff; Beth Alden, TPO Director) *(Timestamp 0:26:40)*
- A. **CAC** – Bill Roberts, CAC Chair (February 2, 2022 meeting)
- Approved the three TIP Amendments on today’s agenda and the Community Transportation Coordinator evaluation.
  - Deferred status reports.
  - Considerable discussion resulted in a vote 10 – 8 to initiate removal of two amendments from the TIP.
  - Heard comments from Secretary Gwynn about remarks made during the CAC meeting.
  - Heard remarks from Cameron Clark on the Sunshine Law.
  - CAC committee agreed to ask FDOT Legal representation present legal obligations of FDOT.
- B. **TAC – February 7, 2022** (Davida Franklin, TPO Staff)
- Approved Safety Performance Targets
  - Status reports heard – Low-Cost Air Quality Monitoring Pilot Study, West River Multimodal Safety & Network Improvements, Hillsborough County Multimodal Level of Service Update
- C. **LRC – February 23, 2022** (Davida Franklin, TPO Staff)
- Approved the Commuter Benefits Ordinance Request Letter.
  - Status reports heard
    - West River Multimodal Safety & Network Improvements and Bicycle Pedestrian Counts
    - Tampa Bay Citizens Academy on Transportation CUTR and Morrison-Greenway Student Presentation – **Approved a motion encouraging TPO and FDOT work together on improved bicycle and pedestrian access at the intersection of Henderson, Dale Mabry, and Morrison, with a strong recommendation for a leading pedestrian interval phase in the traffic signals.**
- D. **BPAC – February 23, 2022** (Davida Franklin, TPO Staff)
- Approved unanimously to recommend Martin Santiago for membership as a Citizen at Large.
  - Status reports heard
    - West River Multimodal Safety & Network Improvements
    - Tampa Citizens Academy on Transportation CUTR and Morrison-Greenway Student Presentation – **Supported the LRC’s ask regarding the Dale Mabry, Morrison, and Henderson intersection.**
    - Bicycle/Pedestrian Counts
    - Hillsborough County Multimodal Level of Service Update
- E. **TDCB – February 25, 2022** (Davida Franklin)

- Approved TIP Amendments for Gibsonton Drive PD&E and HART Maintenance Facility and the Community Transportation Coordinator Evaluation

**F. 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.

**G. TPO Policy Committee – March 9, 2022 Meeting** (Beth Alden, TPO Executive Director)

- Approved the draft letter on the Consent Agenda for today – class 2 noise walls.
- Had robust discussion about the I-75 PD&E study and asked that the TPO Board send a letter of comment to FDOT about it. Will be brought back for approval in April.
- Looked at options for TPO apportionment plan. Will be bringing back options for consideration.

**H. Review of photos from DTI noise wall stakes** (Beth Alden, TPO Executive Director) Recommend discussion be done under Old/New Business. Cameron Clark is on hand for questions. ([Photos included at the end of the minutes.](#))

**VI. CONSENT AGENDA** (Timestamp 0:39:39)

**A. Updated Committee Appointments**

- BPAC – Savana Vidal (Hillsborough County Sheriff's Office); Martin Santiago (Member-at-Large)

**B. Request for additional seat on the TAC** – supported by TAC

**C. Class 2 Noise Walls Letter** – reviewed by Policy Committee

**D. Commuter Benefits Ordinance Request Letter** – supported by CAC and LRC

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

**VII. ACTION ITEMS** (Timestamp 0:40:03)

**A. Transportation Improvement Program Amendments for Gibsonton Drive Widening Study and HART Maintenance Facility** (Connor MacDonald, TPO Staff)

- Three jobs impacted
  - 414963-2 HART Bus Replacements & 443140-1 Heavy Maintenance Facility
    - Reallocate funds from the HART Bus Replacements Pool toward HART's Heavy Maintenance Facility
  - 450438-1 Gibsonton Drive from Fern Hill Drive to US301
- Add funds to FY 2022.
- HART Maintenance Facility (21<sup>st</sup> Ave). Came from a funding made available and requested for reallocation due to current state of the Heavy Maintenance Facility.
  - Review of the state of the facility; provided photos



- Gibsonton Drive Widening Study PD&E Study – project will include public engagement including , Small Group Meetings, Public Hearing
- Posting of signs, Newsletter release, and Social Media release

**Presentation:** [HART & Gibsonton Dr TIP Amendment Presentation](#)

**Comparative Report:** [Comparative Report - HART](#)

**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.**

**Discussion:**

There was discussion on if the Gibsonton Road project is taking a collector road and turning it into highway status. It was asked if there would be a community impact study done as part of this project. The PD&E will look at the impacts as well as public engagement. Clarification of the exact location of the study was asked for.

**Commissioner Kemp moved to approve the TIP amendments, seconded by Commissioner Myers. Roll call vote, motion passes 13 – 0.**

**VIII. STATUS REPORTS (Timestamp 0:47:30)**

**A. Brightline Update (Christine Kefauver, SVP, Corporate Development)**

- Privately owned and operated. Challenging the transit status quo.
- Sister project connecting California to Los Vegas.
- Went over video of currently line from Miami to West Palm Beach; continues to Orlando; updated train controls for integration. Stations are embedded in communities. Showed final connection to Tampa.
  - Adding stations in South Florida – provides some commuter solution in the region.
  - Rail to Orlando International Airport is 73% complete; operational early 2023. Looked at the Intermodal Terminal Facility at Orlando International Airport.
  - Will be able to handle Sun Rail and that getting to the airport.
  - Vehicle maintenance facility is in Orlando on airport property and can fit a full train.
- Review of average mph on I-95. Have also reviewed the I-4 congestion.
- Inner-city connections are about connected city pairs. Florida is the third largest state in the U.S. Connecting from Miami to Tampa connects the 11<sup>th</sup> largest economy in the western hemisphere.
- Proud of partnerships with the local governments and impacting economies.
- Review of ridership after COVID pause – takes cars off the road, improves quality of life, business and leisure travel.
- Creating environmental impact with intention of improvement – rail is greener, safer, and faster mode of transportation. Rail used is recycled steel, biofuel, 80% of wash water is recycled, utilize a cistern.

- Hit speeds of 120 mph on the system; investing to improve safety of crossings.
- Use I-4 corridor as part of 2018 agreement with FDOT. Pretty close to having a positive solution with the alignment in Central Florida. 80+ miles from Orlando International Airport to Tampa with 60+ on I-4.
- Have worked with City of Tampa on landing, looking at Ybor close to I-4. Listening today, Brightline does not want to interrupt communities and keep things lower to the ground. Big decisions being made.
- Invited TPO Board members and their staff to Orlando to see the train and in taking Brightline. Provided contact information.
- Working hard to manage first and last mile – utilize buses, shuttles, golf carts, scooters, etc.

**Website:** [www.gobrightline.com](http://www.gobrightline.com)

**Discussion:**

Entire area is looking to explore rail corridor and preserving them for use. Marrying two major economic centers on the east/west corridor is a great thing. Asked that Brightline work with other boards in the region to show progress. Requested a joint meeting with the TPO Board, City of Tampa, and others that would be involved. HART has it in it's priorities to begin negotiating with CSX for use of the lines. A copy of the presentation was distributed. Brightline is on the TBARTA agenda for April. Christine Kefauver is a member of the Tampa Downtown Partnership. Discussion around the station in Orlando and it being intermodal. It is important to centralize connections to other modes of transportation. It was noted that the intermodal center in Orlando is actually a parking garage is still a mile or so to the airline terminals and that the Orlando airport is not near the downtown area. Important to talk about what these things are so the vision is completed according to what Hillsborough County wants. There was discussion around the length of travel and cost. More commuter type stations were discussed as well as impact and blending into the landing area in Tampa.

**B. Planning Commission Annual Report & Plan Hillsborough Strategic Plan (Melissa Zornitta, Planning Commission Director)**

- Review of strategic plan by all three boards supported. All TPO Board members should have received a copy of the annual report.
- Went over Linking Land Use and Transportation initiatives.
- Review of citizen engagement numbers and projects and planning projects.
- Looked at the regional participation and projects.
- Went over technology and innovation in response to COVID and also making meetings more accessible to the public; website has been updated.
- Internal agency enhancements and updates.
- Strategic plan has a five-year horizon, will begin working with the three boards in 2023 to start updates.

**IX. EXECUTIVE DIRECTOR'S REPORT (Timestamp 1:37:06)**

- A. Quarterly regional meeting on March 11, 2022: updates on rail planning, water transit, state budget earmarks.
- B. Distributed regional multi-use trail maps to each member, extras are available.
- C. Has been mentioned that all of our members, including volunteer member, adhere to a code of ethics that could be included in the TPO Bylaws. Noted that the Planning Commission has a great Code of Ethics. Can bring back as an amendment referencing the Planning Commission Code of Ethics as something that the TPO also adheres to.

X. **OLD & NEW BUSINESS** (*Timestamp 1:39:09*)

- A. **Commissioner Smith** brought up item number 4 in the Announcements section of the agenda for the current meeting: US 301 PD&E Study and the public hearing on March 24<sup>th</sup>.
  - Important that the Board pay attention to the timing of when they provide input on FDOT projects.
  - This project is about widening US 301 north of Fowler Avenue, past the county line, up to Highway 56. It is turning a two-lane, rural road into a very wide, divided highway with medians, swales, and speeds of up to 65 mph.
    - It goes through our rural area
    - It goes through important preserves and environmental systems.
  - Widening US 301 in this area would be detrimental to this large wildlife and wetland system.
  - Does not see any reason why this needs to be widened at this time. It is outside the urban service area; it is a rural area where the county has no plans to increase development and density within the next several decades. It is currently prohibited from being developed. If it is going to be widened anyway, there needs to be plans for wildlife underpasses and corridors for the important wetlands and preserves on either side of the corridor.
  - Provided information to the Conservation Director for their input and to make the other TPO Board members aware of this at an early stage.
  - This item will be on the TPO Board agenda in April.
- B. **Commissioner Overman** brought up that, what is left of the county wildlife corridors, is in danger without some design standards coming into play. Need establish standards how highways are developed in Hillsborough County that provide wildlife passthroughs. These road and highway designs exist to allow wildlife to travel, not impede migration, and reduce the number of wildlife deaths on our highways.
  - Would like to see where that fits in the planning.
  - Would like it brought back to the Board ways to establish standards for road design that would preserve wildlife opportunities and migration in our area.
- C. **Commissioner Overman** asked that FDOT come back in the future a status report on the Florida State plan for electric charging stations along the highways and methodologies for the urban corridors as well. The state will be required to provide a report, study, and a plan that needs to be established and presented to the U.S. DOT if we were going to incorporate charging stations into our overall plan. Believes the application or start of the process is at the end of 2022.

- D. Commissioner Kemp** talked about the US 301 north widening. Also talked about the pictures of the stakes laid out for the I-275 wall movement. Asked about meetings to see renderings and plans from an arial and ground perspective on how this wall is perceived to be altered.

Secretary Gwynn noted that the surveyors went out and put in stakes every 200 feet and it will be filled in every 50 feet. There are three community events set up in-person for April 26 with community leaders; April 27, FDOT will be out to walk along the area and answer questions; April 28<sup>th</sup> will be a virtual community meeting. The purpose will be to set up stations addressing the areas of concern stated by the Tampa Heights residents.

There was discussion about construction impacts and mitigation efforts to the community.

- E. Commissioner Kemp** believes it is important to have early community engagement on the project from Downtown across Fowler Avenue. It was brought up by Mr. Hatton endorsing the BAT lanes which is contrary to what she has seen and heard. It is an important transit corridor and would like to see community engagement and input sooner rather than later.

There was additional discussion about funding and coordinated discussions on this project.

- F. Next meeting April 13, 2022**, from 10:00 AM – 12:00 Noon.

- XI. ADJOURNMENT** – The meeting adjourned at 12:06 PM

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

## **Social Media**

### **Facebook**

**3/8**

**In response to a post about the TIP Amendment for the Gibsonton Dr. Study:**

**Dennis Shepherd:** “6 lanes each way and a 2 lane northbound entrance ramp onto I75 might work”

**Nancy Dulin:** Please! Improve the traffic flow!!!

**3/8**

**From the board meeting event page:**

**Rick Fernandez:**

To: TPO Board Members

Subject: Public Comment \_ TPO Board Meeting March 9, 2022 \_ Stop the further intrusion of Interstate 275 retention walls in Tampa Heights

It has been seven years since the words “Tampa Bay Express” were first uttered in Tampa Heights. The TBX legacy project, DTI Quick Fix, remains as the current challenge and threat.

We cautiously hope this is the last chapter in the 60-year history of FDOT’s assault on Tampa’s Urban Core.

It is fitting we find ourselves in this moment, three months removed from the annual TIP Public Hearing in June and in the early stages of the 2022/2023 election cycle. This is the perfect opportunity for elected officials to prove their bona fides to the constituents they represent.

The Tampa Heights Community has been proud to stand with friends and neighbors from Tampa’s heartland: Tampa Heights, Seminole Heights, VM Ybor, Historic Ybor City, East Tampa, Downtown Tampa and West Tampa, as we have opposed Interstate expansion through our storied communities.

Some of you found your political footing advancing the same arguments we have made, walking in the same protest marches and offering public comment during the same hearings. Some of you have stood your ground and kept the faith.

Some of you have voted to expand the Interstate through Tampa’s urban core. Some of these votes have violated campaign promises. Some votes were “justified” as a way to “keep the parties talking”. Some were “justified” as a way to protect political flanks against future opponents. No doubt, some of these votes were cast because the official could not have cared less about the people and history of Tampa’s urban core. Slavish adherence to all things FDOT being the rule of the day.

There is evidence to suggest many, if not all, of you have cast votes to expand the Downtown Interchange, as recently as October of 2021, without realizing the impact that expansion would have upon Tampa Heights. We extend grace in characterizing those votes as indicative of benign neglect. Votes secondary to FDOT’s pattern and practice of miscommunication and misrepresentation, dating back to at least January 2020, regarding project details impacting the Interstate retention walls along the eastern boundary of Tampa Heights. We saw a similar miscommunication debacle in 2015 and 2016 leading to the collapse of the original TBX project. The hiding of inconvenient truths is not new for FDOT District 7.

Tampa Heights and the undersigned first learned of FDOT’s plans to further expand the Interstate’s footprint into the community on November 17, 2021.

From that date to this we have labored to develop a record establishing: 1. FDOT’s failure to inform the Tampa Heights Community of planned wall intrusion; 2. FDOT’s affirmative misrepresentation of facts to the Tampa Heights Community related to planned wall intrusion; 3. FDOT’s violation of the Tampa Heights Community’s right to due process in the concept

development phase of the DTI Quick Fix project during 2020 and 2021, and; 4. FDOT's failure to disclose and misrepresentations of fact regarding planned wall intrusion before the TPO Board and CAC.

These issues were first raised via email to TPO staff (Rich Clarendon, Beth Alden, Johnny Wong) on December 1, 2021. That email thread is attached ("Requested Addition to TPO CAC agenda for January") and establishes: 1. Staff's initial unwillingness to address the issues, and; 2. At least one senior staff member's lack of knowledge regarding the subject retention wall intrusions.

The record has been painstakingly developed during several meetings of the CAC and the TPO Board in December (Board), January (CAC and Board), February (CAC and Board) and March (CAC).

The CAC has passed a Resolution to stop Interstate retention wall intrusion in Tampa Heights (January 5, 2022) and a Motion to Strike TIP Amendments 8 & 9 (March 2, 2022). In the aggregate, these two documents establish the facts and prayers for relief. They are incorporated here by reference. The goal is to stop further retention wall intrusions along the eastern boundary of Tampa Heights. The CAC has offered multiple paths to that goal from reengineering the offending lane movements (WB I-4 to SB I-275 and SB I-275 to EB I-4) to striking them from the TIP altogether.

On February 9, 2022, the TPO Board devoted 90 minutes of a scheduled two-hour meeting to a de facto hearing and Board discussion on these issues (see YouTube: <https://youtu.be/C6ULrOwODx0?t=5505> ... The TPO Board meeting begins at time stamp 1:32. Public comment and Board discussion on issues related to Tampa Heights Interstate retention walls start at time stamp 1:32 and end at time stamp 3:03). Testimonial and documentary evidence was presented through public comment. The undersigned presented a closing argument with time donated by seven of my fellow urban core residents. Commissioner Cohen closed the session, quoting in part:

"THIS HAS NOT BEEN OUR BEST DAY AS A COMMUNITY, I THINK, AND WHAT WE NEED TO DO IS USE THIS AS A LEARNING TOOL TO DO BETTER. AND I HAVE TO TELL YOU, I SPENT SOME TIME IN THE NEIGHBORHOOD ABOUT A WEEK AGO, AND MOST OF THE ISSUES THAT ARE REMAINING ARE REALLY ISSUES RELATED TO THE DETAILS OF HOW THIS PROJECT GOES FORWARD ... THE ONE THING I WANT TO REITERATE ... IS THAT THIS PROJECT HAS NOT EVEN BEEN AWARDED TO A CONTRACTOR YET. THERE'S STILL TIME TO EFFECT IT IN ITS DETAILS ... "

As of this writing, there has been no FDOT, TPO Staff or TPO Board action to change the trajectory of FDOT's destructive plans. On the contrary, the only tangible action taken since these issues surfaced in November 2021, was taken by FDOT on January 31, 2022, when it arbitrarily destroyed the historic property at 1902 N. Lamar Ave.

The Community has not the luxury of patience. We have spoken directly to you in public comment and through your Citizens Advisory Committee. We have done our job. The opportunity to right and avoid serious wrongs now rests with nine locally elected members of the TPO Board (and anyone else who might care to follow). A majority with the power to change

our lives for the better and in ways we could have only imagined possible in 2015 when TBX first surfaced. Will you accept responsibility and exercise that power? Your constituents await the answer. Time is of the essence. Deferred action is no longer an option.

Initiate action now to stop further Interstate retention wall intrusion in Tampa Heights.

[Author Note to my fellow citizens: I encourage you, ASAP, to offer written public comment via email directly to TPO Board members as well as through [aldenb@plancom.org](mailto:aldenb@plancom.org) [wongj@plancom.org](mailto:wongj@plancom.org) and [TPO@plancom.org](mailto:TPO@plancom.org) (the [plancom.org](http://plancom.org) messages are necessary for the record but are likely to be seen only by the most conscientious Board members) ... Verbal/virtual, real time public comment is also encouraged. The ask can be short and to the point: Stop further Interstate retention wall intrusion in Tampa Heights. Neither verbal nor written comment need be voluminous. The message rings true through the effort of delivery.]

Most Sincerely,

Ricardo (Rick) Fernandez

2906 N. Elmore Ave.

Tampa, FL 33602

(Includes link to Feb. 2022 TPO Board Meeting)

**3/7**

**In response to a post about the TIP Amendment for the Gibsonton Dr. Study**

**Chris Todd:** "More construction? Please finish Bloomingdale first."

**Stephanie Klaus Todd:** "Right, this will really make things worse."

**3/4**

**Regarding HART public workshops for the Palm Station design:**

**Chris Vela:** "Can we do this on Cass? Main? Palm has terrible sightlines and virtually stagnant development, and fast cars."

**3/3**

**Regarding a post about Brightline gaining right-of-way access along I-4:**

**Chris Vela:** "Think they still would need to go in environmental review and permitting as I4 cuts through wetlands. So it will take some time. Hopefully they will split before the DTI."

**Walter John Slupecki:** “Vela Christopher there is also still the possibility that DeSantis torpedoed everything if he gets reelected this year.

**Regarding a post about express lanes on I-4 not having wrong-way detection systems:**

**Chris Vela:** “Cut and paste... ‘Considering Hillsborough TPO wants #visionzero on the interstate, this is all now making complete sense. Besides we got enough FHP troopers for the 16 million or so drivers we have in this state, right? So enforce away crashes!’

**3/1**

**In a post about speeding in I-4 express lanes:**

**Chris Vela:** “Considering Hillsborough TPO wants #visionzero on the interstate, this is all now making complete sense. Besides we got enough FHP troopers for the 16 million or so drivers we have in this state, right? So enforce away crashes!

**2/10**

**Regarding a Vision Zero news story about a traffic fatality and the Vision Zero action plan:**

**Walter John Slupecki:** “How do these plans make any sense when our power players, including those on the TPO, continue to support nonsense interstate highway widening & #FakeBRT?”

“Vision Zero makes tons of sense! But having TPO members continue to go along with costly & wasteful interstate widening & faux-pas "BRT" completely contradicts what Vision Zero is all about.”

**Lori Landmeyer:** “You gotta start somewhere. Would love to get this started in Pinellas County too.”

**Twitter**

**3/10**

**In response to a post highlighting roadway construction on US 301 and Progress Blvd.**

**Greg:** What time will this start tonight?

**2/10**

**Regarding a post highlighting Brightline’s entrance into Central Florida:**

**Roc King:** “Is that pic or artist rendering? Looks good either way.”



2/10

Regarding an invitation to give feedback on the transportation tax at a County meeting:

Farah: "We need updated red lights at the intersection of Fowler and 50th Street."

**Pictures – Beth Alden, Tampa Heights Wall (3/8/2022)** – Photographs taken on the west side of I-275 and are in order from north to south.



Elmore Ave, just south of Floribraska, looking south.



Elmore Ave South of Floribraska looking south



Next to Tampa Heights Civic Assoc. bldg. looking north.



South of Palm Ave, looking back north towards the Tampa Heights Civic Assoc. bldg.



South of Palm Ave, looking south



Near 7<sup>th</sup> Ave, looking south. Mobley Park apartments are ahead on the right.



7<sup>th</sup> Ave looking south



South of 7<sup>th</sup> Ave, almost at Henderson, looking south



At Henderson Ave looking back north



At Henderson Ave looking south.



South of Henderson Ave looking south.

**Email**

[March Board folder emails](#)

Emails received after the 5PM cutoff on 3/8/2022

**From:** Dayna Lazarus  
**To:** Cheryl Wilkening  
**Subject:** Public Comment for 3/9 TPO Board meeting  
**Date:** Tuesday, March 8, 2022 11:04:00 PM

I am writing to ask that you please remove amendments 8 and 9 from the TIP. Your Board was very close to voting for a moratorium last month. We learned at that meeting that you cannot issue a moratorium on FDOT's ongoing project, but removing line items from the TIP is not only something you absolutely CAN do - it's your primary job. The following reasons explain why I'd like this action to be taken: One, the people most impacted, whose homes are feet from the DTI construction, are upset, protesting, and asking you to do so. Two, because the public engagement process for this project was so insufficient that even those aforementioned most impacted people did not know that wall movement was happening as part of this project. Three, because two summers ago you passed an equity resolution that explicitly names the racist impact of I-275, then you proceeded to have me and others write and participate in an equity planning process which resulted in recommendations, which you unanimously adopted, that states that you will de-emphasize car-centric spending, including specifically seeking transportation demand management solutions and alternative multimodal solutions before moving forward with widening spending. Four, because in the

near future - by this summer, I'm told - 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, and I have been told that you will consider going after to study removal of our aging, unjust highway system. This money could actually fully fund the \$800,000 study that was recommended by a study you already funded. Myself, my fellow USF Master of Urban and Regional Planning students and alumni, have sent emails stating our unwavering support for going after that money.

Thank you for considering taking this action on behalf of Tampa's most historic and vulnerable communities (including North Ybor, where I live).

**From:** E Carball

**To:** Cheryl Wilkening

**Subject:** Fwd: 275 Widening

**Date:** Tuesday, March 8, 2022 8:34:09 PM

>

> Hello,

>

> My name is Eva Carballa and I live in Seminole Heights. I oppose the I-275 retention wall along the eastern boundary of Tampa Heights. The historic Tampa neighborhoods have had enough destruction and pollution from the interstate since it was originally built in the 1960s. It drastically changed the neighborhood and stripped away home values for decades. Many people who have believed in these neighborhoods have fought hard to make these streets beautiful.... just to have The interstate threaten the homes and health (through pollution) of our community.

>

> I oppose further I-275 retention wall intrusions along the eastern boundary of Tampa Heights. I understand a Motion to Strike Amendments 8 and 9 of the TIP has been circulated among you. I incorporate that Motion by reference and support it fully. Striking those two amendments would protect Tampa Heights and its designated Historic District from further structural intrusion and damage at the hands of FDOT.

>

> Thank You,

> Eva Carballa

> Heights Resident and Historic Home advocate

**From:** David Bedore

**To:** Cheryl Wilkening

**Subject:** Highway Widening

**Date:** Tuesday, March 8, 2022 8:22:00 PM

My name is David Bedore. I live at 2801 N Morgan St, near the downtown interchange in Tampa Heights. Our beloved neighborhood, Tampa's first suburb, has already borne the effects of the highway during its creation and continues to weather the effects every day. We are exposed to

air pollution, sound pollution, and decreased property values for those who live closest to it. Historic properties have been destroyed because of it. It has been shown time and again across the world that wider highways will NOT improve traffic in the long run due to induced demand. Tampa needs real solutions, real mass transit, and to stop destroying its history and hurting its residents, such as my family.

I oppose further I-275 retention wall intrusions along the eastern boundary of Tampa Heights. I understand a Motion to Strike Amendments 8 and 9 of the TIP has been circulated among you. I incorporate that Motion by reference and support it fully. Striking those two amendments would protect Tampa Heights and its designated Historic District from further structural intrusion and damage at the hands of FDOT.

Tampa also needs to say NO to FDOT once and for all on this issue. It is VERY clear that they will do anything to get what they want - being sneaky, withholding truths, and basically just continuing to try and wear down the residents of Tampa. Tampanians have vehemently OPPOSED highway widening. It is truly unbelievable that this is again an issue. Please do your jobs and stick up for Tampa and its residents' wishes.

David Bedore  
813-610-3166  
David.M.Bedore@gmail.com

**From:** Michele Kriz

**To:** Cheryl Wilkening

**Subject:** MPO Board Meeting - public comment

**Date:** Tuesday, March 8, 2022 7:53:28 PM

I'm a tax paying, voting-registered resident of Seminole Heights, the City of Tampa, and Hillsborough County.

I'm saddened that our elected leaders continue to cater to individuals who choose to live outside our county and commute in daily, while vocally complaining about the increased traffic they create. We have enabled such complaints by ignoring opportunities to develop more mass transit options.

My husband and I are strongly opposed to the plan to make further I-275 retention wall intrusions along the eastern boundary of the historic neighborhood of Tampa Heights, where so many residents have invested time and money in restoring that area's city splendor. While more progressive urban areas reduce freeways in favor of greenways, we are choose to continue to "pave over paradise."

We are told that specifically, you have a Motion before you to Strike Amendments 8 and 9 of the TIP, as MPO Board members.

We support striking those amendments.

Striking those two amendments will protect Tampa Heights and its designated Historic District from further structural intrusion and damage at the hands of the FDOT. Throughout this process, the FDOT has shown less concern for our city and more concern with flexing their supposed power over our elected, local leaders. This is your opportunity to say, "Enough."

Thank you for putting local residents first by rejecting TIP amendments 8 and 9.

Michele Collet Kriz and Mark Kriz

Seminole Heights Residents

Sent from my iPhone, pardon any tiny keyboard/big fingers typos

**From:** Kitty Wallace

**To:** Cheryl Wilkening

**Subject:** public comment for TPO board meeting 3/9

**Date:** Wednesday, March 9, 2022 7:47:56 AM

I want the TPO to understand my strong opposition to this plan. I wrote to all the elected officials on the

TPO board with the following message:

Stop Interstate 275 retention wall intrusion on the eastern boundary of Tampa Heights:

Catherine (Kitty) Wallace

4902 N Collins Lane

Tampa, 33603

-----Original Message-----

From: Kitty Wallace <kittwal@aol.com>

To: overmank@hcflgov.net <overmank@hcflgov.net>

Sent: Tue, Mar 8, 2022 7:33 am

Subject: public comment for TPO board meeting 3/9

Stop Interstate 275 retention wall intrusion on the eastern boundary of Tampa Heights:

Catherine (Kitty) Wallace

**From:** Shane Ragiel

**To:** Johnny Wong; Beth Alden; Cheryl Wilkening

**Cc:** Rick Fernandez

**Subject:** TPO Comment for 3/9

**Date:** Tuesday, March 8, 2022 5:39:18 PM

Hello TPO Board Members,

My name is Shane Ragiel and I am a resident of Tampa Heights on Floribraska Avenue. I am reaching out to you to support the Motion to Strike Amendments 8 & 9 of the TIP. Outside places like the Central Avenue & Dobyville Neighborhood, which were torn off the map, Tampa Heights and our historic district have been and continue to be the most negatively impacted neighborhoods caused at the hands of the Interstate. Unfortunately, even with the benefit of hindsight, this bombardment continues to this day. While our neighborhood has seen a resurgence in popularity in recent years, it cannot be ignored that this popularity is a result of depreciated property and home values and communities that were forced out as a result of the Interstate. With these motions to strike, our neighborhood is not asking the most; we are not asking for you to come out with your shovels and tear out the interstate that has split our city. We are only asking you to remove the guillotine blade that looms over our necks and reset to a place that we were in months ago.

Tampa Heights was told at a pre-pandemic, in-person Civic Association meeting that their plan would not impact the Historic District, historic homes, or historic structures. One representative even said that there would be 'No impact to the greenway' and that it will remain as it is; not moved, shifted, or trees removed to make way for the wall movement. This was not a matter of confusion and this was delivered definitively. At TIP meetings in the last 2 summers, I've heard several members expressed they were concerned with added capacity, but the tradeoff was to deliver sound walls & now we learn that Robles Park is not a candidate and has never been a candidate to receive sound wall funding. Now, we are told that the pandemic made it hard to communicate and terms like '*Right of Way*' & '*Capacity*' have a unique meaning to FDOT and that's why there is a misunderstanding.

There has been no formal public outreach in Tampa Heights by FDOT to communicate the wall movement since this issue was brought up at the beginning of the year and now here we are, almost done with the first Quarter of the year. We have not been brought into a

conversation regarding a timeline. Discussions promised to be held regarding the treatment have yet to be had. The fact that their historic brick treatment of the highway doesn't even reach the full extent of our historic district up to Hugh, north of Floribraska, is a prime example of their failure to engage or even show consideration. Again, just as before, we fully expect that decisions are currently being made at this time that are irreversible and we will be the ones left with their boardroom decisions in our backyards.

Striking TPI Amendments 8 & 9 puts a flag in the ground that declares FDOT shares its property owners stake in Tampa Heights with our residents. That the highway has no more voice or rights than the people who live under it. And that when FDOT perpetuates this toxic communication breakdown cycle, the TPO Board serves as an arbiter and regulator of our community, our values, and our vision. Please Move to Strike Amendments 8 & 9 of the TIP.

Thank you,  
Shane Ragiel

**From:** Rick Fernandez

**To:** "Helen Anne Travis"; Johnny Wong; Beth Alden; Cheryl Wilkening

**Cc:** CohenH@HCFLGov.net; KempP@HCFLGov.net; Kimberly Overman; "Mariella Smith";

MyersG@HCFLGov.net;

guido.maniscalco@tampagov.net; John.Dingfelder@tampagov.net;

Joseph.Citro@tampagov.net;

jessica.vaughn@hcps.net

**Subject:** Helen Travis Public Comment \_ TPO Board Meeting March 9, 2022 \_

**Date:** Tuesday, March 8, 2022 5:37:14 PM

**Importance:** High

Thank you, Helen .. I'm posting this to TPO Staff and the plan.com email address for record purposes. Making it clear you mean this for consideration at the TPO Board meeting March 9, 2022. Rick Fernandez

**From:** Helen Anne Travis <helenannetravis@gmail.com>

**Sent:** Tuesday, March 8, 2022 5:08 PM

**To:** Johnny Wong <wongj@plancom.org>; Beth Alden <aldenb@plancom.org>;

TPO@plancom.org

**Cc:** Rick Fernandez <rick@fernandezconsulting.net>

**Subject:** Motion to Strike Amendments 8 and 9 of the TIP

My name is Helen Anne Travis. I've lived in Tampa Heights since 2014. I am very concerned that FDOT's interstate expansion through the urban core will be detrimental to the community and the city. Rather than connecting all of the exciting things happening in Tampa's downtown neighborhoods, it creates a literal wall through the city. Many other forward-thinking cities are tearing down their highways, a move I totally support. That said, I oppose further I-275 retention wall intrusions along the eastern boundary of Tampa Heights. I understand a Motion to Strike Amendments 8 and 9 of the TIP has been circulated among you. I incorporate that Motion by reference and support it fully. Striking those two amendments would protect Tampa Heights and its designated Historic District from further structural intrusion and damage at the hands of FDOT.

**Helen Anne Travis**

**304 E Park Ave**

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



# Hillsborough TPO

## Transportation Planning Organization

### Committee Reports

#### **Meeting of the Bicycle Pedestrian Advisory Committee (BPAC) on March 23**

The BPAC met virtually and heard status reports on:

- FDOT Westshore Interchange Pedestrian and Trail Connections - Members requested a full trail connection on Lemon Street or along Kennedy from Reo Street to the Westshore mall.
- US 301 PD&E Study - It was questioned why no federal money would be used and the reason for that. Currently, the project is not in the cost feasible Long Range Transportation Plans in either Hillsborough or Pasco; until that happens, no federal money can be allocated. It was noted that the speed limit may be listed as 55 but motorists go much faster. It was also noted that this is a high crash corridor and that this is a very rural area. It was suggested that dual-directional turns would be a good idea in this area. There was a question as to why the public hearing was being conducted at the District 7 office instead of at a facility closer to the project area; the response was that there were no closer facilities.
- 2045 Plan Funding Scenarios Refresher - There was discussion regarding the focus on automobiles with regard to the majority of the funding in the 2045 Plan; funding for HART; and the various funding formulas for a new surtax proposal.

#### **Livable Roadways Committee (LRC) on March 23**

The LRC approved the following action item, with comments:

- ✓ US 301 PD&E Study Letter of Comment - Motion: Approve the letter but strongly suggest that FDOT fully address the 2015 LRC comments, as that has not been fully done; we would like to add that this project should be designed as a complete multimodal corridor, including bike/ped facilities on both sides for the entire route, and fully signalize intersections at major recreation sites and sites of anticipated major development.

The LRC heard status reports on:

- Low-Cost Air Quality Monitoring Pilot Project
- FDOT Westshore Interchange Pedestrian and Trail Connections
- Storm Evacuation and Shelter-in-Place Study
- 2045 Plan Funding Scenarios Refresher

#### **Meeting of the Technical Advisory Committee (TAC) of April 4**

The TAC approved the following action items:



- ✓ Storm Evacuation and Shelter in-Place Study Final Report - Members questioned why major capacity projects, like widening roads, were not considered; those are addressed in FDOT's Strategic Intermodal Systems planning.
- ✓ Smart Cities Mobility Plan Update - The Plan was supported for its thoroughness.
- ✓ Annual Certification of Metropolitan Transportation Planning Process - There was interest in learning what the ramifications are for not being certified and if that has happened. Our MPO has not had a corrective action in the last two decades.

The following were presented for information and members offered support for all items:

- City of Tampa MOVES and Vision Zero Action Plan
- IIJA Grant Opportunities
- FY23 and FY24 UPWP Preliminary Draft
- Introduction to new TPO Studies

**Announcement:** [EPC Clean Air Fair on May 5<sup>th</sup> 11:30am-1:30pm at Poe Plaza downtown.](#)

### **Meeting of the Citizens Advisory Committee (CAC) of April 6**

The CAC approved the following action items, with comments:

- ✓ Remote member participation - The CAC began its meeting by considering whether or not to allow virtual members to cast votes on action items. Members had a lengthy discussion about whether the results of this vote would incentivize members to continue participating virtually simply due to convenience. Several members stated that a transitional period in which virtual votes are accepted might be helpful for those who were unaware that in-person attendance is now required. Another member also suggested that staff provide an attendance report quarterly for members to review rather than just an annual update. The committee approved virtual voting by a vote of 10-1.
- ✓ US 301 PD&E Study Letter of Comment - The committee voted unanimously, 13-0, to approve sending a letter to FDOT regarding the PD&E Study for US 301 from Fowler to SR 56. Members agreed with the points already outlined in the letter, specifically pertaining to impacts on wetlands and wildlife, as well as the poor quality of bike and pedestrian facilities, noting that there is an opportunity to expand and connect the nearby trail and improve park access.
- ✓ Smart Cities Mobility Plan – Unanimously approved.
- ✓ Annual Certification of Metropolitan Transportation Planning Process - The committee had a lengthy conversation about the recommendations and explored ways to stay within the agenda's time limits without curbing meaningful discussion. While most seemed to agree that time budgeting could be improved, members expressed concern that the justification for abbreviating committee discussion was due to consultant-led presentations being deferred to subsequent meetings. Members suggested that staff can schedule fewer agenda topics, which would allow for more time to have robust discussions. The committee voted, 10-3, in support of authorizing the TPO Chair to sign the Joint Certification Statement but to delete bullet point #2 of the Summary, Recommended Actions section, which states that the TPO Board and Committee meetings run past their regularly scheduled time and are not able to complete their full agenda.

The CAC did not approve the Storm Evacuation and Shelter-in-Place Study, by unanimous vote. Committee members raised questions about the extent to which sheltering-in-place strategies and evacuation destinations were considered, and whether evacuation via transit and on arterials and local streets were adequately addressed. The consultant will consider how to address the committee's concerns before the report is presented to the board for approval.

FY23 & FY24 UPWP Preliminary Draft – Members asked staff for a status update regarding the I-275 Boulevard Conversion Study, including whether it has been phased and the most recent cost estimates.

Due to time constraints, the following status updates were deferred to future meetings:

- Intro to New TPO Studies
- 2045 Plan Refresher on Funding Scenarios
- City of Tampa Vision Zero Action Plan

The CAC also formed a subcommittee to review the FY23 TIP draft.



# Hillsborough TPO Transportation Planning Organization

## Board & Committee Agenda Item

### Agenda Item

Committee Appointments

### Presenter

None – Consent Agenda

### Summary

The *Technical Advisory Committee (TAC)* shall be responsible for considering safe access to schools in the review of transportation project priorities, long-range transportation plans and transportation improvement programs and shall advise the MPO on such matters. In addition, the TAC shall be responsible for assisting in the development of transportation planning work programs; coordinating transportation planning and programming; review of all transportation studies, reports, plans and/or programs, and making recommendations to the MPO that are pertinent to the subject documents based upon the technical sufficiency, accuracy, and completeness of and the needs as determined by the studies, plans and/or programs.

The following have been nominated to serve on the TAC:

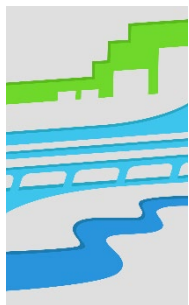
- Sarah Caper, by the Hillsborough County Community and Infrastructure Dept., with Richard Ranck as the alternate
- Marcelo Tavernari, as alternate member, by Hillsborough County Public Works
- Chris DeAnnuntis, by the Hillsborough Area Regional Transit Authority

The *Livable Roadways Committee (LRC)* shall be composed of representatives of local government departments, transportation agencies and other organizations. They may be elected officials, appointed officials, organization members, designated representatives or staff, but may not be staff to the TPO.

The following have been nominated to serve on the LRC:

- Tony Monk, as alternate member, by City of Tampa Parks and Recreation and Conservation Department

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



Plan Hillsborough  
[planhillsborough.org](http://planhillsborough.org)  
[planner@plancom.org](mailto:planner@plancom.org)  
813 - 272 - 5940  
601 E Kennedy Blvd  
18<sup>th</sup> floor  
Tampa, FL, 33602

The following have been nominated to serve on the BPAC:

- Kelly Fearon, by the City of Tampa Transportation Div.

**Recommended Action**

That the TPO confirm the above nominations

**Prepared By**

Cheryl Wilkening, TPO Staff

**Attachments**

None



# Hillsborough TPO Transportation Planning Organization

## Board & Committee Agenda Item

### **Agenda Item:**

Letter requested by Policy Committee regarding I-75 Project Development & Environmental (PD&E) Studies

### **Presenter:**

Beth Alden, TPO Director

### **Summary:**

Last month, the Policy Committee was briefed on two studies that evaluate adding lanes on I-75. Committee members expressed concern about noise and emission impacts; notification of property owners and businesses where right-of-way acquisition is proposed; and the equity implications of the lanes possibly being tolled. The committee directed staff to draft a letter of comment. Since then, FDOT District 7 has provided additional information to TPO staff, which informs the attached draft.

Additional background information:

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 attend virtually via GoToWebinar by registering ahead of time through the project website.

### **Recommended Action:**

Approve transmittal of the attached letter of comment

### **Prepared By:**

Beth Alden, AICP

### **Attachments:**

Draft letter of comment on I-75 PD&E Studies

[Presentation slides](#)

[Project website](#)

Additional background: [TPO Board Workshop on Managed Lanes, October 2020](#)



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# 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 Dingfelder  
City of Tampa

Derek Doughty  
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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

April 13, 2022

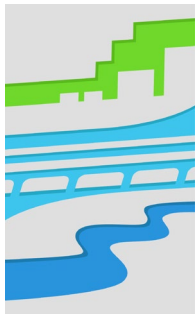
Amber Russo, P.E.  
FDOT District 7  
11201 N. McKinley Drive  
Tampa, FL 33612-6403

RE: Project Development and Environmental (PD&E) Studies for I-75 from Bruce B. Downs Blvd to US 301 and from US 301 to Moccasin Wallow Rd

Dear Ms. Russo,

Thank you for your presentations to the TPO Board and its advisory committees regarding the referenced study. The following questions or concerns were raised:

- The study identifies the proposed new lanes in the I-75 median to be managed lanes. We understand that a number of management strategies may be considered, and we appreciate the Department confirming that these PD&E studies do not make a determination about the management strategies to be used. The TPO supports lane management strategies that incentivize high occupancy vehicles, alternative fuels, and transit, and that facilitate emergency response, evacuations, and safer movement of freight. The TPO has concerns about adding new tolls in an interstate highway corridor that has been supported with public dollars. We would appreciate the opportunity to be closely involved when the Department begins drafting its lane management approach.
- Though the project is largely on property already owned by FDOT, a few parcels are proposed to be acquired. We request that the property owners and any tenants be notified by mail prior to finalizing the PD&E, if they have not already.
- We appreciate the Department sharing GIS mapping data about the locations where noise walls are proposed to be built. We noted some locations where it appears there are residences while no noise walls are proposed, and would like more information about the decision-making process. Examples include:
  - Homes on Navajo Ave north of Harney Rd
  - Homes on E Sligh Ave, Carmack Rd, and N Falkenburg Rd near the I-4 interchange
  - Fern Valley Mobile Home Park south of US 92
  - Woodberry Woods Apartments, and homes on Fisher Ave, in the vicinity of Woodberry Rd



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- Homes on Ballard Green Place and Acadia Harbor Place in the vicinity of Providence Lakes Blvd
- Homes on Riverview Dr and on Formby St and on Van Fleet Rd in the vicinity of Riverview Dr
- Homes on Bullfrog Creek Rd in the vicinity of Symmes Rd
- Cypress Creek Assisted Living, Sun City Center

Please let me or Assistant Director Gena Torres, [torresg@plancom.org](mailto:torresg@plancom.org), know if you have any questions or would like to discuss this further.

Sincerely,

Beth Alden, AICP  
Executive Director

cc: Suzanne Monk, FDOT District 7 Liaison



# 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 and Gena Torres, TPO Asst. Director

### 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 SR 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 is not identified in the Needs Plan of the TPO's 2045 LRTP.

There was a public hearing on Thursday, March 24<sup>th</sup>, at 5:30 PM, at FDOT's District Headquarters (11201 N. McKinley Dr. in Tampa). Written statements or exhibits submitted at the hearing, emailed, or mailed and postmarked by **April 4, 2022**, will become part of the official public hearing record. Details are on the [project website](#).

Several TPO committees heard the presentation from FDOT at their March meetings. Concerns were raised and are reflected in the attached draft Letter of Comments to FDOT. The CAC may suggest additional comments for consideration.

### Recommended Action:

Recommend TPO Board approve letter with comments.

### Prepared By:

Rich Clarendon, AICP, TPO Staff

### Attachments:

[Presentation Slides](#)

Draft Letter of Comments to FDOT



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# 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 Dingfelder  
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

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HART

Beth Aiden, AICP  
Executive Director

April 13, 2022

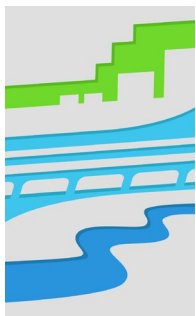
Amber Russo, P.E.  
FDOT District 7  
11201 N. McKinley Drive  
Tampa, FL 33612-6403

RE: Project Development and Environmental Study for US 301 from Fowler Avenue to SR 56 – Project # 255796-1

Dear Ms. Russo,

The TPO Board and Committees received a presentation on the referenced study. The following concerns have been raised:

- This road widening is mostly outside of the Urban Service Boundary set forth in the adopted Hillsborough County Comprehensive Plan. The surrounding rural community has no plans for increased density, and widening will put undue development pressure on the area. Currently the Urban Service Boundary is close to Fowler Ave at Tom Folsom Road.
- The project is not cost-feasible in the Long Range Transportation Plan, nor has it been part of the Plan's needs assessment since the adoption of the 2040 Plan in 2014, when it was listed as a potential need outside of/beyond the 2040 horizon year. The project was removed from the needs assessment for 2040 because the Tampa Bay Regional Planning Model forecast showed that 2040's traffic congestion, while not nonexistent, will not rise to the level of severity of many other arterials in Hillsborough County.
- This PD&E study points to traffic congestion on US 301 being focused at the bookends of the corridor, Fowler Ave in Hillsborough County and SR 56 in Pasco County. We suggest focusing traffic operational improvements at the bookends, rather than widening the entire length of this road, which is both expensive and impactful on significant environmental areas.
- There are higher priorities in the long range plan, such as widening US 92 in the Sabal Park area where it is within the urban service boundary and alleviates I-4; and safety improvements on the high injury network (HIN). Seventy-eight percent of the Top 50 HIN corridor miles in Hillsborough County are state roadways.
- Though this segment of US 301 is part of the HIN, the proposed project will not necessarily alleviate the safety problems. The PD&E study shows design speeds



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of 60-65mph with no lighting improvements, both of which may lead to more severe injury and fatal crashes. The proposed wide median could reduce centerline cross-over crashes, but those could also be mitigated with a more modest center barrier in problem locations. Clusters of severe and fatal crashes currently exist in the vicinity of Harney Rd, Stacy Rd, and McIntosh Rd. We suggest safety-focused treatments in these areas, including consideration of intersection controls such as traffic signals or roundabouts. Further, to reduce deaths and injuries, speed management strategies should be considered throughout.

- There are important wetlands and preserves on either side, including primary sources of drinking water for the metro area; channelization of surface water flow between these preserves may have an impact on water quality. Further, this corridor intersects with a designated wildlife corridor. [See attached FDOT guidelines for wildlife corridors.](#)
- There are potential conflicts with access to existing and planned trails, like the extensions of Old Fort King Trail and crossing conflicts at John B Sargeant Sr. Park.

We appreciate the Department allowing us to review this PD&E study. We trust our comments will be addressed in the final report and will inform a decision to not pursue widening of US 301 at this time. In closing, we suggest operational improvements to address traffic congestion at the bookends of the corridor, and safety improvements along the length in between, with special attention to safety at the Harney, Stacy, and McIntosh intersections.

Sincerely,

Beth Alden, AICP  
Executive Director

cc: Suzanne Monk, FDOT District 7 Liaison



# Hillsborough TPO Transportation Planning Organization

## Board & Committee Agenda Item

### **Agenda Item:**

FY20 & FY21 UPWP Amendment for Funding De-obligation

### **Presenter:**

Amber Simmons, TPO staff

### **Summary:**

The TPO periodically processes amendments to the Unified Planning Work Program (UPWP) to account for funding and budget changes. When funds remain from one UPWP cycle and is needed for the next, they are de-obligated and rolled into the next UPWP cycle. The requested amendment will accomplish the following:

- De-obligate Fiscal Year 2022 funding for projects continuing in Fiscal Year 2023. The MPO's Fiscal year runs from July 1<sup>st</sup> to June 30<sup>th</sup> the following year.

\$145,000 in FHWA Surface Transportation Program (STP) funding and \$55,170 in Planning (PL) funding are proposed for de-obligation so that they will be carried over and available July 1, 2022, for use in the new FY 22/23 and FY23/24 UPWP.

As a part of this process, the Transportation Improvement Program (TIP) will also be updated to reflect these changes.

As background, the TPO's transportation planning functions are supported primarily by federal and state grants. These functions must be identified in advance for two fiscal years. The UPWP also documents the use of federal funds for metropolitan transportation planning conducted by other agencies, including FDOT and HART.

The currently adopted FY21 & FY22 UPWP is available on the MPO website. <http://www.planhillsborough.org/unified-planning-work-program/>.

Proposed and pending TIP amendments are available at

<http://www.planhillsborough.org/transportation-improvement-program-tip/>

### **Recommended Action:**

Approve the amendment to the FY21 & FY22 UPWP to de-obligate federal planning funds, and the related TIP amendment

### **Prepared By:**

Amber Simmons

### **Attachments**

[Presentation Slides](#)



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# Hillsborough TPO Transportation Planning Organization

## Board & Committee Agenda Item

### Agenda Item

Annual Certification of Metropolitan Transportation Planning Process

### Presenter

Beth Alden, TPO Director

### Summary

Metropolitan Planning Organizations are established and funded by federal and state laws and rules. Many federal and state requirements apply. The federal government evaluates our compliance every four years, and a public meeting is held at that time. The last such meeting was held in January 2021.

In between these major review events, the TPO's planning process must be certified annually following federal and state rules through a cooperative review conducted by the FDOT District 7 office and the TPO staff and board. This concludes with a Joint TPO/FDOT Certification statement and summary of notable achievements, recommendations, and corrective actions.

Attached is the draft statement provided by FDOT District 7. TPO staff will briefly review the notable achievements and recommendations.

### Recommended Action

Support re-certification of the TPO and authorization for the TPO Chairman to sign the Joint Certification Statement

### Prepared By

Johnny Wong, PhD, TPO Staff

### Attachments

1. Joint Certification Summary
2. Joint Certification Statement





## Florida Department of Transportation

RON DESANTIS  
GOVERNOR

11201 N. McKinley Drive  
Tampa, FL 33612

KEVIN J. THIBAUT, P.E.  
SECRETARY

### JOINT MPO/FDOT CERTIFICATION SUMMARY

## Hillsborough County Metropolitan Planning Organization

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The Annual Joint FDOT/MPO Certification for January 1, 2021 to December 31, 2021, review was conducted on March 16, 2022, as required by federal guidelines to assess the MPO's compliance with the federal transportation planning process and applicable state laws. **The Hillsborough County MPO was found to be in compliance with federal and state guidelines for metropolitan transportation planning.**

The following is a summary of the Department's findings:

### Notable Achievements

The Hillsborough MPO is proud to showcase its recently completed work products, many of which we believe can be regarded as noteworthy.

- ***Garden Steps & Healthiest Cities and Counties Challenge***
- ***Nondiscrimination and Equity Plan***
- ***Safe Routes to Parks Pilot Study***
- ***Storm Evacuation Forecast & Shelter-in-place Scenarios Study***
- ***USF to Green ARtery Trail Study***
- ***Low-Cost Air Quality Monitoring Pilot Study***
- ***Joint HART and MPO Transit Oriented Development Study***
  - *The Hillsborough MPO is a sponsor to the HART TOD Study*

### Recommended Actions

- The TPO shall work with the District Liaisons to update General Planning Consultant procurement and contracts to ensure compliance with all terms and conditions of the Metropolitan Planning Organization Agreement (Section 15, 16, 17), and all federal, state, and local laws and regulations applicable to the TPO's agreement. We are recommending that the TPO not extend current contracts and begin consultation with District liaison a minimum of 9 months prior to the advertisement of the new GPC contracts.
- Regularly, the TPO Board and Committee meetings run past their regularly scheduled time and are not able to complete their full agenda. On several occasions, FDOT has paid consultants to present to both the board and committees and were not afforded time and were relegated to another meeting—in some instances happening at multiple consecutive meetings. The TPO should strongly consider best practices to gain constructive input from committee members and the public outside of traditional settings and find strategies to effectively manage the limited amount of scheduled meeting time to address action items and presentations within the advertised agenda packets.

- The TPO should continue to educate the TPO Board and Committees on the TPO's roles and responsibilities as they relate to transportation planning and project prioritization processes.

**Corrective Actions**

- None

FLORIDA DEPARTMENT OF TRANSPORTATION  
**MPO JOINT CERTIFICATION STATEMENT**

525-010-05c  
POLICY PLANNING  
02/18

Pursuant to the requirements of 23 U.S.C. 134(k)(5) and 23 CFR 450.334(a), the Department and the MPO have performed a review of the certification status of the metropolitan transportation planning process for the Hillsborough County MPO with respect to the requirements of:

1. 23 U.S.C. 134 and 49 U.S.C. 5303;
2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21
3. 49 U.S.C. 5332 prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
4. Section 1101(b) of the FAST Act and 49 C.F.R. Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
5. 23 C.F.R. Part 230 regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the regulations found in 49 C.F.R. Parts 27, 37, and 38;
7. The Older Americans Act, as amended (42 U.S.C. 6101) prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
8. Section 324 of 23 U.S.C. regarding the prohibition of discrimination on the basis of gender; and
9. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 C.F.R. Part 27 regarding discrimination against individuals with disabilities.

Included in this certification package is a summary of noteworthy achievements by the MPO, attachments associated with these achievements, and (if applicable) a list of any recommendations and/or corrective actions. The contents of this Joint Certification Package have been reviewed by the MPO and accurately reflect the results of the joint certification review meeting held on March 16, 2022.

Based on a joint review and evaluation, the Florida Department of Transportation and the Hillsborough County MPO recommend that the Metropolitan Planning Process for the Hillsborough County MPO be certified.

\_\_\_\_\_  
Name: David Gwynn, P.E.  
Title: District Secretary (or designee)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name: Commissioner Harry Cohen  
Title: MPO Chairman (or designee)

\_\_\_\_\_  
Date



# Hillsborough TPO Transportation Planning Organization

## Board & Committee Agenda Item

### **Agenda Item:**

Introduction to New TPO Studies

### **Presenter:**

Gena Torres, TPO staff

### **Summary:**

Several TPO studies have recently kicked off. These projects were requested by partner agencies and were included in the Unified Planning Work Program to be funded in calendar year 2022. A brief overview of the studies will be provided with notes as to the anticipated deliverables and timing for completion of the projects and public engagement opportunities.

### **Recommended Action:**

None. For information only.

### **Prepared By:**

Gena Torres

### **Attachments:**

[Presentation slides](#)



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# Hillsborough TPO Transportation Planning Organization

## Board & Committee Agenda Item

### **Agenda Item:**

Bylaws Amendment: Code of Conduct

### **Presenter:**

Beth Alden, TPO Director

### **Summary:**

Recently, board members have discussed whether the TPO should establish standards of conduct in its bylaws. The TPO's staff support agency, the Hillsborough County City-County Planning Commission, previously drafted standards of conduct for and in support of its commissioners, with the guidance of counsel, and those standards have been adopted by the Planning Commissioners. It is suggested that the TPO incorporate the same standards of conduct in the TPO bylaws.

### **Recommended Action:**

None; first reading of two

### **Prepared By:**

Beth Alden, TPO Director

### **Attachments:**

- [Code of Conduct of Hillsborough County City-County Planning Commission](#)
- Proposed edit of TPO Bylaws, Sections 4.2 and 7.6



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**BY-LAWS OF  
THE HILLSBOROUGH COUNTY  
TRANSPORTATION PLANNING ORGANIZATION  
AND ITS COMMITTEES  
Amended March 9, 2022**

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

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

**2.0 DEFINITIONS:**

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

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

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

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

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

**2.6 REGULAR MEETING:** The regular scheduled meeting of the TPO at which all official business may be transacted.

- 2.7 SPECIAL MEETING:** A meeting of the TPO held at a time other than the regularly scheduled meeting time. All official business may be transacted at a special meeting.
- 2.8 WORKSHOP:** A conference where members are present and are meeting to discuss a specific subject. A workshop may be convened with less than a quorum present; however, no official action other than adjournment or continuation of the workshop to another time may be taken.
- 3.0 MPO OFFICERS:** There shall be a Chair and a Vice-Chair. All officers shall be voting members of the TPO.
- 3.1 TENURE:** All officers shall hold office for one (1) year or until a successor is elected. However, any officer may be removed by a majority of the total members. No officer may serve for more than two years consecutively.
- 3.2 SELECTION:** At the regular meeting in December, the members shall nominate one or more candidates to fill each office. Immediately following the close of nominations, the TPO shall vote to fill each office, with the vote for each office being taken in the order in which candidates for that office were nominated, until one is elected. New officers shall take office immediately upon the conclusion of the election of officers.
- 3.3 VACANCY IN OFFICE:** A vacant office shall be filled by the TPO at its first regular meeting following the vacancy. The officer so elected shall serve the remainder of their predecessor's term in office.
- 3.4 DUTIES:** The officers shall have the following duties:
- 3.4.1 CHAIR:** The Chair shall:
- (a) Preside at all regular and special meetings, workshops and public hearings.
  - (b) Represent the TPO on the West Central Florida MPO Chairs Coordinating Committee (CCC), doing business as Suncoast Transportation Planning Alliance (SCTPA), and the Florida MPO Advisory Council (MPOAC).
  - (c) Establish such ad hoc committees as the Chair may deem necessary and appoint their members and chairs.
  - (d) Call special meetings and workshops and public hearings.
  - (e) Sign all contracts, resolutions, and other official documents of the TPO, unless otherwise specified by the *By-laws* or *Policies*.
  - (f) Express the position of the TPO as determined by vote or consensus of the TPO.
  - (g) See that all actions of the TPO are taken in accordance with the *By-laws*, *Policies* and applicable laws.
  - (h) Perform such duties as are usually exercised by the Chair of a commission or board, and perform such other duties as may from time to time be assigned by the TPO.

**3.4.2 Vice-Chair:** The Vice-Chair shall, during the absence of the Chair or the Chair's inability to act, have and exercise all of the duties and powers of the Chair, and shall perform such other duties as may from time to time be assigned to the Chair by the TPO.

#### **4.0 COMMITTEES:**

##### **4.1 AD HOC COMMITTEES:**

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

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

##### **4.2 STANDING COMMITTEES:**

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

**4.2.2 Termination of Committee Membership:** Any member of any committee may resign at any time by notice in writing to the Chair. Unless otherwise specified in such notice, such resignation shall take effect upon receipt thereof by the Chair. Each member of each committee is expected to demonstrate his/her interest in the committee's activities through attendance of the scheduled meetings, except for reasons of an unavoidable nature. In each instance of an unavoidable absence, the absent member should ensure that his/her alternate will attend. The TPO may review, and consider rescinding, the appointment of any member of any committee who fails to attend three (3) consecutive meetings. In each case, the TPO will warn the member in writing, and if applicable the member's nominating organization, thirty days in advance of an action to rescind membership. The TPO Chair may immediately terminate the membership of any committee member

for violations of standards of conduct, defined as conduct inconsistent with ~~Florida Senate Administrative Policies and Procedures~~Section 7 of these By-laws. At a minimum, committee member attendance will be reviewed annually. In the case of members representing an organization on a committee as specified in the committee membership list, the individual's membership may also be rescinded by the nominating organization, by letter to the Chair.

- 4.2.3 Officers of Standing Committees:** The committee shall hold an organizational meeting each year for the purpose of electing a committee chair (unless designated by the TPO), a committee vice-chair, and, at the discretion of the committee chair, an officer-at-large. Officers shall be elected by a majority vote of a quorum of the members. Except as otherwise provided in these By-laws, officers shall serve a term of one year starting with the next meeting. The powers and duties of the committee chair shall be to preside at all meetings; to express the position of the committee as determined by vote or consensus of the committee; and to ensure that all actions of the committee are taken in accordance with the bylaws and applicable law. The committee vice chair shall have these same powers and responsibilities in the absence of the committee chair. The officer-at-large shall, during the absence of both the committee chair and the committee vice-chair or their inability to act, have these same duties and responsibilities, and in addition shall perform other duties as may from time to time be assigned by the committee chair.
- 4.2.4 Conduct of Committee Meetings:** Sections 5 through 9, excluding Section 8.1, of these TPO By-laws shall be used for the conduct of all TPO committee meetings.
- 4.2.5 Standing Committee Sub-Committees:** An TPO standing committee or the MPO may establish such sub-committees to a standing committee as deemed necessary to investigate and report on specific subject areas within the scope of the standing committee. Such sub-committees shall be of limited duration and shall dissolve at such time as designated at the time of establishment or upon completion of the task(s) specified at the time of establishment. These TPO By-laws shall be used for the conduct of such sub-committees meetings in the same manner as the TPO committees.
- 4.2.6 TPO Technical Advisory Committee (TAC):** Established pursuant to Section 339.175, Florida Statutes, the TAC shall be responsible for considering safe access to schools in the review of transportation project priorities, long-range transportation plans and transportation improvement programs and shall advise the TPO on such matters. In addition, the TAC shall be responsible for assisting in the development of transportation planning work programs; coordinating transportation planning and programming; review of all transportation

studies, reports, plans and/or programs, and making recommendations to the TPO that are pertinent to the subject documents based upon the technical sufficiency, accuracy, and completeness of and the needs as determined by the studies, plans and/or programs. The TAC shall coordinate its actions with the School Board of Hillsborough County and other local programs and organizations within Hillsborough County that participate in school safety activities and shall also coordinate its actions with the appropriate representatives of the Florida Department of Transportation.

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

The membership shall be composed of: three (3) members from Hillsborough County, two (2) members from City of Tampa, two (2) members from the Hillsborough County City-County Planning Commission, one (1) member from the Tampa Hillsborough Expressway Authority, one (1) member from the Hillsborough Area Regional Transit Authority, one (1) member from Environmental Protection Commission, one (1) member from the Tampa Port Authority, one (1) member from City of Temple Terrace, one (1) member from the Tampa Bay Regional Planning Council, one (1) member from the Florida Department of Environmental Protection, one (1) member from City of Plant City, one (1) member from the Hillsborough County Aviation Authority, one (1) member from the Tampa Bay Area Regional Transportation Authority, one (1) member from the Tampa Historic Streetcar, Inc., one (1) member from the Department of Health-Hillsborough and one (1) member from the Florida Trucking Association.

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

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

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

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

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

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

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

Membership: The Policy Committee shall be composed of at least five (5) members of the TPO who shall serve on a voluntary basis. Volunteers for membership will be solicited at the TPO meeting at

which the Chair is elected and at any TPO meeting thereafter if the total membership of the Policy Committee falls below five (5). Those TPO members requesting to be made Policy Committee members in response to such solicitation or upon the initiative of an individual TPO member shall be so appointed by action of the TPO and shall serve terms that last until the next TPO meeting at which the Chair is elected.

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

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

- an elected official serving on the Hillsborough County TPO who has been appointed by the TPO to serve as TDCB Chairperson;
- a local representative of the Florida Department of Transportation;
- a local representative of the Florida Department of Children & Families;
- a local representative of the Public Education Community, which could include, but is not limited to, a representative of Hillsborough County Public Schools, School Board Transportation Office or Head Start Program;
- a local representative of the Florida Division of Vocational Rehabilitation or the Division of Blind Services, representing the Department of Education;
- a person recommended by the local Veterans Service Office representing the veterans in the county;
- a person who is recognized by the Florida Association for Community Action (President) as representing the economically disadvantaged in the county;
- a person over sixty years of age representing the elderly citizens in the county;
- a person with a disability representing the disabled citizens in the county;
- two citizen advocates in the county, one of whom must be a user of the transportation services of the coordinated transportation disadvantaged system as their primary means of transportation;
- a local representative for children at risk;
- the chairperson or designee of the local mass transit system's board except when they are also the CTC;
- a local representative of the Florida Department of Elder Affairs;
- a local representative of the local for-profit transportation industry;



- a local representative of the Florida Agency for Health Care Administration;
- a local representative of the Regional Workforce Development Board;
- a representative of the local medical community, which may include, but is not limited to, kidney dialysis centers, long term care facilities, assisted living facilities, hospitals, local health department or other home and community based services, and;
- A local representative of the Agency for Persons with Disabilities

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

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

- a. Maintain official meeting minutes, including an attendance roster, reflecting official actions and provide a copy of same to the Commission for the Transportation Disadvantaged and the TPO Chairperson;
- b. Review and approve the CTC's memorandum of agreement and the transportation disadvantaged service plan;
- c. On a continuing basis, evaluate services provided under the transportation disadvantaged service plan. Not less than annually provide the TPO with an evaluation of the CTC's performance relative to the standards adopted by the Commission for the Transportation Disadvantaged and the TPO. Recommendations relative to performance and the renewal of the CTC's memorandum of agreement with the Commission for the Transportation Disadvantaged shall be included in the report;
- d. In cooperation with the CTC, review and provide recommendations to the Commission for the Transportation Disadvantaged and the TPO on all applications for local, state, or federal funds relating to transportation of the transportation disadvantaged in the county to ensure that any expenditures within the county are provided in the most cost effective and efficient manner;
- e. Review coordination strategies for service provision to the transportation disadvantaged in the county to seek innovative ways to improve cost effectiveness, efficiency, safety, working hours, and types of service in an effort to increase ridership to a broader population. Such strategies should also encourage multi-county and regional transportation service agreements between area CTCs and

- consolidation of adjacent counties when it is appropriate and cost effective to do so;
- f. Appoint a Grievance Subcommittee to process, investigate, resolve complaints, and make recommendations to the TDCB for improvement of service from agencies, users, or potential users, of the systems in the county. This Subcommittee shall meet as often as necessary to resolve complaints in a timely manner;
  - g. In coordination with the CTC, jointly develop applications for funds that may become available;
  - h. Prepare quarterly reports outlining the accomplishments and activities or other areas of interest to the Commission for the Transportation Disadvantaged and the TPO;
  - i. Consolidate the annual budget of local and federal government transportation disadvantaged funds estimates and forward them to the Commission for the Transportation Disadvantaged. A copy of the consolidated report shall also be used by the TDCB for planning purposes;
  - j. Develop and maintain a vehicle inventory and utilization plan of those vehicles purchased with transportation disadvantaged funds for inclusion in the transportation disadvantaged service plan for the Commission for the Transportation Disadvantaged;
  - k. Assist the TPO in preparing a Transportation Disadvantaged Element in their Transportation Improvement Program (TIP);
  - l. Assist the CTC in establishing eligibility guidelines and priorities with regard to the recipients of nonsponsored transportation disadvantaged services that are purchased with Transportation Disadvantaged Trust Fund moneys;
  - m. Work cooperatively with regional workforce boards established in Chapter 445, Florida Statutes, to provide assistance in the development of innovative transportation services for participants in the welfare transition program.

**4.2.10 TPO Intelligent Transportation Systems (ITS) Committee:** The ITS Committee is responsible for assisting in the development of Intelligent Transportation System (ITS) planning work programs, as well as reviewing ITS related studies, reports, plans, projects (including consistency with regional architecture and other standards and/or programs) and making recommendations to the TPO and/or other agencies. ITS Committee recommendations to the TPO shall be based upon the technical sufficiency, accuracy, and completeness of studies, plans and/or programs. The ITS Committee shall coordinate its actions with the appropriate representatives of the Florida Department of Transportation.

**ITS Committee Membership:** The ITS Committee shall be composed of members technically qualified in the planning, programming, engineering and/or implementation of intelligent

transportation systems or projects within the Hillsborough County Metropolitan Planning Organization area boundary or in the case of the member nominated by the Environmental Protection Committee, technically qualified in the area of air quality impacts of transportation. The membership shall be composed of: one (1) member each from Hillsborough County, the City of Tampa, the Environmental Protection Commission, Tampa-Hillsborough Expressway Authority, Hillsborough Area Regional Transit Authority, the City of Plant City and the City of Temple Terrace. Members and Alternate Members shall serve terms of indefinite length at the pleasure of their respective governmental bodies or agencies and the TPO.

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

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

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

**4.2.12 TPO Livable Roadways Committee (LRC):** The LRC shall be responsible for integrating Livable Roadways principles into the design and use of public rights-of-way and the major road network throughout Hillsborough County. The LRC seeks to accomplish this responsibility by: making recommendations to create a transportation system that balances design and aesthetics with issues of roadway safety and function; ensuring that public policy and decisions result in a transportation system that supports all

modes of transportation, with a special emphasis on pedestrian and bicycle infrastructure and transit infrastructure and service; providing information and assistance to the TPO, local governments and transportation agencies relating to the mission of the Committee; and enhancing coordination among TPO member agencies and public participation in the transportation planning process. The LRC shall coordinate its actions with the appropriate representatives of the Florida Department of Transportation.

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

## **5 MEETINGS:**

### **5.1 SCHEDULE OF MPO MEETINGS:**

- 5.1.1 Regular Meetings:** Regular meetings shall take place on the first Tuesday of each month, unless otherwise decided by the TPO and shall be held in the Chamber of the Hillsborough County Board of County Commissioners or at another suitable location designated by the Chair.
- 5.1.2 Special Meetings and Workshops:** Special meetings and workshops shall be held at the call of the Chair or majority of officers. Special meetings and workshops shall convene at a time designated by the Chair and shall be held in the Chambers of the Hillsborough County Board of County Commissioners or at another suitable location designated by the Chair.
- 5.1.3 Public Hearings:** Public hearings of the TPO shall be held at a time designated by the Chair. A public hearing can be continued

until a date and time certain, with due allowance of time for public notice of the continuation of the public hearing. Public hearings shall be held in the Chambers of the Hillsborough County Board of County Commissioners or at another suitable location designated by the Chair.

- 5.2 SCHEDULE OF STANDING COMMITTEE MEETINGS:** Each standing committee shall meet monthly, with the exception of the Intelligent Transportation Systems Committee and the Transportation Disadvantaged Coordinating Board which shall meet every two months, at a regular date and time designated by the Chair.
- 5.3 SCHEDULE OF AD HOC COMMITTEE MEETINGS:** Each ad hoc committee shall meet at the call of the committee chair. Ad hoc committee meetings shall not be scheduled during the times reserved for TPO meetings. Ad hoc committee meetings shall be held at a suitable location designated by the committee chair.
- 5.4 NOTICE OF MPO AND COMMITTEE MEETINGS:** The Executive Director of the TPO shall be responsible for providing written public notice of all TPO meetings, public hearings and committee meetings. Except in case of emergencies, written notice of any meeting shall be given at least five (5) days prior to the meeting. In case of emergency, notice of such meeting shall be given to each member as far in advance of the meeting as possible and by the most direct means of communications. In addition, notice of such emergency meeting shall be given to the media, utilizing the most practicable method. Written notice of any meeting shall state the date, time and place of the meeting, a brief description of the agenda for the meeting, and shall be provided in accordance with the requirements of Florida law and the TPO's Public Participation Plan.
- 5.5 AGENDA OF MPO AND COMMITTEE MEETINGS:** The agenda for all TPO regular and special meetings, workshops and public hearings shall be established by the Chair with the assistance of the Executive Director. Members or the Executive Director may request that an item be placed on the agenda by communicating such request to the Executive Director at least ten (10) days prior to the meeting date. The Chair shall consider with the Executive Director on a month to month basis whether there shall be a consent agenda.

The agenda for each committee meeting shall be established by the committee chair and shall be prepared by the Executive Director or designated TPO support staff. Members of a committee or the Executive Director may request that an item be placed on a committee agenda by communicating such request to the TPO support staff assigned to the committee, or the Executive Director at least ten (10) days prior to the committee meeting date.

The agenda shall list the items in the order they are to be considered. For good cause stated in the record, items on the agenda may be considered out of order with the approval of the TPO Chair or the committee chair.

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

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

**5.7 QUORUM:** A simple majority of the total non-vacant membership of the TPO or TPO committee shall constitute a quorum for the transaction of business at all regular and special meetings and public hearings, except seven (7) members shall constitute a quorum for the CAC, five (5) members shall constitute a quorum for the TDCB and nine (9) members shall constitute a quorum for the LRC and BPAC. Public hearings may be conducted with less than a quorum, but no action, other than as noted at the end of this section, shall be taken unless a quorum is present. When a quorum is present, a majority of those present may take action on matters properly presented at the meeting. Workshops may be conducted with less than a quorum, but no official action may be taken. A majority of the members present, whether or not a quorum exists, may adjourn any meeting or continue any public hearing to another time.

**5.8 CONDUCT OF MEETINGS:**

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

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

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

- 5.8.4** Limitation of Testimony: The Chair may rule testimony out of order if it is redundant, irrelevant, indecorous or untimely.
- 5.8.5** Motions: The Chair shall restate motions before a vote is taken and shall state the maker of the motion and the name of the supporter.
- 5.8.6** Voting: Voting shall be done by voice, as a group, but a member shall have his/her vote recorded in the minutes of the meeting if so desired. A roll call vote shall be taken if any member so requests. Any member may give a brief explanation of his/her vote. A tie vote shall result in failure of a motion.
- 5.8.7** Reconsideration: A motion to reconsider an item on which vote has been taken may be made only by a member who voted with the prevailing side. The motion to reconsider must be made on the day the vote to be reconsidered was taken, or at the next succeeding meeting of the same type of meeting at which the vote to be reconsidered was taken (i.e., at the next succeeding regular meeting if the vote to be reconsidered was taken at a regular meeting). To be in order, the motion to reconsider must be made under the consideration of old business. Adoption of a motion to reconsider requires the approval of at least a simple majority of the votes cast. If a motion to reconsider is adopted, the members shall consider the need for additional notice to interested persons before a vote subject to the motion for reconsideration was taken at a special meeting or a public hearing for which no subsequently scheduled meeting will provide an opportunity for reconsideration of the item, then the motion to reconsider may be made at the next regular meeting in the manner provided.

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

**5.9.1** Regular TPO Meetings:

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

**5.9.2** Special Meetings or Workshops

- (a) Call to Order

- (b) Consideration of individual agenda items
- (c) Adjournment

**5.9.3 Public Hearings**

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

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

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

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

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

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

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

**7.0 CODE OF ETHICS:**

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

**7.2 REQUESTS FOR INFORMATION:** Members may request information readily available to the general public directly from the appropriate staff person. Requests for information not readily available to the general public, or information which would involve the expenditure of staff time in preparation



or compilation, shall be made to the Executive Director, who may consult with the Chair for guidance.

**7.3 LOBBYING ACTIVITIES:** Members shall use their discretion in conducting private discussions with interested persons regarding TPO business, as long as all interested persons are treated equally. Any written material received by a member in connection with a private discussion with an interested person shall be given to the Executive Director for distribution to other members and as appropriate, to staff.

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

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

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

**7.57.6 STANDARDS OF CONDUCT:** Members will conduct TPO business in accordance with the Standards of Conduct of the Hillsborough County City-County Planning Commission.

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

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

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

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

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

**9.1** The particular controls the general.

**9.2** The word “shall” is mandatory and not discretionary. The word “may” is permissive.

**9.3** Words used in the present tense include the future; words used in the singular number shall include the plural and the plural the singular unless the context indicates the contrary.

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

**10.0 AMENDMENT:** The *By-laws* may be amended by two-thirds majority vote of the total voting membership of the TPO. Any amendment shall be proposed at a regular meeting and voted upon the next regular meeting.



## *Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

605 SUWANNEE STREET  
TALLAHASSEE, FL 32399-0450

March 28, 2022

Re: East Tampa Community Conversation with FDOT (In-Person and Virtual)

Dear Elected Officials, Agency Officials and Staff:

The Florida Department of Transportation (FDOT) District Seven invites you to attend and participate in a community conversation with FDOT and the East Tampa community. The meeting is an open dialogue roundtable discussion on FDOT and City of Tampa arterial roadway projects, FDOT interstate projects, and aesthetic enhancements in the East Tampa community. Residents will have the opportunity to share feedback with FDOT and the City of Tampa staff and ask questions on transportation improvements.

The meeting will be held **in-person on Tuesday, April 19, 2022**, with an option to participate **virtually on Thursday, April 21, 2022 (registration is required to attend online)**. At the meeting, a short presentation will be given. Following the presentation, a discussion will be held with participants on multiple topics to provide FDOT and City of Tampa staff with input on current and planned projects to better enhance improvements for the surrounding community.

The information presented will be identical at both meeting dates. FDOT staff will be available on both dates to facilitate the conversations, hear from community members on projects and ideas, and to answer questions. We ask that you only participate in one of the two sessions.

**In-Person Location:**

**April 19, 2022, beginning at 5:30 p.m.**

C. Blythe Andrews, Jr. Public Library  
2607 E. Dr. Martin Luther King Jr. Boulevard  
Tampa, FL 33610

Complimentary on-site parking and designated handicap parking are available. Hillsborough Area Regional Transit (HART) bus routes 12 and 32 provide bus services to access the meeting site.

**Virtual/Online:**

**April 21, 2022, beginning at 5:30 p.m.**

Those who cannot attend in person, may participate virtually by registering at [www.TampaBayNext.com](http://www.TampaBayNext.com).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons requiring special accommodations under the Americans with Disabilities Act to participate in this open house or persons who require translation services (free of charge) are asked to advise the agency at least seven (7) days prior to the open house by contacting: Roger Roscoe, FDOT Title VI Coordinator, at (813) 975-6411 or (800) 226-7220, or [Roger.Roscoe@dot.state.fl.us](mailto:Roger.Roscoe@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800) 955-8771 (TDD) or 1(800) 955-8770 (Voice).

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[www.fdot.gov](http://www.fdot.gov)

Comuníquese Con Nosotros: Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o si simplemente desea más información, por favor comuníquese con nuestro representante, Manuel Flores, (813) 975-4248, [Manuel.Flores@dot.state.fl.us](mailto:Manuel.Flores@dot.state.fl.us), Departamento de Transporte de Florida, 11201 North McKinley Drive, Tampa, FL 33612.

For more information about FDOT and City of Tampa projects in the Tampa Heights area, please visit the websites listed below:

FDOT Projects: [www.FDOTTampaBay.com](http://www.FDOTTampaBay.com).

City of Tampa Capital Improvement Projects (CIP) Viewer: <https://www.tampa.gov/projects>

For more information, contact Craig Fox, P.E., Office of Environmental Management, Florida Department of Transportation by email [Craig.Fox@dot.state.fl.us](mailto:Craig.Fox@dot.state.fl.us) or by phone at (813) 975-6082.

Sincerely,  
Kristen Carson  
Public Information Officer, District Seven  
Florida Department of Transportation



## *Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

605 SUWANNEE STREET  
TALLAHASSEE, FL 32399-0450

April 4, 2022

Re: VIRTUAL MEETING DATE RESCHEDULED – Tampa Heights Community Conversation with FDOT

Dear Elected Officials and Staff:

The Florida Department of Transportation (FDOT) District Seven invites you to attend and participate in a community conversation with the Tampa Heights community and FDOT. **The virtual meeting date has been changed following the initial notification from Thursday, April 28, 2022, to Tuesday, May 3, 2022. The in-person meeting will remain as scheduled on Tuesday, April 26, 2022.**

The conversations will include but not be limited to projects in the adjacent area including the I-275 Capacity Improvements Project currently under construction and the Downtown Tampa Interchange (I-275/I-4) Safety and Operational Improvements Project that is anticipated to begin construction in 2023. Additionally, the conversations will provide the opportunity for the community to share thoughts on other FDOT projects and topics. City of Tampa representatives will also be available to discuss City projects in the Tampa Heights community.

The meeting will be held **in-person on Tuesday, April 26, 2022**, with an option to participate **virtually on Tuesday, May 3, 2022 (registration is required to attend online)**. At the meeting, a short presentation will be given. Following the presentation, meeting participants will be able to provide their feedback through small group discussions on multiple topics with FDOT and City of Tampa staff.

Information presented will be identical at both meeting dates. FDOT staff will be available on both dates to facilitate the conversations, hear from community members on projects and ideas and to answer questions. We ask that you only participate in one of the two sessions.

FDOT will be on-site along Elmore Avenue on **Wednesday, April 27, 2022, from 11:00 a.m. – 3:00 p.m.** to talk with neighbors about the planned improvements that are part of the Downtown Tampa Interchange project. FDOT staff will be available to answer questions about the future location for the retaining wall structure along Southbound I-275 that is anticipated to shift outward as part of the improvements. The future wall location has been marked to help provide a better understanding of the future location.

**In-Person Location:**

**April 26, 2022, beginning at 5:30 p.m.**

Chester H. Ferguson Law Center, Hillsborough County Bar Association  
1610 North Tampa Street  
Tampa, FL 33602

Complimentary on-site parking and designated handicap parking are available. Hillsborough Area Regional Transit (HART) bus routes 1 and 6 provide bus services to access the meeting site.

*Improve Safety, Enhance Mobility, Inspire Innovation*

[www.fdot.gov](http://www.fdot.gov)

**Virtual/Online:**

**May 3, 2022, beginning at 5:30 p.m.**

Those who cannot attend in person, may participate virtually by registering at [www.TampaBayNext.com](http://www.TampaBayNext.com).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons requiring special accommodations under the Americans with Disabilities Act to participate in this open house or persons who require translation services (free of charge) are asked to advise the agency at least seven (7) days prior to the open house by contacting: Roger Roscoe, FDOT Title VI Coordinator, at (813) 975-6411 or (800) 226-7220, or [Roger.Roscoe@dot.state.fl.us](mailto:Roger.Roscoe@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800) 955-8771 (TDD) or 1(800) 955-8770 (Voice).

Comuníquese Con Nosotros: Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o si simplemente desea más información, por favor comuníquese con nuestro representante, Manuel Flores, (813) 975-4248, [Manuel.Flores@dot.state.fl.us](mailto:Manuel.Flores@dot.state.fl.us), Departamento de Transporte de Florida, 11201 North McKinley Drive, Tampa, FL 33612.

For more information about FDOT and City of Tampa projects in the Tampa Heights area, please visit the websites listed below:

I-275 Capacity Improvements: <https://www.fdot.com/project/706/431821-2-52-01>

I-275 Downtown Tampa Interchange: <https://www.fdot.com/project/839/445057-1-52-01>

City of Tampa Capital Improvement Projects (CIP) Viewer: <https://www.tampa.gov/projects>

For more information, contact Kirk Bogen, P.E., Environmental Management Engineer, Florida Department of Transportation by email [Kirk.Bogen@dot.state.fl.us](mailto:Kirk.Bogen@dot.state.fl.us) or by phone at (813) 975-6448.

Sincerely,

Kristen Carson

Public Information Officer, District Seven

Florida Department of Transportation



## Florida Department of Transportation

RON DESANTIS  
GOVERNOR

11201 North McKinley Drive  
Tampa, FL 33612-6456

KEVIN J. THIBAUT, P.E.  
SECRETARY

March 15, 2022

**Subject:** Virtual Public Meeting (VPM) for Proposed Safety Improvements  
SR 60 (Kennedy Boulevard) from Woodlynn Avenue to Brevard Avenue  
Hillsborough County, Florida  
Financial Project Number (FPN): 436489-1-52-01

Dear Government Partner:

The Florida Department of Transportation (FDOT), District Seven, invites you to attend and participate in a Virtual Public Meeting (VPM) for proposed median modifications on SR 60 (Kennedy Boulevard) from Woodlynn Avenue to Brevard Avenue in Tampa, Florida, Financial Project Number (FPN): 436489-1-52-01. This Virtual Public Meeting will be held on **April 7, 2022**, at **4:30 p.m.**

To allow for maximum participation, the public meeting will be held in three formats including virtually over the internet and at an in-person drive-thru location. Information presented will be identical at all options. You may also participate by phone in listen mode only.

The meeting will start at **4:30 p.m.** and include a presentation. After the presentation has concluded, there will be an opportunity to provide comments that will be included in the official public meeting record.

**Virtual/Online: Presentation will begin at 4:30 p.m.**

The presentation will be played at 4:30 p.m., 5:00 p.m. and 5:30 p.m. After each presentation, there will be an opportunity to provide comments that will be included in the official public meeting record. Please follow this link to register and access the meeting: <https://bit.ly/3CtN6Ce>.

**In-person drive-thru location:**

Hours: Drive-thru will open at 4:30 p.m. and remain open until 6:30 p.m.  
South Tampa Surgery Center  
3600 W. Kennedy Boulevard  
Tampa, FL 33609 (Parking Area)

Drive-thru attendees will be directed into a clearly identified parking lot, receive project literature, and view the project presentation. Attendees will be asked to remain in their vehicle while attending the meeting. You will have the opportunity to provide written or verbal comments.

**Phone:**

The presentation will be played at 4:30 p.m., 5:00 p.m. and 5:30 p.m. To participate by phone please call: 1-631-992-3221 and provide the Access Code: 416-867-345 to join. Phone participants will be in "Listen Only" mode during the presentation. Comments may be submitted to the Project Manager following the public meeting by email, mail, or phone/voicemail.

This public meeting is conducted to afford affected property and business owners, interested persons and organizations the opportunity to provide comments to FDOT regarding proposed median modifications on SR 60 (Kennedy Boulevard) from Woodlynn Avenue to Brevard Avenue in Hillsborough County.

**All side street access onto SR 60 (Kennedy Boulevard) within the project limits will be reconfigured to a right turn only except for the following which will remain open as they are today.**

S. Bungalow Park Avenue  
Arrawana Avenue  
N. Tampania Avenue

**Medians are proposed to be permanently closed at:**

Gomez Avenue	Packwood Avenue	S. Orleans Avenue
Westland Avenue	Dakota Avenue / Walmart	Edison Avenue
Melville Avenue	Moody Avenue	S. Delaware Avenue

**Median openings are proposed to become directional median openings at the following locations:**

New Jersey Avenue  
Albany Avenue  
S. Newport Avenue  
S. Fielding Avenue

**All traffic signals will remain throughout the corridor and traffic signals will be added at the following intersections:**

Habana Avenue  
Freemont Avenue  
Oregon Avenue  
Edison Avenue mid-block crossing

\*Please see the enclosed proposed median modification exhibit for details. The exhibit is also available on the project website or QR code listed below.

This VPM is held pursuant to Chapters 120, 335.18 and 335.199, Florida Statutes. FDOT will receive verbal/written comments at the public meeting drive-thru location and online from registered webinar participants. Additionally, written or emailed comments may also be submitted following the meeting to Kevin.Lee@dot.state.fl.us or mailed to Kevin Lee, Design Project Manager, Florida Department of Transportation, 11201 N. McKinley Dr., MS 7-600, Tampa, Florida 33612 or by phone at (813) 975-6426. Comments received or postmarked by April 18, 2022, will be included in the official meeting record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons requiring special accommodations under the Americans with Disabilities Act to participate in this open house or persons who require translation services (free of charge) are asked to advise the agency at least seven (7) days prior to the open house by contacting: Jensen Hackett, FDOT Title VI Coordinator, at (813) 975-6283 or (800) 226-7220, or Jensen.Hackett@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800) 955-8771 (TDD) or 1(800) 955-8770 (Voice).

Comuníquese Con Nosotros: Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o si simplemente desea más información, por favor comuníquese con nuestro representante, Manuel Flores, (813) 975-4248, Manuel.Flores@dot.state.fl.us, Departamento de Transporte de Florida, 11201 North McKinley Drive, Tampa, FL 33612.



For more information about this project, please visit the project webpage at <https://www.fdotampabay.com/project/784/436489-1-52-01>.

Or scan the QR Code

Sincerely,  
Kevin Lee  
Design Project Manager  
Florida Department of Transportation



## Hillsborough County City County Planning Commission

### 2022 Legislative Wrap-Up Summary

March 15, 2022

#### Fun Fact: 3,735 Bills Filed and 285 Passed

#### **PASSED:**

#### **Budget (below items are funded by General Revenue)**

The Legislature ended its 2022 regular session by passing the largest budget in state history, a \$112 billion spending plan engorged by federal aid and rising tax collections as the strong recovery from the pandemic continues. The budget, which drew bipartisan support, spread that wealth, with a minimum wage increase for state employees, pay increases for teachers and law enforcement officers, hefty affordable housing spending (\$209 million for the State Housing Incentives Partnership), and a large package of tax breaks for consumers. Gov. Ron DeSantis has line-item veto power and could reject items.

Transportation Disadvantaged	\$60.4 million
22 <sup>nd</sup> Avenue & Selmon	\$2.691 million
Safe Routes to School	\$1.38 million
Harvest Hope Park Sidewalks	\$1.17 million
TBARTA – TD Tampa Bay	\$1 million
TBARTA Operations	\$375,000
Sulphur Springs Safe Routes	\$275,000
Gray Street Complete Street	\$250,000

#### **Bills that Passed (alphabetical order)—**

Floating Solar Facilities (HB 1411)

Local Business Protection Act (SB 620)

Local Tax Referenda Requirements (HB 777)

Private Property Rights to Prune, Trim, & Remove Trees (SB 518)

Real Property Rights (SB 1380)

Residential Development Projects for Affordable Housing (SB 962)

School Concurrency (SB 706)

Statewide Flooding & Sea Level Rise Resilience (HB 7053)

Stunt Driving on Highways (HB 399)

**Bills that Failed (alphabetical order)—**

Affordable Housing (SB 1924/HB 1089)

Aggressive Careless Driving (HB 297/SB 476)

Affordable Housing (HB 1089/SB 1924)

Alternate Mobility Funding (HB 1415/SB 1824)

Driving Under the Influence (HB 271/SB 436)

First Responder Roadway Safety (HB 127)

Local Ordinances (SB 280/HB 403)

Photographic Enforcement of School Zones (HB 189/SB 410)

Public Meetings During Declared States of Emergency (SB 674)

Repeal of Developer Incentive Requirements (HB 6057/SB 1900)

Tax Exemption for Affordable Housing (HB 495/SB 1150)

TBARTA Repeal (SB 426)

Traffic Infraction Detectors (HB 6029/SB 870)

Transportation Projects (SB 398/HB 157)

Transportation Research (HB 1031/SB 1160)

**HILLSBOROUGH COUNTY CITY-COUNTY PLANNING COMMISSION**  
**SIGNIFICANT LEGISLATION PASSED BY THE 2022 FLORIDA LEGISLATURE**  
**MARCH 21, 2022**

**FUNDING--AFFORDABLE HOUSING:**

- State Housing Initiatives Partnership (SHIP) program: The FY 2022-2023 budget allocates approximately \$209.48 million for the State Housing Initiatives Partnership (SHIP).
- State Apartment Incentive Loan Program (SAIL): The FY 2022-2023 budget allocates \$153.25 million for the State Apartment Incentive Loan Program (SAIL), including a \$100 million allocation for a Florida Hometown Hero Housing Program. While SB 788 by Senator Hooper established a Hometown Hero program with eligibility criteria, that bill did not pass and was withdrawn from consideration. The proviso to line item 2289 in the General Appropriations Act provides that \$100,000,000 of nonrecurring funds from the State Housing Trust Fund, traditionally used for State Apartment Incentive Loan (SAIL) Program, shall be used by the Florida Housing Finance Corporation to establish a Florida Hometown Hero Housing Program to provide down payment and closing cost assistance. No other legislation passed providing any direction on this new program or how eligibility will be determined.

**FUNDING--TRANSPORTATION:**

Transportation Disadvantaged (statewide): From the funds in Specific Appropriation 1957 (\$60.4 million), \$4,000,000 shall be used by the Commission for the Transportation Disadvantaged for an innovative grant program. Funds shall be used to provide competitive grants to community transportation coordinators for innovative service delivery that is more cost efficient for the program and time efficient for the users. Grants may be for projects in which a community transportation coordinator works with a non-traditional service provider, such as a transportation network company or other entity, that provides door-to-door, on-demand, or scheduled transportation services. A county may submit one project that encompasses multiple goals or a single goal, such as providing cross-county mobility or reducing service gaps between existing routes and the user's destination. A county may not receive more than one award and may receive a maximum award of \$750,000. Multiple counties may partner for a grant of up to \$1,500,000 provided that the project includes a goal of providing regional mobility in addition to any other goals. A ten percent local match is required for all grants. All funds shall be used to provide direct services to transportation disadvantaged clients.

Additionally, the following transportation projects were funded:

22 <sup>nd</sup> Avenue & Selmon Expressway	\$2.691 million
Safe Routes to Limona Elementary School	\$1.38 million
Harvest Hope Park Sidewalks	\$1.17 million
TBARTA	\$1 million
TBARTA Operations	\$375,000
Sulphur Springs Safe Routes	\$275,000
Gray Street Complete	\$250,000

## **IMPROVING STATE RESILIENCY:**

HB 7053 by the Environment, Agriculture, & Flooding Subcommittee passed (114-1). The bill was substituted for SB 1940 by Rep. Brodeur. The bill establishes the Statewide Office of Resilience within the Executive Office of the Governor, providing the appointment of a Chief Resilience Officer. The bill requires the Department of Transportation (DOT) to develop a resilience action plan for the State Highway System. Additionally, the bill identifies goals of the action plan and requires it to include certain components. It also requires DOT to submit the action plan to the Governor and the Legislature by June 20, 2023, and a status report every third year on June 30 thereafter. The bill requires the Florida Flood Hub for Applied Research and Innovation to provide certain data to counties and municipalities for vulnerability assessments.

Additionally, the bill:

- Authorizes the use of Resilient Florida Grant Program funds to fund preconstruction activities for Statewide Flooding and Sea-Level Rise Resilience Plan (Plan) projects in municipalities and counties meeting certain population thresholds, but not for projects that adapt critical assets to flooding and sea-level rise.
- Pushes back by one year (to 2023 and 2024, respectively) the dates by which the Comprehensive Statewide Flood Vulnerability and Sea-Level Rise Data Set and the Assessment must be completed.
- Revises the \$100 million cap on funding proposed for each year of the Plan to a minimum threshold of \$100 million.
- The bill establishes the responsibilities of the State Chief Resilience Officer, including:

- To work with federal, state, regional, and local governmental entities, and nongovernmental entities to align flood resilience and mitigation priorities.
- Collaborate with the Florida Flood Hub for Applied Research and Innovation and other appropriate entities to provide technical guidance to state agencies, as well as local and regional governmental entities, to incorporate future standards and projections regarding flooding, including sea level rise projections, into future state projects, plans, and programs.
- Engage with state agencies and water management districts to innovate processes, programs, decision frameworks, and reporting mechanisms intended to bolster flood resilience and mitigation activities.
- All state and local governmental entities are authorized and directed to assist the Chief Resilience Officer to the extent such assistance is consistent with law and budgetary constraints.

## **LEGAL NOTICES:**

HB 7049 by Reps. Fine and Grall passed (79-40) in the House and Senate (26-13). The bill allows a local governmental agency the option to publish legal notices on a publicly accessible website owned or designated by the county instead of in a print newspaper. The bill defines the terms “governmental agency” to mean a county, municipality, school board, or other local government unit or political subdivision of the state; and also defines the term “publicly accessible website” to mean a county website or private website designated by the county for publication of legal notices. All advertisement on a publicly available website must be searchable and contain the date in which the advertisement was first published on the website. A governmental agency may use the publicly accessible website of a county in whose jurisdiction it lies if the costs of publishing the required advertisements or public notices is less than publishing in a newspaper. A governmental agency with at least 75 percent of its population located in a county with less than 160,000 may use the publicly accessible website of the county if the governmental agency, at a public hearing publicly noticed in a newspaper, determines residents have sufficient access to the internet by broadband service and publishing public notices on the county website will not unreasonably restrict public access. A special district that spans the geographic boundaries of the county is authorized to publish its public notices on the public accessible website of the county it spans. Any governmental agency that published its advertisements and public notices on a publicly accessible website must once per year provide notice in a newspaper of general circulation, or another publication that is mailed or delivered to all residents and property owners throughout government’s jurisdiction indicating that residents may receive required advertisements or notices from the government by first-class mail or email after registering their name and address or email address with the government agency. The bill requires each government agency to maintain a registry of the property owners or residents that requested in writing to receive required advertisement or public notices by first-class mail or email. A link to

all advertisements and public notices on the publicly accessible website must be conspicuously placed on the homepage or on a page accessible through a direct link from the homepage. If a governmental agency has a governmental access channel, the agency may provide a summary of advertisements and public notices that are published on its publicly accessible website. In addition, public bid advertisements made on a publicly accessible website, must include a method to accept electronic bids. The bill reverts the criteria a newspaper must satisfy to be qualified to publish all legal notices back to the criteria in place before the passage of Chapter 2021-17, Laws of Florida, with the exception that newspapers qualified to publish legal notices are no longer required to be for sale. Finally, the bill eliminates the obligations of the Florida Press Association relating to equitable legal notice access by minority populations.

### **LOCAL REFERENDA REFORM:**

HB 777 by Rep. W. Robinson passed both chambers, 111-2 in the House and 39-0 in the Senate. Rep. Robinson's bill was substituted for Sen. Boyd's Senate version, SB 1194. The bill will require referendum elections to coincide with a general election for the following taxes:

- Tourist development tax
- Areas of critical state concerning tourist impact tax
- Children's services independent special district tax
- County temporary excess ad valorem millage
- Municipal temporary excess ad valorem millage
- County transportation motor fuel tax
- Local option fuel taxes
- School district millage
- Other local government voted millage

Concerns were raised that any referenda held in concurrence with a general election (in November) would occur after the tax bill has been issued, and the millage could not be levied until the following year. This could potentially have dangerous implications for fiscally constrained counties seeking to resolve time-sensitive community issues.

### **HILLSBOROUGH COUNTY TRANSPORTATION SALES SURTAX:**

Pro viso language was included in the final hours of budget negotiations that provides, "SECTION 155. Contingent upon the issuance of a final judgment by a court of competent

jurisdiction regarding the litigation associated with the Hillsborough County Transportation Sales Surtax, the Clerk of the Circuit Court of Hillsborough County shall transfer, or cause to be transferred, any surtax revenues remaining in escrow to the Department of Revenue. The Department of Revenue shall deposit the funds in a separate account within the Discretionary Sales Surtax Clearing Trust Fund pursuant to section 212.054, Florida Statutes. Any such funds received by the Department of Revenue are hereby appropriated and shall be placed in reserve. The Department of Revenue shall submit a budget amendment no later than September 1, 2022, to the Legislative Budget Commission for release of the funds held in reserve pursuant to chapter 216, Florida Statutes. The budget amendment shall include a plan to distribute the funds consistent with the provisions of section 212.055, Florida Statutes, and the final judgment issued by a court of competent jurisdiction. This section is effective upon becoming a law. “

### **MIXED-USE RESIDENTIAL DEVELOPMENT FOR AFFORDABLE HOUSING PROJECTS:**

SB 962 by Sen. Bradley was substituted for HB 981 re: Residential Development Projects for Affordable Housing by Rep. Payne. The bill authorizes a county or municipality, regardless of zoning ordinances or the locality’s comprehensive plan, to approve mixed-use residential development projects on any parcel zoned for residential, commercial, or industrial use if 10% of the project is for affordable housing. The bill provides that approval of such projects is self-executing and does not require the board of county commissioners to adopt an ordinance or a regulation before using the approval process. The bill passed unanimously.

### **PRIVATE PROPERTY RIGHTS TO PRUNE, TRIM, AND REMOVE TREES:**

SB 518 by Sen. Brodeur was substituted for HB 1555 re: Private Property Rights to Prune, Trim, and Remove Trees by Rep. McClain. The bill revises conditions under a local government’s authority to require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on residential property. A local government may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on a residential property if the property owner possesses documentation from an arborist certified by the ISA (International Society of Arboriculture) or a Florida license landscape architect that the tree poses an unacceptable risk. A tree poses an unacceptable risk if removal is the only means of practically mitigating its risk below moderate as determined. The bill defines “documentation” as an onsite tree risk assessment performed with the tree risk assessment procedures as outlined in Best Management Practices-Tree Risk Assessment, Second Edition (2017). The bill passed unanimously in the Senate and (116-1) in the House.

### **PROMOTING FLOATING SOLAR FACILITIES:**

HB 1411 by Rep. Avila passed unanimously (112-0). The bill was substituted for its Senate companion, SB 1338 by Sen. Diaz, which also passed unanimously (39-0). The bill promotes the use of floating solar facilities by requiring each local government to allow these facilities as a permitted use under certain conditions and amend its land development regulations to promote the use of floating solar. Under the bill, counties and municipalities may adopt ordinances specifying buffer and landscaping requirements for floating solar facilities, however, such requirements may not exceed the requirements for similar uses involving the construction of other solar facilities that are permitted uses in agricultural land use categories and zoning districts. The bill states that a floating solar facility may not be constructed in an Everglades Agricultural Area reservoir project if the local governments involved with the project determine that the facility will have a negative impact on that project. Under the bill, the Office of Energy within the Department of Agriculture and Consumer Services is tasked with submitting recommendations to the Legislature to provide a regulatory framework to private and public sector entities that implement floating solar facilities.

#### **SCHOOL CONCURRENCY REVISIONS:**

SB 706 by Sen. Perry passed unanimously (38-0). The bill was substituted for HB 851 by Rep. McClain. The bill amends s. 163.3180(6)(h) to provide that school concurrency is deemed satisfied when a developer tenders a written, legally binding commitment, rather than an executed commitment, to provide mitigation proportionate to the demand created by a development. The district school board must notify the local government that capacity is available for the development within 30 days after receiving the developer's legally binding commitment. In the addition, the bill provides that any developer paid mitigation, rather than being directed toward a school capacity improvement in the district's 5-year education facilities plan, must be set aside and not spent until an improvement is identified that satisfies the demand created by the development.





# SCTPA

Sun Coast Transportation Planning Alliance

February 24, 2022

**ONE REGION, ONE VOICE**

The Honorable Daniel Webster  
United States House of Representatives  
2184 Rayburn HOB  
Washington, DC 20515

Dear Representative Webster,

The Tampa Bay region has experienced an explosive growth in new residents over the past decade that shows no sign of easing anytime soon. It has grown, and continues to grow, at a faster rate than the overall state and U.S. markets. This great influx of new residents makes it increasingly more difficult to safely and efficiently move people through the region. While many highway improvement projects are currently underway, forecasts and analyses of future traffic volumes and travel demand predict that adding highway capacity alone will not sufficiently address regional transportation needs, as projected available funding and land needed for new roadway construction will be unable to keep pace with growth.

Officials within the region have been studying this issue for many years and have determined that much greater investment in public and/or private transit is needed. The region currently possesses no regional transit system and few intercounty transit options. Options are being studied for intercounty bus rapid transit operations. It is hoped that bus rapid transit service might provide shorter-term relief while additional long-term transit solutions are developed and implemented. A comprehensive assessment of regional transit needs and opportunities will be conducted over the next year. It is hoped that this study will provide a clear path forward for the region in determining the best strategy for developing a robust regional transit system that will help alleviate highway congestion and the resulting environmental impact caused by it.

Developing a Tampa Bay regional transit system will require a partnership involving local communities, the State of Florida Department of Transportation and the United States Department of Transportation. Commitments of both funding and leadership from each of these prospective partners will be critical to meeting future regional transportation needs. As regional transit proposals and plans are developed, the members of the Sun Coast Transportation Planning Alliance (the Hillsborough, Pinellas, Pasco, Polk, Sarasota-Manatee and Hernando Metropolitan Planning Organizations) respectfully request your strong support for these initiatives. We are confident of your recognition of the region's growing mobility challenges and hope that you will be able to join with us in better serving the needs of the traveling public in the Tampa Bay region.



Polk Transportation  
Planning Organization



Hillsborough MPO  
Metropolitan Planning  
for Transportation



FORWARD  
PINELLAS

Thank you for your long and continued service to our region and for your thoughtful consideration of what may be done to further improve the quality of life in the Tampa region.

Sincerely,

A handwritten signature in black ink that reads "Kathryn Starkey". The script is fluid and cursive, with the first letters of each name being capitalized and prominent.

Commissioner Kathryn Starkey  
SCTPA Chair

A stylized signature in black ink that reads "Kimberly Overman". The font is a decorative, slightly calligraphic serif style with a consistent slant.

Commissioner Kimberly Overman  
TMA Leadership Group Chair



# 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 Dingfelder  
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

Steven Spina, Interim City Manager  
City of Temple Terrace

Bonnie Wise, County Administrator  
Hillsborough County

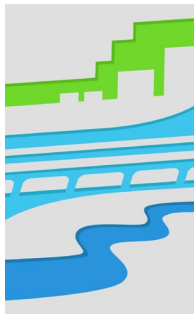
RE: Commuter Benefits Ordinances

Dear colleague,

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 Tampa Bay and from three transportation management organizations in Hillsborough



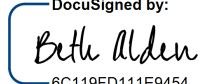
**Plan Hillsborough**  
[planhillsborough.org](http://planhillsborough.org)  
[planner@plancom.org](mailto:planner@plancom.org)  
813 - 272 - 5940  
601 E Kennedy Blvd  
18<sup>th</sup> Floor  
Tampa, FL, 33602

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 ordinance 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.

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,

DocuSigned by:  
  
6C119FD111E9454  
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](mailto: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](mailto: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.*

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## A. Basic Information

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### 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](mailto: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

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### 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

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### 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 5<sup>th</sup> to January 24<sup>th</sup> 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

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**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

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**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

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**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**

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**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**

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**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

## 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

## Chapter 9.88

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)

Chapter 9.88

**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

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

Derek Doughty  
Planning Commission

Joe Lozano  
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

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-20<sup>th</sup> 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.



**Plan Hillsborough**  
[planhillsborough.org](http://planhillsborough.org)  
[planner@plancom.org](mailto:planner@plancom.org)  
813 - 272 - 5940  
601 E Kennedy Blvd  
18<sup>th</sup> Floor  
Tampa, FL, 33602

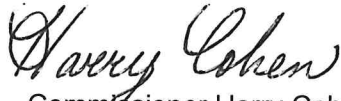
Noise walls have documented health benefits for the residents who live next to them. Roads with high traffic volumes are statistically linked to a number of chronic health conditions, including asthma and heart disease. Residents who are closest to those roads receive the most benefit from the construction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

A handwritten signature in cursive script that reads "Harry Cohen".

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

Commissioner Harry Cohen  
Hillsborough County  
MPO Chair

March 17, 2022

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

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813 - 272 - 5940  
601 E Kennedy Blvd  
18<sup>th</sup> Floor  
Tampa, FL, 33602

Hillsborough County  
Board of County Commissioners  
County Center  
601 E. Kennedy Blvd., 2<sup>nd</sup> Floor  
Tampa, FL 33602

## RE: Transportation Surtax – Dedicated Funds for Safety

Honorable Board Members,

The crash trend in Hillsborough County continues to place us among the most dangerous counties in the nation for drivers, pedestrians, and cyclists. 2021 was no exception. **Last year, we experienced the highest number of traffic fatalities in history with 257 loved ones killed** on our roadways. Following an annual review of our safety performance measures, the TPO Board has asked me to communicate with you about the need for dedicated funding. Unfortunately, we have already gotten off to what looks to be an even more tragic year:

Jan. 1 to Feb. 28, deaths	Bicyclists	Pedes-trians	Motor-cyclists	In autos	TOTAL deaths
2022 so far	5	11	8	17	41
Compared to the same time period in the record-breaking 2021	3	8	6	21	38

In order to reverse this alarming trend, a coordinated effort and commitment by local decision-makers and the public at-large is needed. Over the past several years, projects to improve traffic safety have been implemented by local and state transportation agencies, but our analysis shows that current funding levels will yield a crash reduction of only 15% over the next 20 years.

As the BOCC considers placing a Transportation Surtax referendum on the November 8, 2022, election ballot, establishing a percentage for safety will ensure projects are funded that will lead to a more meaningful decrease in these avoidable injuries and deaths. We estimate that the 27% allocated to transportation safety in the surtax approved by voters in 2018 would have led to a 35% reduction in serious crashes by 2045, or 70 lives saved every year. A similar or greater percentage for safety in the upcoming referendum will significantly improve our quality of life.

Thank you for your consideration of the Transportation Surtax referendum to help meet the long list of transportation needs in Hillsborough County. A modest set-aside for safety offers a real opportunity to save lives. TPO staff are available to provide data, calculate performance measures, and assist in answering the public's questions, if needed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Beth Alden". The signature is fluid and cursive, with the first letter of the first name being a large, stylized 'B'.

Beth Alden, AICP  
Executive Director, Hillsborough TPO

cc: Hillsborough County Administrator Bonnie Wise  
TPO Board Members



# CITY OF TAMPA

— OFFICE OF THE MAYOR —

**Jane Castor, Mayor**

March 21, 2022

The Honorable Kimberly Overman  
District 7, Countywide Chair  
Hillsborough County Board of County Commissioners  
601 E. Kennedy Boulevard  
Tampa, Florida 33602

Dear Commissioner Overman,

Thank you for the opportunity to allow the City of Tampa to present at the March 10<sup>th</sup> Board of County Commissioners Transportation Workshop. As Vik Bhide, Mobility Department Director, discussed during his presentation at the Workshop, the one-cent sales tax is desperately needed by our community.

When I took office in 2019, one of my first orders of business was to define the City's priorities and vision, which ultimately became known as "Transforming Tampa's Tomorrow." We heard overwhelmingly that our community not only believes that transportation is one of our greatest priorities, but that we need to invest more in our transportation system. I often joke that when we think about Transportation in Tampa, we're so far behind other cities that we think we're first.

We know that transportation in the Tampa Bay area is expensive for our residents. The County and City have both focused on improving housing affordability for our community. Housing costs are the single largest expense for most households, and when combined with transportation costs, they account for approximately half of the average U.S. household budget. Factoring in both housing and transportation costs provides a more comprehensive way of thinking about the cost of housing and true affordability. In the Tampa Bay area housing, and transportation costs account for 56% of average household costs, which far exceeds national standards for an affordable housing market. This is why it is absolutely critical that we invest in our transit system now – to help solve our region's housing affordability crisis.

We also know that our streets are unsafe. We have consistently ranked in the top 10 nationally as the metro area with the most dangerous streets for people who walk. The City of Tampa is focused on achieving our goal of Vision Zero – to eliminate all fatalities and serious injuries on our roadways. One key component to our region's success will be dedicated funding for transportation safety.

We know that the Tampa Bay region is growing. Over one million people are expected to move to the Tampa Bay area, and many will work within the City of Tampa limits, regardless of where they live. We need to focus on access to jobs without widening roadways – a method that has been proven to be an ineffective solution to solving traffic congestion.

The Honorable Kimberly Overman

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The City of Tampa therefore supports a 30-year, one-cent surtax with 45% of revenues dedicated to HART to increase transit service throughout the region. Transit will lift people out of poverty and get people to good jobs. Additionally, a blended approach to improving bicycle and pedestrian facilities, implementing safety improvement, addressing maintenance and vulnerability, and reducing congestion will be critical. Lastly, ensuring that we can continue with a long-term, regional outlook will be critical, which is why the City supports one-percent of the funding to be directed to the Hillsborough Transportation Planning Organization (TPO). In 2019, voters in our community overwhelmingly supported the surtax with dedicated funding for transit and with specific allocations, and we continue to support those same allocations today.

Sincerely,



Jane Castor

cc: Commissioner Harry Cohen, District 1  
Commissioner Ken Hagan, District 2  
Commissioner Gwen Myers, District 3  
Commissioner Stacy White, District 4  
Commissioner Mariella Smith, Vice Chair, District 5  
Commissioner Pat Kemp, District 6  
Jean Duncan, Infrastructure & Mobility Administrator  
Vik Bhide, Mobility Director



# Hillsborough TPO Transportation Planning Organization

## MEMORANDUM

DATE: March 30, 2022  
TO: TPO Advisory Committee Members and Alternates  
FROM: TPO Executive Director Beth Alden  
RE: Compliance with Florida’s Government in the Sunshine Law

Recently there has been interest by some committee members in sharing their opinions with each other outside of publicly noticed and documented meetings. While the TPO welcomes and supports sharing of information in most circumstances, such sharing of opinions may be inconsistent with Florida’s Government in the Sunshine Law if it is a) between two members or alternates of the same committee; and b) on a topic that may come to that committee for action in the future. (Note that the restriction does not apply to conversations between a member and his/her own alternate, as they cannot both cast a vote at the same time.)

The sharing of opinions on topics that a committee might vote on should take place **only at the public meetings of the committee**. The TPO staff provides notice to the public about topics that the committee is scheduled to consider at such meetings; provides access for the public to share their own comments and observe the committee’s discussion; and provides a record of the committee’s discussion and action for the public to read afterward. This ensures an open and transparent decision-making process. The sharing of opinions between committee members about action items, or potential action items, through email, social media, or conversations outside of public meetings, is inconsistent with principles of transparency and is illegal if a second member responds. Even “liking” another member’s social media post may be construed as illegal two-way communication.

Some members have stated that there is no reason for volunteer citizens to comply with these restrictions because there are no significant penalties for volunteers. The same cannot be said about penalties for public agencies. When committee members flout the law in this way, it jeopardizes the TPO’s statutory compliance as an organization. Further, it undermines the TPO’s commitment to an open and transparent decision-making process for the public.

For these reasons, the TPO’s adopted bylaws state, “Members shall refrain from participating in any private communications regarding TPO business involving two or more members,” and further, “Any written material received by a member in connection with TPO Business shall be given to the Executive Director or the member’s committee support staff...” Noncompliance with bylaws is grounds for dismissal. I urge all members to take these standards of conduct seriously.

We greatly appreciate the time and expertise that all our advisory committee members contribute. When you have information and/or perspectives to share with other members of your committee, **please provide the material to your committee staff person no later than a week before the meeting**. We will be happy to include it in the agenda packet, which is posted online so that the public has access to the same information and is notified of possible actions. Thank you for your attention.

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



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