Metropolitan Transportation Planning Organization (MTPO) For the Gainesville Metropolitan Area

MEETING PACKET

for

May 10, 2010

3:00 p.m.

May 3, 2010

TO:

Metropolitan Transportation Planning Organization (MTPO)

FROM:

Paula DeLaney, Chair

SUBJECT:

Meeting Announcement

The MTPO for the Gainesville Urbanized Area will meet on Monday, May 10, 2010 at 3:00 pm. This meeting will be held in the Jack Durrance Auditorium, Alachua County Administration Building, Gainesville, Florida.

Enclosed are copies of the meeting agenda. Please bring the materials enclosed with the agenda to the meeting.

If you have any questions, please contact Mr. Marlie Sanderson, MTPO Director of the Transportation Planning, at 352-955-2200, extension 103.

Enclosures

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Jack Durrance Auditorium Alachua County Administration Building Gainesville, Florida Monday, 3:00 p.m. May 10, 2010

STAFF RECOMMENDATION

Page *3 I. Approval of the Meeting Agenda and Consent Agenda

APPROVE BOTH AGENDAS

The MTPO needs to review and approve both agendas

Page *97 II. Transportation Improvement Program

APPROVE JOINT RECOMMENDATIONS

The MTPO must approve all transportation projects in the TIP that contain federal funds (other projects are included for information only)

Page #101 III. Unfunded Project Priorities

APPROVE JOINT RECOMMENDATIONS

Each year, the MTPO approves priority lists of needed projects that are eligible to be funded with federal and/or state funds

Page #107 IV. Transportation Enhancement Applications

APPROVE JOINT RECOMMENDATIONS

FDOT is requesting that the MTPO approve and submit a maximum of two applications this year for enhancement projects

Page *111 V. FDOT Florida Transportation Plan Horizon 2060

NO ACTION REQUIRED

FDOT will make a presentation about this planning effort

Back Cover

VI. Next MTPO Meeting

AGREE TO MEET ON JUNE 14TH

The next MTPO meeting is currently scheduled for June 14th at 3:00 p.m.

VII. Comments

- A. MTPO Members*
- B. Citizens Comments*
- C. Chair's Report*

Please bring the enclosed materials to the meeting. If you have any questions regarding the agenda items or enclosed materials, please contact Mr. Marlie Sanderson, AICP, MTPO Director of Transportation Planning, at 955-2200, Extension 103.

*No handout included with the enclosed agenda material.



Jack Durrance Auditorium Alachua County Administration Building Gainesville, Florida Monday, 3:00 p.m. May 10, 2010

STAFF RECOMMENDATION

Page [#]7 CA. 1 MTPO Minutes- March 15, 2010

APPROVE MINUTES

This set of MTPO minutes is ready for review

Page #15 CA. 2 MTPO Audit

APPROVE COMMITTEE RECOMMENDATIONS

The MTPO Audit Review Committee recommends that the MTPO accept the audit report and approve the invoice for payment

Page #41 CA. 3 Unified Planning Work Program

APPROVE JOINT RECOMMENDATIONS

This document contains the MTPO budget and identifies work tasks for the next two years

Page #49 CA. 4 Long Range Transportation Plan Update-Vision Statement Revision APPROVE STAFF
RECOMMENDATIONS

At the March 15th meeting, the MTPO discussed the need for a consent agenda item at the May meeting to approve a revision to its adopted vision statement

Page [#] 51	CA. 5	Transportation Planning Funds Joint Participation Agreement	APPROVE AGREEMENT AND RESOLUTION
		According to FDOT, this Agreement must be appropriately Year Federal Planning Funds release, which is July	· · · · -
Page #79	CA. 6	Williston Road Median Trees- Status Report	NO ACTION REQUIRED
		Enclosed with the meeting packet is a status report	concerning this issue
Page [#] 81	CA. 7	Transportation Disadvantaged Program Status Report	NO ACTION REQUIRED
		The MTPO has asked for regular status reports con	ncerning this program
Page [#] 91	CA. 8	Regional Transit System Ridership	NO ACTION REQUIRED
		Enclosed is annual transit ridership information fro	om 1991 to 2009
Page [#] 93	CA. 9	Florida Metropolitan Planning Organization Advisory Council- Legislative Policy Positions	NO ACTION REQUIRED
		Enclosed with the meeting packet is a document the the statewide organization of MPOs- the MPOAC	at lists the policy positions of

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Consent Agenda **Enclosures**



Jack Durrance Auditorium
Alachua County Administration Building

Gainesville, Florida

MEMBERS PRESENT

Paula DeLaney, Chair

MEMBERS ABSENT OTHERS PRESENT

Cynthia Moore Chestnut See Exhibit A
ely Mayor Pegeen Hanrahan

James Bennett/Alan Mosely Mayor Pegeen H Mike Byerly Scherwin Henry

Jack Donovan Rodney Long

Thomas Hawkins, Vice Chair Jeanna Mastrodicasa

Craig Lowe Ed Poppell
Lee Pinkoson
Lauren Poe

Scott Koons Marlie Sanderson Michael Escalante

STAFF PRESENT

6:00 p.m.

Monday

March 15, 2010

CALL TO ORDER

Larry Travis

Chair Paula Delaney called the meeting to order at 6:10 p.m.

I. APPROVAL OF THE MEETING AGENDA AND CONSENT AGENDA

Mr. Marlie Sanderson, MTPO Director of Transportation Planning, asked for approval of the meeting agenda and consent agenda amended to add CA.7- Long Range Transportation Plan-Supplemental Agreement. He discussed the amendment and answered questions.

ACTION: Commissioner Donovan moved to approve the Meeting Agenda and Consent Agenda amended to add CA.7- Long Range Transportation Plan- Supplemental Agreement. Commissioner Lowe seconded; motion passed unanimously.

II. DR. KERMIT SIGMON CITIZEN PARTICIPATION AWARD- 2009

Mr. Sanderson stated that Ms. Sharon Hawkey was selected to receive the 2009 Dr. Kermit Sigmon Citizen Participation Award. He presented the award to Ms. Hawkey.

Ms. Hawkey discussed her participation and thanked the MTPO.

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Several MTPO members thanked Ms. Hawkey for her participation on the Citizens Advisory Committee and her work related to other transportation planning issues.

III. GAINESVILLE REGIONAL TRANSIT SYSTEM RAPID TRANSIT FEASIBILITY STUDY

Mr. Sanderson stated that the Gainesville Regional Transit System Rapid Transit Feasibility Study has been completed.

Mr. Doug Robinson, Regional Transit System Chief Transit Planner, discussed the bus rapid transit (BRT) study process and introduced Mr. Bill Morris, Center for Urban Transportation Research (CUTR) Senior Research Associate.

Mr. Morris discussed the study and answered questions.

Mr. Robinson and Mr. Mike Fay, Alachua County Public Works Development Program Manager, discussed the coordination of the BRT Study with the County's Mobility Plan.

ACTION: Commissioner Lowe moved to approve the Gainesville Regional Transit System Rapid Transit Feasibility Study. Commissioner Donovan seconded; motion passed unanimously.

IV. PLANNING FOR PEAK OIL 2020

Mr. Sean McLendon, Alachua County Sustainability Program Manager, discussed peak oil issues. He also introduced Dr. Stephen Humphrey, University of Florida School of Natural Resources and Environment Director.

Dr. Humphrey gave a presentation on Sustainable Use and Depletion of Natural Resources: A Conceptual Framework and answered questions.

V. LONG RANGE TRANSPORTATION PLAN (LRTP) UPDATE

Mr. Sanderson introduced Mr. Whit Blanton, Renaissance Planning Group Vice President.

A. VISION STATEMENT, GOALS AND OBJECTIVES

Mr. Blanton discussed the draft LRTP Vision Statement, Goals and Objectives and answered questions.

ACTION: Commissioner Byerly moved to approve the Year 2035 Long Range Transportation Plan Vision Statement, Goals and Objectives. Commissioner Lowe seconded. Commissioner Pinkoson requested that the Vision Statement be separated from the Goals and Objectives for this action.

SPLIT ACTION-PART ONE:

Commissioner Byerly moved to approve the Year 2035 Long Range Transportation Plan Vision Statement. Commissioner Lowe seconded; motion passed 5 to 2.

SPLIT ACTION-PART TWO:

Commissioner Byerly moved to approve the Year 2035 Long Range Transportation Plan Goals and Objectives. Commissioner Lowe seconded; motion passed unanimously.

B. WORKSHOP OVERVIEW

Mr. Blanton gave an overview of the Year 2035 LRTP Workshop held on February 16, 2010.

C. THREE RECOMMENDED ALTERNATIVE NETWORKS

Mr. Blanton discussed Alternative Network One- Transit Emphasis, Alternative Network Two-Highway emphasis and Alternative network Three- Street Car-Bus Rapid Transit Emphasis and answered questions.

ACTION: Commissioner Lowe moved to approve Alternative Network One-Transit Emphasis, Alternative Network Two- Highway Emphasis and Alternative Network Three-Street Car/Bus Rapid Transit Emphasis for testing and evaluation. Commissioner Byerly seconded.

A member of the MTPO discussed his concerns regarding the modeling of transit service frequency and span-of-service.

Mr. Robinson discussed BRT service and frequencies.

FRIENDLY AMENDMENT:

Commissioner Lowe recommended the use of Federal Transit Administration (FTA) Section 5309 criteria for peak and off peak frequency and span-of-service for Bus Rapid Transit testing and evaluation. Commissioner Byerly agreed.

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ACTION AS AMENDED:

Commissioner Lowe moved to approve Alternative Network One-Transit Emphasis, Alternative Network Two- Highway Emphasis and Alternative Network Three-Street Car/Bus Rapid Transit Emphasis for testing and evaluation with the use of Federal Transit Administration (FTA) Section 5309 criteria for peak and off peak frequency and span-of-service for Bus Rapid Transit. Commissioner Byerly seconded; motion passed unanimously.

VI. FDOT FLORIDA TRANSPORTATION PLAN HORIZON 2060

Mr. Sanderson asked if the MTPO would like to receive a presentation concerning the FDOT Florida Transportation Plan Horizon 2060.

ACTION: Commissioner Byerly moved to have the MTPO receive a presentation on the FDOT Florida Transportation Plan Horizon 2060. Commissioner Lowe seconded; motion passed unanimously.

VII. NEXT MTPO MEETING

Mr. Sanderson recommended that the MTPO meet on May 10 at 3:00 p.m.

It was a consensus of the MTPO meet on May 10 at 3:00 p.m.

VIII. COMMENTS

A. MTPO MEMBERS

A member of the MTPO discussed a revision to the Long Range Transportation Plan Vision Statement that was approved earlier in the meeting.

Mr. Sanderson said that MTPO staff would take a look at his suggestions and place any proposed modifications to the Vision Statement on the next meetings' Consent Agenda.

B. CITIZENS

Mr. Dave Bruderly, Wise Gas, Inc. Engineer, noted that the State of Florida awarded \$3 million to build 11 natural gas vehicle fueling stations. He also said that there was more than \$1 million Federal Stimulus funds still available. He discussed Wise Gas' interest with building a coalition with the City of Gainesville, Alachua County, Regional Transit System and any other interested parties on the establishment of a natural gas vehicle fueling station in Gainesville and answered questions.

A member of the MTPO asked Mr. Bruderly to send letters to the City Commission and County Commission so Ithat they can refer them to their respective staffs.

A member of the MTPO noted that looking into a natural gas fueling station was already a referral from the City's Regional Utilities Committee to the City Commission. He suggested that Mr. Bruderly contact Gainesville Regional Utilities.

•	C		
C. C	CHAIR'S REPORT		
There was no Cl	nair's Report.		
ADJOURNMEN	<u>TV</u>		
Chair Delaney a	djourned the meeting at 8:	26 p.m.	

Date

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Cynthia Moore Chestnut, Secretary/Treasurer

EXHIBIT A

Interested Citizens	Alachua County	City of Gainesville
Whit Blanton	Mike Fay	Russ Blackburn
Dave Bruderly	Sean McLendon	Paul Folker
David Coffey	Jonathan Paul	Debbie Leistner
Sally Dickerson	Randall Reid	Doug Robinson
Bill Gilbert	David Schwartz	Teresa Scott
Rae Marie Gilbert		
Jim Hawkey		
Sharon Hawkey	Y	
Stephen Humphrey		

Florida Department of Transportation

Karen Taulbee

Bill Morris

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^{*} By telephone # Provided written comments



Jack Durrance Auditorium Alachua County Administration Building Gainesville, Florida Monday, 6:00 p.m. March 15, 2010

STAFF RECOMMENDATION

Page [#]9 CA. 1 MTPO Minutes- December 14, 2009

APPROVE MINUTES

This set of MTPO minutes is ready for review

Page #23 CA. 2 Certification Review

AUTHORIZE CHAIR TO SIGN CERTIFICATION STATEMENT

FDOT has conducted its annual certification review of the MTPO planning program and recommends that it be certified

Page *27 CA. 3 MTPO Audit

APPROVE STAFF RECOMMENDATION

The Regional Planning Council and MTPO jointly select an auditor to prepare a joint audit

Page #29 CA. 4 Transportation Disadvantaged Program-2010-2011 Planning Grant Application

APPROVE STAFF RECOMMENDATION

This grant application will provide funds for MTPO staff to provide staff services to the Alachua County Coordinating Board

Page *37 CA. 5 Transportation Disadvantaged Board APPOINT MEMBERS Member Appointments

The MTPO is being asked to appoint three members to the Alachua County Transportation Disadvantaged Coordinating Board

Page *49 CA. 6 Transportation Disadvantaged Program NO ACTION REQUIRED Status Report

The MTPO has asked for regular status reports concerning this program

CA. 7 Long Range Transportation Plan-Supplemental Agreement & SUPPLEMENTAL AGREEMENT

8

The MTPO needs to take these actions in order to receive an additional \$50,000 to fund the Long Range Transportation Plan update

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May 3, 2010

TO: Metropolitan Transportation Planning Organization (MTPO)

FROM: Marlie Sanderson, AICP, Director of Transportation Planning

SUBJECT: MTPO Fiscal Year 2009 Audit Review Committee Meeting

MTPO AUDIT REVIEW COMMITTEE RECOMMENDATION

Accept the audit report and approve the invoice for payment.

BACKGROUND

Attached please find a copy of the Auditor's Report for the fiscal year ended September 30, 2009. In December 2009, the MTPO appointed Commissioner Cynthia Chestnut and Commissioner Lauren Poe to a MTPO Audit Review Committee. The MTPO also decided to have Commissioner Chestnut serve as Committee Chair.

MTPO Audit Review Committee Meeting

The MTPO Audit Review Committee will meet on Wednesday, March 24, 2010 at 1:00 p.m. This meeting will be held in the Grace Knight Conference Room (2nd floor) of the Alachua County Administration Building.

Attachment

T:\Marlie\MS10\MTPO\Memo\auditmtpo.docx



ANNUAL FINANCIAL REPORT

For the Fiscal Year Ended September 30, 2009

ANNUAL FINANCIAL REPORT

For the Fiscal Year Ended September 30, 2009

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FINANCIAL SECTION

INDEPENDENT AUDITOR'S REPORT

To Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area Gainesville. Florida

We have audited the accompanying basic financial statements of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, as of and for the year ended September 30, 2009. These basic financial statements are the responsibility of the Organization's management. Our responsibility is to express an opinion on these basic financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the basic financial statements referred to above present fairly, in all material respects, the financial position of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, as of September 30, 2009, and the results of its operations and the respective budgetary comparisons for the General Fund for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Auditing Standards, we have also issued our report dated February 3, 2010, on our consideration of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

The management's discussion and analysis on pages 6 through 8, is not a required part of the basic financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was performed for the purpose of forming an opinion on the basic financial statements taken as a whole. The schedule of expenditures of federal awards and state financial assistance is presented for purposes of additional analysis and to meet the requirements of U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and is not a required part of the basic financial statements of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area. Such Information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

POWELL & JONES
Certified Public Accountants
February 3, 2010

METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA Management's Discussion and Analysis

This discussion and analysis is intended to be an easily readable analysis of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's (Organization) financial activities based on currently known facts, decisions or conditions. This analysis focuses on current year activities and should be read in conjunction with the financial statements that follow.

Report Layout

The Organization has implemented Governmental Accounting Standards Board (GASB) Statement 34, "Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments". This Statement requires governmental entities to report finances in accordance with specific guidelines. Among those guidelines are the components of this section dealing with management's discussion and analysis. Besides this Management's Discussion and Analysis (MD&A), the report consists of government-wide statements, fund financial statements, and the notes to the financial statements. The first two statements are condensed and present a government-wide view of the Organization's finances. Within this view, all Organization's operations are categorized as applicable, and reported as either governmental or business-type activities. Governmental activities include basic planning related services and general administration. The Organization had no business-type activities in this fiscal year. These government-wide statements are designed to be more corporate-like in that all activities are consolidated into a total for the Organization.

Basic Financial Statements

The Statement of Net Assets focuses on resources available for future operations. In simple terms, this statement presents a snap-shot view of the assets the Organization, the liabilities it owes and the net difference. The net difference is further separated into amounts restricted for specific purposes and unrestricted amounts. Governmental activities are reported on the accrual basis of accounting.

- The Statement of Activities focuses gross and net costs of the Organization's programs and the extent, if any, to which such programs rely upon general revenues. This statement summarizes and simplifies the user's analysis to determine the extent to which programs are self-supporting and/or subsidized by general revenues.
- Fund financial statements focus separately on governmental and proprietary funds, as applicable. Governmental fund statements follow the more traditional presentation of financial statements. As stated above, the Organization has no proprietary funds and business-type activities.
- The notes to the financial statements provide additional disclosures required by governmental accounting standards and provide information to assist the reader in understanding the Organization's financial condition.
- The MD&A is intended to serve as an introduction to the Organization's basic financial statements and to explain the significant changes in financial position and differences in operations between the current and prior years.

Condensed Financial Information

Condensed financial information from the statements of net assets as of September 30, 2009 and 2008, and statements of activities for the years ended September 30, 2009 and 2008, are as follows:

A condensed version of the Statement of Net Assets at September 30, 2009 and 2008, follows:

	Governmental Activities			
	Total Government			
	September 30,			
	2009	2008		
Assets:				
Cash	\$ 64,003	\$ 170,820		
Receivables	253,597	103,505		
Prepald expenses	425	740		
Total assets	318,025	275,065		
Liabilities:				
Accounts payable	258,850	202,323		
Prepaid dues	-	14,400		
Total liabilities	258,850	216,723		
Net Assets:				
Unrestricted	59,175	58,342		
Total net assets	\$ 59,175	\$ 58,342		

During the year ended September 30, 2009, there was an increase in net assets of \$833, due to normal operations during the year.

Condensed versions of the Statement of Activities for the years ended September 30, 2009 and 2008 follow:

	Governmental Activities			
	Total Government			
	Year Ended September 30,			
	2009	2008		
Revenues				
Program revenues				
Member dues	\$ 24,000	\$ 24,000		
Operating grants	713,837	417,396		
In-kind contributions	115,619	104,117		
Interest	9 .	1,460		
Total revenues	853,465	546,973		
Expenses				
Transportation planning services	852,632 ·	546,584		
Total expenses	852,632	546,584		
Change in net assets	833	389		
Beginning net assets	58,342	57,953		
Ending net assets	\$ 59,175	\$ 58,342		

Governmental activities

Transportation planning program activities remained similar to the prior year except that total expenses increased approximately 63%, which were funded by increased grant revenues.

Capital Assets and Debt Administration

Capital Assets

At September 30, 2009, the Organization had no capital assets titled in its name. All of the capital assets utilized in the Organization's programs are owned by North Central Florida Regional Planning Council, its administering agency.

Debt Outstanding

At September 30, 2009, the Organization had no outstanding debt.

Financial Contact

The Organization's financial statements are designed to present users (citizens, taxpayers, customers, and creditors) with a general overview of the Organization's finances and to demonstrate the Organization's accountability. If you have questions about the report or need additional financial information, please contact the Organization's Chief Staff Official at 2009 NW 67th Place, Gainesville, Florida 32653-1603.

STATEMENT OF NET ASSETS

September 30, 2009

		vernmental Activities
ASSETS	473 72 7 20 To	
Cash	\$	64,003
Accounts receivable		253,597
Prepaid expenses		425
Total assets	\$	318,025
LIABILITIES		
Current liabilities		
Accounts payable	\$	258,850
Total liabilities		258,850
NET ASSETS		
Unrestricted		59,175
Total net assets	**************************************	59,175
Total liabilities and net assets	\$	318,025
	T	

STATEMENT OF ACTIVITIES

For the Fiscal Year Ended September 30, 2009

	E	Expenses	Program Revenues Operating Grants and Contributions		Net Revenues and Change in Net Assets Governmental Activities Total	
Governmental activities:	-				-	
General government						
Transportation planning						
services	\$	852,632	\$	829,465		(23,167)
Total governmental activities	\$	852,632	\$	829,465		(23,167)
General revenues: Member dues	-	·				24,000
Increase in net assets						833
Net assets - October 1, 2008					W	58,342
Net assets - September 30, 2009					\$	59,175

BALANCE SHEET GOVERNMENTAL FUND

September 30, 2009

	Ge	neral Fund
ASSETS		
Cash	, \$	64,003
Accounts receivable		253,597
Prepaid expenses		425
Total assets	\$	318,025
LIABILITIES		
Current liabilities		
Accounts payable	\$	258,850
Total liabilities		258,850
NET ASSETS		
Unrestricted		59,175
Total net assets		59,175
Total liabilities and net assets	\$	318,025

Total fund balance is the same as net assets in the Statement of Net Assets.

GENERAL FUND STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL

For the Fiscal Year Ended September 30, 2009

		Amounts	Actual	Variance Final Budget Positive	
ten test of MIL THE SAME	<u>Original</u>	<u>Final</u>	Amounts	(Negative)	
REVENUES					
State of Florida, Department	4 24 25 26 26	4 27 4 27 20	A 664 H 4 H	A (AMANA)	
of Transportation grants	\$ 740,500	\$ 717,700	\$ 691,747	\$ (25,953)	
State of Florida, Transportation					
Disadvantaged Commission	22,100	22,100	22,090	(10)	
Member dues - Alachua County	9,600	9,600	9,600	-	
Member dues - City of Gainesville	14,400	14,400	14,400	-	
In-kind contributions (FDOT)	111,000	115,600	115,619	19	
Interest income	<u>-</u>		9	9	
Total revenues	897,600	879,400	853,465	(25,935)	
EXPENDITURES					
Staff services	610,900	54,300	55,542	(1,242)	
Professional contractual services	169,700	701,600	674,480	27,120	
Other	6,000	7,900	6,991	909	
In-kind services (FDOT)	111,000	115,600	115,619	(19)	
Total expenditures	897,600	879,400	852,632	26,768	
Net change in fund balance	_		833	833	
net change in fund valance	-	-	033	600	
Fund balance, October 1, 2008	58,342	58,342	58,342	*	
Fund balance, September 30, 2009	\$ 58,342	\$ 58,342	\$ 59,175	\$ 833	

The amounts in the Statement of Revenues, Expenditures, and Changes In Fund Balance of the General Fund are the same as the corresponding amounts reported for governmental activities in the Statement of Activities.

NOTES TO FINANCIAL STATEMENTS

September 30, 2009

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (the Organization), is a political subdivision created pursuant to provisions of Chapter 163, *Florida Statutes*. The Organization was established in 1977 by an interlocal agreement between the City of Gainesville, Alachua County and Florida Department of Transportation. It is governed by a fifteenmember board, including the five members of the Alachua County Board of County Commissioners, the seven members of the City of Gainesville City Commission, and non-voting representatives of the University of Florida, the Florida Department of Transportation and a rural advisor selected by the Alachua County League of Cities. The Organization is not currently subject to state or federal income taxes. Staff services are provided by the North Central Florida Regional Planning Council.

The financial statements of the Organization have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to government units. The Government Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the Organization's accounting policies are described below:

- A. Reporting entity As required by generally accepted accounting principles, these financial statements present the Organization and any component units, entities for which the primary government is considered to be financially accountable. There are no entities that would be considered component units of the Organization.
- B. Basic financial statements Basic financial statements are presented at both the government-wide and fund financial level. Both levels of statements categorize primary activities as either governmental or business-type.

Government-wide financial statements report information about the reporting unit as a whole. For the most part, the effect of any interfund activity has been removed from these statements. These statements focus on the sustainability of the Organization as an entity and the change in aggregate financial position resulting from the activities of the year. These aggregated statements consist of the Statement of Net Assets and the Statement of Activities.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function. Program revenues include charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function. Any other items not reported as program revenues are reported instead as general revenues.

Fund financial statements report information at the Individual fund level. Each fund is considered to be a separate accounting entity. The Organization only reports a general fund which is a governmental fund.

C. Measurement focus, basis of accounting, and basis of presentation - The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. A 120 day availability period after year end is used for revenue recognition. Expenditures are recorded when the related fund liability is incurred.

The Organization reports deferred revenue as applicable on its governmental fund balance sheet. Deferred revenues arise when a potential revenue does not meet both the "measurable" and "available" criteria for recognition on the current period. In subsequent periods, when both revenue recognition criteria are met, the liability for deferred revenue is removed from the balance sheet and revenue is recognized.

Private-sector standards of accounting and financial reporting issued prior to December 1, 1989, generally are followed in the government-wide financial statements to the extent that those standards do not conflict with or contradict guidance of the Governmental Accounting Standards Board.

The Organization reports the following fund:

General Fund

This is the general operating fund of the Organization. It is used to account for all financial resources of the government, except those required to be accounted for in another fund.

- **D.** Cash and cash equivalents As applicable year to year, the Organization considers all highly liquid investments with a maturity of three months or less when purchased to be cash equivalents.
- E. Cash and Investments Cash deposits are held by a bank qualified as a public depository under Florida law. All deposits are insured by Federal depository insurance and collateralized with securities held in Florida's multiple financial institution collateral pool as required by Chapter 280, Florida Statutes.
- F. Pervasiveness of Estimates The preparation of financial statements in conformity with generally accepted accounting principles required management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

NOTE 2. BUDGETARY PROCESS

The Organization follows these procedures in establishing the budgetary data reflected in the financial statements:

- a. In March, staff members begin preparing a budget for the fiscal year commencing the following October 1, based on work outlined in the Unified Planning Work Program.
- b. In August, the Organization adopts and approves the budget.
- c. Actual contracts accepted by the Organization throughout the year necessarily have an impact on approved budget operating levels. Should any major changes be needed, due to unforeseen contracts or the need to appropriate additional funds, the budget is then redeveloped for consideration by the Organization.
- d. The budget is adopted on a basis consistent with generally accepted accounting principles.

 The legal level of budgeting control is the fund level.

NOTE 3. CONCENTRATION OF CREDIT RISK

Significant concentration of credit risk for financial instruments owned by the Organization are as follows:

- a. Accounts and grants receivable Substantially all of the Organization's receivables are for amounts due from federal, state and local governmental agencies under cost reimbursement contracts. The Organization has no policy requiring collateral or other security to support its receivables.
- b. Cash and cash equivalents At September 30, 2009, the carrying amount of the Organization's bank deposits was \$64,003. All deposits with financial institutions were 100% insured by federal depository insurance or by collateral provided by qualified public depositories to the State Treasurer pursuant to the Public Depository Security Act of the State of Florida. The Act established a Trust Fund, maintained by the State Treasurer, which is a multiple financial institution pool with the ability to assess its member financial institutions for collateral shortfalls if a member fails.

SINGLE AUDIT AND COMPLIANCE SECTION

METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE

For the Fiscal Year Ended September 30, 2009

Federal Grantor/Pass-Through Grantor/ State Grantor Program Title	CFDA/ CSFA Number	Grantor's Number	Awa	Program Ird/Matching Amount	(De	crued ferred) or Year	R	eceived/ eported for Year		Current Year tevenues		Current Year penditures
FEDERAL AWARDS MAJOR PROGRAMS												
U.S. Department of Transportation Passed through the State of Florida Department of Transportation: Highway Planning and Construction												
2008-09; FPID # 02410 (46M), FIN # 214094-7-14-01: Grant award 2009-10; FPID # 02410 (46M),	20.205	A4983	\$	524,224	\$	6,619	\$	53,496	\$	306;978	\$	300,359
FIN # 214094-7-14-01: Grant award	20.205	A4983		273,522		-	######################################	_	-	138,940		138,940
NOVIMA IOD DEGODANIO				797,746		6,619		53,496		445,918		439,299
NONMAJOR PROGRAMS Federal Transit: Metropolitan Planning Grants 2007-08; FPID # 411762-2-14-01	00.505	a 014/57		440.074				00.405		20.000		20.000
Grant award State match	20.505	AOW57		112,371 14,046		-		82,105 10,263		30,266 3,783		30,266 3,783
State match				126,417				92,368		34,049		34,049
2008-09; FPID # 411762-3-14-01					••••••		-					
Grant award	20.505	AP945		119,855		-		-		119,855		119,855
State match				14,982		_		-		14,982		14,982
Total federal awards			\$	1,059,000		6,619	\$	145,864	\$	134,837 614,804	\$	134,837
STATE FINANCIAL ASSISTANCE State of Florida Department of Transportation	•			1,059,000		6,619		145,864		014,804		608,185
Transportation Disadvantaged												
2008-09	55.002	AP622	\$	22,091	\$	-	\$	5,523	\$	16,568	\$	16,568
2009-10	55.002	APJ40		22,079		-		-		5,522		5,522
Intermodal Development Program				44,170		-	ACCUPATION OF	5,523		22,090		22,090
2008-09; FPID # 424402-1-18-01	55.014	APC33		200,000				-		83,561		83,561
Total State Financial Assistance			\$	244,170	\$	-	\$	5,523	\$	105,651	\$	105,651

Summary of Significant Accounting Policies - The Schedule of Expenditures of Federal Awards and State Financial Note 1: Assistance utilizes the same basis of accounting as the primary government financial statements.

Total Federal Awards Expenditures contain \$ 18,765 in State Match Funds required under the Federal Grants. Note 2:

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

We have audited the basic financial statements of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (the Metropolitan Transportation Planning Organization) as of and for the year ended September 30, 2009, and have issued our report thereon dated February 3, 2010. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in Governmental Auditing Standards, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Metropolitan Transportation Planning Organization's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Metropolitan Transportation Planning Organization's Internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Metropolitan Transportation Planning Organization's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Metropolitan Transportation Planning Organization's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that misstatement of the Metropolitan Transportation Planning Organization's financial statements that is more than inconsequential will not be prevented or detected by the Metropolitan Transportation Planning Organization's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Metropolitan Transportation Planning Organization's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Metropolitan Transportation Planning Organization's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our test disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

This report is intended solely for the information and use of management, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, and federal and state awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

POWELL & JONES February 3, 2010

REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR FEDERAL PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133

To Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

Compliance

We have audited the compliance of Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) *Circular A-133 Compliance Supplement* that are applicable to each of its major federal programs for the fiscal year ended September 30, 2009. Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's major federal programs are identified in the summary of auditor's results section of the accompanying Schedule of Findings. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's management. Our responsibility is to express an opinion on Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. These standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's compliance with those requirements.

In our opinion, Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal awards programs for the year ended September 30, 2009.

Internal Control Over Compliance

The management of Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal award programs. In planning and performing our audit, we considered Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's internal control over compliance with requirements that could have a direct and material effect on a major federal programs in order to determine our auditing procedures for the purpose of expressing our opinion for compliance, but

not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's internal control over compliance.

A control deficiency in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal awards program on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal awards program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal awards program that is more than inconsequential will not be prevented or detected by the entity's internal control.

Our consideration of the internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of management, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area, and federal and state awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

POWELL & JONES Certified Public Accountants February 3, 2010

METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA

SCHEDULE OF FINDINGS

For the Fiscal Year Ended September 30, 2009

Section	I.	Summary	Of	Auditor's	Results
	8 .		v	MUULUI 3	I C SUILS

Fina	ncla	Statements

Type of auditor's report issued: Unqualified

Internal control over financial reporting:

♦ Reportable condition identified not considered to be material weakness?
None reported

Noncompliance material to financial statements
noted?

No

Federal Awards

Internal control over major programs:

Material weakness identified?
 No

Reportable condition identified not
 considered to be material weakness?
 None reported

Any audit findings disclosed that are required to be reported in accordance with Section 510(a) of Circular A-133?

Identification of major programs:

CFDA Number

20.205

Name of Federal Programs
U.S. Department of Transportation
Highway Planning and Construction

No

Dollar threshold used to distinguish between

Type A and Type B programs: \$300,000

Auditee qualified as low-risk auditee? Yes

Section II. Findings Related to the Financial
Statements Which are Required to be Reported
In Accordance with Government Auditing Standards

None

Section III. Findings and Questioned Costs of
Federal Awards
None

INDEPENDENT AUDITOR'S MANAGEMENT LETTER REQUIRED BY CHAPTER 10.550, RULES OF THE AUDITOR GENERAL

To Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

We have audited the basic financial statements of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (the Organization) as of and for the year ended September 30, 2009, and have issued our report thereon dated February 3, 2010.

We have issued our Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards, dated February 3, 2010. Disclosures in that report, if any, should be considered in conjunction with this management letter.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and Government Auditing Standards issued by the Comptroller General of the United States. Additionally, our audit was conducted in accordance with the provisions of Chapter 10.550, Rules of the Auditor General, which govern the conduct of local governmental entity audits performed in the State of Florida and require that the following items be addressed in this letter.

PRIOR YEAR FINDINGS - There were no reportable findings in the prior year.

CURRENT YEAR FINDINGS - There were no reportable findings in the current year.

FINANCIAL COMPLIANCE MATTERS

<u>Annual Local Government Financial Report</u> - The Financial Report filed with the Department of Financial Services pursuant to Section 218.32(1)(a), *Florida Statutes*, is in agreement with the accompanying financial statements of the Organization for the fiscal year ended September 30, 2009.

<u>Investment of Public Funds</u> - The Organization complied with Section 218.415, *Florida Statutes*, regarding the investment of public funds during the fiscal year.

<u>Financial Emergency Status</u> – Nothing came to our attention that caused us to believe that the Organization had met any of the conditions described in Section 219.503(1)(a), *Florida Statutes*, that might result in a financial emergency.

<u>Financial Condition Assessment</u> – As required by the *Rules of the Auditor General* (Section 10.544(7)(c) and 10.550(7)), we applied financial condition assessment procedures. It is management's responsibility to monitor the entity's financial condition, and our financial condition

assessment was based in part on representations made by management and the review of financial information they provided.

We noted no deteriorating financial conditions as defined by Rule 10.544(1)(d).

Our audit did not disclose any further items that would be required to be reported under *Rules of the Auditor General* Chapter 10.550.

CONCLUSION

We very much enjoyed the challenge and experiences with this audit of the Organization. We appreciate the helpful assistance of the Organization staff in completing our audit and also the generally high quality of the Organization's financial records and internal controls.

POWELL & JONES
Certified Public Accountants
February 3, 2010



May 3, 2010

TO: Metropolitan Transportation Planning Organization (MTPO)

FROM: Scott Koons, AICP, Executive Director

SUBJECT: Unified Planning Work Program (UPWP)

JOINT RECOMMENDATIONS

The Bicycle/Pedestrian Advisory Board, the Citizens Advisory Committee, the Technical Advisory Committee and MTPO staff all recommend that the MTPO:

- 1. approve the <u>Unified Planning Work Program</u>, with the understanding that additional administrative revisions requested by state and federal review agencies will be made as necessary by MTPO staff;
- 2. authorize the MTPO Chair to enter into the Section 5303 Joint Participation Agreement;
- 3. authorize the MTPO to financially participate in the Section 5303 agreement including the required matching contribution of MTPO funds; and
- 4. authorize the MTPO Chair to sign the Section 5303 Joint Participation Agreement.

BACKGROUND

The <u>Unified Planning Work Program</u> outlines and describes planning efforts to be undertaken by participating agencies to maintain a comprehensive, cooperative and continuing transportation planning program in the Gainesville Urbanized Area. The transportation planning program of the MTPO includes a <u>Unified Planning Work Program</u> budget of \$731,663 for Fiscal Year 2010/11 (July 1, 2010 to June 30,2011). This consists of \$707,663 from federal and state agencies and \$24,000 dues paid by the City and County.

Fiscal Year 2010/11 of the two-year Fiscal Years 2010/11 and 2011/12 planning program budget represents a decrease of approximately 16.7 percent, or \$146,300, from the budget for the current year. This decrease is a result of the MTPO not having consultant expenses related to the update of the long range transportation plan in Fiscal Year 2010/11 at the same level as in Fiscal Year 2009/10.

As shown in Attachment II, the proposed budget programs \$485,227 of Federal Highway Administration Section 112 (planning) funds. This is the amount of Section 112 planning funds allocated to the MTPO for Fiscal Year 2010/11.

UNIFIED PLANNING WORK PROGRAM SUMMARY

In addition to the attached <u>Unified Planning Work Program</u> document required for submission to federal and state agencies, we are also attaching three summary pages as described below. They are, as follows:

Attachment I - Brief task description of the transportation planning program activities to be undertaken and funded by the MTPO.

Attachment II - Proposed funding sources and task cost breakdowns for MTPO-funded programs.

Attachment III - Proposed (line item) budget for the MTPO. This attachment shows revenue sources and expenditures.

Our staff will be prepared to discuss this material in further detail at the MTPO meeting. At this meeting, we will be requesting approval of the <u>Unified Planning Work Program</u> budget.

Attachments

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ATTACHMENT I

JULY 1, 2010 - JUNE 30, 2011 JULY 1, 2011 - JUNE 30, 2012

UNIFIED PLANNING WORK PROGRAM FOR MTPO WORK TASKS

- <u>1.1 Program Management</u> Overall program management and administrative functions including the community involvement program and staff support to the Metropolitan Transportation Planning Organization (MTPO) and its Advisory Committees.
- 1.2 Functional and Financial Responsibility Preparation of the Unified Planning Work Program (UPWP) and the Transportation Improvement Program (TIP).
- <u>1.3 Professional Development</u> Participation in various workshops, seminars, transportation planning management meetings and other professional activities to keep abreast of new and changing transportation planning techniques and guidelines.
- <u>1.4 Program Reporting</u> The preparation of quarterly progress reports to Federal and State agencies and technical memorandums for the MTPO.
- <u>2.2 System-Associated Characteristics</u> Monitoring and updating of land use and socioeconomic data for the Gainesville Urbanized Area.
- 3.1 System Review and Analysis Work on this task will include:
 - 1. evaluations of the impact of proposed changes in the highway system to reflect land use, policy and other changes;
 - 2. updating the project priorities on GUATS long range transportation plans as needed;
 - 3. providing FDOT staff with the MTPO's transportation priorities to use in developing FDOT's District II 5-Year Work Program; and
 - 4. developing estimates of existing level of service in the Gainesville Urbanized Area.

ATTACHMENT I - Continued

- <u>3.2 Long Range Plan Update</u> The MTPO will review the current adopted long range transportation plan for consistency with applicable provisions of SAFETEA-LU and Florida law.
- 3.3 Transportation Disadvantaged Program Staff assistance to the local coordinating board.
- 3.4 Transportation Systems Management (TSM) / Transportation Demand Management (TDM) Element Continuation of the transit planning program for the Regional Transit System (RTS); the monitoring of bicycle, pedestrian and transit ridership; TIP development and monitoring; and the planning, development and improvement of transportation services to the elderly and persons with disabilities.
- 3.5 Management Systems The MTPO will work cooperatively with FDOT staff to provide for effective management of new and existing transportation facilities.
- <u>3.6 Air Quality</u> The MTPO has set aside funds to ensure that air quality requirements are addressed concerning national air quality standards for ozone.
- <u>3.7 Regional Planning</u> The MTPO will develop products and processes that result in regional planning and cooperation between adjacent MPOs and integration of the Florida Strategic Intermodal System (SIS).
- <u>3.8 SAFETEA-LU Implementation</u> As needed, the MTPO will update planning documents and procedures to implement federal Safe, Accountable, Feasible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) legislation.

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ATTACHMENT II

PROPOSED FUNDING SOURCES FOR FISCAL YEAR 2010/11 METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA

		FTA			FHV		FDOT		
				Other Local/		NG (PL)	STUDY		GRAND
COLUMN NUMBER	Federal	State	MTPO	Agency Work	Federal	MTPO	GRANTS		TOTAL
1.0 ADMINISTRATION	1								
1.0 ADMINISTRATION	Į.								
1.1 Program Management					67,800	****************			67,800
1.2 Functional and Financial Responsibility					48,300				48,300
1.3 Procedural Development				9,517	32,700				42,217
1.4 Program Reporting					35,200				35,200
1.5 State Support and Program Management		14,483			!				14,483
and Technical Assistance FTA									
	1								
2.0 SURVEILLANCE ACTIVITIES	j								
	T			l .	l .		1		
2.1 System Characteristics									0
2.2 System-Associated Characteristics					25,400				25,400
]								
A C CVOTEM DI ANNUNO	1								
3.0 SYSTEM PLANNING									
3.1 System Review and Analysis					47,300				47,300
3.2 Long Range Plan Update					90,227		70,000		160,227
3.3 Transportation Disadvantaged Program					00,221		22,091		22,091
3.4 TSM/TDM Element	115,862		14,483				,		130,345
3.5 Management Systems	,				48,100				48,100
3.6 Air Quality					45,000				45,000
3.7 Regional Planning					20,100				20,100
3.8 Planned Growth and Transportation					25,100				25,100
5.0 FDOT STATE-WIDE PLANNING STUDIES	l								
	1							1	
5.1 Provision of Transportation Data									0
1									
S. A. EDOT DISTRICT II TO ANNUA CONTINUE									
6.0 FDOT DISTRICT II PLANNING STUDIES	ľ								
6.1 (No work task performed at this time)	l l								
6.2 (No work task performed at this time)									0
0.2 (140 WOLK task benotitied at this time)									U
									F
TOTAL	115,862	14,483	14,483	9,517	485,227	0	92,091		731,663

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ATTACHMENT III

PROPOSED FISCAL YEAR 2010/11 BUDGET METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA

REVENUE SOURCE	AMOUNT
Federal Transit Administration	\$115,862
Federal Highway Administration	\$485,227
State of Florida, Department of Transportation	\$84,483
State of Florida, Transportation Disadvantaged Commission	\$22,091
Alachua County	\$9,600
City of Gainesville	\$14,400
TOTAL REVENUES	\$731,663

TYPE OF EXPENDITURE	AMOUNT
Consultant Services (North Central Florida Regional Planning Council)	\$634,400
Consultant Services (Long Range Plan & B/PAB)	\$77,663
Audit	\$6,000
Legal Advertisements	\$4,500
Travel	\$8,000
Dues	\$500
Meeting Expenses	\$200
Office Supplies	\$400
TOTAL EXPENDITURES	\$731,663

September 4, 2009

TO: Metropolitan Transportation Planning Organization (MTPO)

FROM: Marlie Sanderson, AICP, Director of Transportation Planning

SUBJECT: Long Range Transportation Plan Update- Vision Statement Revision

MTPO STAFF RECOMMENDATION

Approve a revised vision statement that reads as follows-

"The Gainesville Urbanized Area will have a multimodal transportation system that integrates land use and transportation planning and investments to promote community well-being through good and healthy relationships with region's other communities and natural systems."

BACKGROUND

The MTPO is currently updating its long range transportation plan to the Year 2035. The long range transportation plan traditionally includes a vision statement, goals and objectives.

At its December 14th meeting, the MTPO tentatively approved the following proposed vision-

"The Gainesville Urbanized Area will have a multimodal transportation system that integrates land use and transportation planning and investments to promote community well-being through good-faith partnerships and healthy relationships with region's other communities and natural systems."

At the March 15th meeting, the MTPO agreed to consider revising the vision statement to strike the phrase "good-faith partnerships" and replace it with the phrase "good and health partnerships."

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May 3, 2010

TO: Metropolitan Transportation Planning Organization (MTPO)

FROM: Marlie Sanderson, AICP, Director of Transportation Planning

SUBJECT: Transportation Planning Funds Joint Participation Agreement

MTPO STAFF RECOMMENDATION

Approve the enclosed Resolution and Transportation Planning Funds Joint Participation Agreement, subject to review and approval by the MTPO Attorney and with the understanding that additional administrative revisions requested by Florida Department of Transportation staff will be made as necessary by MTPO staff.

BACKGROUND

Federal regulations and Section 339.175, Florida Statutes, require the Florida Department of Transportation (FDOT) and the MTPO to enter into an agreement clearly identifying the responsibilities for cooperatively carrying out the Metropolitan Planning Process and accomplishing the transportation planning requirements of state and federal law. Attached is a Transportation Planning Funds Joint Participation Agreement and Resolution that has been developed working with FDOT to meet these requirements. According to FDOT, this Agreement and Resolution must be approved, and fully executed, prior to the next Fiscal Year Federal Planning Funds release, which is July 1, 2010.

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CERTIFICATE

The undersigned as the duly qualified a	nd acting	Secretary of the M	Tetropolitan Transportation
Planning Organization for the Gainesvil	le Urbani	zed Area, hereby o	certifies that the annexed is a
true and correct copy of Resolution 10-	5, which	was adopted at a le	egally convened meeting of
the Metropolitan Transportation Plannir	ng Organi	zation for the Gain	esville Urbanized Area,
which meeting was held on the	_day of _		, A.D., 2010.
WITNESS my hand this	Western Assessment State Control of the Control of	day of	, A.D., 2010.
		Cynthia Moore	Chestnut, Secretary

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RESOLUTION 10-5

A RESOLUTION OF THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATIONFOR THE GAINESVILLE URBANIZED AREA APPROVING AND ENDORSING A JOINT PARTCIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO RECEIVE FEDERAL FUNDS AND PERFORM SPECIFIC PLANNING RESPONSIBILITES

WHEREAS, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area has been designated as the metropolitan planning organization for the Gainesville Urbanized Area and associated metropolitan planning area; and,

WHEREAS, the Federal Government, under authority of 23 U.S.C. 134 and any subsequent applicable amendments require that each urbanized or metropolitan area, as a condition to receive federal capital or operating assistance, have a continuing, cooperative and comprehensive transportation planning process that results in plans and programs reflecting the consistency of the transportation plans and programs with the provisions of all applicable short and long term land use and development plans; and,

WHEREAS, 23 U.S.C. 134, 23 CFR 450.36 and Section 339.175 Florida Statues, authorize metropolitan planning organizations to develop transportation plans and programs for urbanized areas; and

WHEREAS, pursuant to the Interlocal Agreement executed on May 13, 1977, amended on December 12, 1979 and amended on May 26, 2004, and filed with the Clerk of the Circuit Court of Alachua County, Florida, the Metropolitan Transportation_Planning Organization for the Gainesville Urbanized Area was established, with specific transportation responsibilities indentified therein;

NOW, THEREFORE, BE IT RESOLVED BY THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA:

The Metropolitan Transportation Planning Organization for the Gainesville
 Urbanized Area approves and endorses the Joint Participation Agreement with the Florida
 Department of Transportation; and

2. The Honorable Paula Delaney, Chair, is herein authorized to execute this Resolution and said Agreement with, Cynthia Moore Chestnut, Secretary as Witness.

DULY ADOPTED in regular session, this	day of, A.D., 2010.
	METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION FOR THE GAINESVILLE URBANIZED AREA
Ву:	Paula DeLaney, Chair
ATTEST:	APPROVED AS TO FORM
Cynthia Moore Chestnut, Secretary	MTPO Attorney

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STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TRANSPORTATION PLANNING FUNDS
JOINT PARTICIPATION AGREEMENT

525-010-02
POLICY PLANNING
OGC - 07/09
Page 1 of 2°

Financial Project No.:	Fund:	FLAIR Approp.:
	Function:	FLAIR Obj.:
(item-segment-phase-sequence)	Federal No.:	Org. Code:
Contract No.:	DUNS No.:	Vendor No.:
CFDA Number:	CSFA Number:	

THIS JOINT PARTICIPATION AGREEMENT (Agreement) is made and entered into this day of _____ 2010, by and between the STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION (Department), an agency of the State of Florida, whose address is Office of the District Secretary, 1109 S.Marion Ave., MS 2000, Lake City, FL 32025-5874 and the Gainesville Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (MTPO), whose address is 2009 NW 67th Place, Suite A, Gainesville, FL. In this document, references to MPO will also refer to Gainesville MTPO.

RECITALS

WHEREAS, the Federal Government, under the authority of 23 U.S.C. 134 and any subsequent applicable amendments, requires that each urbanized or metropolitan area, as a condition to the receipt of federal capital or operating assistance, have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs reflecting consideration of the likely effect of transportation policy decisions on land use and development and the consistency of transportation plans and programs with the provisions of all applicable short and long term land use and development plans;

WHEREAS, 23 U.S.C. 134, 23 CFR 450.306, and Section 339.175, Florida Statutes, authorize metropolitan planning organizations to develop transportation plans and programs for urbanized areas;

WHEREAS, pursuant to 23 U.S.C. 134, 23 CFR 450.310, and Section 339.175, Florida Statutes, a metropolitan planning organization has been designated and apportioned by the Governor of the State of Florida, with the agreement of the affected units of general purpose local government, to organize and establish the MPO;

WHEREAS, pursuant to the Interlocal Agreement executed on _May 26,2004 and filed with the Clerk of the Circuit Court of Alachua County, Florida,, the MPO was established, with specific transportation planning duties and responsibilities identified therein;

WHEREAS, the MPO has the authority to enter into this Agreement and to undertake the responsibilities hereinafter described, and the Department has been granted the authority to function adequately in all areas of appropriate jurisdiction, including the implementation of an integrated and balanced transportation system.

WHEREAS, the MPO is to be the recipient of metropolitan planning funds (PL Funds) authorized under 23 U.S.C. 104 (f) to carry out the provisions of 23 U.S.C. 134;

WHEREAS, the Department is authorized to allocate said funds for all metropolitan planning organizations throughout the State of Florida;

WHEREAS, the Department is authorized to transmit to the MPO its proportionate share of PL Funds approved by the Federal Highway Administration (FHWA) appropriated for the purpose of

aiding the metropolitan transportation planning process; and

WHEREAS, 23 CFR 450.314 and Section 339.175, Florida Statutes, require that the Department and the MPO enter into an agreement clearly identifying the responsibilities for cooperatively carrying out the Metropolitan Planning Process and accomplishing the transportation planning requirements of state and federal law.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the parties desiring to be legally bound, do agree as follows:

ARTICLE 1 RECITALS; DEFINITIONS; PURPOSE

- **Section 1.01** Recitals. Each and all of the foregoing recitals are incorporated herein and acknowledged to be true and correct to the best of the parties' knowledge. Failure of any of the foregoing recitals to be true and correct shall not operate to invalidate this Agreement.
- **Section 1.02** <u>Definitions</u>. The following words when used in this Agreement (unless the context shall clearly indicate to the contrary) shall have the following meanings:
- (a) <u>Multimodal</u>, <u>Systems Level Corridor or Subarea Planning Study</u> shall mean and refer to studies involving major investment decisions or as otherwise identified in 23 CFR 450.318 and 450.212.
- (b) Long-Range Transportation Plan is the 20-year plan which: identifies transportation facilities; includes a financial plan that demonstrates how the plan can be implemented and assesses capital investments necessary to preserve the existing metropolitan transportation system and make efficient use of existing transportation facilities; indicates proposed transportation enhancement activities; and in ozone/carbon monoxide nonattainment areas is coordinated with the State Implementation Plan, as required by 23 USC Section 134, 23 CFR 450.322, and Section 339.175, Florida Statutes.
- (c) <u>Metropolitan Planning Area</u> means and refers to the planning area as delineated by the MPO for the urbanized area as described in 23 U.S.C. 134 (b)(1), and Section 339.175, Florida Statutes, which shall be subject to the MPO.
- (d) <u>Task and or subtask</u> refer to the individual work items or programs listed within the respective Unified Planning Work Program (UPWP).
- (e) <u>Transportation Improvement Program or TIP</u> is the transportation document which includes the following components: a priority list of projects and project phases; a list of projects proposed for funding; including all regionally significant transportation projects even if no Federal funding is involved (23 CFR 450. 216); a financial plan demonstrating how the TIP can be implemented; a listing of group projects; an indication of whether the projects and project phases are consistent with applicable local government comprehensive plans adopted pursuant to Section 163.3161 et seq., Florida Statutes; an indication of whether the projects and phases are consistent with the Long Range Transportation Program (23 CFR 450.216); and an indication of how improvements are consistent, to the maximum extent feasible, with affected seaport and airport master plans and with public transit development plans of the units of local government located within the boundaries of the MPO, all as required by 23 U.S.C. 134(j), 23 CFR 450.324, and Section 339.175(8), Florida Statutes.
- (f) <u>Unified Planning Work Program or UPWP</u> is the biennial plan developed in cooperation with the Department and public transportation providers, that lists all planning tasks to be undertaken

during a program year, together with a complete description thereof and an estimated budget, as required by 23 CFR 450.308, and Section 339.175(9), Florida Statutes.

Section 1.03 <u>UPWP and PL Funds</u>. As more fully set forth in Article 2 of this Agreement, the purpose of this Agreement is: (1) To ensure the PL Funds portion of the biennial UPWP for the Metropolitan Planning Area is prepared by the MPO in conformance with 23 CFR 450.308 and Section 339.175(9), Florida Statutes, (2) To provide financial assistance to the MPO for transportation related planning activities, as required under 23 U.S.C. 134, (3) To state the terms and conditions upon which such assistance will be provided, and (4) To recite the understanding as to the manner in which the biennial UPWP will be undertaken and completed.

ARTICLE 2 TRANSPORTATION PLANNING; PL FUNDS; UPWP PREPARATION

Section 2.01 The Project. The Project under this Agreement is defined as the preparation and adoption of the biennial UPWP for the Metropolitan Planning Area which is supported by PL Funds. Approval of the Project shall consist of approval of each biennial UPWP by the MPO, and the appropriate Federal funding agencies, including the FHWA and/or Federal Transit Agency (FTA). Individual tasks or subtasks of the UPWP, although accepted by the federal funding agencies, may be subject to further applicable conditions outlined in federal law or state statutes. The Project approval for any specific UPWP extends for only the two year fiscal period for which the Project was developed. Portions of the Project not completed during the indicated fiscal years are not eligible for funding, unless specifically included in the succeeding UPWP. Notwithstanding that the Project may be implemented over a two year period, funding will be authorized on an annual basis.

Section 2.02 <u>Accomplishment of the Project.</u>

- (a) <u>General Requirements</u>. The MPO shall commence, carry on, and complete the Project with all practicable dispatch, in a sound, economical, and efficient manner, and in accordance with the provisions hereof, and all applicable laws, including all applicable transportation planning responsibilities identified in the Interlocal Agreement establishing the MPO.
- (b) <u>Funds of the MPO</u>. The MPO shall initiate and prosecute to completion all proceedings necessary, including federal-aid requirements, to enable the MPO to provide the necessary funds for completion of the Project.
- (c) <u>Submission of proceedings, contracts and other documents</u>. Subject to requirements of confidentiality of public records under Florida law and the right to claim an exemption from the Florida Public Records Law, Chapter 119, Florida Statutes, the MPO shall submit to the Department such data, reports, records, contracts, and other documents relating to its performance as a metropolitan planning organization as the Department may require. The MPO shall have a right to charge reasonable charges for reproduction of public records as permitted by Chapter 119, Florida Statutes.
- (d) <u>Notification</u>. Within (10) business days of receipt by the Department, the Department shall forward to the MPO all correspondence pertaining to the approval of the individual work tasks contained within the UPWP, and copies of other FHWA and FTA regulations, notices, orders, manuals, handbooks, and transmittals, relating to the duties of the MPO pursuant to 23 U.S.C. 134, 23 CFR Parts 420 and 450; and 49 CFR Parts 18 and 20. As so stated, the approved amount for each specific work task will be consistent with the budgeted amount as defined in the draft UPWP.

Section 2.03 Participation in the Project.

- (a) The Department agrees to participate in the Project, such participation to be limited to: (1) a cash reimbursement to the MPO in the amount of PL Funds approved for reimbursement in the Project and made available by the FHWA; and (2) except as otherwise authorized by the Department, in-kind services (including Departmental consultant contracts for applicable planning work within the MPO's Metropolitan Planning Area), the value of which services in any given year should not exceed one-half of the amount of matching funds required for the MPO's PL Funds approved for expenditure in the Project. The remaining required match, if any, shall be provided by the MPO in the form of in-kind services or cash. In some circumstances, the Department may elect to furnish additional in-kind services.
- (b) Reimbursement will be made on monthly or quarterly billings, based upon actual expenses incurred by the MPO in furtherance of the Project. Requests for payment shall include documentation of expenditures as required by 49 CFR 18.41, as appropriate, and of work accomplished by the MPO, and shall also include a narrative progress report.
- Section 2.04 Rights of Review. As required by 49 CFR 18.42(e), the FHWA and the FTA shall have the right of review of the work (and approval or concurrence as appropriate), including, but not limited to: the UPWP, the TIP, the Long-Range Transportation Plan, a Multimodal, Systems Level Corridor or Subarea Planning Study, the Transportation Systems Management Element, all technical reports, the annual report, and all planning data prepared by the MPO. If the FHWA or the FTA finds that the work performed fails to comply with any requirement (e.g., work tasks are not conducted in accordance with approved work programs, or work tasks are found to be inconsistent with federal or state guidelines), the FHWA or the FTA may use the enforcement actions contained in 49 CFR 18.43 to remedy the situation.
- The UPWP Budget. The UPWP Budget shall consist of that portion of the two Section 2.05 budget statements included in the UPWP which covers PL and Section 5303 funded work. One statement identifies funding sources (federal, state, local) by work task and subtask. The other statement identifies funding, by work task and subtask, agency participation, and consultant services. The MPO shall maintain said UPWP Budget, carry out the UPWP, and shall incur obligations against and make disbursements of UPWP funds only in conformity with the latest approved budget for the UPWP. Revisions to the UPWP budget may occur periodically. Revisions do not change the FHWA approved UPWP final total budget or the scope of FHWA approved work task(s). The Department and the FHWA shall be notified of all revisions prior to approval by the MPO. Changes in the scope of an approved work task or additions or deletions of funds which change the total funding of an FHWA approved UPWP shall be considered amendments. Amendments must be approved by the FHWA. Proposed amendments shall be filed with the Department. The Department shall transmit the amendment and supporting documents to the FHWA with a recommendation for approval or denial. The MPO shall limit the total amount of Project funds programmed in the UPWP for a particular two year fiscal period to the following:
 - (1) Project funds allocated to the MPO for the subject two year fiscal period;
 - (2) Any unspent Project funds that had been programmed in UPWPs from the previous two year fiscal period for which final billing had been received and those funds have been deobligated; or

(3) Any Project funds not previously programmed in the UPWP. The unspent balance from each of the previous years' UPWPs will not be available for reprogramming until final billing for the earlier years is received by the Department.

Section 2.06 Accounting Records.

- (a) Establishment and Maintenance of Accounting Records. The MPO shall establish for the Project, in accordance with the requirements of 49 CFR 18.20, separate accounts for each task and subtask of the Project Budget, to be maintained within its existing accounting system or set up independently. Such accounts are referred to herein collectively as the Project Account. The Project Account and supporting documentation as set forth in 49 CFR 18.20, shall be made available upon request for examination by the FHWA, the FTA or the Comptroller General of the United States in accordance with the requirements of 49 CFR 18.42.
- (b) <u>Funds Received or Made Available for the Project</u>. Pursuant to the requirements of 49 CFR 18.20, the MPO shall record in the Project Account all payments received by it from the Department pursuant to this article and all other funds provided for, accruing to, or otherwise received on account of the Project, which Department payments and other funds are herein collectively referred to as Project Funds.
- (c) <u>Costs Incurred for the Project</u>. The MPO shall charge to the Project Account all eligible costs of the Project. Costs in excess of the latest approved budget or attributable to actions which have not received the required approval of the FHWA shall not be considered eligible costs. Determination of eligible costs shall be in accordance with the requirements of 49 CFR 18.22.
- (d) <u>Documentation of Project Costs</u>. All costs charged to the Project, including any approved services contributed by the MPO or others, shall be supported as required by 49 CFR 18.20 and 18.22 and the cost principles cited in Office of Management and Budget (OMB) Circular A-87 (*Cost Principles for State, Local and Indian Tribal Governments*).
- (e) <u>Checks, Orders, and Vouchers</u>. Any check or order drawn by the MPO with respect to any item which is or will be chargeable against the Project Account will be drawn only in accordance with a properly signed voucher then on file with the MPO stating in proper detail the purpose for which such check or order is drawn. All checks, payrolls, invoices, contracts, vouchers, orders, or other accounting documents pertaining in whole or in part to the Project shall be clearly identified, readily accessible, and, to the extent feasible, kept separate and apart from all other such documents, and shall be maintained for at least 5 years after final payment.
- (f) <u>Indirect Costs</u>. The rate used for billing indirect costs shall be established in accordance with the requirements of the Office of Management and Budget (OMB) Circular A-87.

Section 2.07 Audit.

The administration of resources awarded by the Department to the Gainesville MTPO may be subject to audits and/or monitoring by the Department, as described in this section.

(a) <u>Monitoring</u>. In addition to reviews of audits conducted in accordance with OMB Circular A-133 and Section 215.97, F.S., as revised (see below), monitoring procedures may include, but not be limited to, on-site visits by Department staff, limited scope audits as defined by OMB Circular A-133, as revised, and/or other procedures. By entering into this Agreement, the MPO agrees to comply and cooperate fully

with any monitoring procedures/processes deemed appropriate by the Department. In the event the Department determines that a limited scope audit of the MPO is appropriate, the MPO agrees to comply with any additional instructions provided by the Department staff to the Gainesville MTPO regarding such audit. The Gainesville MTPO further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the FDOT's Office of Inspector General (OIG) and Florida's Chief Financial Officer (CFO) or Auditor General.

- (b) <u>Federally funded</u>. Recipients of federal funds (i.e. state, local government, or non-profit organizations as defined in OMB Circular A-133, as revised) are to have audits done annually using the following criteria:
 - 1. In the event that the MPO expends \$500,000 or more in Federal awards in its fiscal year, the MPO must have a single or program-specific audit conducted in accordance with the provisions of OMB Circular A-133, as revised. EXHIBIT 1 to this agreement indicates Federal resources awarded through the Department by this agreement. In determining the Federal awards expended in its fiscal year, the MPO shall consider all sources of Federal awards, including Federal resources received from the Department. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by OMB Circular A-133, as revised. An audit of the MPO conducted by the Auditor General in accordance with the provisions OMB Circular A-133, as revised, will meet the requirements of this part.
 - 2. In connection with the audit requirements addressed in Part (b), paragraph 1., the MPO shall fulfill the requirements relative to auditee responsibilities as provided in Subpart C of OMB Circular A-133, as revised.
 - 3. If the MPO expends less than \$500,000 in Federal awards in its fiscal year, an audit conducted in accordance with the provisions of OMB Circular A-133, as revised, is not required. However, if the MPO elects to have an audit conducted in accordance with the provisions of OMB Circular A-133, as revised, the cost of the audit must be paid from non-Federal resources (i.e., the cost of such an audit must be paid from MPO resources obtained from other than Federal entities).
 - 4. Federal awards are to be identified using the Catalog of Federal Domestic Assistance (CFDA) title and number, award number and year, and name of the awarding federal agency.
- (c) <u>State funded</u>. MPO's receiving state funds (i.e. a nonstate entity as defined by Section 215.97(2)(m)Florida Statutes) are to have audits done annually using the following criteria:
 - 1. In the event that the MPO expends a total amount of state financial assistance equal to or in excess of \$500,000 in any fiscal year, the MPO must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, Florida Statutes; applicable rules of the Department of Financial Services and the CFO; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. EXHIBIT 1 to this agreement indicates state financial assistance awarded through the Department by this Agreement. In determining the state financial assistance expended in its fiscal year, the MPO shall consider all sources of state financial assistance, including state financial assistance received from the Department,

other state agencies, and other nonstate entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.

- 2. In connection with the audit requirements addressed in Part (c), paragraph 1, the MPO shall ensure that the audit complies with the requirements of Section 215.97(7), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2(e), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.
- 3. If the MPO expends less than \$500,000 in state financial assistance in its fiscal year, an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. However, if the MPO elects to have an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the nonstate entity's resources (i.e., the cost of such an audit must be paid from the F MPO's resources obtained from other than State entities).
- 4. State awards are to be identified using the Catalog of State Financial Assistance (CSFA) title and number, award number and year, and name of the state agency awarding it.

(d) Other audit requirements

The MPO shall follow up and take corrective action on audit findings. Preparation of summary schedule of prior year audit findings, including corrective action and current status of the audit findings is required. Current year audit findings require corrective action and status of findings.

Records related to unresolved audit findings, appeals, or litigation shall be retained until the action is completed or the dispute is resolved. Access to project records and audit work papers shall be given to the FDOT, the Department of Financial Services, and the Auditor General. This section does not limit the authority of the Department to conduct or arrange for the conduct of additional audits or evaluations of state financial assistance or limit the authority of any other state official.

(e) Report submission

- Copies of reporting packages for audits conducted in accordance with OMB Circular A-133, as revised, and required by Section 2.07(b) of this agreement shall be submitted, when required by Section .320 (d), OMB Circular A-133, as revised, by or on behalf of the PO directly to each of the following:
 - a. The Department at each of the following addresses:

MTPO Liaison, FDOT Jacksonville Urban Office, 2198 Edison Ave., MS 2812, Jacksonville, FL 32204-2730.

(i.e. District Program Manager or Audit Director for this contract)

b. The Federal Audit Clearinghouse designated in OMB Circular A-133, as revised (the number of copies required by Sections .320 (d)(1) and (2), OMB Circular A-133, as revised, should be submitted to the Federal Audit Clearinghouse), at the following address:

Federal Audit Clearinghouse Bureau of the Census 1201 East 10th Street Jeffersonville, IN 47132

- c. Other Federal agencies and pass-through entities in accordance with Sections 320 (e) and (f), OMB Circular A-133, as revised.
- 2. In the event that a copy of the reporting package for an audit required by Section 2.07(b) of this agreement and conducted in accordance with OMB Circular A-133, as revised, is not required to be submitted to the Department for reasons pursuant to section .320 (e)(2), OMB Circular A-133, as revised, the MPO shall submit the required written notification pursuant to Section .320 (e)(2) and a copy of the MPO's audited schedule of expenditures of Federal awards directly to each of the following:

MTPO Liaison, FDOT Jacksonville Urban Office, 2198 Edison Ave., MS 2812, Jacksonville, FL 32204-2730.

(i.e. District Program Manager or Audit Director for this contract)

In addition, pursuant to Section .320 (f), OMB Circular A-133, as revised, the MPO shall submit a copy of the reporting package described in Section .320 (c), OMB Circular A-133, as revised, and any management letters issued by the auditor, to the Department at each of the following addresses:

MTPO Liaison, FDOT Jacksonville Urban Office, 2198 Edison Ave., MS 2812, Jacksonville, FL 32204-2730.

(i.e. District Program Manager or Audit Director for this contract)

- 3. Copies of financial reporting packages required by Section 2.07(c) of this agreement shall be submitted by or on behalf of the MPO directly to each of the following:
 - a. The Department at each of the following addresses:

MTPO Liaison, FDOT Jacksonville Urban Office, 2198 Edison Ave., MS 2812, Jacksonville, FL 32204-2730.

(i.e. District Program Manager or Audit Director for this contract)

b. The Auditor General's Office at the following address:

Auditor General's Office Room 401, Pepper Building 111 West Madison Street Tallahassee, Florida 32399-1450

4. Copies of reports or the management letter required by Section 2.07(d) of this agreement shall be submitted by or on behalf of the MPO directly to:

a. The Department at each of the following addresses:

MTPO Liaison, FDOT Jacksonville Urban Office, 2198 Edison Ave., MS 2812, Jacksonville, FL 32204-2730.

- (i.e. District Program Manager or Audit Director for this contract)
- b. Any reports, management letter, or other information required to be submitted to the Department pursuant to this agreement shall be submitted timely in accordance with OMB Circular A-133, Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.
- c. MPO's, when submitting financial reporting packages to the Department for audits done in accordance with OMB Circular A-133 or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the MPO in correspondence accompanying the reporting package.
- (f) Record retention. The MPO, along with contractors and subcontractors, shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of at least five years from the date the audit report is issued, and shall allow the Department, or its designee, FHWA, FTA, CFO, or Auditor General access to such records upon request. The MPO shall ensure that audit working papers are made available to the Department, or its designee, CFO, or Auditor General upon request for a period of at least five years from the date the audit report is issued, unless extended in writing by the Department.

Section 2.08 Requisitions and Payments

- (a) Preliminary Action by the MPO. In order to obtain any payment, the MPO shall:
- (1) Submit to the Department its request on a form or forms prescribed by the FHWA, and such other data pertaining to the Project Account and the Project as the FHWA may require, to justify and support the payment requested; and
- (2) Submit with the payment requisition a progress report, acceptable to the Department, describing the work and products accomplished which adequately justify and support the payment requested;
- (3) The MPO shall be fully responsible for the proper billing of any federal reimbursable costs or charges, including those incurred by its contractors and subcontractors.
 - (4) Comply with all applicable provisions of this Agreement.
- (b) <u>The Department's Obligations</u>. The Department's obligation to pay is contingent upon an annual appropriation by the Florida Legislature. Subject to other provisions hereof, the Department will honor such requisitions in amounts and at times deemed by the FHWA to be proper to ensure the implementation of the Project and payment of the eligible costs thereof in accordance herewith. In accordance with 23 U.S.C. 104 and specific guidance from FHWA, the Department will reimburse the MPO for PL funds no later than 30 days from receipt of the request for reimbursement. If the Department believes the MPO did not provide adequate supporting documentation for reimbursement claims and needs more than the 30 days to verify the claims, the Department shall

reimburse the MPO and then deduct any charges later determined to be unallowable from the MPO's next claim for reimbursement. Notwithstanding any other provision of this article, the FHWA may, by providing written notice, elect not to make a payment on account of the Project if:

- (1) <u>Misrepresentation</u>. The MPO made a misrepresentation of a material nature in its UPWP, or any supplement thereto or amendment thereof, or in or with respect to any document of data furnished therewith or pursuant hereto;
- (2) <u>Litigation</u>. There is then pending litigation with respect to the MPO's performance of any of its duties or obligations which may jeopardize or adversely affect the Project, this Agreement, or payments to the Project;
- (3) <u>Concurrence by the Department</u>. The MPO has taken any action pertaining to the Project which requires the prior approval of the Department or FHWA or has made related expenditures or incurred related obligations without having been advised by the FHWA that the same are satisfactory;
- (4) <u>Conflict of Interests</u>. The MPO has violated any of the conflict of interest provisions of this article.
- (c) <u>Disallowed Costs</u>. In determining the amount of the payment, the Department will exclude all Project costs incurred by the MPO prior to the effective date of this Agreement, costs incurred by the MPO which are not provided for in the latest approved budget for the Project, and costs attributable to goods or services received under a contract or other arrangements which have not been approved in writing by the Department. It is agreed by the MPO that where official audits by the federal agencies disclose that the MPO has been reimbursed by the Department for ineligible work, under applicable federal and state regulations, that the value of such ineligible items may be deducted by the Department from subsequent reimbursement requests following determination of ineligibility. Upon receipt of a notice of ineligible items the MPO may present evidence supporting the propriety of the questioned reimbursements. Such evidence will be evaluated by the Department, and the MPO will be given final notification of the amounts, if any, to be deducted from subsequent reimbursement requests.

In addition, the MPO agrees to promptly reimburse the Department for any and all amounts for which the Department has made payment to the MPO is such amounts become ineligible, disqualified, or disallowed for federal reimbursement due to any act, error, omission, or negligence of the MPO. This includes omission or deficient documentation of costs and charges, untimely, incomplete, or insufficient submittals, or any other reason declared by the applicable Federal Agency.

The MPO agrees that the Department may offset such amounts from payments due for work or services done under any agreement between the parities if payment from the MPO is not received by the Department after 90 days written notice from the Department. Offsetting any amount pursuant to this paragraph shall not be considered a breach of contract by the Department.

(d) <u>Billing Limitation</u>. The MPO shall timely submit invoices and documents necessary for the close out of the project. In accordance with 49 C.F.R. 18.50, within 90 days of the expiration or termination of the grant of PL funds for a UPWP, the MPO shall submit all financial, performance and related reports. If an MPO anticipates that it will not have its final invoices submitted to the Department in time to allow the closeout process to occur by September 30, the MPO shall notify the Department in writing. The Department will request a time extension from FHWA. The Department will accept no further billings for work accomplished on the task or sub task as defined in the UPWP

after the 90-day period unless a time extension has been requested and approved.

The MPO understands that if it fails to timely perform its obligations, or in a timely manner submit invoices and documents necessary for the close out of the project, the maximum limiting amount may become unavailable or reduced due to a removal or withdrawal of federal funds or a loss of state appropriation, and the Department will have no obligation to provide funds from other sources. The MPO agrees that in the event the maximum limiting amount of this Agreement is reduced by such removal, withdrawal, or loss of funds, the MPO will be solely responsible for payment of costs and outstanding invoices no longer reimbursable due to the loss of funding.

Section 2.09 <u>Termination or Suspension</u>. The Project may be terminated in whole or in part only in accordance with the requirements of 49 CFR 18.43 and 18.44.

Section 2.10 Contracts of the Department Consultant contracts shall be in accordance with the applicable requirements of federal and Florida law. The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of twenty five thousand dollars (\$25,000.00) and which have a term for a period of more than one year per Section 339.135 (6) (a), Florida Statutes.

Section 2.11 Contracts of the MPO

- (a) When a contract is written for multiple years and each year's funding is not specified in the written agreement, a two party document (amendment or signed acknowledgement) must be executed by the MPO and its consultant that specifies the next fiscal year's funding approval upon availability of funds.
- (b) In subcontracting for any professional services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by Florida law, the MPO shall comply with the Consultants' Competitive Negotiation Act (CCNA), Section 287.055, Florida Statutes, as amended from time to time. The MPO shall publicly announce, in a uniform and consistent manner, and comply with the competitive selection requirements of the CCNA, on each occasion when architectural, professional engineering, landscape architectural, or registered surveying and mapping services, are to be purchased for a project, the basic construction cost of which is estimated by the MPO to exceed the threshold for Category Five in Section 287.017, Florida Statutes, or for a planning or study activity when the fee exceeds the threshold for Category 2 in Section 287.017, Florida Statutes, except that a public announcement is not required in cases of a valid public emergency so certified by the MPO. The competitive negotiation requirements of the CCNA shall be complied with as required by Florida law.

Section 2.12 Restrictions, Prohibitions, Controls, and Labor Provisions.

(a) <u>Inspection, Review, Approval, and Audit.</u> It is understood and agreed that all rights of the Department relating to inspection, review, approval, and audit of the work, tracings, plans,

specifications, maps, data, and cost records relating to this Agreement shall also be reserved and held by authorized representatives of the United States of America.

- (b) <u>Federal Participation</u>. It is understood and agreed that, in order to permit federal participation in the expenditure of PL Funds, no supplemental agreement of any nature may be entered into by the parties hereto with regard to the work to be performed hereunder without the approval of FHWA or as otherwise provided for in this article.
- (c) <u>Compliance with Title VI of the Civil Rights Act of 1964 and Related Statutes.</u> During the performance of this contract, the MPO, for itself, its assignees and successors in interest agrees as follows:
 - (1) <u>Compliance with Regulations</u>. The MPO shall comply with the regulations relative to non-discrimination in federally assisted programs of the U.S. Department of Transportation Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, which are herein incorporated by reference and made a part of the contract.
 - (2) <u>Nondiscrimination</u>. The MPO, with regard to the work performed by it during the contract will not discriminate on the grounds of race, color, disability, religion, sex, national origin, or familial status in the selection and retention of contractors and subcontractors, including procurement of material and leases of equipment. The MPO will not participate either directly or indirectly in discrimination prohibited by 49 CFR 21.5, including employment practices when the contract covers a program set forth in 49 CFR part 21, Appendix A.
 - (3) Solicitations for subcontractors, including procurement of materials and equipment. In all solicitations made by competitive bidding or negotiation by the MPO for work to be performed under a subcontract, including procurement of materials and leases of equipment, each potential subcontractor, supplier, or lessor shall be notified by the MPO of the MPO's obligations under this contract and the regulations relative to nondiscrimination on the grounds of race, color, disability, religion, sex, national origin, or familial status.
 - (4) <u>Information and Reports</u>. The MPO shall provide all information and reports required by the regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department, the FHWA, or the FTA to be pertinent to ascertain compliance with such regulations, orders, and instructions. Where any information required of the MPO is in the exclusive possession of another who fails or refuses to furnish this information, the MPO shall so certify to the Department, the FHWA, and the FTA, as appropriate, and shall set forth what efforts it has made to obtain the information.
 - (5) <u>Sanctions for Non-Compliance</u>. In the event of the MPO's non-compliance with the non-discrimination provisions of this Agreement, the Department shall impose such sanctions as it, the FHWA, or the FTA determine to be appropriate, including, but not limited to: withholding of payments to the MPO under the Agreement until the MPO complies, and/or cancellation, termination, or suspension of the Agreement, in whole or in part.
- (d) <u>Incorporation of Provisions</u>. The MPO will include the provisions of Paragraphs (1) through (5) above in every contract, including procurement of materials and leases of equipment, unless exempt by the regulations, order, or instruction issued pursuant thereto. The MPO will take such action with respect to any subcontract or procurement as the FHWA may direct as a means of enforcing such provisions, including sanctions for noncompliance, provided, however, that, in the event the MPO becomes involved in, or is threatened with, litigation with a subcontractor or supplier

as a result of such direction, the MPO may request the State to enter into such litigation to protect the interests of the State, and in addition, may request the United States to enter into such litigation to protect the interests of the United States.

- (e) <u>Participation by Disadvantaged Business Enterprises (DBE)</u>: The MPO shall agree to abide by the statements in Paragraph (1) and (2) which follow. These statements shall be included in all subsequent agreements between the MPO and any sub-consultant or contractor.
 - (1) As required by 49 CFR 26.13, the MPO shall not discriminate on the basis of race, color, national origin, religion, gender, age or disability in the award and performance of any United States Department of Transportation (USDOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The MPO shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. The MPO's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in the Planning Funds agreement between the MPO and the Department.
 - (2) Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of the agreement. Upon notification to the MPO of its failure to carry out its approved program, the USDOT may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- (f) Record-keeping and document retention. The Department and the MPO shall prepare and retain all records in accordance with the federal and state requirements, including but not limited to 23 CFR Part 420, 49 CFR Part 18, 49 CFR 18.42, and Chapter 119, Florida Statutes.
- (g) <u>Prohibited Interests</u>. Neither the MPO nor any of its contractors or their subcontractors shall enter into any contract, subcontract, or arrangement in connection with the Project or any property included or planned to be included in the Project, in which a member, officer, or employee of the MPO either during his tenure or for one year thereafter has any interest, direct or indirect. If any such present or former member, officer, or employee involuntarily acquired or had acquired prior to the beginning of his or her tenure any such interest, and if such interest is immediately disclosed to the MPO and such disclosure is entered in the minutes of the MPO, the MPO may waive the prohibition contained in this paragraph, provided, that any such present member, officer, or employee shall not participate in any action by the MPO or the locality relating to such contract, subcontract, or arrangement.

The MPO shall insert in all contracts entered into in connection with the Project or any property included or planned to be included in any Project, and shall require its contractors to insert in each of their subcontracts, the following provision:

No member, officer, or employee of the MPO either during his or her tenure or for one year thereafter shall have any interests, direct or indirect, in this contract or the proceeds thereof.

The provisions of this paragraph shall not be applicable to any agreement between the MPO and its fiscal depositories, or to any agreement for utility services the rates for which are fixed or controlled by a governmental agency.

- (a) <u>Procurement, Use, and Disposition of Real Property, Equipment, and Supplies</u>. The procurement, use, and disposition of real property, equipment and supplies shall be consistent with the approved UPWP and in accordance with the requirements of 49 CFR Section 18.3 (definitions of Real Property, Equipment, and Supplies) and 49 CFR Part 18, Subpart C.
- (b) <u>Vehicles</u>. PL Funds may not be used to purchase vehicles. When funds are to be used to provide part or all of the cost of the lease of motor vehicles, such expenditures must be consistent with the approved UPWP.
- (c) <u>Travel</u>. Subject to the provisions of Section 112.061, Florida Statutes, all travel may be directly approved by the MPO consistent with and in support of identified work tasks contained within the approved UPWP. The Chairperson of the MPO, or the person or office to whom such authority may be delegated in writing by the Chairperson, may approve lawful and justifiable travel requests submitted by the MPO's staff subject to the availability of funds when such travel furthers the interests of the MPO and the purposes of this Agreement. The Chairperson of the MPO, or the person to whom such authority may be delegated in writing by the Chairperson, shall approve requests for reimbursement of travel expenses incurred pursuant to an approved travel request for lawful expenses incurred by the traveler. Reimbursement of lawful travel expenses incurred by members of the MPO shall be from funds made available to the MPO for travel and per diem expenses incurred in the performance of this Agreement and as provided in Sections 112.061 and 339.175, Florida Statutes, subject to the availability of funds.
- **Section 2.14** Inventory report. The MPO agrees to inventory, to maintain records of and to insure the proper use, control, and disposal of all nonexpendable tangible property, equipment, computer hardware, and furniture, acquired pursuant to funding under this article. This shall be done in accordance with the requirements of 23 CFR Part 420, and 49 CFR Part 18, and all other applicable federal regulations.

ARTICLE 3 CONFLICT AND DISPUTE RESOLUTION PROCESS

- **Section 3.01**. <u>Disputes and conflicts under this Agreement</u>. This article shall apply to conflicts and disputes relating to matters subject to this Agreement, or conflicts arising from the performance of this Agreement.
- **Section 3.02**. <u>Initial resolution</u>. The affected parties to this Agreement shall, at a minimum, ensure the attempted early resolution of conflicts relating to such matters. Early resolution shall be handled by direct discussion between the following officials: for the Department the Intermodal Systems Development Manager; and for the MPO the Staff Director.
- **Section 3.03**. Resolution by senior agency official. If the conflict remains unresolved, the conflict shall be resolved by the following officials: for the Department the District Secretary; and for the MPO the Chairperson of the MPO.
- **Section 3.04**. <u>Alternative Regional Planning Council dispute resolution</u>. If resolution is not possible, the parties may undertake dispute resolution pursuant to the North Central Florida Regional Planning Council procedure set forth in Rule 29-C-8, Florida Administrative Code. All parties to the dispute must agree to undertake this procedure before it may be invoked.
- **Section 3.05**. Resolution of Conflict by the Office of the Governor. If the conflict is not resolved

through conflict resolution pursuant to Sections 3.02, 3.03, or 3.04 of this article the parties shall petition the Executive Office of the Governor for resolution of the conflict pursuant to its procedures. Resolution of the conflict by the Executive Office of the Governor shall be binding on all parties.

ARTICLE 4 MISCELLANEOUS PROVISIONS

Section 4.01. Constitutional or statutory duties and responsibilities of parties. This Agreement shall not be construed to authorize the delegation of the constitutional or statutory duties of any of the parties. In addition, this Agreement does not relieve any of the parties of an obligation or responsibility imposed upon them by law, except to the extent of actual and timely performance thereof by one or more of the parties to this Agreement or any legal or administrative entity created or authorized by this Agreement, in which case the performance may be offered in satisfaction of the obligation or responsibility.

Section 4.02. <u>Amendment of Agreement</u>. Amendments or modifications of this Agreement may only be made by written agreement signed by all parties hereto with the same formalities as the original Agreement.

Section 4.03. Duration; Termination procedure.

- (a) <u>Duration</u>. This Agreement shall have a term of five years. At least 90 days prior to expiration of the term, the parties shall review and update the Agreement as needed and re-adopt every five years.
- (b) <u>Termination procedure</u>. Either party to this Agreement may terminate said Agreement by presenting in writing a notice of intent to terminate to the other party to this Agreement at least 90 days prior to the intended date of termination; provided, that financial commitments made prior to termination are effective and binding for their full term and amount regardless of termination.
- **Section 4.04**. <u>Notices</u>. All notices, demands, and correspondence required or provided for under this Agreement shall be in writing and delivered in person or dispatched by certified mail, postage prepaid, return receipt requested. Notice required to be given shall be addressed as follows:

Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area 2009 NW 67th Place, Suite A Gainesville, FL 32653-1603

Florida Department of Transportation 1109 South Marion Avenue, MS 2000 Lake City, FL 32025-5874

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

Section 4.05. Interpretation.

- (a) <u>Drafters of Agreement</u>. All parties hereto were each represented by, or afforded the opportunity for representation by legal counsel, and participated in the drafting of this Agreement and in the choice of wording. Consequently, no provision hereof should be more strongly construed against any party as drafter of this Agreement.
- (b) <u>Severability</u>. Invalidation of any one of the provisions of this Agreement or any part, clause, or word hereof, or the application thereof in specific circumstances, by judgment, court order,

or administrative hearing or order shall not affect any other provisions or applications in other circumstances, all of which shall remain in full force and effect; provided, that such remainder would then continue to conform to the terms and requirements of applicable law.

- (c) <u>Rules of construction</u>. In interpreting this Agreement, the following rules of construction shall apply, unless the context indicates otherwise:
 - (1) The singular of any word or term includes the plural;
 - (2) The masculine gender includes the feminine gender; and
 - (3) The word "shall" is mandatory, and "may" is permissive.
- **Section 4.06**. <u>Enforcement by parties hereto</u>. In the event of any judicial or administrative action to enforce or interpret this Agreement by any party hereto, such party shall bear its own attorney's fees in connection with such proceeding.
- **Section 4.07**. Agreement execution; Use of counterpart signature pages. This Agreement, and any amendments hereto, may be simultaneously executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.
- **Section 4.08**. <u>Effective date</u>. This Agreement shall become effective upon its execution by all parties hereto.
- **Section 4.09**. Pursuant to Federal, State and Local Law. In the event that any election, referendum, approval, permit, notice, or other proceeding or authorization is required under applicable law to enable the parties to enter into this Agreement or to undertake the provisions set forth hereunder, or to observe, assume, or carry out any of the provisions of the Agreement, said parties will initiate and consummate, as provided by law, all actions necessary with respect to any such matters for required.
- **Section 4.10**. Parties not Obligated to Third Parties. No party hereto shall be obligated or liable hereunder to any party not a signatory to this Agreement. There are no express or intended third party beneficiaries to this Agreement.
- **Section 4.11**. When Rights and Remedies Are Not Waived. In no event shall the making by the Department of any payment to the MPO constitute or be construed as a waiver by the Department of any breach of covenant or any default which may then exist on the part of the MPO, and the making of any such payment by the Department while any such breach or default exists shall in no way impair or prejudice any right or remedy available to the Department in respect of such breach or default.
- **Section 4.12**. <u>Bonus or Commission</u>. By execution of the Agreement, the MPO represents that it has not paid and, also agrees not to pay, any bonus or commission for the purpose of obtaining approval of its application for the financial assistance hereunder.
- **Section 4.13**. State or Territorial Law. Unless required by federal law, nothing in the Agreement shall require the MPO, or any other party hereto, to observe or enforce compliance with any provision thereof, perform any other act or do any other thing in contravention of any applicable State law; provided, that if any of the provisions of the Agreement violate any applicable State law, the parties

will at once notify the FHWA and or FTA in writing in order that appropriate changes and modifications may be made by the FHWA and or FTA. To that end the MPO or any other party hereto may proceed as soon as possible with its responsibilities hereunder.

Section 4.14. <u>Lobbying</u>. Restrictions on using federal funds for lobbying are governed by the Office of Management and Budget (OMB) Circular A-87, Attachment B, Paragraph 27 (Lobbying).

Section 4.15. Vendors Rights. Vendors (in this document identified as MPO) providing goods and services to the Department should be aware of the following time frames. Upon receipt, the Department has 5 working days to inspect and approve the goods and services unless the bid specifications, purchase order or contract specifies otherwise. The Department has 20 days to deliver a request for payment (voucher) to the Department of Financial Services. The 20 days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved. If a payment is not made to the MPO within 40 days after receipt of the invoice and receipt, inspection and approval of goods and services, a separate interest penalty, as established pursuant to Section 215.422(3)(b), Florida Statutes, will be due and payable, in addition to the invoice amount to the MPO. Interest penalties of less than 1 dollar will not be enforced unless the MPO requests payment. Invoices which have to be returned to an MPO because of vendor preparation errors will result in a delay of the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department. A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for MPOs who may be experiencing problems in obtaining timely payment(s) from the Department. The Vendor Ombudsman may be contacted at (850) 410-9724 or by calling the Department of Financial Services at (800) 848-3792.

Section 4.16. Public Entity Crime. Pursuant to Section 287.133(3)(a), Florida Statutes, the following is applicable to contracts the MPO enters into in connection with this Agreement. Section 287.133(2)(a), Florida Statutes, states:

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

Section 4.17 Discriminatory Vendor List. An entity or affiliate that has been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

Section 4.18. <u>Previous agreement superseded</u>. Upon execution by both parties, this Agreement shall supersede the Urban Transportation Planning Agreement between this MPO and the Department dated 07/01/1988.

IN WITNESS WHEREOF, the undersigned parties have executed this Joint Participation Agreement on behalf of the referenced legal entities.

Signed, Sealed and Delivered in the presence of:

MPO	Florida Department of Transportation
Metropolitan Transportation Planning	
Organization for the Gainesville Urbanized Area	
MPO Name	
Signatory (Printed or Typed)	Department of Transportation
Signatory (Fillited of Typed)	Department of Transportation
Signature	
	Signature
Chair	District Secretary
Title	Title
Witness	Witness
Cianoturo	Cignoture
Signature	Signature
	Legal Review
	Department of Transportation

EXHIBIT 1

Federal Agency: Federal Highway Administration, Department of Transportation

Catalog of Federal Domestic Assistance #: 20.205 Highway Planning and Construction

Amount: \$ Fiscal Year 2010/2011

Authorization: Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, 23 U.S.C 101 et seq., as amended.

Compliance Requirements:

- 1. 23 USC 104 (f) sets aside metropolitan planning funds (PL funds) for metropolitan planning organizations (MPOs) to carry out the transportation planning provisions of 23 USC 134.
- 2. 23 USC 134 requires in general that an MPO plan for the transportation needs of its area in a manner that is continuing, cooperative, and comprehensive. In particular, it requires the MPO to develop specific plans and programs such as a long range transportation plan, a transportation improvement program, and a unified planning work program.
- 3. In addition to the broad provisions of 23 USC 104 and 134, eligible uses of PL funds are governed by OMB Circular A-87 (Cost Principles for State, Local, and Indian Tribal Governments).
- 4. Federal funds can be used only to reimburse costs that are (a) incurred subsequent to the date of authorization to proceed, except for certain property acquisition costs permitted under 23 USC 108; (b) in accordance with the conditions contained in the project agreement and the plans, specifications, and estimates (PS&E); (c) allocable to a specific project; and (d) claimed for reimbursement subsequent to the date of the project agreement (23 CFR sections 1.9, 630.106, and 630.205).
- 5. Costs incurred by the MPO for planning and research work are subject to prior approval from FHWA.
- 6. The Department provides the local match of PL funds through toll credit revenues.

Marlie Sanderson



From: Taulbee, Karen [Karen.Taulbee@dot.state.fl.us]

Sent: Tuesday, March 09, 2010 11:14 AM

To: Marlie Sanderson Cc: Bennett, James

Subject: FW: Update: Trees on Williston Rd.

Marlie:

Please include this update from FDOT regarding the Trees on Williston Road in the next MTPO packet. Thank you,

Karen S. Taulbee, AICP Transportation Specialist Jacksonville Urban Office 904-360-5652

karen.taulbee@dot.state.fl.us

From: Ruelke, Timothy

Sent: Wednesday, March 03, 2010 9:43 AM

To: Taulbee, Karen

Subject: RE: Update: Trees on Williston Rd.

The Department's attorney has cleared our plan. We have selected an arborist with the credentials we need. Our notification to the surety will include an option for them to perform the work. Assuming they decline to perform, our Maintenance Department will then remove the trees.

Timothy J. Ruelke, P.E. Florida Department of Transportation District Construction Engineer (386)961-7730 timothy.ruelke@dot.state.fl.us

From: Taulbee, Karen [mailto:Karen.Taulbee@dot.state.fl.us]

Sent: Friday, January 29, 2010 2:01 PM

To: Marlie Sanderson

Cc: Bennett, James; Mike Escalante **Subject:** Update: Trees on Williston Rd.

Marlie:

In an effort to keep the MTPO, the City of Gainesville and Alachua County informed regarding the tree situation on SR 331/Williston Rd., please note that:

- FDOT is taking steps to remove the dead trees
- No date for the removal has been established at this time
- FDOT will make on-site, tree-by-tree assessments with a certified arborist
- FDOT intends to recoup the costs from the contractor's surety bond

At this time, that is all the information I have. Please note that the Department will keep the MTPO and staff informed as to the status of the proposed removal and a schedule, when it is available.

Thank you,

Karen S. Taulbee, AICP
Transportation Specialist
Jacksonville Urban Office
904-360-5652
karen.taulbee@dot.state.fl.us

April 26, 2010

TO: Metropolitan Transportation Planning Organization (MTPO)

FROM: Marlie Sanderson, AICP, Director of Transportation Planning

SUBJECT: Transportation Disadvantaged Program - Status Report

STAFF RECOMMENDATION

No action required. This agenda item is for information only.

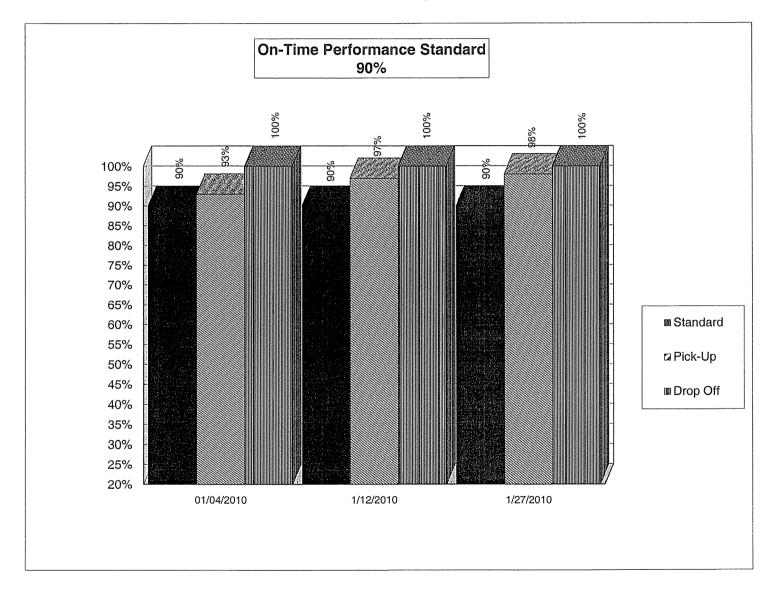
BACKGROUND

Enclosed are the following reports:

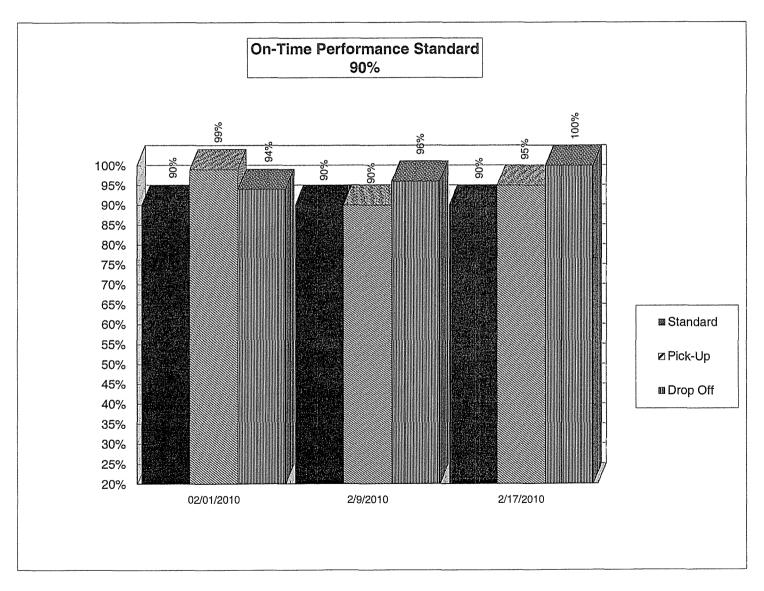
- 1. TDSP Standards Report shows that:
 - MV met the on-time performance standard in January and February 2010;
 - MV met the complaint standard in January and February 2010;
 - MV met the call hold time standard in January and February 2010;
 - MV met the accident standard in January 2010. MV did not meet the accident standard in February 2010; and
 - MV did not meet the roadcall standard in January or February 2010.
- 2. MV Transportation Operations Report July 2009 February 2010.

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TRANSPORTATION DISADVANTAGED SERVICE PLAN (TDSP) STANDARDS ALACHUA COUNTY, JANUARY 2010



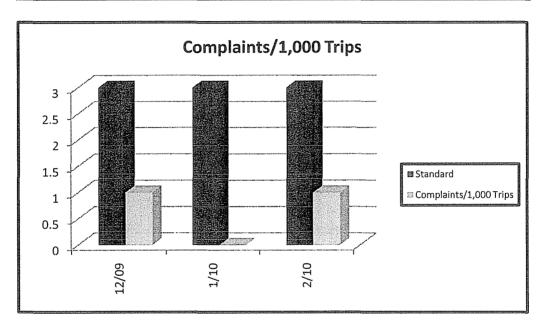
TRANSPORTATION DISADVANTAGED SERVICE PLAN (TDSP) STANDARDS ALACHUA COUNTY, FEBRUARY 2010



TRANSPORTATION DISADVANTAGED SERVICE PLAN (TDSP) STANDARDS

ALACHUA COUNTY, DECEMBER 2009 - FEBRUARY 2010

MONTH	STANDARD	COMPLAINTS/1,000 TRIPS
12/09	3	1
1/10	3	0
2/10	3	1



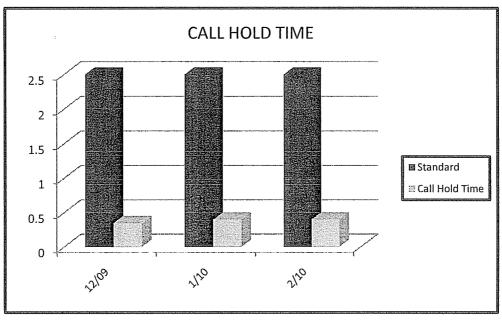
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MV TRANSPORTATION SUMMARY OF SERVICE ISSUES

TYPE OF COMPLAINT	7/09	8/09	9/09	10/09	11/09	12/09	1/10	2/10	3/10	4/10	5/10	6/10
Late Drop-Off	1	0	ol	1	0	1	0	ol	4	2	0	0
Pick-Up before Window Opens	0	0	0	0	1	1	0	2	0	0	0	0
Late Return Pick-Up	0	0	0	0	1	1	0	0	0	0	0	0
Excessive Ride Time	0	0	0	0	0	1	0	0	1	0	0	0
Can't Get Through by Telephone	0	0	0	0	0	0	0	0	0	0	0	0
On Hold for Excessive Periods of Time	0	0	0	0	0	0	0	0	0	0	0	0
Phone System Problems	0	0	0	0	0	0	0	0	0	0	0	0
Sunday Reservations	0	0	0	0	0	0	0	0	0	0	0	0
Trip Denial	0	0	0	0	0	0	0	0	0	0	0	0
Driver Training	0	0	0	0	0	0	0	0	0	0	0	0
Driver Behavior	2	1	0	0	1	0	0	0	1	1	0	0
No Passenger Assistance Provided	0	0	0	0	0	0	0	1	0	0	0	0
No Driver ID	0	0	0	0	0	0	0	0	0	0	0	0
Dispatcher Behavior	0	0	0	0	0	0	0	0	0	0	0	0
Reservationist Behavior	0	0	0	0	0	0	0	0	0	0	0	0
Unsafe Driving	0	0	0	0	0	0	0	0	0	0	0	0
No Show by Driver	0	0	0	0	0	0	0	0	0	0	0	0
Reservations/Scheduling	1	0	0	0	0	0	0	0	1	0	0	0
Reservations	0	0	0	0	0	0	0	0	0	1	0	0
Air Conditioning not Working	0	0	0	0	0	0	0	0	0	0	0	0
Wheelchair/Scooter Securement	0	0	0	0	0	0	0	0	0	1	0	0
Passenger Behavior	0	0	0	0	0	0	0	0	0	0	0	0
No Show by Passenger	0	0	0	0	_ 0	0	0	0	0	0	0	0
Customer Service	0	0	0	0	0	0	0	0	0	0	0	0
Safety	0	0	0	0	0	0	0	0	0	0	0	0
Trip Cancelled, Ride Came Anyway	0	0	0	0	0	0	0	0	0	0	0	0
Wheelchair Lift Not Working Properly	0	0	0	0	0	0	0	0	0	0	0	0
Charged Wrong Passenger Fare	0	0	0	0	0	0	0	0	0	0	0	0
Vehicle Condition	0	0	0	0	0	0	0	0	0	0	0	0
MV Staff Availability	0	0	0	0	0	0	0	1	0	0	0	0
Dropped Off at Wrong Location	0	0	0	0	0	0	0	0	0	0	0	0
Improper Passenger Assistance	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	4	1	0	1	3	4	0	4	7	5	0	0
TRIPS	8,398	8,138	8,538	8,812	7,418	7,777	7,507	7,549				
COMPLAINTS/1,000 TRIPS	0.5	0.1	0	0.11	0	1	0	1	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Number of Individuals Submitting Complaints	2	1	0	1	3	2	0	3	6	5	0	0
RTS	0	0	0	1	2	1	0	2	3	2	0	0
CIL	1	1	0	0	0	1	0	1	3	3	0	0
Foster Grandparents	0	0	0	0	0	0	0	0	0	0	0	0
NCFRPC	0	0	0	0	1	0	0	0	0	0	0	0
COMMENDATIONS	0	0	0	0	1	1	0	0	1	3	0	0

TRANSPORTATION DISADVANTAGED SERVICE PLAN (TDSP) STANDARDS ALACHUA COUNTY, DECEMBER 2009 - FEBRUARY 2010

MONTH	STANDARD	CALL HOLD TIME
12/09	2.5	0.35
1/10	2.5	0.4
2/10	2.5	0.4

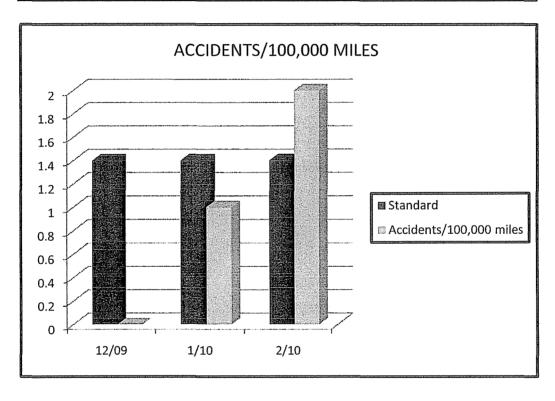


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TRANSPORTATION DISADVANTAGED SERVICE PLAN (TDSP) STANDARDS

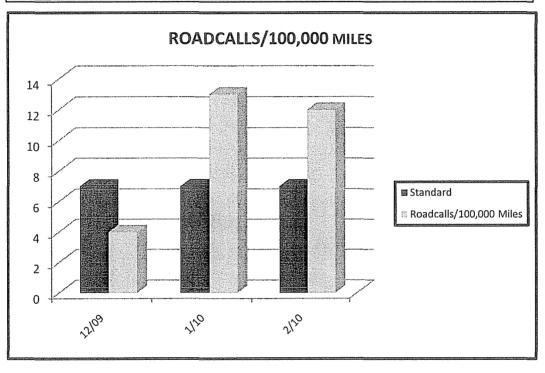
ALACHUA COUNTY DECEMBER 2009 - FEBRUARY 2010

MONTH	STANDARD	ACCIDENTS/100,000 MILES
12/09	1.4	0
1/10	1.4	1
2/10	1.4	2



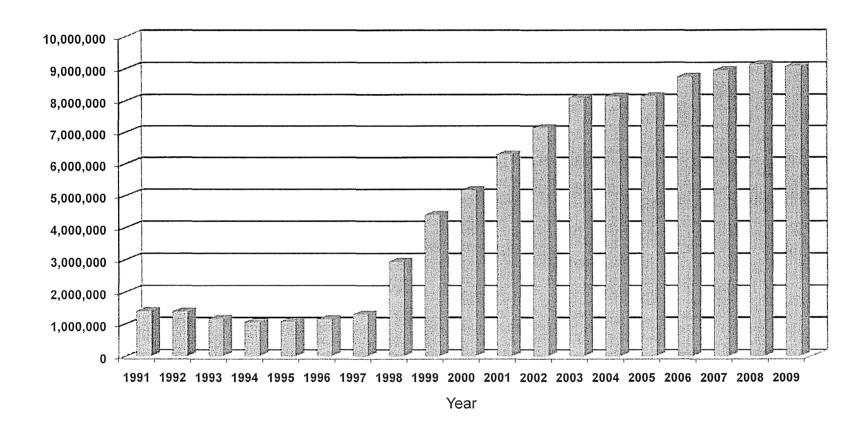
TRANSPORTATION DISADVANTAGED SERVICE PLAN (TDSP) STANDARDS ALACHUA COUNTY, DECEMBER 2009 - FEBRUARY 2010

MONTH	STANDARD	ROADCALLS/100,000 MILES
12/09	7	4
1/10	7	13
2/10	7	12

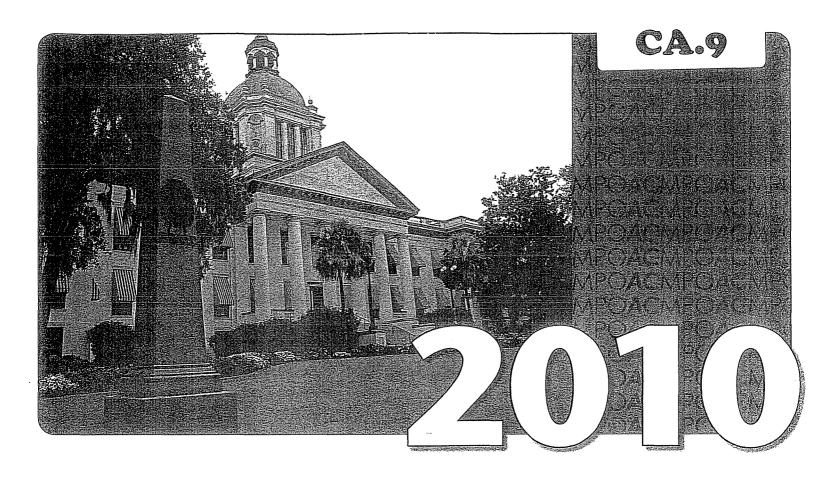


2009-2010 OPERATING DATA	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	Jan-10	Feb-10	Mar-10	Apr-10	May-10	Jun-10
Total No Trips Invoiced	8,398	8,138	8,538	8,812	7,418	7,777	7,507	7,549	0	0	0	0
Medicaid Alachua	3,655	3,402	3,306	3,473	2,892	3,298	3,212	2759				
TD Trust Fund Alachua	1,239		1,469	1,464	1,238	1,209	1,044					
ADA	3,225	3,009	3,044	3,100	2,613	2,606	2,603	2872				
County of Alachua - 5311	0	0	0	0	0	0	0	0				
County of Alachua, FGPA, RSVP	107	659	619	625	541	432	542	618				
Elder Care	83	86	94	145	128	225	89	77				
Bus Passes TD	85	0	ol	0	0	0	9	13				
Bus Passes Medicaid	4	5	6	5	6	7	8	4				
Purchased Transportation	\$ 247,276.32	\$ 246,738.48	\$ 260,252.91	\$ 262,542.30	\$ 239,460.91	\$ 237,120.05	\$ 232,719.43	\$ 246,356.08	\$ -	\$ -	\$ -	\$ -
Medicaid Alachua	\$113,050.00	\$113,050.00	\$113,050.00	\$113,050.00	\$113,050.00	\$113,050.00	\$113,050.00	\$113,050.00				
TD Trust Fund Alachua	\$ 39,405.62	\$ 31,681.51	\$ 47,043.53	\$ 48,029.78	\$ 39,983.34	\$ 37,719.00	\$33,851.53	\$39,355.99				
ADA	\$ 82,180.68	\$ 77,050.47	\$ 77,699.57	\$ 79,111.95	\$ 66,827.54	\$ 66,581.95	\$66,541.24	\$72,898.84				
County of Alachua - 5311	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
County of Alachua, FGPA, RSVP	\$ 8,509.52	\$ 22,203.00	\$ 19,440.81	\$ 17,768.07	\$ 15,527.03	\$ 12,671.60	\$ 16,028.16	\$18,244.32				
Elder Care	\$ 2,573.00	\$ 2,666.00	\$ 2,914.00	\$ 4,495.00	\$ 3,968.00	\$ 6,975.00	\$ 2,951.00	\$2,509.43				
Bus Passes Total MED and TD	\$ 1,557.50	\$ 87.50	\$ 105.00	\$ 87.50	\$ 105.00	\$ 122.50	\$ 297.50	\$297.50				
Total Dollars Invoiced	\$ 245,718.82	\$ 246,651.09	\$ 260,147.91	\$ 262,454.80	\$ 239,355.91	\$ 236,997.64	\$232,421.93	\$246,058.58				
Total Expenses	\$ 257,539.00	\$ 233,339.00	\$ 250,851.00	\$ 244,558.00	\$ 219,630.00	\$ 211,630.00	\$215,315.00	\$ 229,644.00				
Average Cost Per Trip	\$ 30,67	\$ 28.67	\$ 29.38	\$ 27.75	\$ 29.61	\$ 27.21	\$ 28.68	\$ 30.42	#DIV/0I	#DIV/01	#DIV/0!	#DIV/01
Total Vehicle Miles	105,930	102,209	106,202	116,072	92,428	98,928	95,920	92,308				
Total Vehicle Hours	6,232	6,121	6,330	6,479	5,458	5,853	5,674	5,669				
Avg Miles per Trip	13	13	12	13	12	13	13	12	#DIV/0!	#DIV/01	#DIV/0!	#DIV/01
Avg Cost Per Mile	\$2.43	\$2.28	\$2.36	\$2.11	\$2.38	\$2.14	\$2.24	\$2.49	#DIV/01	#DIV/0!	#DIV/0!	#DIV/01
Avg Cost Per Hour	\$41.33	\$38.12	\$39.63	\$37.75	\$40.24	\$36.16	\$37.95	\$40.51	#DIV/0I	#DIV/0I	#DIV/0!	#DIV/01
Number of No Shows	556	495	525	533	481	521	512	547				
Number Trips Denied	0	0	0	0	0	0	0	0				
No Accidents	3	0	2	2	1	0	1					
No RoadCalls	3	1	4	7	1	4	13					
Telephone Calls Rec'd	11,534	11,574	11,570	13,026	10,903	98,928	11,569					
Avg. Telephone On-Hold Time	0.37	0.37	0.36	0.38	0.38	0.35	0.4	0.44				

ANNUAL REGIONAL TRANSIT SYSTEM RIDERSHIP CITY OF GAINESVILLE, 1991 TO 2009







Florida
Metropolitan Planning
Organization
Advisory Council

Legislative Policy Positions



THEMIROAG

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) was created by the Florida Legislature pursuant to Section 399.175(11), Florida Statutes, to augment and not supplant the role of the individual MPOs in the cooperative transportation planning process. The MPOAC represents the collective interests of Florida's 26 MPOs, and assists the MPOs in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion.

TRANSPORTATION PLANNING & PROGRAMMING

The MPOAC supports State Legislation that:

- Amends s.339.175, F.S. providing for designation, redesignation and jurisdictional boundaries of MPOs and better outlines the roles and responsibilities of MPOs.
- Strengthens the role of MPOs in growth management, mobility planning and visioning activities in order to promote a stronger linkage between transportation, land use planning, economic development and growth management, including an emphasis on transit oriented development.
- Allows FDOT to grant state funds for start-up costs that may be needed by Independent MPOs.
- Allows Strategic Intermodal System funds to be used on roads and other transportation facilities not designated on the SIS if the improvement will relieve congestion on the SIS.

- Increases the percentage of the state's transportation capacity program allocated to non-SIS highways and transit programs in order to improve mobility on a regional, state, and local basis.
- Delays legislation that would implement a mobility fee as a replacement for the existing local government adopted and implemented transportation concurrency management systems until such time that local government mobility fee pilot programs have been initiated, tested and evaluated by DCA and FDOT.
- Requires MPO concurrence for public private partnership agreements related to the lease or sale of public transportation facilities within metropolitan areas.
- Allows state funds to be used for improvements to county or local service, collector and distributor roads that provide alternative access to other controlled access state facilities.

TRANSPORTATION FINANCE & FUNDING

The MPOAC supports State Legislation that:

- Prevents diversion of the State Transportation Trust Fund and transportation user fees to non-transportation purposes recognizing that last year \$120.2 million was transferred from the trust fund to general revenue to balance the budget and \$206.2 million was diverted for other purposes and made unavailable to fund metropolitan area transportation improvement needs.
- Implements an upcoming MPOAC transportation revenue study on new and innovative funding options in order to promote multimodal transportation choices, foster alternative fuels and emerging vehicle technologies, reduce greenhouse gas emissions and create sustainable transportation funding sources and programs.

- Restores program funding levels to the original \$542 million or more of state documentary tax stamp proceeds to support the Transportation Regional Incentive Program, the Strategic Intermodal System, the New Starts Transit Program and the Small County Outreach Program.
- Expands the Transportation Disadvantaged Trust fund through a \$1.50 increase in certain motor vehicle registration fees in order to assist with rising costs, improve mobility for all Floridians, and to reduce the more 700,000 trips last year which were denied to elderly, disabled and low income individuals.
- Provides all counties the authority to implement the Charter County Transportation System Surtax to fund local and regional transportation projects and services.
- Authorizes any county to impose a local option surcharge on the lease or rental of motor vehicles within a county to fund transportation projects.
- Allows multiple MPOs or multi-county MPOs to create regional transportation entities which are authorized to receive, raise and disperse revenue for regional transportation facilities and services from a variety of tax and user fees.
- Indexes local option gas taxes to the consumer price index in a manner similar to the current indexing of state gas taxes.

- Allows counties to impose all local option gas taxes by a simple-majority vote of the county commission or by referendum and repeals the current requirement for a super-majority vote (majority plus one). In those counties presently having the gas tax its repeal should be by a super-majority vote.
- Expands the use of existing local option gas taxes to include operation and maintenance costs and revises the counties adoption date to coincide with the local government budgeting cycle, shifting the deadline to October 1.
- Provides additional dedicated funding for paratransit services from existing and nontraditional sources such as broader fines for speeding offenses and red light running.
- Allows tolls upon MPO concurrence to be charged on new and existing interstate highways and other appropriate highways for the purpose of financing capacity and operation improvements, consistent with tolling provisions established in federal law.
- Modifies sales taxes for vehicles placed into Commuter Vanpool Services to allow vanpool service providers to pay sales taxes on the vanpool vehicles at the time of purchase and thereby lessen the amount of sales tax vanpool groups pay on their monthly vanpool service charges.

TRANSPORTATION SAFETY & EFFICIENCY

The MPOAC supports State Legislation that:

- Allows local governments to improve safety within high accident intersections and enforce traffic laws by using red light detection cameras to automatically photograph vehicles and issue citations to drivers who run red lights.
- Prohibits text messaging by means of an electronic wireless communications device and other similar distracting devises while operating a moving motor vehicle.
- Maintains gross vehicle weight limitations and restrictions by not raising the maximum weight limit above 80,000 pounds. Exceptions to the weight restriction should only be

- granted when it is authorized by state and local governments and adequate compensation is paid by the applicant to mitigate the impacts upon state, county and local transportation systems.
- Establishes reasonable limits on the amount of business damages awardable in an eminent domain action, authorizes an optional appraisal process using an impartial courtappointed panel of experts, and allows eminent domain actions to be tried by a three member commission in lieu of a jury.
- Provides mandatory funding for driver education programs in high schools. -95-

Florida Metropolitan Planning Organization Advisory Council

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Karl Welzenbach

Volusia County MPO

Meeting

Agenda

Enclosures

May 3, 2010

TO: Metropolitan Transportation Planning Organization (MTPO)

FROM: Marlie Sanderson, AICP, Director of Transportation Planning

SUBJECT: Transportation Improvement Program (TIP)

JOINT RECOMMENDATIONS

The Bicycle/Pedestrian Advisory Board, the Citizens Advisory Committee, the Technical Advisory Committee and MTPO staff all recommend that the MTPO approve the <u>Fiscal</u> Years 2010/2011 - 2014/2015 TIP.

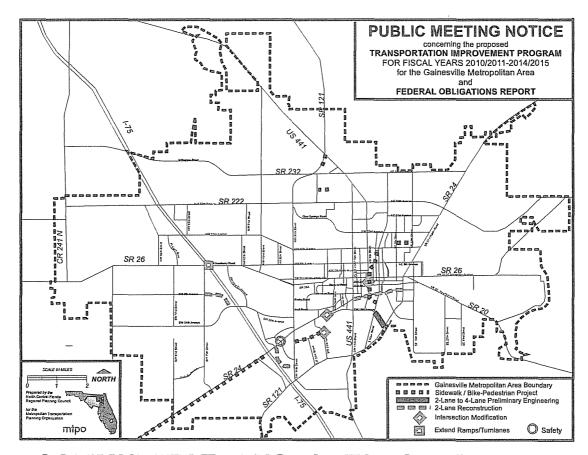
BACKGROUND

Enclosed please find a draft copy of the <u>Fiscal Years 2010/2011 - 2014/2015 TIP</u>. The <u>TIP</u> is a staged implementation program of transportation projects consistent, to the maximum extent feasible, with adopted comprehensive plans of Alachua County and the City of Gainesville. Exhibit 1 is a copy of the advertisement that appeared in the Gainesville Guardian, Gainesville Sun, Gainesville Voice and in The Independent Florida Alligator on Thursday, April 15, 2010.

Authorization of Funds

The <u>TIP</u> is the most important document that is approved annually by the MTPO. In order for federal transportation funds to be spent in the Gainesville Metropolitan Area, they must be approved by the MTPO and included in this document. Approval of the <u>TIP</u> authorizes about \$19 million in federal funds for Fiscal Year 2010/2011.

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COMMUNITY TRANSPORTATION MEETING

May 10, 2010 at 3:00 p.m.

Jack Durrance Auditorium, County Administration Building, 12 SE 1ST STREET, GAINESVILLE, FLORIDA

PURPOSE: The Metropolitan Transportation Planning Organization (MTPO) for the Gainesville Urbanized Area has scheduled a public meeting to receive input concerning the proposed Transportation Improvement Program (TIP) for Fiscal Years 2010/2011-2014/2015. The TIP is a staged implementation program of transportation projects consistent, to the maximum extent feasible, with the Alachua County and City of Gainesville comprehensive plans.

Projects in the proposed TIP are also consistent with the Gainesville Metropolitan Area Year 2025 Transportation Plan- The Livable Community Reinvestment Plan. This plan identifies transportation system modifications expected to be needed to serve projected volumes and patterns of traffic through the Year 2025. <u>A final decision regarding all projects contained in the TIP will be forwarded to the Florida Department of Transportation (FDOT) by the adoption of this TIP document.</u>

The Federal Obligations Report is included in Appendix C of the TIP. This Report shows the expenditure of federal funds within the Gainesville Metropolitan Area from October 1, 2008 through September 30, 2009.

This map only shows some of the transportation projects scheduled during the next five years. The proposed TIP also includes other projects such as: bicycle; pedestrian; project development and environmental studies; resurfacing/repaving; school safety concern; transportation enhancement; and transit projects, including transportation disadvantaged projects.

THE MEETING ROOM WILL BE OPEN AT 2:30 PM FOR THE PUBLIC TO REVIEW THE PROPOSED TIP AND STAFF WILL BE PRESENT TO ANSWER QUESTIONS.

Copies of the meeting agenda and more detailed information concerning the Federal Obligations Report and proposed TIP can be obtained by writing to the MTPO, North Central Florida Regional Planning Council (NCFRPC), 2009 NW 67 Place, Gainesville, Florida 32653, by appearing in person at the above address during business hours, at the www.ncfrpc.org/mtpo website, or by calling (352) 955-2200. All persons are advised that, if they decide to contest any decision made at this public meeting, they will need a record of the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which it is to be based. All interested persons are invited to attend and be heard. Public participation is solicited without regard to race, color, national origin, age, sex, sexual orientation, marital status, religious status, disability, familial status or gender identity. Persons who require special accommodations under the American with Disabilities Act or persons who require translation services (free of charge) should contact Mr. Marile Sanderson at (352) 955-2200, extension 103, at least seven (7) days before the public meeting.

The MTPO consists of the Gainesville City Commission, the Alachua County Commission and nonvoting representatives of the University of Florida, FDOT and the Alachua County League of Cities. The MTPO is responsible for the continuing, comprehensive and cooperative urban transportation planning program for the Gainesville Metropolitan Area. This planning program is required in order to receive federal and state funds for transportation projects.

May 3, 2010

TO: Metropolitan Transportation Planning Organization (MTPO)

FROM: Marlie Sanderson, AICP, Director of Transportation Planning

SUBJECT: Unfunded Project Priorities

JOINT RECOMMENDATIONS

The Bicycle/Pedestrian Advisory Board, the Technical Advisory Committee and MTPO staff all recommend that the MTPO approve the project priorities contained in the enclosed document entitled *Fiscal Years 2011/2012 - 2015/2016 List of Priority Projects*.

CITIZEN ADVISORY COMMITTEE RECOMMENDATIONS

The Citizens Advisory Committee recommends that the MTPO approve the project priorities contained in the enclosed document entitled <u>Fiscal Years 2011/2012 - 2015/2016 List of Priority Projects</u>, with two revisions to replace:

- Table 1 with the attached Table 1- CAC; and
- Table 3 with the attached Table 3- CAC.

BACKGROUND

Each year, the MTPO develops recommended transportation priorities for state and federally-funded projects that are needed, but not currently funded. This information is used by the Florida Department of Transportation (FDOT) each fall to decide which projects to assign available state and federal funding for the next five years. These projects are then included in FDOT's Tentative Work Program.

The Table 1-CAC Recommendation differs from the Joint Recommendation with the placement of the East University Avenue Pedestrian Refuge Islands Project as Priority No. 2. The Table 3-CAC Recommendation differs from the Joint Recommendation with the placement of the West 6 Street Rail/Trail Landscaping Project as Priority No. 1.

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TABLE 1-CAC

FISCAL YEARS 2011/2012 - 2015/2016 ENHANCEMENT PRIORITIES (within the Gainesville Metropolitan Area)

(Note: Projects in italic text are partially funded, as identified in the Transportation Improvement Program.)

NUMBER	PROJECT	LOCATION	DESCRIPTION	
1 SW 8 Avenue Partially Funded		FM: Parker Road TO: SW 91 Street	Construct ADA-compliant concrete sidewalk	
2:	E University Avenue [SR 26]	FM: E 9 Street Pedestrian refuge islan connectivity		
3	UF Cross Campus Trail [part of the Archer Braid*]	FM: SW 34 Street TO: Archer Road	Construct bicycle/pedestrian trail	
4	Hull Road Extension Trail North [part of the Archer Braid*]	FM: SW 20 Avenue TO: SW 34 Street [SR 121]	Construct bicycle/pedestrian trail	
5	SW 23 Road Trail [part of the Bivens Braid*]	FM: SW 23 Terrace TO: Archer Road [SR 24]	Construct bicycle/pedestrian trail	
6	Downtown East Central Trail	FM: Depot Avenue TO: NE 39 Avenue [SR 222]	Construct bicycle/pedestrian trail	
7	Hull Road Extension Trail North [part of the Archer Braid*]	AT: SW 34 Street	Construct bicycle/pedestrian grade-separated crossing	
8	SW 43 Street	FM: SW 40 Boulevard TO: SW 20 Avenue	Construct ADA-compliant sidewalk	
9	NW 3 Street	FM: W University Avenue TO: NW 8 Avenue	Construct ADA-compliant sidewalk	
10	Bus Stop Upgrades for ADA compliance	AT: RTS Systemwide	Construct ADA-compliant bus stops and sidewalk connections	

^{*2004} Alachua Countywide Bicycle Master Plan Addendum

ADA- Americans with Disabilities Act RTS- Regional Transit System UF- University of Florida

Initial Enhancement Priorities were developed by the Bicycle/Pedestrian Advisory Board.

Differences from Joint Recommendation are shown in shaded cells.

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TABLE 3-CAC

FISCAL YEARS 2011/2012 - 2015/2016 LANDSCAPING PRIORITIES-STATE HIGHWAY SYSTEM (SHS) ONLY* (within the Gainesville Metropolitan Area)

(Note: Projects in italic text are partially funded, as identified in the Transportation Improvement Program.)

NUMBER	PROJECT	LOCATION	DESCRIPTION	
	West 6 Street Rail/Trail	FM: Depot Avenue TO: NW 16 Avenue	provide shade tree landscaping for pedestrian facilities where possible and landscaping to grassed medians where it is not possible	
2	SW 34 Street [SR 121]	FM: Williston Road [SR331] TO: Archer Road [SR 24]	provide shade tree landscaping for pedestrian facilities where possible and landscaping to grassed medians where it is not possible	
3	Williston Road [SR331]	FM: SW 34 Street [SR 121] TO: SW 23 Terrace	provide shade tree landscaping for pedestrian facilities where possible and landscaping to grassed medians where it is not possible	
4	NW 13 Street [US 441]	FM: NW 39 Avenue [SR 222] TO: NW 6 Street [SR 20]	provide shade tree landscaping for pedestrian facilities where possible and landscaping to grassed medians where it is not possible	
5	NW 39 Avenue [SR 222]	FM: NW 43 Street TO: NW 34 Street [SR 121]	provide shade tree landscaping for pedestrian facilities where possible and landscaping to grassed medians where it is not possible	
6	Hawthorne Road [SR 20]	FM: SE 27 Street TO: SE 55 Boulevard	provide shade tree landscaping for pedestrian facilities where possible and landscaping to grassed medians where it is not possible	
7	Archer Road [SR 24]	FM: SW 91 Street TO: Interstate 75	provide shade tree landscaping for pedestrian facilities where possible and landscaping to grassed medians where it is not possible	
8	Newberry Road [SR 26]	FM: NW 98 Street TO: Interstate 75	provide shade tree landscaping for pedestrian facilities where possible and landscaping to grassed medians where it is not possible	

^{*} Projects must be constructible within the available State Road right-of-way.

Initial Landscaping Priorities were developed by Alachua County and City of Gainesville Public Works Department staff.

Differences from Joint recommendation are shown in shaded cells.

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May 3, 2010

TO: Metropolitan Transportation Planning Organization (MTPO)

FROM: Marlie Sanderson, AICP, Director of Transportation Planning

SUBJECT: Enhancement Applications- 2010

JOINT RECOMMENDATIONS

The Bicycle/Pedestrian Advisory Board, the Citizens Advisory Committee, the Technical Advisory Committee and MTPO staff all recommend that the MTPO:

- 1. request that appropriate staff prepare applications for enhancement priorities one and two and submit them to MTPO staff by Wednesday, May 19, 2010; and
- 2. approve the submission of these two enhancement applications to FDOT.

BACKGROUND

Transportation enhancement projects are designated federal funds that are used for "projects that go beyond what is routinely provided in transportation projects." This includes such projects as facilities for pedestrians and bicyclists, landscaping and other scenic beautification, acquisition of scenic easements and control of outdoor advertising.

Enhancement projects that are currently funded in FDOT's Work Program are as follows:

PROJECT DESCRIPTION	YEAR	AMOUNT
W. 6th Street Rail Corridor Construction (End of Existing Trail to NW 23rd Avenue)	2011	\$665,200
State Road 24 Bike Path/Trail Construction (City of Archer to I-75)	2012 2013	\$1.50 million \$1.51 million

Enclosed as Exhibit 1 is a letter from FDOT requesting a maximum of two project applications from the MTPO by May 7, 2010. Since the MTPO will not be able to approve enhancement project priorities until its next meeting on May 10th, we requested an extension of this deadline. FDOT has agreed to accept MTPO applications through May 31st.

FDOT has stated that they want to "start with a clean slate of project requests." So that for projects not selected for funding during a prior solicitation cycle, if that project is still a priority, FDOT wants a new application for it.

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Florida Department of Transportation

CHARLIE CRIST GOVERNOR 1109 S. Marion Avenue Lake City, Florida 32025-5874 STEPHANIE C. KOPELOUSOS SECRETARY

March 11, 2010

Sent via e-mail

Dear Mr. Sanderson,

The Florida Department of Transportation is soliciting project applications for the Transportation Enhancement Program for the Work Program cycle for Fiscal Year 2015/2016. The Transportation Enhancement Program was created in 1991 under the Intermodal Surface Transportation Efficiency Act or ISTEA. The approved procedure is attached (Topic No.: 525-030-300-j).

The Department receives an annual allocation of enhancement funds of approximately \$5,000,000, to be disbursed among the 18 counties that make up District Two. For projects that were not programmed in a prior solicitation cycle, if that project is still a priority, then the project will need to be requested again in this solicitation cycle.

As stated in the procedure (1. SOLICITATION OF APPLICATIONS), the Department will begin to solicit, develop and program enhancement projects "in the same manner as other transportation projects through the work program development process." This means that when an application is received it will be evaluated for feasibility based on the local priority. If the project is programmed the local agency will be notified and the project added to the Tentative 5-Year Work Program. If the project is not programmed but remains a priority with the local agency, then the project will need to be requested in the next solicitation cycle.

In this solicitation cycle, the Department is asking for a maximum of two (2) projects to be submitted within the Metropolitan Transportation Planning Organization (MTPO) boundary. Please prioritize these projects when submitted. The Department also sent a solicitation letter to Alachua County for projects outside the MTPO boundary.

VERY IMPORTANT!!! – If ALL the Right-of-Way necessary to construct the project is not currently in public ownership, please do not submit an application until you speak with us. Once an application is received, the project becomes "federalized" and the Right-of-Way process is lengthy and must follow the federal procedures and guidelines for acquisition.

Please complete and return project applications no later than MAY 7, 2010. Please submit separate projects on separate application forms and submit them to the Department, preferably by email, to barney.bennette@dot.state.fl.us.

If you have any questions or comments or need further clarification, please call me at 1 (800) 749-2967, Extension 7884.

Sincerely,

Jordan L. Green, P.E.

Rural Area Transportation Development Engineer

An Introduction to the 2060 Florida Transportation Plan



A SELECTOR OF THE SERVICE OF THE SER



Join us for a Webinar on March 10

During 2010, the Florida Department of Transportation and its partners will be updating the Florida Transportation Plan. The 2060 FTP is a plan for all of Florida – including local, regional, and state partners who make decisions about future transportation investments affecting safety, security, preservation, and mobility needs. Throughout the year, the public, partners, and stakeholders will have opportunities to provide input to this Plan.

You are invited to learn more about 2060 FTP at this free Webinar. It will provide an overview of the process to be used in updating the Plan and will let you know how YOU can be involved. There are two ways you can participate:

- 1. Register for the Webinar below and attend online
- 2. Register to attend at one of the locations where the Webinar will be broadcast. The contacts and directions for these locations will be posted at https://doi.org/10.0010.org

If you find that you are unable to participate on this day, the session will be recorded and placed on the 2060 FTP website at http://2060iip.org

Title: An Introduction to the 2060 Florida Transportation Plan

Date: Wednesday, March 10, 2010

Time: 2:00 PM - 3:00 PM EST

After registering you will receive a confirmation email containing information about joining the Webinar.

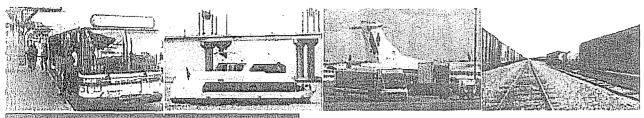
System Requirements

PC-based attendees
Required: Windows® 2000, XP Home, XP Pro., 2003 Server, Vista

Macintosh®-based attendees Required: Mac OS® X 10.4 (Tiger®) or newer

Space is limited.

Reserve your Webinar seat now at: Inttos://www/Legotomeeting_eom/register/529225400



Because the 2060 FTP is a plan for all of Florida, the Florida Department of Transportation wants to involve as many partners, stakeholders and citizens as possible. You will have many varied and convenient opportunities to provide input to the 2060 FTP:

- Regional workshops
- Statewide summit
- Dedicated website with information, materials and online comment form
- Electronic updates for individuals registered on the website
- Briefings and updates at regularly scheduled partner meetings
- Public and partner review period for draft plan

Be sure to sign up for electronic updates at www.2060ftp.org!

For more information:

Ms. Huiwei Shen, Project Manager Office of Policy Planning Florida Department of Transportation 605 Suwannee Street, M.S. 28 Tallahassee, FL 32399-0450

Phone: (850) 414-4800 Fax: (850) 414-4898

e-<u>m</u>ail: huiwei.shen@dot.state.fl.us

2010 Calendar of Events (Tentative)*

	January- September	Steering Committee Meetings		
	February- March	Kickoff events around the state		
	June	Regional Workshops		
	August	Statewide Summit		
	October	Draft plan posted for review and comment		
	November	Adopt and publish 2060 FTP		
	* Please visit us at www.2060ftp.org for dates and locations			

FDOT District FTP Coordinators:

District 1: Trinity Scott, (239) 461-4305 trinity.scott@dot.state.fl.us

District 2: Dennis Lord, (386) 961-7520 dennis.lord@dot.state.fl.us

District 3: Kelly Parker, (850) 415-9533 kelly.parker@dot.state.fl.us

District 4: Andrew Riddle, (954) 777-4605 andrew.riddle@dot.state.fl.us

District 5: Heather Garcia, (386) 943-5077 heather.garcia@dot.state.fl.us

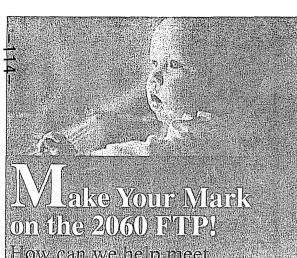
District 6: David Korros, (305) 470-5840 david korros@dot.state.fl.us

District 7: Lee Royal, (813) 975-6427 lee.royal@dot.state.fl.us

Turnpike: Barbara Davis, (407) 264-3806 barbara.davis@dot.state.fl.us

a new era for transportation in florida

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How can we help meet growing demands for moving people and freight while also sustaining our environment and quality of life? How can we make transportation decisions to leave a better, more sustainable Florida for our children and grandchildren?

Menis Your Vision tor Drawsporketion?

The 2060 Florida Transportation Plan calls for bold thinking about big issues. The Florida Department of Transportation invites you to leave your mark on Florida's future.

With the single of the same of

The Florida Transportation Plan (FTP) is the state's long range transportation plan. The FTP identifies goals and objectives to address the needs of Florida's entire transportation system and provides the policy framework for expenditures of state and federal transportation funds.

The FTP is a plan for all of Florida – including local, regional, and state partners who make decisions about future transportation investments affecting safety, security, preservation, and mobility needs.

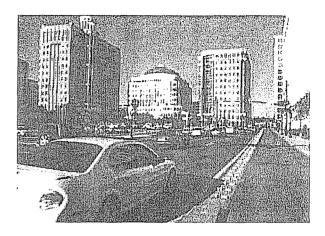
The Florida Department of Transportation (FDOT) is charged by state law to take the lead in convening partners and the public to develop and update the FTP at least every five years. The FTP must be updated by December 2010.

Why a 2060 Fire

For the first time, the planning horizon for the FTP will extend beyond 20 years. This will help focus attention on Florida's most pressing long term issues over the next 50 years, rather than just on current transportation needs.

With input from many diverse Floridians, the 2060 FTP will develop a long range vision of Florida's transportation system – a vision to help ensure our state's economy, environment, and communities are sustainable for future generations.

To help us move forward together, the 2060 FTP will identify goals, objectives, and strategies to move toward a new era for transportation in Florida.



How will we developine 2000 Fifth

A Steering Committee is guiding the development of the 2060 FTP, working with many other partners. The Steering Committee includes representatives of transportation providers; state, federal, regional, and local government agencies; economic development, business, military, community, and environmental interests; and citizens.

Workshops in each region will involve a wider circle of partners and the public early in the process. A statewide summit will build consensus around the plan's vision, goals, and objectives.

FDOT will brief partners at their regularly scheduled meetings throughout 2010. Please contact your district FTP coordinator shown on the back to arrange a briefing.

Please visit us at:

www.2060ftp.org

Marlie Sanderson

From:

Marlie Sanderson

Sent:

Tuesday, March 16, 2010 11:05 AM

To:

'Taulbee, Karen'

Cc:

'Dennis.Lord@dot.state.fl.us'; Scott Koons; Mike Escalante

Subject:

RE: Florida Transportation Plan Update Webinar

Karen-

At last night's meeting, the MTPO decided that they would like an FDOT presentation at the May 10th MTPO meeting on the Florida Transportation Plan- Horizon 2060. This meeting will begin at 3:00 p.m.

Please see that we receive at least 12 copies of the Horizon 2060 brochure, and any other materials that FDOT would like included in the MTPO meeting packet for this meeting, by Friday, April 30th.

Thanks, Marlie

Marlie J. Sanderson, AICP Assistant Executive Director North Central Florida Regional Planning Council 2009 N. W. 67th Place Gainesville, FL 32653-1603 Voice: 352,955,2200, ext. 103

Fax: 352,955,2209

PLEASE NOTE Florida has a very broad public records law. Most written communications to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

From: Taulbee, Karen [mailto:Karen.Taulbee@dot.state.fl.us]

Sent: Thursday, February 18, 2010 9:25 AM

To: Marlie Sanderson

Cc: Scott Koons; Mike Escalante; Lord, Dennis; Bennett, James **Subject:** RE: Florida Transportation Plan Update Webinar

Marlie,

I was planning on having the information for the Committees as a notice and handout brochures. For the MTPO, we would just had out brochures and the notice would be in the Information Only section, unless the MTPO desires a presentation. If they do, we will schedule it and present as an agenda item.

Please let us know if the MTPO would like a presentation. Thank you,

Karen Taulbee

From: Marlie Sanderson [mailto:sanderson@ncfrpc.org]

Sent: Thursday, February 18, 2010 9:03 AM

To: Taulbee, Karen

Cc: Scott Koons; Mike Escalante

Subject: RE: Florida Transportation Plan Update Webinar

Karen-

Do you know if FDOT is planning to make presentations to MPOs in Florida during this "kick-off" phase of the 2060 Florida Transportation Plan? If so, when should this be on the MTPO agenda- March 15th or May 10th?

Marlie



SCHEDULED 2010 MTPO AND COMMITTEE MEETING DATES AND TIMES

PLEASE NOTE: All of the dates and times shown in this table are subject to being changed during the year.

MTPO MEETING	TAC [At 2:00 p.m.]	В/РАВ	МТРО	
MONTH	CAC [At 7:00 p.m.]	[At 7:00 p.m.]	MEETING	
JANUARY		_	(None Scheduled)	
FEBRUARY	Jan. 27 - TAC Sub @ NCFRPC @ 1 pm Jan. 27 - TAC & CAC - CANCELLED	January 28	CANCELLED March 15 at 6:00 p.m. CANCELLED.	
MARCH	CAC Orientation @ 6:30 pm March 3	March 4		
APRIL	CANCELLED	CANCELLED		
MAY	TAC & CAC @ NCFRPC April 21	April 22	May 10 at 3:00 p.m.	
JUNE	June 2	June 3	June 14 at 3:00 p.m.	
JULY	TAC @ NCFRPC June 30	July 1	July 12 at 3:00 p.m.	
AUGUST	August 4	August 12	August 23 at 5:00 p.m.	
SEPTEMBER September 1		September 2	September 13 at 3:00 p.m.	
OCTOBER September 22		September 23	October 4 at 5:00 p.m.	
NOVEMBER	TAC & CAC @ NCFRPC October 13	October 14 November 1 at 3:00 p		
DECEMBER	December 1	December 2	December 13 at 5:00 p.m.	

Note, unless otherwise scheduled:

- Shaded boxes indicate the months that we may be able to cancel MTPO meetings if agenda items do not require a meeting. Corresponding Advisory Committee meeting may also be cancelled;
- 2. TAC meetings are conducted at the Gainesville Regional Utilities (GRU) Administration general purpose meeting room;
- 3. CAC meetings are conducted in the Grace Knight conference room of the County Administration Building; and
- 4. MTPO meetings are conducted at the Jack Durrance Auditorium of the County Administration Building unless noted.