



# **Transportation Systems Management & Operations**

## **Advisory Committee**

### **Agenda & Supporting Documents**

**February 26, 2016**



**Transportation Systems Management and Operations (TSMO)  
Advisory Committee**

**MEETING NOTICE**

**DATE:** Friday, February 26, 2016  
**TIME:** 8:30 a.m.  
**LOCATION:** MetroPlan Orlando  
David L. Grovdahl Board Room  
250 South Orange Avenue  
Suite 200  
Orlando, Florida 32801

**AGENDA**

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*Chairman Corey Quinn, Presiding*

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*(Wi-Fi network = MpoBoardRoom, password = mpoaccess)*

- I. Call to Order - Chairman Corey Quinn
- II. Confirmation of Quorum - Ms. Lena Tolliver
- III. Agenda Review/Staff Follow-Up - Mr. Eric Hill
- IV. Public Comments on Action Items

Comments from the public will be heard pertaining to items on the agenda for this meeting. People wishing to speak must complete a "Speakers Introduction Card" at the reception desk. Each speaker is limited to two minutes.

## **V. Action Items**

### **A. Approval of the January 22, 2016 TSMO Meeting Minutes (Tab 1)**

Approval is requested of the January 22, 2016 TSMO meeting minutes provided at Tab 1.

### **B. Approval of FDOT Amendment to 2015/16-2019/20 TIP (Tab 2)**

Mr. Jamil Gutierrez, FDOT, is requesting the TSMO to recommend that the FY 2015/16-2019/20 TIP be amended to include funding for improvements on Goldenrod Road and on US 192 at Hoagland Boulevard. A letter explaining the amendments is provided at Tab 2.

### **C. Approval of State District Dedicated Revenue Funds Process**

As a follow-up to the discussion at the February Board meeting on MetroPlan Orlando's process regarding the use of State District Dedicated Revenue (DDR) funds for premium transit projects, action is requested by Mr. Gary Huttman, MetroPlan Orlando staff, to recommend approval of this process. A draft resolution and overview of the overall prioritization process will be sent out electronically prior to the meeting and also provided in supplemental folders at the meeting.

### **D. Approval of FY 2016/17-2017/18 UPWP**

Action is requested by Mr. Gary Huttman, MetroPlan Orlando staff, to recommend approval of the FY 2016/17-2017/18 Unified Planning Work Program (UPWP). The draft UPWP can be reviewed at:

[http://www.metroplanorlando.com/files/view/draft\\_fy2017\\_fy2018\\_upwp\\_as\\_of\\_2\\_17\\_16.pdf](http://www.metroplanorlando.com/files/view/draft_fy2017_fy2018_upwp_as_of_2_17_16.pdf).

## **VI. Presentations/Status Reports**

### **A. Discussion on Traffic Signal Retiming Contract**

Mr. Jim Stroz, FDOT, will discuss an opportunity to transfer the traffic signal retiming contract from FDOT D5 to MetroPlan Orlando.

### **B. Discussion on Support for Innovative Traffic Signal Technologies Pilot Project (Tab 3)**

Staff will discuss application for a new federal grant program that will provide a grant for innovative signal technology. A resolution to pursue a grant for innovative traffic signal technology was executed at the December 9, 2015 MetroPlan Orlando Board Meeting. Resolution No. 15-19: Support for Innovative Traffic Signal Technologies Pilot Project is attached at Tab 3.

## **VII. Common Presentations/Status Reports**

### **A. *Presentation on Efficient Transportation Decision Making Planning Screen for SR 434 Widening Project***

The Efficient Transportation Decision Making (ETDM) process was developed by FDOT in the early 2000s in order for federal, state and local agencies to have an opportunity to evaluate the socioeconomic and environmental impacts of major capacity transportation projects prior to the projects going through the PD&E phase, and to provide comments on the impacts for FDOT and the local MPO to consider in programming these projects. As a result, if there are any impacts that could potentially cause a project to be delayed or cancelled, these impacts can be identified before any funding is actually spent on the project.

The first step in the ETDM process is the Planning Screen review of a project, which includes developing a Purpose and Need Statement describing the project going through the screening process. The next project to go through the ETDM Planning Screen process is the widening of SR 434 from SR 417 to Mitchell Hammock Road. Mr. Keith Caskey, MetroPlan Orlando staff, will give a brief overview of this project, and committee members will have an opportunity to provide any comments or input they would like to have considered in the Planning Screen review of the project. The Purpose and Need Statement for the SR 434 project is provided at Tab 1.

### **B. *Project Application Tool Demonstration/Tutorial***

Mr. Alex Trauger, MetroPlan Orlando staff, will present a demonstration/tutorial for the new Project Application Tool that will be used in the development of the Prioritized Project List.

### **C. *Status Report on Intelligent Transportation System (ITS) Master Plan***

Mr. Eric Hill, MetroPlan Orlando staff, will present a status report on the ITS Master Plan that is currently under development. Additional information will be provided at the meeting.

### **D. *BPAC Crash Trends***

Mr. Mighk Wilson, MetroPlan Orlando staff, will give a presentation on pedestrian and bicycle crash trends in the three-county area.

## **VIII. General Information**

(Tab 4)

### **A. *FDOT Monthly Construction Status Report***

The latest FDOT Monthly Construction Status Report for the Orlando area is enclosed for information purposes.

### **B. *2016 Preview/Approval Schedule for TIP & Prioritized Project List***

The 2016 preview and approval schedule for the FY 2016/17-2020/21 TIP and FY 2021/22-2039/40 Prioritized Project List is enclosed for information purposes.

### **C. Legislative Update**

The latest legislative update is enclosed for information purposes.

### **D. MetroPlan Orlando Board Highlights**

A copy of the February 10<sup>th</sup> Board Meeting Highlights is enclosed for information purposes.

### **E. 2015 TSMO Attendance Report**

The 2015 TSMO Attendance Record is enclosed for information purposes.

### **F. Clean Air**

Nominate an organization you think contributes to better air quality for the 2016 Clean Air Award, to be announced in May. Judging is based on innovation and uniqueness, direct or indirect effort to reduce emissions, providing a model for others, and sustainability. Last year's winner was Orange County Public Schools Transportation Department. The deadline is Tuesday, April 5<sup>th</sup>. Find out more and download forms here: <http://bit.ly/CleanAirAward16>.

### **G. Florida Sunshine and Public Record Laws**

A copy of the Florida Sunshine and Public Record Laws is enclosed for information purposes.

## **IX. Upcoming Meetings of Interest to TSMO Members**

### **A. Next TSMO Meeting**

The next TSMO meeting will be held on April 22, 2016 at **8:30 am** in the new MetroPlan Orlando Board Room.

## **X. Other Business**

## **XI. Public Comments (General)**

## **XII. Adjournment**

*In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodations to participate in this proceeding, he or she should contact Ms. Lena Tolliver, MetroPlan Orlando, Park Building 250 S. Orange Avenue, Suite 200, Orlando, Florida, 32801 or by telephone at (407) 481-5672 x307 at least three business days prior to the event.*

*Persons who require translation services, which are provided at no cost, should contact MetroPlan Orlando at (407) 481-5672 x307 or by email at [ltolliver@metroplanorlando.com](mailto:ltolliver@metroplanorlando.com) at least three business days prior to the event.*

*As required by Section 286.0105, Florida Statutes, MetroPlan Orlando hereby notifies all interested parties that if a person decides to appeal any decision made by MetroPlan Orlando with respect to any matter considered at such meeting or hearing, he or she may need to ensure that a verbatim record is made to include the testimony and evidence upon which the appeal is to be based.*

**TAB 1**



**Transportation Systems Management and Operations (TSMO)  
Advisory Committee  
MEETING MINUTES**

**DATE:** Friday, January 22, 2016  
**TIME:** 8:30 a.m.  
**LOCATION:** MetroPlan Orlando  
David L. Grovdahl Board Room  
250 South Orange Avenue  
Suite 200  
Orlando, Florida 32801

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*Chairman Cory Quinn, Presiding*

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**ATTENDANCE**

**Voting Members Present:**

Mr. Brett Blackadar, Seminole County  
Mr. Benton Bonney, City of Orlando  
Ms. Sheryl Bower, City of Longwood  
Mr. Kelly Brock, City of Casselberry  
Mr. Michael Cash, City of Sanford  
Mr. Frank Consoli, City of Orlando  
Mr. Noel Cooper, City of Maitland  
Mr. Jay Davoll, City of Apopka  
Mr. Hazem El-Assar, Orange County  
Mr. Kelvin Felblinger, City of St. Cloud

Mr. Brian Fields, City of Winter Springs  
Mr. Azim Hosein, City of Kissimmee  
Mr. Doug Jamison, LYNX  
Mr. Steve Krug, City of Ocoee  
Mr. Butch Margraf, City of Winter Park  
Ms. Mary Moskowitz, Osceola County  
Mr. Steve Noto for Mr. John Omana, City of Lake Mary  
Ms. Lee Pulham, Reedy Creek Improvement District  
Mr. Corey Quinn, Central Florida Expressway Authority  
Mr. Brian Sanders, Orange County  
Mr. Charlie Wetzel, Seminole County  
Mr. Tim Wilson, City of Altamonte Springs  
Ms. Joedel Zaballero, Osceola County

**Non-Voting Members/Advisors Present:**

Ms. Heather Garcia, FDOT  
Mr. Glen Hammer, Osceola County CTST  
LT. Pete Kelting, Seminole County CTST  
Mr. John Rogers, Orange County CTST  
Ms. Maria Teimouri, UCF

**Voting Members Absent:**

Mr. Donald Cochran, City of Winter Garden  
Mr. Brad Friel, GOAA  
Mr. Ramon Senorans, Kissimmee Gateway Airport

**Non-Voting Members/Advisors Absent:**

Mr. Eric Gordin, Florida Turnpike Enterprise  
Councilman Robert McKinley, Town of Windermere  
Mr. Chris Rader, City of Edgewood

**Others in Attendance:**

Mr. Jamil Gutierrez, FDOT  
Ms. Carol Scott, FTE  
Mr. Eric Hill, MetroPlan Orlando  
Ms. Lena Tolliver, MetroPlan Orlando

**I. Call to Order**

Chairman Corey Quinn called the meeting to order at 8:30 a.m.

**II. Confirmation of Quorum**

Ms. Lena Tolliver confirmed the presence of a quorum.



### **III. Agenda Review/Staff Follow-Up**

Mr. Eric Hill reported on the ITS Master Plan Kick-Off Meeting held on January 20, 2016, and noted that members will receive periodic opportunities to provide their feedback. He called attention to the request for approval of the City of Orlando's "Smart City" grant application supported by Resolution No. 16-01 on today's agenda. Announced that Congressman John Mica would be joining the TSMO meeting to discuss the status of ITS initiatives.

### **IV. Public Comments on Action Items**

None

### **V. Action Items**

#### **A. Approval of the December 4, 2015 TSMO Meeting Minutes**

Approval was requested of the December 4, 2015 meeting minutes provided in members agenda packets.

**MOTION:** Mr. Jay Davoll moved approval of the TSMO Advisory Committee December 4, 2015 Meeting Minutes. Mr. Hazem El-Assar seconded the motion, which passed unanimously.

#### **B. *FDOT Amendment to 2015/16-2019/20 TIP***

Mr. Jamil Gutierrez, FDOT, requested the TSMO Advisory Committee to recommend that the FY 2015/16-2019/20 TIP be amended to include funding for two railroad crossing project. A letter explaining the amendments were provided in members' agenda packets.

**MOTION:** Mr. Steve Krug moved approval that the FY 2015/16-2019/20 TIP be amended to include funding for two railroad crossing project. Mr. Hazem El-Assar seconded the motion, which passed unanimously.

#### **C. *FTE Amendment to 2015/16-2019/20 TIP***

Ms. Carol Scott, Florida's Turnpike Enterprise, , requested the TSMO Advisory Committee to recommend that the FY 2015/16-2019/20 TIP be amended to include funding for a PD&E study on SR 528 and scheduling adjustments for projects on Florida's Turnpike mainline A letter explaining the amendments were provided in members' agenda packets.

**MOTION:** Mr. Jay Davoll moved approval that the FY 2015/16-2019/20 TIP be amended to include funding for a PD&E study on SR 528 and scheduling adjustments for projects on Florida's Turnpike mainline. Mr. Brett Blackadar seconded the motion, which passed unanimously.

#### **D. *Public Involvement Plan***

Action was requested to approve MetroPlan Orlando's Public Involvement Plan. Ms. Mary Ann Horne, MetroPlan Orlando staff, presented the plan prior to action being requested. A copy of the draft Public Involvement Plan was provided for approval.

Discussion followed relative to the process for submitting comments online; consideration of streaming the meetings like CFX and Orange County does for public viewing and additional contact information on the front and back covers of the plan.

**MOTION:** Mr. Hazem El-Assar moved approval of the Public Involvement Plan. Mr. Brett Blackadar seconded the motion, which passed unanimously.

#### **E. *Approval of Board Resolution No. 16-01***

Action was requested to recommend approval of MetroPlan Orlando Board Resolution No.16-01 in support of the City of Orlando's "Smart City" grant application, which must be filed by February 4, 2016. The MetroPlan Orlando Board Chairman will be requested to sign the resolution prior to that date and the MetroPlan Orlando Board will be requested to ratify it at their February 10<sup>th</sup> meeting. Under MetroPlan Orlando's Internal Operating Procedures and to maintain the integrity of our public involvement process, the TSMO and the other advisory committees were requested to provide their input prior to ratification by the Board. A copy of Resolution No. 16-01 was provided in members' agenda packets.

Members recommended correcting several typos and clarification of the \$24 million of ITS investments programmed for the City of Orlando in the current TIP.

**MOTION:** Mr. Jay Davoll moved approval of Board Resolution No. 16-01 with the recommended changes. Mr. Frank Consoli seconded the motion, which passed unanimously.

### **VI. Presentations/Status Reports**

#### **A. *Presentation on the Work Zone Impacts and Strategies Estimator (WISE) Software***

Mr. Dane Ismart, Caliper Corporation provided an overview of the WISE demonstration project, including the project team and expected results from the project.

MetroPlan Orlando was awarded a grant to conduct a demonstration of the WISE software. The software will be used to develop and sequence construction projects across the region or in a corridor, and evaluate work zones over a range of conditions to improve work zone management and coordination and reduce delay. As part of the demonstration, MetroPlan Orlando will evaluate the software and the test results and provide suggestions for enhancing, supplementing, and applying the software. MetroPlan Orlando will contract with the University of Central Florida to complete this project. Staff will seek periodic input from the TSMO Advisory Committee such as workshops during the project.

Discussion followed relative to the use of the software on arterial systems and traffic signals. Mr. Ismart stated that the operational software can be used.

### **Congressman John Mica Joined the Meeting**

Congressman Mica addressed the Committee noting the new Federal Transportation Bill and provided an overview on the region's major transportation projects. He stated that the use of technology could maximize the improvement of current traffic flow. He encouraged the City of Orlando to submit an application for the Smart Cities grant. Congressman Mica stated that he supports privatizing LYNX and merging SunRail and LYNX. TSMO members and FDOT representatives provided status updates on efforts underway with identifying various corridors for implementing the use of technology at these corridors for traffic improvements. Discussion also included the progressive development of autonomous vehicles and Congressman Mica asked members to pass on any information that he should be aware of relative to autonomous vehicles.

#### ***B. Discussion on Traffic Signal Retiming Contract - DEFERRED to NEXT MONTH***

#### ***C. Discussion on Support for Innovative Traffic Signal Technologies Pilot Project - DEFERRED to NEXT MONTH***

### **VII. Common Presentations/Status Reports Presented at the Technical Advisory Committee Meeting which followed the TSMO meeting:**

#### ***A. Preview of FY 2016/17-2017/18 UPWP***

Mr. Gary Huttman, MetroPlan Orlando staff, presented a preview of the FY 2016/17-2017/18 Unified Planning Work Program (UPWP). The UPWP identifies the activities and projects to be undertaken during the fiscal year starting July 1, 2016 and includes the organization's budget.

#### ***B. Project Prioritization: Process Review***

Mr. Alex Trauger, MetroPlan Orlando staff, provided an introductory presentation about the past and future of MetroPlan Orlando's project application, assessment, and prioritization process.

### **VIII. General Information**

#### ***A. FDOT Monthly Construction Status Report***

The latest FDOT Monthly Construction Status Report for the Orlando area was provided for information purposes.

#### ***B. FDOT Quarterly Variance Report***

FDOT's Quarter Variance Report on cost estimate changes for projects in the TIP was provided at meeting.

#### ***C. MetroPlan Orlando Board Highlights***

A copy of the December 9<sup>th</sup> Board Meeting Highlights was provided for information purposes.

***D. Overview of New Federal Transportation Bill***

A copy of a slide presentation giving an overview of the new federal transportation bill, Fixing America's Surface Transportation Act (FAST), was provided at the meeting for information purposes. Members requested that a copy of the new Federal Transportation Bill sent to members.

**IX. Upcoming Meetings of Interest to TSMO Members**

***A. Next TSMO Meeting***

The next TSMO meeting will be held on February 26, 2016 at **8:30 am** in the new MetroPlan Orlando Board Room.

**X. Other Business**

None

**XI. Public Comments (General)**

None

**XII. Adjournment**

There being no further business, Chairman Quinn adjourned the meeting of the Technical Advisory Committee at 10:06 a.m. The meeting was recorded and transcribed by Ms. Lena Tolliver.

Approved this 26nd day of February, 2016

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Mr. Corey Quinn, Chairman

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Lena E. Tolliver,  
Recording Secretary

As required by Section 286.0105, Florida Statutes, MetroPlan Orlando hereby notifies all interested parties that if a person decides to appeal any decision made by MetroPlan Orlando with respect to any matter considered at such meeting or hearing, he or she may need to ensure that a verbatim record is made to include the testimony and evidence upon which the appeal is to be based.

**TAB 2**



*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

719 S. Woodland Boulevard  
DeLand, Florida 32720-6834

JIM BOXOLD  
SECRETARY

February 16, 2016

Mr. Gary Huttman  
Deputy Executive Director  
MetroPlan Orlando  
250 South Orange Ave.  
Suite 200  
Orlando, FL 32801

Dear Mr. Huttman:

**Subject: REQUEST FOR TRANSPORTATION IMPROVEMENT PROGRAM CHANGES**

The Florida Department of Transportation requests the following changes be made to the MetroPlan Orlando Adopted Fiscal Year FY 2015/16 – 2019/20 Transportation Improvement Program (TIP) in coordination with the corresponding changes to the Department's Work Program:

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**Orange County**

**Project:**

FM 437634-1 State Road 551 (Goldenrod Road), From State Road 408 to State Road 50.  
Safety improvements involving eliminating the bi-directional left turn lane by way of raised median, to include signal work.

**Current TIP Status:**

Project currently is not in Fiscal Year 2015/16 – 2019/20 TIP

**Proposed Amendment:**

Adding Phase 31 (Design-In House) – \$10,000 in Highway Safety Program (HSP) Funding in Fiscal Year 2015/2016.

**Explanation:**

Adding In-House charges for FDOT Staff to charge time-sheets.

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**Osceola County**

**Project:**

FM 437451-1 US 192 at Hoagland Blvd. Add left turn lane; dual left turn lanes for east bound left turn approach.

**Current TIP Status:**

Project currently is not in Fiscal Year 2015/16 – 2019/20 TIP

**Proposed Amendment:**

Adding Phase 31 (Design-In House) – \$10,000 in Highway Safety Program (HSP) Funding in Fiscal Year 2015/2016.

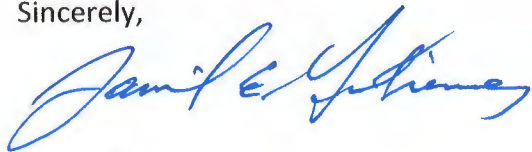
**Explanation:**

Adding In-House charges for FDOT Staff to charge time-sheets.

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If you have any questions please contact me at 386-943-5791.

Sincerely,



Jamil Gutierrez  
FDOT MPO Liaison

cc: Harry Barley, Executive Director, MetroPlan Orlando  
Keith Caskey, Managing of Planning Services, MetroPlan Orlando

**TAB 3**





**metroplan orlando**

**A REGIONAL TRANSPORTATION PARTNERSHIP**

**CERTIFICATION**

**STATE OF FLORIDA**

**§**

**COUNTY OF ORANGE**

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of **Resolution No.15-19** approved in a regular meeting of the MetroPlan Orlando Board on **December 9, 2015**. The original copy of this document is on file in the Administrative Offices of MetroPlan Orlando, 315 East Robinson Street, Suite 355, Orlando, Florida.

**IN WITNESS WHEREOF**, I have hereunto set my hand and official seal of the MetroPlan Orlando Board, this **9th** day of **December, 2015**.

By:

Lena E. Tolliver, Sr. Board Services

Coordinator Board Services and Recording Secretary



**metroplan orlando**  
A REGIONAL TRANSPORTATION PARTNERSHIP

**RESOLUTION NO. 15-19**

**SUBJECT:**

**Support for Innovative Traffic Signal Technologies Pilot Project**

**WHEREAS**, the Orlando metropolitan area (which includes Orange, Seminole and Osceola Counties) now has more than two million residents and the population is expected to continue growing at a rate of 2-3% each year; and

**WHEREAS**, the metropolitan area is the nation's top visitor destination with more than 62 million visitors in 2014 (which is more than 500,000 visitors on a typical day) and strong growth from domestic and international markets is expected to continue; and

**WHEREAS**, the metropolitan area's continued growth and prosperity depends on a transportation system that can safely and efficiently move an ever greater volume of people and goods; and

**WHEREAS**, there are limited opportunities for building new roads in densely developed, urbanized areas while further expanding existing arterials may not be cost feasible in terms of right-of-way and can be contrary to community interests; and

**WHEREAS**, to meet these challenges, more emphasis is being placed on other solutions such as transit, non-motorized transportation and the use of transportation system management and operations strategies to optimize utilization of existing arterials; and

**WHEREAS**, traffic signals play a critical role in moving vehicles on arterials while also providing for the safety of pedestrians and bicyclists; and

**WHEREAS**, advances in traffic signal technology and related traffic management practices have been shown to improve utilization of urban arterials and reduce travel time delays, which is the goal of an effective transportation system management and operations program; and

**WHEREAS**, one such advance has been made with adaptive traffic signal technology which results in traffic signals being operated based on information from roadside devices whose effectiveness can be confirmed with probe vehicle technology such as electronic toll transponders or Bluetooth-enabled devices within vehicles; and

**WHEREAS**, the Orlando metropolitan area currently has six independently controlled traffic management centers (Florida Department of Transportation/District 5, Florida's Turnpike Enterprise, Seminole County, Orange County, Osceola County and the City of Orlando) and opportunities exist to improve connectivity, collaboration and coordination that could benefit the region's transportation system and possibly reduce costs; and

**WHEREAS**, for operating and maintaining traffic signals there are immediate opportunities for streamlining work processes between FDOT/District 5, counties and cities that should begin with reworking existing agreements; and

**WHEREAS**, making improvements to interoperability among the six traffic management centers and reworking agreements for operating and maintaining traffic signals would be positive steps to enhance the region's transportation system that demonstrate our commitment to collaboration and the efficient use of resources; and

**WHEREAS**, MetroPlan Orlando is embarking on the development of an Intelligent Transportation System (ITS) Master Plan where the aforementioned topics, among others, will be addressed and an important factor in prioritizing strategies in the Plan will be the identification and application of emerging and innovative technologies to improve mobility and reliability of the transportation network, especially on arterial roadways; and

**WHEREAS**, the Intelligent Transportation System (ITS) Master Plan will serve as the basis for making prudent investment decisions with federal, state and local funds that will improve transportation system management and operations; and

**WHEREAS**, a new federal transportation bill is being drafted by Congress to replace MAP-21 and it is expected to include funding for one or more pilot projects to accelerate the deployment of innovative traffic signal technologies; and

**WHEREAS**, Congressman Mica has called this opportunity to our attention and has offered to lend his support with obtaining federal discretionary funds to conduct one or more pilot projects using innovative traffic signal technologies throughout the metropolitan area; and

**WHEREAS**, there are a number of prospective arterials in the Orlando metropolitan area that are considered to be promising corridors for possible pilot projects such as US 17-92, US 192, US 441, SR 414, SR 50, SR 426, SR 434, SR 436 and SR 438; and

**WHEREAS**, once a new federal transportation bill is approved by Congress and the President, it is expected that the United States Department of Transportation will develop specific information on pilot projects such as criteria that will be used for evaluation/selection, procedures for submitting grant applications, funding match requirements, etc.; and

**WHEREAS**, the United States Department of Transportation's discretionary grant programs are highly competitive and applications selected for funding must be well-defined, have a broad base of support and hold promise for delivering positive results that can be replicated elsewhere;

**NOW, THEREFORE, BE IT RESOLVED** that in anticipation of this new federal funding opportunity, it is in the best interests of the region for MetroPlan Orlando to join with our partners at both the policy and technical levels to prepare for submitting a region-wide grant application for an innovative traffic signal technology pilot program; and

**BE IT FURTHER RESOLVED** that the Florida Department of Transportation/District 5 and MetroPlan Orlando will take the lead, working closely with local governments, to develop one or more pilot projects that conform to the criteria established for the discretionary grant program by the United States Department of Transportation; and

**BE IT FURTHER RESOLVED** that the MetroPlan Orlando Board is in full support of its staff working closely with the Florida Department of Transportation/District 5, along with the region's local governments, to develop a competitive grant application to obtain federal funding for one or more pilot projects to evaluate the benefits of innovative traffic signal technologies; and


**BE IT FURTHER RESOLVED** that it would be advantageous to have a centralized traffic management center that is managed by multiple users in a collaborative manner to allow for shared staffing through centrally held contracts, greater interoperability, developing operating and maintenance standards, enhancing security, sharing software through centralized licensing, disseminating multimodal data, having one call-in number for the public to use in reporting incidents and for improved coordination of incident response through the development of MetroPlan Orlando's Intelligent Transportation System (ITS) Master Plan; and

**BE IT FURTHER RESOLVED** that MetroPlan Orlando will be open to considering a future recommendation that financial resources in the form of a local match be committed to the pilot project once the opportunity is better defined by the United States Department of Transportation and the specifics of the pilot project(s) have been identified.

Passed and duly adopted at a regular meeting of the MetroPlan Orlando Board on the 9<sup>th</sup> day of December, 2015.

**CERTIFICATE**

The undersigned duly qualified serving as Chairman of the MetroPlan Orlando Board certifies that the foregoing is a true and correct copy of a Resolution adopted at a legally convened meeting of the MetroPlan Orlando Board.

  
\_\_\_\_\_  
Honorable Jim Swan, Chairman

Attest:

  
\_\_\_\_\_  
Lena E. Tolliver,  
Senior Board Services Coordinator

(Local government logo)

**RESOLUTION NO. XX-XX**

**SUBJECT:**

**Support for Innovative Traffic Signal Technologies Pilot Project**

**WHEREAS**, the Orlando metropolitan area (which includes Orange, Seminole and Osceola Counties) now has more than two million residents and the population is expected to continue growing at a rate of 2-3% each year; and

**WHEREAS**, the metropolitan area is the nation's top visitor destination with more than 62 million visitors in 2014 (which is more than 500,000 visitors on a typical day) and strong growth from domestic and international markets is expected to continue; and

**WHEREAS**, the metropolitan area's continued growth and prosperity depends on a transportation system that can safely and efficiently move an ever greater volume of people and goods; and

**WHEREAS**, there are limited opportunities for building new roads in densely developed, urbanized areas while further expanding existing arterials may not be cost feasible in terms of right-of-way and can be contrary to community interests; and

**WHEREAS**, to meet these challenges, more emphasis is being placed on other solutions such as transit, non-motorized transportation and the use of transportation system management and operations strategies to optimize utilization of existing arterials; and

**WHEREAS**, traffic signals play a critical role in moving vehicles on arterials while also providing for the safety of pedestrians and bicyclists; and

**WHEREAS**, advances in traffic signal technology and related traffic management practices have been shown to improve utilization of urban arterials and reduce travel time delays, which is the goal of an effective transportation system management and operations program; and

**WHEREAS**, one such advance has been made with adaptive traffic signal technology which results in traffic signals being operated based on information from roadside devices whose effectiveness can be confirmed with probe vehicle technology such as electronic toll transponders or Bluetooth-enabled devices within vehicles; and

**WHEREAS**, the Orlando metropolitan area currently has six independently controlled traffic management centers (Florida Department of Transportation/District 5, Florida's Turnpike Enterprise, Seminole County, Orange County, Osceola County and the City of Orlando) and opportunities exist to improve connectivity, collaboration and coordination that could benefit the region's transportation system and possibly reduce costs; and

**WHEREAS**, for operating and maintaining traffic signals there are immediate opportunities for streamlining work processes between FDOT/District 5, counties and cities that should begin with reworking existing agreements; and

**WHEREAS**, making improvements to interoperability among the six traffic management centers and reworking agreements for operating and maintaining traffic signals would be positive steps to enhance the region's transportation system that demonstrate our commitment to collaboration and the efficient use of resources; and

**WHEREAS**, MetroPlan Orlando is embarking on the development of an Intelligent Transportation System (ITS) Master Plan where the aforementioned topics, among others, will be addressed and an important factor in prioritizing strategies in the Plan will be the identification and application of emerging and innovative technologies to improve mobility and reliability of the transportation network, especially on arterial roadways; and

**WHEREAS**, the Intelligent Transportation System (ITS) Master Plan will serve as the basis for making prudent investment decisions with federal, state and local funds that will improve transportation system management and operations; and

**WHEREAS**, a new federal transportation bill is being drafted by Congress to replace MAP-21 and it is expected to include funding for one or more pilot projects to accelerate the deployment of innovative traffic signal technologies; and

**WHEREAS**, Congressman Mica has called this opportunity to our attention and has offered to lend his support with obtaining federal discretionary funds to conduct one or more pilot projects using innovative traffic signal technologies throughout the metropolitan area; and

**WHEREAS**, there are a number of prospective arterials in the Orlando metropolitan area that are considered to be promising corridors for possible pilot projects such as US 17-92, US 192, US 441, SR 414, SR 50, SR 426, SR 434, SR 436 and SR 438; and

**WHEREAS**, once a new federal transportation bill is approved by Congress and the President, it is expected that the United States Department of Transportation will develop specific information on pilot projects such as criteria that will be used for evaluation/selection, procedures for submitting grant applications, funding match requirements, etc.;

**WHEREAS**, the United States Department of Transportation's discretionary grant programs are highly competitive and applications selected for funding must be well-defined, have a broad base of support and hold promise for delivering positive results that can be replicated elsewhere;

**NOW, THEREFORE, BE IT RESOLVED** that in anticipation of this new funding opportunity, it is in the best interests of (name of local government) to join together at both the policy and technical levels to prepare for submitting a region-wide grant application for an innovative traffic signal technology pilot program; and

**BE IT FURTHER RESOLVED** that MetroPlan Orlando and the Florida Department of Transportation/District 5 will take the lead, working closely with (name of local government) and other local governments, to develop one or more pilot projects that conform to the criteria established for the discretionary grant program by the United States Department of Transportation; and

**BE IT FURTHER RESOLVED** that the (name of local government) is in full support of its staff working closely with MetroPlan Orlando and the Florida Department of Transportation/District 5, along with other local governments, to develop a competitive grant application to obtain federal funding for one or more pilot projects to evaluate the benefits of innovative traffic signal technologies; and

**BE IT FURTHER RESOLVED** that it would be advantageous to have a centralized traffic management center that is managed by multiple users in a collaborative manner to allow for shared staffing through centrally held contracts, greater interoperability, developing operating and maintenance standards, enhancing security, sharing software through centralized licensing, disseminating multimodal data, having one call-in number for the public to use in reporting incidents and for improved coordination of incident response through the development of MetroPlan Orlando's Intelligent Transportation System (ITS) Master Plan; and

**BE IT FURTHER RESOLVED** that (name of local government) will be open to considering a future recommendation that financial resources in the form of a local match be committed to the pilot project once the opportunity is better defined by the United States Department of Transportation and the specifics of the pilot project(s) have been identified.



Passed and duly adopted at a regular meeting of the (name of local government) on the \_\_\_<sup>th</sup> day of \_\_\_\_\_, 20\_\_.

**CERTIFICATE**

The undersigned duly qualified serving as (insert title) of (name of entity) certifies that the foregoing is a true and correct copy of a Resolution adopted at a legally convened meeting of the (name of entity).

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Attest:

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**TAB 4**

Contract #	ESN05	Work Begin	07-01-2009
County	ORANGE	Present Amount	\$ 18,753,430.00
Contractor	DBI SERVICES, LLC	Days Used as of Last Approved Estimate	2,375
Project Manager	MTS94HR   Hutchison, Renee	Cost Perf. Measure	91.64%
Project Admin.	MTS94HR   Hutchison, Renee	Time Perf. Measure	92.92%
SM Contract Type	MAIM   Maint Asset Management	Adj. Est. Completion	07-01-2016

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
423836-1-72-01	Yes	-	-	6060 ROUTINE MAINTENANCE	ASSET MAINT CONTRACT OSCEOLA & SOUTH BREVARD PRIMARY ROADS	-

Contract #	TS489	Work Begin	01-21-2014
County	ORANGE	Present Amount	\$ 68,241,059.45
Contractor	PRINCE CONTRACTING, LLC.	Days Used as of Last Approved Estimate	727
Project Manager	CN507TW   Womick, Todd	Cost Perf. Measure	72.64%
Project Admin.	KNTBEGS   Scales, Geoff	Time Perf. Measure	67.47%
SM Contract Type	CC   Const Contract	Adj. Est. Completion	12-31-2016

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
239203-4-52-01	Yes	SR50,SR500 TO BREV.	-	0218 ADD LANES & REHABILITATE P/INT	SR 50 (COLONIAL DR/FROM E OF CR425 (DEAN RD) TO E OF OLD CHENEY HWY	-
239203-4-56-01	No	SR50,SR500 TO BREV.	-	0218 ADD LANES & REHABILITATE P/INT	SR 50 (COLONIAL DR/FROM E OF CR425 (DEAN RD) TO E OF OLD CHENEY HWY	-

Contract #	ES075	Work Begin	11-18-2013
County	ORANGE	Present Amount	\$ 889,699.02
Contractor	SOUTHERN STATES PAVEMENT MARKINGS, INC.	Days Used as of Last Approved Estimate	3
Project Manager	MTS93LH   Couey, Lori	Cost Perf. Measure	48.13%
Project Admin.	MTS93LH   Couey, Lori	Time Perf. Measure	0.22%
SM Contract Type	MC   Maint Contract	Adj. Est. Completion	11-07-2018

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
429163-3-72-01	Yes	-	-	6060 ROUTINE MAINTENANCE	PERFORMANCE PAVEMENT MARKINGS	-

Contract #	ES085	Work Begin	01-20-2013
County	ORANGE	Present Amount	\$ 2,580,000.00
Contractor	OGLESBY CONSTRUCTION, INC.	Days Used as of Last Approved Estimate	626
Project Manager	MTS94HR   Hutchison, Renee	Cost Perf. Measure	48.28%
Project Admin.	MTS94HR   Hutchison, Renee	Time Perf. Measure	45.24%
SM Contract Type	MLBP   Maint Low Bid Performance	Adj. Est. Completion	01-01-2018

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
429160-1-72-01	Yes	-	-	6060 ROUTINE MAINTENANCE	PAVEMENT MARKINGS -THERMOPLASTIC & RPM'S	-

Contract #	TS528	Work Begin	08-27-2015
County	ORANGE	Present Amount	\$ 2,181,000.00
Contractor	KIEWIT INFRASTRUCTURE SOUTH CO.	Days Used as of Last Approved Estimate	144
Project Manager	CN507CC   Coleman, Christopher	Cost Perf. Measure	67.75%
Project Admin.	CN507CC   Coleman, Christopher	Time Perf. Measure	68.50%
SM Contract Type	CLS   Const Lump Sum	Adj. Est. Completion	04-02-2016

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
430669-1-52-01	Yes	SR158600,528-500-SEM	-	0227 RIGID PAVEMENT REHABILITATION	SR 15 (US 17-52) FROM S OF SR 423 (LEE RD) TO S OF CR 438 (LAKE AVE)	-

Contract #	ESV06	Work Begin	09-08-2015
County	ORANGE	Present Amount	\$ 1,174,704.00
Contractor	MASCO GENERAL CONTRACTORS, INC	Days Used as of Last Approved Estimate	132
Project Manager	CN507CC   Coleman, Christopher	Cost Perf. Measure	76.90%
Project Admin.	CN507CC   Coleman, Christopher	Time Perf. Measure	80.63%
SM Contract Type	CLS   Const Lump Sum	Adj. Est. Completion	03-05-2016

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
432220-1-52-01	Yes	420 PARK AV-SEMINOLE	-	0010 TRAFFIC OPS IMPROVEMENT	SR 420 AT SR 430	-

Contract #	ES014	Work Begin	08-10-2012
County	ORANGE	Present Amount	\$ 2,271,000.00
Contractor	INFRASTRUCTURE CORPORATION OF AMERICA	Days Used as of Last Approved Estimate	1,208
Project Manager	MTS94HR   Hutchison, Renee	Cost Perf. Measure	50.91%
Project Admin.	MTS94HR   Hutchison, Renee	Time Perf. Measure	66.16%
SM Contract Type	MLBP   Maint Low Bid Performance	Adj. Est. Completion	08-10-2017

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
425636-1-72-02	Yes	-	-	6060 ROUTINE MAINTENANCE	ROADWAY AESTHETICS VARIOUS LOCATIONS	-

Contract #	ESW87	Work Begin	03-04-2015
County	ORANGE	Present Amount	\$ 2,340,785.00
Contractor	RIC-MAN CONSTRUCTION FLORIDA, INC.	Days Used as of Last Approved Estimate	334
Project Manager	CN508BN   Bouazizi, Monaem	Cost Perf. Measure	87.17%
Project Admin.	CN508BN   Bouazizi, Monaem	Time Perf. Measure	114.00%
SM Contract Type	CC   Const Contract	Adj. Est. Completion	11-20-2015

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
431889-1-52-01	Yes	SR50,SR500 TO BREV.	-	9915 DRAINAGE IMPROVEMENTS	STORMWATER IMPROVEMENTS ORANGE COUNTY VARIOUS STATE ROADS	-

Contract #	TS21	Work Begin	08-10-2015
County	ORANGE	Present Amount	\$ 37,089,690.00
Contractor	PRINCE CONTRACTING, LLC.	Days Used as of Last Approved Estimate	161
Project Manager	CNG09WT   Williams, Trevor	Cost Perf. Measure	19.04%
Project Admin.	KNTGLEB   Barbato, Daniel	Time Perf. Measure	12.69%
SM Contract Type	CC   Const Contract	Adj. Est. Completion	03-18-2019

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
239286-3-52-01	Yes	SR 15 FROM SR 528 TO CR 527	-	0213 ADD LANES & RECONSTRUCT	SR 15 (HOFFNER RD) FROM N OF LEE VISTA BLVD TO W OF SR 436	-
239286-3-56-02	No	SR 15 FROM SR 528 TO CR 527	-	0213 ADD LANES & RECONSTRUCT	SR 15 (HOFFNER RD) FROM N OF LEE VISTA BLVD TO W OF SR 436	-
239286-3-56-03	No	SR 15 FROM SR 528 TO CR 527	-	0213 ADD LANES & RECONSTRUCT	SR 15 (HOFFNER RD) FROM N OF LEE VISTA BLVD TO W OF SR 436	-
239286-4-52-01	No	SR 15 FROM SR 528 TO CR 527	-	0213 ADD LANES & RECONSTRUCT	SR 15 HOFFNER AVE FROM W OF SR 436 TO CONWAYROAD	-
239286-4-56-01	No	SR 15 FROM SR 528 TO CR 527	-	0213 ADD LANES & RECONSTRUCT	SR 15 HOFFNER AVE FROM W OF SR 436 TO CONWAYROAD	-

Contract #	ESW31	Work Begin	10-31-2014
County	ORANGE	Present Amount	\$ 11,820,000.00
Contractor	HUBBARD CONSTRUCTION COMPANY	Days Used as of Last Approved Estimate	444
Project Manager	CNG070J   Oakes, Jeff	Cost Perf. Measure	43.94%
Project Admin.	KNETMJJ   Wilson, Joe	Time Perf. Measure	64.23%
SM Contract Type	CDB   Const Design Build	Adj. Est. Completion	09-18-2016

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
433607-1-52-01	Yes	SR50,SR500 TO BREV.	-	0022 BRIDGE REPLACEMENT	SR 50 BRIDGES OVER ECONLOCKHATCHEE RIVER BRIDGES 7500138750169	-

Contract #	EST67	Work Begin	01-13-2016
County	ORANGE	Present Amount	\$ 383,934.00
Contractor	SHEKLINE LLC	Days Used as of Last Approved Estimate	-
Project Manager	CNS07NK   Navarro, Kim	Cost Perf. Measure	-
Project Admin.	CNS07NK   Navarro, Kim	Time Perf. Measure	0.00%
SM Contract Type	MC   Maint Contract	Adj. Est. Completion	02-24-2016

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
425638-2-72-04	Yes	-	-	6060 ROUTINE MAINTENANCE	DRAINAGE REPAIR VARIOUS LOCATIONS	-

Contract #	TS313	Work Begin	05-11-2015
County	ORANGE	Present Amount	\$ 37,778,416.47
Contractor	LANE CONSTRUCTION CORPORATION (THE)	Days Used as of Last Approved Estimate	252
Project Manager	CNS09CD   Daley, Carlton	Cost Perf. Measure	42.39%
Project Admin.	KNCDSG   Shelton, Greg	Time Perf. Measure	37.79%
SM Contract Type	CC   Const Contract	Adj. Est. Completion	04-25-2017

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
239535-3-52-01	Yes	W COLONIAL DR/MARTIN LUTHER KING B	3003056P	0213 ADD LANES & RECONSTRUCT	SR 50 SR 429 (WESTERN BELTWAY) TO E OF WEST OAKS MALL	ASSUMED/STATE ADMINISTERED
239535-3-50-01	No	W COLONIAL DR/MARTIN LUTHER KING D	-	0213 ADD LANES & RECONSTRUCT	SR 50 SR 429 (WESTERN BELTWAY) TO E OF WEST OAKS MALL	-
239535-3-56-02	No	W COLONIAL DR/MARTIN LUTHER KING B	3003056P	0213 ADD LANES & RECONSTRUCT	SR 50 SR 429 (WESTERN BELTWAY) TO E OF WEST OAKS MALL	ASSUMED/STATE ADMINISTERED

Contract #	ESW04	Work Begin	-
County	ORANGE	Present Amount	\$ 313,570.00
Contractor	LAFLEUR NURSERIES AND GARDEN CENTER LLC	Days Used as of Last Approved Estimate	152
Project Manager	MTS94HR   Hutchison, Renee	Cost Perf. Measure	76.48%
Project Admin.	MTS94HR   Hutchison, Renee	Time Perf. Measure	18.77%
SM Contract Type	MC   Maint Contract	Adj. Est. Completion	11-12-2017

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
435435-1-52-01	Yes	SR500,SR50 TO LAKE	-	1070 LANDSCAPING	SR 423(JOHN YOUNG PKWY/OVERPASS/RS500/US441)FROM SHADE RD TO TROT RD	-

Contract #	ESW13	Work Begin	10-04-2014
County	ORANGE	Present Amount	\$ 1,735,372,683.00
Contractor	I-4 MOBILITY PARTNERS OPKO LLC	Days Used as of Last Approved Estimate	517
Project Manager	CNS06BL   Bolo, Loreen	Cost Perf. Measure	0.09%
Project Admin.	KXNHTJJ   Moulton, Jim	Time Perf. Measure	21.54%
SM Contract Type	PPP   Public-Private Partnership	Adj. Est. Completion	03-21-2021

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
432193-1-52-01	Yes	SR400,OSCE - SEMIN.	004122B	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	POD/STATE ADMINISTERED
432193-1-52-02	No	SR400,OSCE - SEMIN.	004122B	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	POD/STATE ADMINISTERED
432193-1-52-03	No	SR400,OSCE - SEMIN.	004122B	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	POD/STATE ADMINISTERED
432193-1-52-04	No	SR400,OSCE - SEMIN.	-	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	-
432193-1-52-30	No	SR400,OSCE - SEMIN.	-	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	-
432193-1-52-32	No	SR400,OSCE - SEMIN.	-	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	-
432193-1-52-33	No	SR400,OSCE - SEMIN.	-	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	-
432193-1-5A-01	No	SR400,OSCE - SEMIN.	-	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	-
432193-1-72-01	No	SR400,OSCE - SEMIN.	-	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	-
432193-1-72-02	No	SR400,OSCE - SEMIN.	-	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	-
432193-1-82-02	No	SR400,OSCE - SEMIN.	-	0213 ADD LANES & RECONSTRUCT	I-4 MANAGED LANES FROM KIRKMAN TO SR 434	-

Contract #	T5510	Work Begin	03-12-2015
County	ORANGE	Present Amount	\$ 8,408,576.86
Contractor	LANE CONSTRUCTION CORPORATION (THE)	Days Used as of Last Approved Estimate	312
Project Manager	CH500WT   Wilms, Trevor	Cost Perf. Measure	70.11%
Project Admin.	KMIEHWK   Worrel, Kerry	Time Perf. Measure	93.45%
SM Contract Type	CLS   Const Lump Sum	Adj. Est. Completion	02-26-2016

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
43044-1-52-01	Yes	SR400/OSCE - SCMN.	00422031	0012 RECURRING	14 (SR 400) FROM EAST OF SR 530 TO W OF SR 520 (OCACHLINE)	ASSUMED/STATE ADMINISTERED

Contract #	A0013-R0	Work Begin	10-01-2011
County	OSCEOLA	Present Amount	\$ 546,840.00
Contractor	REEDY CREEK IMPROVEMENT	Days Used as of Last Approved Estimate	1,096
Project Manager	MTS94HR   Hutchison, Renee	Cost Perf. Measure	100.00%
Project Admin.	MTS94HR   Hutchison, Renee	Time Perf. Measure	100.00%
SM Contract Type	MMOA   Maint Memorandum of Agreement	Adj. Est. Completion	10-01-2014

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
106660 1 78 01	Yes			6060 ROUTINE MAINTENANCE	MOA WITH REEDY CREEK IMPROVEMENT DISTRICT	

Contract #	ESW35	Work Begin	01-21-2015
County	OSCEOLA	Present Amount	\$ 1,186,113.00
Contractor	DIAZ, MANUEL FARMS, INC.	Days Used as of Last Approved Estimate	505
Project Manager	MTS94HR   Hutchison, Renee	Cost Perf. Measure	88.82%
Project Admin.	MTS94HR   Hutchison, Renee	Time Perf. Measure	332.35%
SM Contract Type	MSL   -	Adj. Est. Completion	01-06-2017

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
433916-1-52-01	Yes	14-SR-400	-	1070 LANDSCAPING	SR 400 (1-4) FROM SR 417 TO SR 530/US 192	-

Contract #	ESY01	Work Begin	02-08-2016
County	OSCEOLA	Present Amount	\$ 253,660.00
Contractor	SEG & SONS, INC.	Days Used as of Last Approved Estimate	0
Project Manager	CH507PE   Planter, Eric	Cost Perf. Measure	-
Project Admin.	CH507PE   Planter, Eric	Time Perf. Measure	37.78%
SM Contract Type	CC   Const Contract	Adj. Est. Completion	04-04-2016

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
435403-1-52-01	Yes	S ORANGE BLOSSOM TR/JOHN YOUNG PKWY	-	0024 BRIDGE REPAIR/REHABILITATION	SR15 (US441) & SR600 (US 1782) OVER BLUE CYPRESS/SINGLE CREEK BRIDGE	-

Contract #	BE035	Work Begin	01-04-2016
County	OSCEOLA	Present Amount	\$ 8,797,000.00
Contractor	COLLAGE DESIGN AND CONSTRUCTION GROUP, INC.	Days Used as of Last Approved Estimate	0
Project Manager	CH507AT   Andrews, Tammie	Cost Perf. Measure	-
Project Admin.	KHNTMM   Miller, Mathew	Time Perf. Measure	0.00%
SM Contract Type	CLS   Const Lump Sum	Adj. Est. Completion	12-08-2016

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
433874-1-52-01	Yes	-	-	0206 PARKING FACILITY	KISSIMEE PARKING GARAGE AT SUNRAIL	-

Contract #	T5516	Work Begin	10-05-2015
County	OSCEOLA	Present Amount	\$ 16,187,452.27
Contractor	JR DAVIS CONSTRUCTION CO., INC.	Days Used as of Last Approved Estimate	105
Project Manager	CH5080D   Ound, David	Cost Perf. Measure	19.22%
Project Admin.	KHKKAT   Tehrani, Al	Time Perf. Measure	15.07%
SM Contract Type	CC   Const Contract	Adj. Est. Completion	11-08-2017

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
239683-1-52-01	Yes	E BRONSON HWY/113 ST/VINE ST	-	0218 ADD LANES & REHABILITATE PAVINT	SR 500 (US 192) FROM EASTERN AVE TO CR 532	-
239683-1-56-01	No	E BRONSON HWY/113 ST/VINE ST	-	0218 ADD LANES & REHABILITATE PAVINT	SR 500 (US 192) FROM EASTERN AVE TO CR 532	-

Contract #	T5506	Work Begin	11-16-2015
County	OSCEOLA	Present Amount	\$ 12,348,616.43
Contractor	MASCO GENERAL CONTRACTORS, INC	Days Used as of Last Approved Estimate	64
Project Manager	CH509BW   Bouazizi, Monem	Cost Perf. Measure	7.99%
Project Admin.	CH509BW   Bouazizi, Monem	Time Perf. Measure	10.63%
SM Contract Type	CC   Const Contract	Adj. Est. Completion	01-23-2018

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
418403-2-52-01	Yes	SR 600 / CR 525 / JOHN YOUNG PKWY	-	0213 ADD LANES & RECONSTRUCT	SR 600 (US1782) JY/FROM S. OF PORTAGE ST TOLL OF VINE ST (US192)	-
418403-2-56-01	No	SR 600 / CR 525 / JOHN YOUNG PKWY	-	0213 ADD LANES & RECONSTRUCT	SR 600 (US1782) JY/FROM S. OF PORTAGE ST TOLL OF VINE ST (US192)	-

Contract #	ES941	Work Begin	08-10-2010
County	SEMINOLE	Present Amount	\$ 1,004,309.97
Contractor	FDOT TEST VENDOR	Days Used as of Last Approved Estimate	849
Project Manager	MTS93LH   Covey, Lori	Cost Perf. Measure	52.66%
Project Admin.	MTS93LH   Covey, Lori	Time Perf. Measure	33.23%
SM Contract Type	MLBP   Maint Low Bid Performance	Adj. Est. Completion	08-08-2017

Finproj Lead St. Rd. # FAP Work Mix Contract Location Federal Project Oversight  
415952-2-72-04 Yes - - 6060 ROUTINE MAINTENANCE THERMOPLASTIC/PPFS/RAILWIDE FOR MON -

Contract #	RF042	Work Begin	-
County	SEMINOLE	Present Amount	\$ 4,199,109.50
Contractor	KEWIT INFRASTRUCTURE SOUTH CO.	Days Used as of Last Approved Estimate	0
Project Manager	KNOXDB   Buwold, Don	Cost Perf. Measure	-
Project Admin.	CNC07AT   Andrews, Tammie	Time Perf. Measure	0.00%
SM Contract Type	CLS   Const Lump Sum	Adj. Est. Completion	07-10-2017

Finproj Lead St. Rd. # FAP Work Mix Contract Location Federal Project Oversight  
436436-1-52-01 Yes - - 0345 RAIL PRESERVATION PROJECT CTR RAILROAD BRIDGE OVER LAKE MONROE/ST JOHNS RIVER -

Contract #	ESQ87	Work Begin	07-16-2014
County	SEMINOLE	Present Amount	\$ 4,123,350.00
Contractor	USA SERVICES OF FLORIDA, INC.	Days Used as of Last Approved Estimate	549
Project Manager	MTS93KS   Kirts, Scott-Inactive	Cost Perf. Measure	27.27%
Project Admin.	MTS93KS   Kirts, Scott-Inactive	Time Perf. Measure	27.33%
SM Contract Type	MBVP   Maint Best Value Performance	Adj. Est. Completion	01-15-2020

Finproj Lead St. Rd. # FAP Work Mix Contract Location Federal Project Oversight  
422042-7-72-01 Yes - - 6060 ROUTINE MAINTENANCE PERFORMANCE AESTHETICS -

Contract #	ESW01	Work Begin	11-09-2015
County	SEMINOLE	Present Amount	\$ 640,777.10
Contractor	LAPLEUR NURSERIES AND GARDEN CENTER LLC	Days Used as of Last Approved Estimate	35
Project Manager	CNS07NK   Navarro, Kim	Cost Perf. Measure	15.16%
Project Admin.	CNS07NK   Navarro, Kim	Time Perf. Measure	2.98%
SM Contract Type	CLS   Const Lump Sum	Adj. Est. Completion	07-23-2018

Finproj Lead St. Rd. # FAP Work Mix Contract Location Federal Project Oversight  
404418-2-52-01 Yes US-17/92/ORLANDO AVE/FRENCH AVE - 1070 LANDSCAPING SR15R00 (US17/92) INTERCHANGE AT SR 438 -



## 2016 Preview/Approval Schedule for FY 2016/17-2020/21 TIP & FY 2021/22-2039/40 Prioritized Project List

### FY 2016/17-2020/21 TIP

#### Preview

- Community Advisory Committee - Wednesday, 5/25/16, 9:30 a.m.
- Technical Advisory Committee - Friday, 5/27/16, 10:00 a.m.
- Municipal Advisory Committee - Thursday, 6/2/16, 9:00 a.m.
- MetroPlan Orlando Board - Wednesday, 6/8/16, 9:00 a.m.
- Public Hearing - Monday, 6/20/16, 6:00 p.m. (*tentative*)

#### Approval

- Community Advisory Committee - Wednesday, 6/22/16, 9:30 a.m.
- Transportation Systems Management & Operations Advisory Committee - Friday, 6/24/16, 8:30 a.m.
- Technical Advisory Committee - Friday, 6/24/16, 10:00 a.m.
- Municipal Advisory Committee - Thursday, 7/7/16, 9:00 a.m.
- MetroPlan Orlando Board - Wednesday, 7/13/16, 9:00 a.m.

### **FY 2021/22-2039/40 Prioritized Project List**

#### **Preview**

- Community Advisory Committee - Wednesday, 6/22/16, 9:30 a.m.
- Technical Advisory Committee - Friday, 6/24/16, 10:00 a.m.
- Municipal Advisory Committee - Thursday, 7/7/16, 9:00 a.m.
- MetroPlan Orlando Board - Wednesday, 7/13/16, 9:00 a.m.

#### **Approval**

- Community Advisory Committee - Wednesday, 8/24/16, 9:30 a.m.
- Transportation Systems Management & Operations Advisory Committee - Friday, 8/26/16, 8:30 a.m.
- Technical Advisory Committee - Friday, 8/26/16, 10:00 a.m.
- Municipal Advisory Committee - Thursday, 9/8/16, 9:00 a.m.
- MetroPlan Orlando Board - Wednesday, 9/14/16, 9:00 a.m.





**2016 Legislative Priorities and Positions**  
**Update as of February 7, 2016**

Top priorities

- 1. Funding for implementation of quiet zones**
  - a. House - \$0
  - b. Senate - \$10 million with proviso requiring 50% match
- 2. Funding for SunRail Phase III**
  - a. DOT Work program
    - i. 2016 & 2017 \$5 million planning/P&E
    - ii. 2020 - \$20 million
- 3. Increased funding to improve bicycle and pedestrian safety**
  - a. No action
- 4. LYNX I-4 Mitigation Funding**
  - a. House - \$1,000,000
  - b. Senate - \$500,000
- 5. Distracted Driving Primary Offense**
  - a. None of the bills relating to distracted driving (HB 25, SB 246, SB 328, and HB 537) have been heard or put on any committee agendas.

MetroPlan Orlando supports

- 1. Preserves State Transportation Trust Fund, paratransit (Access LYNX) funding, and preserves Airport development grant program**
- 2. Authorizes a local option rental car surcharge**
  - a. No action
- 3. Increases funding for the Transportation Regional Incentive Program (TRIP)**
- 4. Enhances pedestrian and bicyclist safety**
  - a. HB 253, a bill designed to protect bicyclists and other vulnerable users of roadways, has passed two committees and must be heard in the House Economic Affairs Committee before moving to the House floor.
  - b. SB 332, the senate companion of HB 253, passed the Senate Transportation Committee and will be heard in the Senate Criminal Justice Committee 02/08/16.
- 5. DOT Mileage Based User Fee**
  - a. No action
- 6. Expands the Charter County and Regional Transportation System Surtax**
  - a. No action

## MetroPlan Orlando opposes

### **1. Public Utility Relocation**

- a. HB 461 is a bill that establishes which entity bears the cost of relocating utility facilities in a public easement, absent an agreement to the contrary. HB 461 passed the House Local Government Affairs Subcommittee and is waiting to be heard in its final committee of reference, Appropriations.
- b. SB 416 is the Senate companion of HB 461. SB 416 passed all three committees of reference and has been placed on special order calendar, 02/10/16.

### **1. Changes to LYNX Governance Structure**

- a. Although HB 155, which would adversely change the governance structure of LYNX, passed three committees (it must be heard next in the House Economic Affairs Committee – *Scheduled 2/10/16 at 10:00 a.m.*),
- b. SB 738 has not been heard in any committee and is not expected to pass.

## Monitor legislation

### **1. Red Light Cameras**

- a. HB 4027 is a bill designed to remove the authorization for the use of red light cameras. HB 4027 passed the House Economic Affairs Committee. Its final committee of reference is Appropriations, but has not yet been put on the committee's agenda.
- b. SB 168 is the Senate companion to HB 4027. SB 168 recently passed the Senate Transportation Committee, but it still must pass two committees of reference.

### **2. Central Florida Expressway Authority**

- a. HB 825 is a bill clarifying that authority members from Seminole, Lake, and Osceola Counties must be a county commission member, chair, or county mayor from their respective counties, among other things. HB 825 passed its committees and has been placed on the calendar for 2<sup>nd</sup> reading.
- b. SB 1110 is the Senate companion to HB 825. SB 1110 passed its first committee of reference (Transportation) and must next be heard in the Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development.

### **3. Consolidation of Transportation Authorities**

No action

### **4. Transportation Network Companies**

- a. HB 509 is a bill that preempts to the state the regulation of Transportation Network Companies and creates a regulatory framework for their operation. HB passed the House.
- b. SB 1118 passed its first committee of reference (Senate Banking and Insurance) and has been put on the Senate Judiciary Committee's agenda, 02/09/16.

### **5. Regional Transportation Finance Authority – No action**

### **6. Shared Use Network Trail projects – No action**

**Transportation Work Program**

	<b><u>SENATE</u></b>	<b><u>HOUSE</u></b>
	All Funds	All Funds
State Infrastructure Bank Loan Repayments	\$9,000,000	\$9,000,000
Small County Resurface Assistance Program (SCRAP)	\$27,627,326	\$27,627,326
Small County Outreach Program (SCOP)*	\$57,705,253	\$66,705,253
County Transportation Programs	\$46,128,421	\$46,128,421
Bond Guarantee	\$500,000	\$500,000
Transportation Planning Consultants	\$62,954,001	\$62,954,001
Highway Maintenance Contracts	\$499,181,984	\$442,034,210
Intrastate Highway Construction	\$3,243,969,195	\$2,746,241,063
Arterial Highway Construction	\$188,508,368	\$188,508,368
High Springs-Newberry Rail Corridor	\$2,000,000	\$0
Construction Inspection Consultants	\$421,054,325	\$421,054,325
Aviation Development/Grants	\$237,673,600	\$237,673,600
Public Transit Development/Grants	\$503,359,608	\$504,359,608
Right-Of-Way Land Acquisition	\$544,971,691	\$491,045,991
Seaport - Economic Development	\$15,000,000	\$15,000,000
Seaports Access Program	\$10,000,000	\$10,000,000
Seaport Grants	\$113,925,263	\$113,925,263
Highway Safety Construction/Grants	\$300,000	\$158,252,983
Resurfacing	\$546,771,215	\$509,563,725
Bridge Construction	\$731,926,327	\$725,093,329
Seaport Investment Program	\$11,405,612	\$11,405,612
Rail Development/Grants	\$284,363,761	\$284,363,761
Quiet Zone Improvements Grant Program	\$10,000,000	\$0
Intermodal Development/Grants	\$59,017,690	\$59,017,690
Contract Maintenance with Department of Corrections	\$19,146,000	\$19,146,000
Preliminary Engineering Consultants	\$718,765,555	\$591,726,593
Highway Beautification Grants	\$1,000,000	\$1,000,000
Right-of-Way Support	\$72,051,338	\$66,436,938
Transportation Planning Grants	\$27,405,039	\$27,405,039
Materials And Research	\$14,801,254	\$14,801,254
Bridge Inspection	\$11,849,825	\$11,849,825
Economic Develop. Transportation Projects -Road Fund	\$2,317,000	\$15,000,000
City of Mount Dora - U.S. 441 Utility Relocation	\$1,000,000	\$0
Traffic Engineering Consultants	\$178,772,195	\$178,772,195
Local Government Reimbursement	\$1,256,500	\$1,256,500
Toll Operation Contracts	\$123,254,955	\$123,254,955
Turnpike System Equipment and Development	\$33,267,920	\$33,267,920
Tolls System Equipment and Development	\$46,026,302	\$46,026,302
Debt Service (Increase)	\$3,726,903	\$3,726,903

## **HOUSE OF REPRESENTATIVES STAFF ANALYSIS BILL: HB 7027 Department of Transportation**

This is a comprehensive bill relating to the Department of Transportation (DOT). In summary the bill:

- Reallocates \$10 million within the Work Program to the Florida Seaport and Economic Development (FSTED) Program, which increases the program's annual funding minimum from \$15 to \$25 million.
- Authorizes DOT to designate certain locations and routes as ports of entry, and limits the penalty that may be assessed for specified operators which obtain temporary permits at a port of entry.
- Authorizes the DOT to assume specified environmental review responsibilities under the National Environmental Policy Act (NEPA) with respect to highway projects.
- Modifies the process for the development and review of public-private partnership project proposals.
- Authorizes DOT to establish a Business Development Program that would assist small businesses and increase competition in the procurement of highway project contractors.
- Removes the Beeline-East Expressway and the Navarre Bridge from the list of facilities whose toll revenues may be used to secure bonds.
- Authorizes the creation of the DOT Financing Corporation to serve as a conduit issuer of debt to finance transportation projects.
- Increases the length of time that a toll account must remain dormant before it is presumed unclaimed property.
- Revises requirements for when a DOT Work Program amendment must be approved by the Legislative Budget Commission.

The overall fiscal impact of this bill is indeterminate but likely insignificant. Additionally, there also may be cost savings associated with DOT assuming responsibilities under NEPA. See fiscal section for specific details.

The bill has an effective date of July 1, 2016.

### **The Florida Senate**

## **BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

### **I. Summary:**

CS/CS/SB 756 contains the Florida Department of Transportation's (FDOT) 2016 Legislative Package, as well as additional transportation-related provisions. More specifically, the bill:

- Creates the FDOT Financing Corporation, a nonprofit corporation, for the purpose of financing or refinancing projects in the FDOT's work program through one or more service contracts, under which the corporation is authorized to issue bonds and other forms of indebtedness secured by payments to the corporation by the FDOT.
- Requires the FDOT to consult with and provide information to the Division of Bond Finance (DBF) in connection with a proposal to finance or refinance a transportation facility through the FDOT's authority to enter into public-private partnerships, and authorizes the DBF to make an independent recommendation.

- Expressly authorizes an existing, federally approved business development program for highway projects within the FDOT, which is intended to assist small businesses, increase competition, and reduce costs.
- Authorizes the transfer of the FDOT's Pinellas Bayway System to become part of the turnpike system and, in such event, also requires the transfer of certain funds to be used to help fund the costs of repair and replacement of the transferred facilities.
- Repeals certain provisions of the Laws of Florida relative to the Pinellas Bayway System.
- Deletes references to certain toll facilities.
- Increases from \$15 million to \$25 million the minimum annual funding for the Florida Seaport Transportation and Economic Development (FSTED) program.
- Authorizes the FDOT to assume certain review responsibilities under the National Environmental Policy Act (NEPA) with respect to highway projects.
- Substantially revises chapter 333, F.S., relating to airport zoning regulations.
- Allows commercial motor vehicle (CMV) operators to purchase temporary CMV registration permits at certain locations and provides for a reduced non-registration penalty under certain circumstances.
- Increases from three to ten years the period after which a dormant prepaid toll account is presumed unclaimed.
- Requires the Tampa Bay Area Regional Transportation Authority to update its master plan every five years, rather than every two years.
- Corrects a cross-reference.

This bill has potential fiscal impacts to the private and government sectors. See Section V. The bill has an effective date of July 1, 2016.

## Board Meeting Highlights - February 10, 2016

- **Chairman's Announcements:** Cmsr. Boyd welcomed members and Mayor Swan led the Pledge of Allegiance. Recognized Immediate Past Board Chairman, Mayor Swan on his leadership as Board Chairman. Recognized new 2016 Advisory Committee Chairpersons: Ms. Ostrodka (TAC); Mr. Quinn (TSMO) and Mr. O'Hanlon (new CAC). MAC will hold elections in June. Mayor Lacey was elected as President for the Tri-County League of Cities. TDLCB Officers: Cmsr. Clarke, Chairman; Cmsr. Constantine, Vice-Chairman and Cmsr. Harford represents Osceola County. Cmsr. Boyd reported on the CFMPOA meeting held on 1/15/16. Cmsr. Dallari reported on the NARC Conference he recently attended. TDLCB meeting to be held on 2/11/16.
- **Executive Director's Announcements:** Mr. Barley acknowledged Board/Advisor Alternates: Cmsr. Siplin for Cmsr. Thompson; Cmsr. Ortiz for Mayor Dyer and Mr. Stanger for Sec. Downs. He welcomed members to our new office and thanked Mr. Loschiavo (Staff) on coordinating the move transition, and expressed appreciation for the Board's support with approving the move and thanked the City of Orlando's Permitting Department for their help. He thanked those who attended the Volunteer Appreciation and Open House held on 1/13/16. Thanked Cmsr. Constantine, Ms. Baldwin (TDLCB) and Ms. Whittington (Staff) for attending Tallahassee TD Day on 1/21/16. As a follow-up from the 12/9/15 Board Meeting where Mr. Barley provided a presentation on SunRail, Mr. Barley reported that a SunRail Education Campaign is underway with Sec. Downs making presentations to the funding partners and other transportation groups in the region. This presentation will be presented to the Board next month. Mr. Barley noted that the CF Commuter Rail Commission meeting will be held here on 3/2/16 where other milestones will be discussed. He reported that Congressman Mica addressed the TSMO Advisory Committee at their 1/22/16 meeting on the use of smart technologies for reducing traffic congestion, he also discussed the new federal transportation bill recently signed by President Obama. Mr. Barley reported on FDOT's request that MetroPlan assume full responsibility for traffic signal timing work for the region; an update on the request will be provided to the Board next month after a discussion with the TSMO Advisory Committee. Called attention to the Legislative Update provided in members' supplemental folders. Introduced Mr. Ken Wright, Vice-Chairman of the Florida Transportation Commission who addressed the board on the role of the Florida Transportation Commission.
- **Public Comments:** Mr. RJ Mueller expressed concerns relative to the policy change for the use of DDR funding for transit projects and noted that the diversion of funds going to transit projects could delay roadway projects. Mr. Chuck Graham commented on the need for dedicated funding for LYNX. Ms. Joanne Counelis expressed the need for 24 hour bus and SunRail service 7 days a week.
- Unanimously **Approved** Consent Items: A-H, and J-K (Item I. was deferred and J. was modified)
- Unanimously **Approved** FDOT TIP Amendments - Resolution No. 16-02 (**Roll Call**)
- Unanimously **Approved** DEFERRAL of FTE TIP Amendments/Resolution No. 16-03 to next month
- Unanimously **Approved** the Public Involvement Plan
- Unanimously **Approved** continual consideration to remove the SR 417 Project from the currently adopted TIP as a March Board Agenda Action Item
- **Presentations/Other Business:** Mr. Huttman (Staff), previewed the Draft UPWP and Ms. Reynolds (FDOT) reported on the "ReThink Your Commute" Program. TSMO Regional Consortium (**DEFERRED**)
- Mr. Huttman led discussion on the adopted DDR & Transit Funding Policy. Board **Approved** Osceola County's request to not change the status of the US 192 BRT project; 15:3 Roll Call (Edwards, Ortiz and Siplin opposed) Item to be taken up next month for possible action.
- **Board Members Comments:** Mayor Swan thanked members for their support during his term as Board Chairman. Cmsr. Dallari noted the importance of east-west connectivity for bicyclist and pedestrians in the design of the I-4 Ultimate and Beyond the Ultimate projects.
- **Next Board Meeting - March 9, 2016**



## TSMO Attendance Record 2015

NAME	ORGANIZATION	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Hazem El-Assar	Orange County	P		P		P		E		p
Brian Sanders	Orange County	R		P		A		p		p
Mary Moskowitz	Osceola County									p
Matthew Wilson	Osceola County	P		P		P		A		
Joedel Zaballero	Osceola County	P		P		P		P		p
Brett Blackadar	Seminole County	P	NO MEETING SCHEDULED	P	NO MEETING SCHEDULED	P	NO MEETING SCHEDULED	P	NO MEETING SCHEDULED	p
Charlie Wetzel	Seminole County	A		p		P		A		p
Corey Quinn	CFX	P		p		P		P		p
Doug Jamison	LYNX	P		p		P		P		E
Brad Friel	GOAA	P		A		A		A		A
Lee Pulham	RCID	E	NO MEETING SCHEDULED	p	NO MEETING SCHEDULED	P	NO MEETING SCHEDULED	P	NO MEETING SCHEDULED	P
Tim Wilson	Altamonte Springs	P		p		P		A		P
Jay Davoll	Apopka	P		p		P		P		P
Kelly Brock	Casselberry	P		p		P		P		P
Ramon Senorans	Kissimmee Airport	P		p		P		P		P
Azim Hosein	Kissimmee									p
Camila Amayo	Kissimmee	R		p		P		P		
John Omana	Lake Mary	A	NO MEETING SCHEDULED	R	NO MEETING SCHEDULED	E	NO MEETING SCHEDULED	A	NO MEETING SCHEDULED	R
Sheryl Bower	Longwood	R		R		P		A		P
Noel Cooper	Maitland	P		P		P		P		P
Benton Bonney	Orlando	P		R		P		P		P
Steve Krug	Ocoee	P		P		A		A		A
Michael Cash	Sanford	P	NO MEETING SCHEDULED	P	NO MEETING SCHEDULED	A	NO MEETING SCHEDULED	A	NO MEETING SCHEDULED	P
Kevin Felblinger	St. Cloud	P		P		A		A		P
Donald Cochran	Winter Garden	P		A		A		A		A

Butch Margraf	Winter Park	R		P		R		R		R
Brian Fields	Winter Springs	P		A		A		A		A
Chris Rader	Edgewood	P		A		A		A		A
Robert McKinley	Windermere							P		A
<i>Robert Smith</i>	<i>Windermere</i>	A		A		A				
Maria Teimouri	UCF	P		P		P		P		A
John Rogers	Orange CTST	P		P		A		P		P
Pete Kelting	Seminole CTST	P		E		E		P		P
Glen Hammer	Osceola CTST	P		E		P		A		A

A = Absent; E = Excuse

P = Present; R = Represented by alt; V = Vacant; I = Inactive

*Italicized name = former representative (listed below current representative)*



# Florida Sunshine and Public Record Laws

## SUNSHINE LAWS

### PUBLICLY CREATED ADVISORY BOARDS WHICH MAKE RECOMMENDATIONS

Advisory boards and committees created by public agencies may be subject to the Sunshine Law, even though their recommendations are not binding upon the entities that create them. The “dispositive question” is whether the committee has been delegated “decision-making authority,” as opposed to mere “information-gathering or fact-finding authority.” *Sarasota Citizens for Responsible Government v. City of Sarasota*, 48 So. 3d 755, 762 (Fla. 2010). “Where the committee has been delegated decision-making authority, the committee’s meetings must be open to public scrutiny, regardless of the review procedures eventually used by the traditional governmental body.” *Id.* (page 4)

The Sunshine Law does not establish a lesser standard for members of advisory committees that are subject to the Sunshine Law. In other words, members of these committees are governed by the same requirements as members of elected or appointed boards. *See Monroe County v. Pigeon Key Historical Park, Inc.*, 647 So. 2d 857, 869 (Fla. 3d DCA 1994) (“[T]he Sunshine Law equally binds all members of governmental bodies, be they advisory committee members or government-in-the-sunshine-manual elected officials”). Accordingly, in the absence of statutory exemption, any gathering of two or more members to discuss any matter on which foreseeable action may be taken must be open to the public, noticed to the public, and minutes kept.

### FACT-FINDING COMMITTEES

A limited exception to the applicability of the Sunshine Law to advisory committees has been recognized for advisory committees established for fact-finding only. “[A] committee is not subject to the Sunshine Law if the committee has only been delegated information-gathering or fact-finding authority and only conducts such activities.” *Sarasota Citizens for Responsible Government v. City of Sarasota*, 48 So. 3d 755, 762 (Fla. 2010). *See also Cape Publications, Inc. v. City of Palm Bay*, 473 So. 2d 222 (Fla. 5th DCA 1985). Accord AGO 95--06 (when a group, on behalf of a public entity, functions solely as a fact-finder or information gatherer with no decision-making authority, no “board or commission” subject to the Sunshine Law is created).

“In determining whether a committee is subject to the Sunshine Law, the actual function of the committee must be scrutinized to determine whether it is exercising part of the decisionmaking function by sorting through options and making recommendations to the governmental body.” Inf. Op. to Randolph, June 10, 2010. **Thus, if an advisory committee has a decision making function in addition to fact-finding, the Sunshine Law is applicable.** See *Wood v. Marston*, 442 So. 2d 934, 938 (Fla. 1983), recognizing that while a “search and screen” committee had a fact-gathering role in soliciting and compiling applications, the committee also “had an equally undisputed decision-making function in screening the applicants” by deciding which of the applicants to reject from further consideration, and thus was subject to the Sunshine Law.

## **AUTHORIZATION TO CONDUCT PUBLIC MEETINGS VIA TELEPHONE OR VIDEO CONFERENCING, COMPUTER, OR OTHER ELECTRONIC MEDIA**

### **a. State boards**

In AGO 98-28, the Attorney General’s Office concluded that s. 120.54(5)(b)2., F.S., authorizes state agencies to conduct public meetings via electronic means provided that the board complies with uniform rules of procedure adopted by the state Administration Commission. These rules contain notice requirements and procedures for providing points of access for the public. See Rule 28-109, F.A.C.

### **b. Local boards**

#### **(1) Meetings**

As to *local* boards, the Attorney General’s Office has noted that the authorization in s. 120.54(5)(b)2., to conduct meetings entirely through the use of communications media technology applies only to *state* agencies. AGO 98-28. Thus, since s. 1001.372(2)(b), F.S., requires a district school board to hold its meetings at a “public place in the county,” a quorum of the board must be physically present at the meeting of the school board. *Id.* And see AGO s 09-56 (where a quorum is required and absent a statute to the contrary, the requisite number of members must be physically present at a meeting in order to constitute a quorum), and 10- 34 (city may not adopt an ordinance allowing members of a city board to appear by electronic means to constitute a quorum). Cf. s. 163.01(18), F.S., authorizing certain entities created by interlocal agreement to conduct public meetings and workshops by means of communications media technology.

However, **if a quorum of a local board is physically present, “the participation of an absent member by telephone conference or other interactive electronic technology is permissible when such absence is due to extraordinary circumstances such as illness[;]”** . . . [w]hether the absence of a member due to a

scheduling conflict constitutes such a circumstance is a determination that must be made in the good judgment of the board.” AGO 03-41.

For example, if a quorum of a local board is physically present at the public meeting site, a board may allow a member with health problems to participate and vote in board meetings through the use of such devices as a speaker telephone that allow the absent member to participate in discussions, to be heard by other board members and the public and to hear discussions taking place during the meeting. AGO 94-55. And see AGO s 92-44 (participation and voting by ill county commissioner), and 02-82 (physically-disabled city advisory committee members participating and voting by electronic means.

## DOES THE SUNSHINE LAW APPLY TO:

### MEETINGS BETWEEN MEMBERS OF DIFFERENT BOARDS

The Sunshine Law does not apply to a meeting between individuals who are members of *different* boards *unless* one or more of the individuals has been delegated the authority to act on behalf of his or her board.

### MEETINGS BETWEEN A MAYOR AND A MEMBER OF THE CITY COUNCIL

If the mayor is a member of the council or has a voice in decision-making through the power to break tie votes, meetings between the mayor and a member of the city council to discuss some matter which will come before the city council are subject to the Sunshine Law.

### MEETINGS BETWEEN A BOARD MEMBER AND HIS OR HER ALTERNATE

Since the alternate is authorized to act only in the absence of a board or commission member, there is no meeting of two individuals who exercise independent decision-making authority at the meeting. There is, in effect, only one decision-making official present. Therefore, a meeting between a board member and his or her alternate is not subject to the Sunshine Law. AGO 88- 45.

# PUBLIC RECORD LAWS

## WRITTEN CORRESPONDENCE, E-MAILS, AND OTHER ELECTRONIC COMMUNICATIONS BETWEEN BOARD MEMBERS

The Sunshine Law requires boards to meet in public; boards may not take action on or engage in private discussions of board business via written correspondence, e-mails or other electronic communications. Therefore, members of a public board may not use computers to conduct private discussions among themselves about board business. AGO 89-39. *And see* AGO 09-19 (members of a city board or commission may not engage on the city's Facebook page in an exchange or discussion of matters that foreseeably will come before the board or commission for official action); and Inf. Op. to Martelli, July 20, 2009 (authority should discuss business at publicly noticed meetings "rather than in a series of letters between authority members"). *Cf.* Inf.

## FACEBOOK

The Attorney General's Office has stated that the placement of material on a city's Facebook page presumably would be in connection with the transaction of official business and thus subject to Ch. 119, F.S., although in any given instance, the determination would have to be made based upon the definition of "public record" contained in s. 119.011(12), F.S. AGO 09-19. To the extent that the information on the city's Facebook page constitutes a public record, the city is under an obligation to follow the public records retention schedules established in accordance with s. 257.36(6), F.S. *Id.*

## TEXT MESSAGES

In Inf. Op. to Browning, March 17, 2010, the Attorney General's Office advised the Department of State (which is statutorily charged with development of public records retention schedules) that the "same rules that apply to e-mail should be considered for electronic communications including Blackberry PINS, SMS communications (text messaging), MMS communications (multimedia content), and instant messaging conducted by government agencies." In response, the department revised its records retention schedule to note that text messages may be public records and that retention of text messages could be required depending upon the content of those texts. See General Records Schedule GS1-SL for State and Local Government Agencies, V., Electronic Records, Electronic Communications, and Transitory Messages, available online at the Department of State website.

## ADVISORY BOARDS

The definition of “agency” for purposes of Ch. 119, F.S., is not limited to governmental entities. A “public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency” is also subject to the requirements of the Public Records Act. See government-in-the-sunshine-manual 61 *also* Art. I, s. 24(a), Fla. Const., providing that the constitutional right of access to public records extends to “any public body, officer, or employee of the state, *or persons acting on their behalf.*”

Thus, the Attorney General’s Office has concluded that the records of an employee advisory committee, established pursuant to special law to make recommendations to a public hospital authority, are subject to Ch. 119, F.S., and Art. I, s. 24(a), Fla. Const. AGO 96-32. *And see* Inf. Op. to Nicoletti, November 18, 1987, stating that the Loxahatchee Council of Governments, Inc., formed by eleven public agencies to study and make recommendations on local governmental issues was an “agency” for purposes of Ch. 119, F.S.

## PRIVATE ORGANIZATIONS

A more complex question is presented when a private corporation or entity provides services for, or receives funds from, a governmental body. The term “agency,” as used in the Public Records Act, includes private entities “acting on behalf of any public agency.” Section 119.011(2), F.S. The Florida Supreme Court has stated that this broad definition of “agency” ensures that a public agency cannot avoid disclosure by contractually delegating to a private entity that which would otherwise be an agency responsibility. *News and Sun-Sentinel Company v. Schwab, Twitty & Hanser Architectural Group, Inc.*, 596 So. 2d 1029 (Fla. 1992). *Cf. Booksmart Enterprises, Inc. v. Barnes & Noble College Bookstores, Inc.*, 718 So. 2d 227, 229n.4 (Fla. 3d DCA 1998) (private company operating state university bookstores is an “agency” as defined in s. 119.011[2], F.S., “[n]otwithstanding the language in its contract with the universities that purports to deny any agency relationship”).