



AGENDA

February 14, 2024 - 1:00 p.m.

333 Chestnut Street
Clearwater, FL 33756
The Palm Room

THE PLANNING COUNCIL AND METROPOLITAN PLANNING ORGANIZATION FOR PINELLAS COUNTY

1. **CALL TO ORDER** (1:00)
2. **INVOCATION AND PLEDGE**
3. **CITIZENS TO BE HEARD**
Citizen comments to the board are invited on items or concerns not already scheduled for public hearing on today's agenda. Please limit comments to three minutes.
4. **RECOGNITIONS AND ANNOUNCEMENTS** (1:10)
 - A. Welcome Back as Principal Planner (Nousheen Rahman)
 - B. Welcome New Board Member from Oldsmar (Vice Mayor Knapp)
5. **CONSENT AGENDA** (1:15)
 - A. Approval of Minutes of the January 10, 2024 Meeting
 - B. Approval of Committee Appointments
 - C. Acceptance of Quarter One Financial Report
 - D. Approval of Scope and Fee Cost Feasible Plan
 - E. Approval of Countywide Plan Appendix Update
6. **PUBLIC HEARING ITEMS** – To begin at 1:00 p.m. or as soon as the agenda permits
 - METROPOLITAN PLANNING ORGANIZATION** (1:20)
 - A. Proposed Amendment(s) to the FY 2023/24 – 2027/28 Transportation Improvement Program (TIP)
 - PINELLAS PLANNING COUNCIL** (1:25)
 - B. Countywide Plan Map Amendment(s)
 1. Case CW 24-04 – Pinellas County
 2. Case CW 24-05 – City of Tarpon Springs (*being continued to March meeting*)
7. **PRESENTATION AND/OR ACTION ITEMS** (1:40)
 - A. PSTA Activities Report (Councilmember Gina Driscoll)
 - B. Regional Activities Report (Whit Blanton)
 - C. Safety Performance Measures and Targets – Action (Chelsea Favero)
 - D. Multimodal Impact Fee Ordinance Update Approach (Jared Austin)
 - E. Live Local Dashboard Update (Jared Austin)
8. **DIRECTOR'S REPORT** (2:15)
 - A. SPOTlight Update
 - B. Legislative Update
 - C. Complete Streets Project Update

9. **INFORMATIONAL ITEMS** (2:40)

- A. CPA Actions and Forward Pinellas Administrative Review Items
- B. Countywide Rules Interpretations Annual Update
- C. Quarterly Report on Executive Director Approvals
- D. Fatalities Map
- E. Pinellas Trail Data
- F. Draft PAC Action Sheet
- G. Committee Vacancies
- H. Correspondence of Interest

10. **UPCOMING EVENTS**

Feb 16 th	TMA Leadership Group Meeting – 9:30 a.m.
Feb 17 th	Targeted Enforcement Day – Pinellas Trail
Feb 19 th	Forward Pinellas Community In-Service Day – St. Pete Bike Co-op - Noon
Feb 24 th	L RTP Outreach – Localtopia – St. Petersburg 10:00 a.m. – 5:00 p.m.
March 2 nd	8th Annual Bike Your City – St. Petersburg
March 8-9 th	MPOAC Weekend Institute for Elected Officials – Orlando
May 17-18 th	MPOAC Weekend Institute for Elected Officials – Tampa

11. **ADJOURNMENT**

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact the Office of Human Rights, 400 South Fort Harrison Avenue, Suite 300, Clearwater, Florida 33756; [(727) 464-4062 (V/TDD)] at least seven days prior to the meeting.

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, 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 testimony and evidence upon which the appeal is to be based.

February 14, 2024



5. Consent Agenda

SUMMARY

It is approved board procedure to place routine items under the Consent Agenda for approval with no discussion.

The Consent Agenda has been expanded to include those routine report items identified below. If an item requires discussion, that item may be removed from the Consent Agenda at the request of any member of the board, discussed, and acted upon separately.

- A. Approval of Minutes of the January 10, 2024 Meeting
- B. Approval of Committee Appointments
- C. Acceptance of Quarter One Financial Report
- D. Approval of Scope and Fee Cost Feasible Plan
- E. Approval of Countywide Plan Appendix Update

February 14, 2024

5A. Approval of Minutes of the January 10, 2024 Meeting



SUMMARY

The minutes from the January 10, 2024 meeting are attached for the board's review and approval.

ATTACHMENT(S): Minutes of the January 10, 2024 Forward Pinellas meeting

ACTION: Board to review and approve the January 10, 2024 meeting minutes.



Board Meeting Minutes JANUARY 10, 2024

THE PLANNING COUNCIL AND METROPOLITAN PLANNING ORGANIZATION FOR PINELLAS COUNTY

The Forward Pinellas Board held this public meeting in person on January 10, 2024 at the Pinellas County Communications Building in the Palm Room. The meeting was called to order at 1:02 p.m. by Commissioner Janet Long, Forward Pinellas Chair.

The following members were present:

Janet C. Long, Chair, Pinellas County Commissioner
Julie Ward Bujalski, Vice Chair, City of Dunedin Mayor
David Allbritton, Treasurer, City of Clearwater Councilmember
Gina Driscoll, Secretary, City of St. Petersburg Councilmember
Representing Pinellas Suncoast Transit Authority (PSTA)
Chris Burke, City of Seminole Councilor
Representing Inland Communities
Richie Floyd, City of St. Petersburg Councilmember
Eric Gerard, City of Largo Vice Mayor
John Muhammad, City of St. Petersburg Councilmember (late arrival 1:12 p.m.)
Patti Reed, City of Pinellas Park Vice Mayor
Brian Scott, Pinellas County Commissioner

Absent

Dave Eggers, Pinellas County Commissioner
Andrew Knapp, City of Oldsmar Vice Mayor
Representing Oldsmar, Safety Harbor and Tarpon Springs
Mayor David Will, Town of Redington Beach Mayor
Representing Beach Communities

Also Present

Whit Blanton, Executive Director, Forward Pinellas
Maria White, Assistant County Attorney
Forward Pinellas Staff
Other Interested Individuals

The board endorsed the Regional Transportation Priorities.

Chelsea Favero of Forward Pinellas presented the Regional Transportation Priorities to the board, including the 2024 Transportation Management Area Top Priorities and the Sun Coast Transportation Planning Alliance (SCTPA) Regional Transportation Priority Project List.

Discussion:

- Mayor Julie Bujalski noted there are relatively few projects in Pinellas County compared to Hillsborough County on the lists. Whit Blanton added that the projects included are deemed of regional significance, are very well defined, and just need funding. Notable recent examples from this list have included the Gateway Expressway and the SunRunner.
- Chair Janet Long inquired if attention is being paid to north-south connections between counties, particularly to the north and south of the Skyway Bridge, which can form traffic bottlenecks. Whit Blanton shared the I-275 projects will apply all the way down to 54th Ave South, which will help operating issues on the north end, in travelling into St. Petersburg from the Skyway Bridge. The Sarasota-Manatee MPO covers the area to the south of the bridge, and they are members of the SCTPA, which provides an avenue to continued discussion.

The board unanimously approved the Advantage Alt 19 plan and recommendations.

In June 2022, Forward Pinellas began work on an Advantage Pinellas Investment Corridor Transition Plan to develop a mobility, safety, and redevelopment strategy for Alternate US 19. Kimley-Horn and Forward Pinellas staff provided an overview of the completed Advantage Alt 19, or the *Advantage Alt 19: Investing in People and Places along the Alternate US 19 Corridor*, plan and recommendations. The redevelopment vision featured in the plan encourages the incorporation of enhanced transit service and other multimodal transportation options to link jobs, job training, and workforce housing.

Discussion:

- Sharon Calvert of Tierra Verde shared a public comment that she considers the project to be financially risky considering the Pinellas Suncoast Transit Authority's (PSTA's) finances, which are shared in the public record.
 - Commissioner Brian Scott and Whit Blanton clarified the board's approval today approves this as a planning document and it does not represent commitment to particular projects or funding.
 - Whit Blanton further added that this is a development plan overall, not only a transportation plan. Specific projects would only move forward after extensive technical analysis and public outreach.
 - Mayor Julie Bujalski also shared, from her experience sitting on the PSTA Board for nine years, the PSTA budget has not indicated a lack of funds leading to a future of insolvency but rather is a conservative presentation of the budget. She noted PSTA may want to revisit how the budget is displayed to the public to prevent future misunderstanding.
- Mayor Julie Bujalski stressed the need to attend to tourism traffic along such corridors.
- Chair Janet Long noted that public officials would benefit in learning about the lengthy funding process transportation projects must move through.

The board approved the Complete Streets Grant Program Awards.

Kyle Simpson presented the recommendations for the Complete Streets Grant Program Awards. Now in its eighth year, the Complete Streets Grant Program provides annual allocations for concept planning and construction projects. The recommendations were as follows:

- \$100,000 to the City of St. Petersburg for the 31st Street Planning Study
- \$1,500,000 to the City of St. Petersburg for the Grand Central District Curb Extensions.

Discussion:

- David Ballard Geddis Jr. provided a public comment expressing his belief and concern that the equity in his home would be levied to pay for Complete Streets projects.
- Sharon Calvert provided a public comment that she desires more details be provided to the public.

The board recommended approval of the following amendments to the Countywide Plan Map.

- Case CW 24-01 – A request from the City of Clearwater to amend 0.54 acres of property located at 210 Meadow Lark Lane from Residential Low Medium to Public/Semi-Public. The applicant is requesting the proposed amendment to use the site as a softball field for Calvary Christian High School. As Calvary Christian High School’s athletic facilities have expanded over time, properties have been annexed and incorporated into the main parcel, future land use and zoning amendments have been approved to ensure the overall property would have a consistent designation.
- Case CW 24-02 – A request from Pinellas County to amend 0.19 acres of property located at 4685 Park Street from Residential Low Medium to Retail & Services. The site is currently vacant and was historically used as a towing yard. The applicant wishes to use the property for a recreational vehicle and boat storage use.
- Case CW 24-03 – A request from the City of St. Petersburg to amend 0.41 acres of property located at 200 66th St. N from Office to Multimodal Corridor. The current use of the property is as a single-family home. The purpose of the proposed amendment is to allow for the redevelopment of the property to support up to nine townhomes with the potential for retail or other permitted mixed uses.

Forward Pinellas staff provided an update on the Housing Action Plan.

Linda Fisher provided this bi-monthly briefing, which included information about Accessory Dwelling Units (ADUs) – what they are, how they are beneficial to the community, how to prevent them from becoming vacation rentals, and other common community concerns.

Discussion:

- Commissioner Gina Driscoll inquired if the dashboard to track countywide projects would include all development, including private. Linda clarified that it would.
- Commissioner Eric Gerard noted that he sits on the advisory council for the Area Agency on Aging of Pasco-Pinellas, Inc., and at each meeting they receive reports on housing insecurity of seniors. They received 2,000 calls last year about this issue. He requests we pay attention to access to housing for seniors, such as adding a specific category for them. Linda advised that data breakdowns by age will be included in reporting.
- Mayor Julie Bujalski shared the City of Dunedin's experience with ADUs. Approximately 15 years ago, the city wrote into their rules that someone dwelling in an ADU had to be a relative, and short-term rentals are solely designated to a certain area of the city that are more tourism centric. She does not anticipate those to change.
- Councilmember Driscoll shared that St. Petersburg has made some great progress with ADUs using incremental changes over time. Roughly 5-6 years ago, the city reduced the minimum lot size, which resulted in more lots being used for ADUs. In 2017, 23 permits were pulled for ADUs, whereas in 2022 there was 86.
- Mike Eisner, a commissioner from Tarpon Springs, offered public comment to say these sorts of dwellings could work only if there is close oversight and enforcement of rules and regulations related.
- Commissioner Gerard noted ADUs are being encouraged in Largo. They held a Housing for All session where ADUs were discussed in length. Possibilities of mitigating the use of them as vacation rentals entails requiring the property owner to live in the main house or the ADU itself and including incentives in the contract so it is not used as a rental. He added that ADUs are a great opportunity in cases to keep elderly parents nearby, rather than them going into a senior care facility or risking homelessness.
- Mayor Julie Bujalski added that people in the City of Dunedin who do have ADUs are typically not renting them affordably.

The Board recognized outgoing BPAC Member Brian Smith.

Over the past last 10 years, Brian Smith has been the chair of Forward Pinellas's Bicycle and Pedestrian Advisory Committee (BPAC). Brian has previously served as the MPO Planning Director and the PPC Director, amongst other roles with the county. He has done an excellent job in leading both technical and non-technical members in BPAC. He will continue working with the Florida Greenways and Trails Foundation.

The Board recognized outgoing Board Member Jarrod Buchman.

Board Member Jarrod Buchman resigned from his position as councilmember for the City of Oldsmar and is departing from the Forward Pinellas Board. Andrew Knapp will be replacing him starting at the February board meeting.

The board appointed Commissioner Brian Scott to the Metropolitan Planning Organization Advisory Council (MPOAC) Governing Board as a second alternative.

SPOTlight Update

Executive Director Whit Blanton provided the following updates:

- Enhancing Beach Access – A report that was completed earlier this year has been distributed that provides analysis of the turnaround at the end of the Causeway Blvd. at the entrance of Honeymoon Island State Park. The study showed the turn around is not functional as currently designed because back-ups occur when people arrive at the end of the turn around and only then realize they must pay for entry to the park. Forward Pinellas will have a call with the County and park staff to discuss the report's findings.
- Gateway Area – Forward Pinellas is about to kick off a survey of the business and employers in the area. The scope of services has been developed and approved by the Department of Transportation. Forward Pinellas is waiting on the department to put the funding in place to kick off the project.
- Waterborne Transportation – Forward Pinellas is working with the City of Clearwater on the docking agreement for the ferry at the marina to determine how it will affect PSTA's pending procurement for the \$655,000 grant which was recently awarded. Whit Blanton also has a meeting planned with Brian Lowack of Visit St. Peterburg-Clearwater to talk further about potential financial participation of the County's tourism tax. The target timeline is to have an operating program sometime after October of this year.

Other Items

- PSTA Report: PSTA now oversees the vanpool services contract that was previously overseen by TBARTA.
- Regional Activities Report: Executive Director Whit Blanton shared the following regarding the regional MPO merger:
 - A letter was sent to Secretary Gwynn requesting the initial startup expense of \$500,000, including procuring a management consultant and an independent legal advisor.
 - Options for board governance will be discussed at the next TMA Leadership Group meeting. At that meeting, Forward Pinellas staff will also provide examples of how other MPOs have set up their board and advisory committees.
- Legislative Update (not an exhaustive list):
 - Senate Bill 1092 is a broad transportation bill with significant impacts to MPOs. It would require FDOT to review each MPO's long range transportation plan (LRTP) for productive traffic flow and connectivity of people and freight. If a plan is found to be unsatisfactory it would be returned to the MPO for revision. It also would require FDOT to set quality performance metrics and a minimum acceptable score to rate each MPO service to its community (e.g., managing traffic congestion, utilization rate of multimodal

transportation facilities). An MPO that does not achieve a minimum score could be taken over by the FDOT and restructured.

- Senate Bill 1487 would make changes to PSTA's board structure and require the board to approve items by 2/3 majority vote.
- Senate Bill 1226 is a bill that directs the DOT to preserve a rail corridor with a right of way along I-4 between Tampa and Orlando to be used for advanced multimodal planning.
- House Bill 1275 and Senate Bill 1506 would direct the DOT to develop a strategic infrastructure investment plan to address freight mobility infrastructure including rail, airports, and seaports.
- House Bill 1440 would raise the penalty of street racing, or anyone driving 30 mph over the speed limit, to a felony.
- Senate Bill 386 would reduce the parking requirements for affordable housing if at least 75% are affordable and near a major transportation hub.
- Mayor Bujalski expressed concern for the City of Dunedin over a recently passed state law that will allow golfcarts to operate on sidewalks adjacent to state highways only if they yield to pedestrians.
- Regarding the Carbon Reduction Program funding, the State of Florida has told the USDOT that they will not comply with setting targets for greenhouse gas emission reductions and in developing a carbon reduction plan. This effectively makes the state ineligible for \$320 million from the federal Infrastructure Law. Multiple projects in the Forward Pinellas Work Program could have made use of those funds.
- Public Comment:
 - Sharon Calvert expressed her desire for more detailed public records and public engagement opportunities, beyond FDOT requirements, for planned projects, citing the Tierra Verde Cycle Track and 34th St. Lane elimination project.
 - David Ballard Geddis Jr. expressed his concern over water supply governance.
- The Forward Pinellas Board will hold a workshop on February 14th at 10am in the Palm Room of the Pinellas County Communications Building.

Action Sheet January 10, 2024

At its January 2024 meeting, the Forward Pinellas Board took the following official actions:

- **Consent Agenda** (vote: 10-0)
Approved to include the following:
 - A. Approval of Minutes of the November 8, 2023 Meeting
 - B. Approval of Committee Appointments
 - C. Approval of and Authorization to Distribute Annual Report
 - D. Acceptance of FY23 Year-End Financial Report
 - E. Approval of Scope and Fee for Advantage Alt 19 City of Largo Implementation

- **Countywide Plan Map Amendment(s)**

Following a presentation by Emma Wennick, Forward Pinellas staff, and public hearing, three cases were recommended for approval:

1. Case CW 24-01 – City of Clearwater (vote: 10-0)
2. Case CW 24-02 – Pinellas County (vote: 10-0)
3. Case CW 24-03 – City of St. Petersburg (vote: 10-0)

- **Board Endorsement of Regional Transportation Priorities**

Following a presentation by Chelsea Favero, Forward Pinellas staff, the board, in its role as the metropolitan planning organization, endorsed the regional transportation priorities of the Tampa Bay Transportation Management Area (TMA) Leadership Group and the Sun Coast Transportation Planning Alliance (SCTPA). (vote: 10-0)

- **Acceptance of Plan and Approval of Recommendations on Advantage Alt 19**

Following a presentation by Jared Schneider of Kimley-Horn, the board accepted the final Plan and approved the recommendations for Advantage Alt 19. (vote: 10-0)

- **Complete Streets Grant Program Awards**

Following a presentation by Kyle Simpson, Forward Pinellas staff, the board, in its role as the metropolitan planning organization, approved the Complete Streets Grant Program awards. (vote: 10-0)

- **Appointment to the MPOAC**

Following an introduction of this item by the executive director, Commissioner Brian Scott volunteered to serve as an alternate on the MPOAC. Subsequently, the board, in its role as the metropolitan planning organization, affirmed his appointment to replace former board member Jarrod Buchman. (vote: 10-0)

Chair

February 14, 2024

5B. Approval of Committee Appointments



SUMMARY

- **BPAC**

Krystal Burns submitted an application to an open At Large seat on the BPAC. Krystal has lived in Pinellas County since 2014 and is interested in giving back to the community. She has a 20+ corporate engineering career and would like to offer her depth of transportation experience to support the goals of Forward Pinellas. **David Cooper** has submitted an application for an open Dunedin seat. David is a frequent user of the Pinellas Trail and is passionate about improving bike and pedestrian safety in Pinellas County.

- **CAC**

Elisabeth Olden has been appointed the TRAC representative for the CAC by the PSTA Transit Riders Advisory Committee. **Joseph Santana** has submitted an application for an open At Large seat on the CAC. Mr. Santana has served on the City of Oldsmar Leisure Services Advisory Board and would like to get more involved in the county, providing service to the community.

ATTACHMENT(S):

- BPAC Membership Listing
- Membership application for Krystal Burns
- Membership application for David Cooper
- CAC Membership Listing
- Membership information sheet for Elisabeth Olden
- Membership application for Joseph Santana

ACTION: Board, in its role as the metropolitan planning organization, to approve the appointment of Krystal Burns and David Cooper to the BPAC and approve the appointment of Elisabeth Olden, as the TRAC representative, and Joseph Sanatana to the CAC.

STAFF RECOMMENDATION: Staff recommends the board approve the appointments as outlined above.

BICYCLE PEDESTRIAN ADVISORY COMMITTEE MEMBERSHIP LIST

Voting

St. Petersburg Area (St. Pete/Gulfport/So Pasadena/Tierra Verde)

1. Stuart Schwartzreich (05/11/22)
2. Keely Murphy (03/08/23)
3. Gordon Brown (04/12/23)
4. Charlie Guy (01/12/22)

Clearwater Area

5. Gloria Lepik-Corrigan (09/08/21)
6. Fernando Gutierrez (01/12/22)
7. William "Avera" Wynne (06/08/22)

Dunedin Area

8. Ron Englert (02/08/23)
9. David Cooper (02/14/24)

Pinellas Park and Mid-County

10. Vacant
11. Vacant

Largo Area

12. Daniel Alejandro (10/12/16)
13. Vacant

North County Area (Tarpon Springs/Palm Harbor/Ozona/Oldsmar/Safety Harbor)

14. Heather Vernillo (08/10/22)
15. Brian Smith (Chairman) (12/12/12)

At Large Area

16. Eric Sorenson (09/14/22) (Clearwater)
17. Lara Wojahn (02/08/23) (Treasure Island)
18. Julie Worthington (10/11/23) (Clearwater)
19. Annette Sala (03/12/14) (St. Petersburg)
20. Kristin Ehrlich (01/10/24) (St. Petersburg)
21. Krystal Burns (02/14/24) (St. Petersburg)
22. Vacant

Seminole Area

23. Donovan Nickell (01/11/23)

Beach Communities

24. Peter Wray (02/08/23)
25. Paul Zagami (Vice-Chair) (01/12/22)

Technical Support

1. County Traffic Department (Joan Rice – representative, John Rieman and Gina Harvey– alternates)
2. Pinellas County Planning Department (Scott Swearngen – representative)
3. PSTA (James Phillips – representative; Devan Deal – alternate)
4. City of Clearwater (Jayme Lopko - representative, Lauren Matzke - representative)
5. City of St. Petersburg (Elisabeth Staten – representative; Cheryl Stacks - alternate)
6. City of Largo (Whitney Clark – representative; Diane Friel - alternate)
7. City of Oldsmar (Matt Jackson – representative, Tatiana Childress – alternate)
8. City of Pinellas Park (Tiffany Menard – representative, Derek Reeves – alternate)
9. City of Dunedin (Kathy Gademer – representative, James Cunningham – alternate)
10. City of Tarpon Springs (Caroline Lanford – representative)
11. Pinellas County School System (Joseph Camera- representative, Autumn Westermann- alternate)
12. Friends of the Pinellas Trails (Scott Daniels – representative, Jim Wedlake - alternate)
13. CUTR (Julie Bond - representative)

Sheriff's Office /Police/Law Enforcement Representatives

1. Pinellas Park Police Dept.
2. St Petersburg Police Dept.
3. Largo Police Dept.
4. Sheriff's Office – Deputy Dan Nocera
5. Clearwater Police Dept.

Non-Voting Technical Support

14. FDOT (Jensen Hackett - representative)
15. County Parks and Conservation Resources (Lyle Fowler – representative; Spencer Curtis – alternate)

*Dates signify appointment



ADVISORY COMMITTEE MEMBER APPLICATION

Name: Burns Krystal Hunsaker
Last First Middle

Home Address: 100 Stanton Circle Oldsmar, FL 34677
Street (Apt.) City, State Zip

Work Address: N/A
Street (Apt.) City, State Zip

407-252-3294 407-252-3294 krystal.burns@gmail.com
Home Telephone Work Telephone Mobile Telephone E-mail Address

Do you prefer to be contacted/receive documents at your home or work address? Home Work

Date of Birth: 12/27/1976

Advisory committee you're interested in serving on: BPAC

Why are you interested in serving on this committee? (you may add an attachment if you need additional space)
My family has resided in Pinellas County since 2014 and I'm interesting in giving back to this community. Currently I'm taking a pause from a 20+ year corporate engineering career and would like to offer my depth of transportation experience to support the goals of Forward Pinellas. My husband and I have 3 school-aged children and share the vision for a better future!

Education	Name and Location	Degree	Major/Subjects of Study
High School	Eastside H.S.; Gainesville	H.S.	IB Diploma
College or University	University of Florida; Gainesville	B.S.C.E.	Civil Engineering
Specialized Training, License or Certificate	Professional Engineering License; Florida #60883		
Other Education			

If you are appointed, do you know of any reason whatsoever why you will not be able to attend regularly scheduled meetings or otherwise fulfill the duties of the membership to which you have been appointed?

Yes No If "Yes", please explain:
 x

The following information will only be used to satisfy Equal Opportunity reporting and research requirements.

Gender: Male Female

Race: White Hispanic African American American Indian/Alaskan Native

Asian/Pacific Islander Other

* Applications may be submitted by electronic mail, FAX or mail. E-mail address: info@forwardpinellas.org

Fax: (727) 464-8212 - Mailing Address: Forward Pinellas, 310 Court St., Clearwater, FL 33756.



ADVISORY COMMITTEE MEMBER APPLICATION

Name: Cooper David Austin
Last First Middle

Home Address: 817 Scotland ST Dunedin, FL 34698
Street (Apt.) City, State Zip

Work Address: N/A
Street (Apt.) City, State Zip

(401) 662-0566 coopdavidaus72@gmail.com
Home Telephone Work Telephone Mobile Telephone E-mail Address

Do you prefer to be contacted/receive documents at your home or work address? Home Work

Date of Birth: 05/13/1965

Advisory committee you're interested in serving on: BPAC

Why are you interested in serving on this committee? (you may add an attachment if you need additional space)
I am a frequent user of the Pinellas Trail, including as a volunteer and member the leadership of the nonprofit Dunedin Joy tRides organization. I believe there are improvements that can and should be made. I am a retired Federal Government senior executive and want to use my bureacratc experience to help improve bike and pedestrian safety as a Dunedin citizen representative on the BPAC.

Education	Name and Location	Degree	Major/Subjects of Study
High School	The Hackley School		
College or University	Oberlin College	BA	history, government
Specialized Training, License or Certificate			
Other Education	Australian National University	PhD	Political Science

If you are appointed, do you know of any reason whatsoever why you will not be able to attend regularly scheduled meetings or otherwise fulfill the duties of the membership to which you have been appointed?

Yes No If "Yes", please explain:
We usually travel for 5-6 weeks during the summer

The following information will only be used to satisfy Equal Opportunity reporting and research requirements.

Gender: Male Female

Race: White Hispanic African American American Indian/Alaskan Native

Asian/Pacific Islander Other

* Applications may be submitted by electronic mail, FAX or mail. E-mail address: info@forwardpinellas.org

Fax: (727) 464-8212 - Mailing Address: Forward Pinellas, 310 Court St., Clearwater, FL 33756.

CITIZENS ADVISORY COMMITTEE MEMBERSHIP LIST

St. Petersburg Area

1. Willard Wynn (03/08/23)
2. Chris Griffin (03/09/22)
3. Haley Busch (04/12/23)
4. Josette Green (04/12/23)

Clearwater Area

5. Luis Serna (06/14/17)
6. Bill Jonson (Chair) (06/13/18)

Dunedin Area

7. Bob Henion (02/12/20)
8. Cassie Cordova (10/11/23)

Pinellas Park and Mid-County Area

9. Jensyn Schmidt (07/12/23)
10. Vacant

Largo Area

11. Paul Wallace (03/14/18)
12. Vacant

Beaches Area

13. Tristan Brockwell (Vice-Chair) (05/11/22)
14. Vacant

Gulfport, Kenneth city, Seminole, Belleair, So. Pasadena, Belleair Bluffs Area

15. Caron Schwartz (02/14/18) (Gulfport)

Tarpon Springs, Oldsmar, Safety Harbor Area

16. Duncan Kovar (07/12/17)
17. Joan Walko (02/08/23)

At Large

18. Michael Kramer (05/10/23) (St. Petersburg)
19. Jeremy Heckler (02/08/23) (Gulfport)
20. Jerry Collins (07/12/23) (Clearwater)
21. Edward Fagan (09/13/23) (St. Petersburg)
22. Brynn Choplin (11/08/23) (St. Petersburg)
23. Starr Amey (03/08/23) (Palm Harbor)
24. Joseph Santana (02/14/24) (Oldsmar)
25. Marita Lynch (05/11/22) (Clearwater)
26. Mark Birenbaum (10/12/22) (Clearwater)

TRAC

27. Elisabeth Olden (02/14/24)

Applicant Information

First Name Joseph
Last Name Santana
Home Address 431 Tangerine Drive
City Oldsmar
State Florida
Email joesantana220@gmail.com
Home phone number 8134658299
Preferred method of contact Home Phone
Date of Birth Feb 20, 1984
Gender Male
Ethnicity Caucasian

Education & Experience

What is your highest level of education? Associate's Degree

What was your Major/Subjects of Study in school? Paramedic

Please list any specialize training, licenses or certificates you'd like us to know about. Licensed real estate agent. City of Oldsmar Leisure Services Advisory Board memeber

About the Committee

Advisory committee you're interested in serving on (check all that apply): Citizens Advisory Committee (CAC)
Planners Advisory Committee (PAC)

Why are you interested in serving on this committee(s)? I would like to be more involved in our county and provide service towards my community. I have served on the City of Oldsmar's Lesure Services Advisory Board for three years and I am looking to expand my service into the county. Thanks you!

**If you are appointed,
do you know of any
reason whatsoever
why you will not be
able to physically
attend regularly
scheduled meetings or
otherwise fulfill the
duties of the
membership to which
you have been
appointed?**

No

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These messages are not added in the [premium version](#).

February 14, 2024



5C. Acceptance of Quarter One Financial Report

SUMMARY

The first quarter of FY24 ended on December 31, 2023. The unaudited financial report through the end of that period is attached for the board's review.

ATTACHMENT(S): Unaudited Financial Report through Quarter One FY24

ACTION: Board to receive and accept the financial report.



FORWARD PINELLAS

Integrating Land Use & Transportation

PINELLAS PLANNING COUNCIL
December 2023 (Qtr 1)
UNAUDITED FINANCIAL REPORT

REVENUES	<u>FY24 YTD- thru</u> <u>12/31/23</u>	<u>FY24 BUDGET</u> <u>Amended</u>	<u>VARIANCE</u>	<u>% Of Anticipated</u> <u>REVENUES</u> <u>Received</u>
401 Interest	1,633	4,990	3,357.22	33%
011 Other Income	-	-	0.00	0%
T0 Tax Revenue	2,124,229	2,471,080	346,851.42	86%
401 Local Assistance Contract Services	20,959	1,014,350	993,391.38	2%
401 MPO Charges for Services (Revenue)	-	1,486,560	1,486,560.00	0%
TOTALS	2,146,820	4,976,980	2,830,160.02	43%
EXPENDITURES	<u>FY24 YTD- thru</u> <u>12/31/23</u>	<u>FY24 BUDGET</u> <u>Amended</u>	<u>VARIANCE</u>	<u>% OF BUDGETED</u> <u>Expenses</u> <u>Allocated</u>
T0 Salaries & Wages	424,458	1,751,230	1,326,771.73	24%
T0 FICA & Benefits	199,101	851,770	652,669.46	23%
<i>Personal Services</i>	623,559	2,603,000	1,979,441.19	24%
T0 Contractual Support Services	73,530	1,152,290	1,078,760.05	6%
2.0 Rent	30,403	92,570	62,166.79	33%
2.0 Equip. & Furn.	8,647	22,340	13,692.80	39%
2.0 Telephone (<i>Comm Svcs</i>)	600	4,350	3,750.00	14%
T0 Mail (Postage)	371	3,260	2,889.33	11%
2.0 Advertising Notice (<i>Otr Chgs Legal Adv</i>)	3,980	30,000	26,019.74	13%
T0 Printing/Reproduction	1,859	5,640	3,781.11	33%
T0 Office Supplies	382	21,650	21,268.25	2%
T0 PAO/Tax Coll Commissions	50,242	68,740	18,498.02	73%
2.1 Intergovernmental Services	-	486,610	486,610.00	0%
2.1 Risk Management	2,095	8,380	6,285.01	25%
T0 Travel	-	10,840	10,840.00	0%
T0 Communications, Advocacy, & Educ	6,473	20,000	13,527.45	32%
2.1 Audit	2,474	27,690	25,216.25	9%
2.1 Council Activities	117	9,760	9,642.74	1%
2.1 Contingency (<i>Otr Current Chgs & Obligations</i>)	790	600,000	599,209.64	0%
TOTALS	805,522	5,167,120	4,361,598.37	16%

Revenues less Expenditures

1,341,298

February 14, 2024



**5D. Approval of the Scope and Fee for Advantage Pinellas
Cost Feasible Balancing**

SUMMARY

Advantage Pinellas is the long range transportation plan for Pinellas County. Required to be developed every five years to account for changes in mobility, demographic and financial conditions, Advantage Pinellas identifies the transportation projects that are needed for mobility within the next 20 years in Pinellas County. The plan must be cost constrained, meaning that the transportation projects that Forward Pinellas includes in the plan must have a reasonable assumption of being funded within the next 20 years.

In order to establish that assumption, Forward Pinellas must align the costs of each of the transportation projects included in Advantage Pinellas with the revenues from various sources that are reasonably expected to be available through 2050. Revenues and costs in 5-10 year interim phases will be balanced against each other, with consideration given to the various limitations and requirements of each individual funding source. This task will include determining the cost feasibility for all modes of transportation. Forward Pinellas is proposing to use the support of one of its General Planning Consultants, WSP, to assist with this effort.

ATTACHMENT(S): Cost Feasible Plan Scope and Fee

ACTION: Board, in its role as the metropolitan planning organization, to approve the proposed scope and fee for the development of the Cost Feasible Plan, in support of Advantage Pinellas 2050.

Advantage Pinellas 2050

Cost Feasible Plan Scope of Services

Introduction

The purpose of this task is to develop the 2050 Advantage Pinellas Cost Feasible Plan. Specifically, this task will seek to align transportation projects listed in the Needs Plan with the financial resources identified under a separate task work order.

The following is a scope of services to be provided by the Forward Pinellas planning consultant WSP USA (here within referred to as the Consultant). This scope of services will seek to accomplish the objectives described above and is organized by individual tasks. The anticipated deliverables to be provided by the Consultant are provided at the conclusion of each task.

Task 1: Study Management & Coordination

The Consultant Project Manager will define study expectations, outline tasks, and prepare the schedule for the study. In addition, the Consultant Project Manager will communicate regularly with Forward Pinellas’ Project Manager on issues affecting completion of this study. The Consultant will conduct routine management and coordination meetings that will provide Task direction as follows:

Coordination	Role	Participants
Progress Meetings	Bi-weekly Project progress meetings	Forward Pinellas and Consultant

A Study Kick-off Meeting will be held with key personnel to establish specific provisions for work.

Deliverables:

- Facilitate, provide materials, and document one (1) kick-off meeting.
- Facilitate, provide materials, and document up to twelve (12) Progress meetings.
- Provide materials for up to two (2) Committee and Board presentations.

Task 2: Develop Planning Level Cost Estimates

The Consultant will review project construction, design and right-of-way costs estimates for transportation projects provided by the County, FDOT, PSTA and local jurisdictions. The Consultant will review the costs provided for reasonableness. If the costs provided are deemed reasonable, the Consultant will summarize the high-level cost estimates for balancing costs with the appropriate revenue sources. This task may include coordinating with partner agencies to understand the underlying assumptions used when developing their respective cost estimates.

Deliverables:

- Planning level cost estimates by identified Needs project in database format.

Task 3: Project Prioritization

The Consultant will coordinate with Forward Pinellas staff to assess the Needs projects for readiness and optimal timing for implementation. Based on the outcome of coordination, the Consultant will identify a list of priority projects and program them to year of expenditure timeframes as follows: 2030, 2031-2035, 2036-2040, 2041-2050. The Consultant will provide up to three (3) iterations of project programming. Forward Pinellas staff are assumed to be responsible for working with the local jurisdictions to refine and finalize the priority project lists.

Task 4: Cost Feasible Plan Development

Using the cost estimates for recommended projects, the results of the project prioritization and estimated revenues, the Consultant will develop a financially constrained plan through the horizon year of 2050. Revenues and project costs will be reported in year of expenditure (YOE) dollars. In order to escalate to YOE dollars, an inflation factor developed in coordination with Forward Pinellas staff will be used.

The Cost Feasible Plan will include FDOT-provided projects and costs as reported in the SIS, state capacity programs as well as operating and maintenance costs provided at the MPO level. Forward Pinellas staff will provide the Consultant with all FDOT YOE cost estimates, phasing, and project descriptions in the SIS Cost Feasible Plan for use in developing the Cost Feasible Plan calculations. The Consultant will provide up to three (3) iterations of the Cost Feasible Plan.

Deliverables:

- List and map of projects by timeframe for inclusion in the 2050 LRTP.
- Database of Cost Feasible projects in Excel format

Task 5: Environmental Justice Analysis

The Consultant will conduct a demographic analysis of Cost Feasible projects to account for the U.S. Department of Transportation Order on Environmental Justice (EJ). The demographic analysis will consist of a mapping exercise to assess low income and minority locations in proximity to Cost Feasible projects identified in the 2050 Advantage Pinellas Plan. In addition, the analysis will evaluate the community impact of roadway, bicycle and pedestrian, and transit improvements on the following groups: African American, Latino, Asian American, Native American, Alaskan Native, Native-Hawaiian and Other Pacific Islander, and Low-Income.

Deliverables:

- Technical Memorandum: EJ Analysis

Task 6: Documentation

The Consultant will develop a draft and final report that summarizes all methodologies, coordination, analysis results, and recommendations.

Deliverables:

- Draft Report Document

- Final Report Document

Forward Pinellas Responsibilities:

A. Coordination, Meetings, & Data

- The Forward Pinellas Project Manager will be available for weekly communications with the Consultant Project Manager
- Forward Pinellas staff will provide the prioritized list of Need projects by mode
- Forward Pinellas staff will provide the planning level cost estimates for each Needs project
- The Forward Pinellas Project Manager and other appropriate staff will review all documents submitted and provide comments and direction to the Consultant

B. Board & Committee Presentations

- Make all presentations to the board and advisory committees

C. Task Estimate Budget

- \$64,645.36

D. Tentative Timeline

- Expected completion within six (6) months from notice to proceed (NTP)

ATTACHMENT A: ESTIMATE OF WORK EFFORT AND COST - PRIME CONSULTANT

Task Work Order: TWO #4
 Project Manager: Eric Heinz
 Contract Number: 23-0365
 Task Description: 2050 Cost Feasible Plan
 Completion Date: N/A

Tasks	Quantity	# of Staff	Labor Hours	QA/QC Hours	Total Hours	Staff Classification								Staff Hours by Activity	Unburdened Cost by Activity		
						Chief Professional/Project Director	Project Manager	Senior Professional	Project Professional	Professional	Senior Specialist	Specialist	Senior Technician			Technician/Analyst	Secretary/Clerical
						\$329	\$217	\$198	\$189	\$118	\$292	\$174	\$179			\$130	\$100
3																	
Study Management and Coordination																	
Project Management	6	1	4	6	30		30								30	\$6,510.00	
Kick-off Meeting	1	2	2	2	6		3	3							6	\$1,246.08	
Progress Meetings	12	2	1	2	26		12	14							26	\$5,381.04	
Develop Planning Level Cost Estimates	1	2	24	12	60		20	40							60	\$12,274.40	
Project Prioritization	3	2	2	12	24		8	16							24	\$4,909.76	
Cost Feasible Plan Development	3	3	12	16	124		36	40	48						124	\$21,410.40	
Equity Analysis	1	2	8	8	24			8	16						24	\$3,474.88	
Documentation	2	2	12	8	56			40	16						56	\$9,438.80	
Total Staff Hours by Classification					350	0	109	121	40	80	0	0	0	0	350		
Total Staff Cost (Unburdened) by Classification						\$0.00	\$23,653.00	\$24,001.56	\$7,550.80	\$9,440.00	\$0.00	\$0.00	\$0.00	\$0.00		\$64,645.36	

1. This sheet to be used by Prime Consultant to calculate fee estimate
2. Unused sub consultant rows may be hidden

SALARY RELATED SUBTOTAL:	\$64,645.36
Survey (Field - if by Prime)	\$0.00
SUBTOTAL PRIME:	\$64,645.36
Sub consultant:	\$0.00
Sub consultant:	\$0.00
Sub consultant:	\$0.00
SUBTOTAL ESTIMATED FEE:	\$64,645.36
Optional Services	\$0.00
GRAND TOTAL ESTIMATED FEE:	\$64,645.36

Version:

February 14, 2024



5E. Countywide Plan Appendix Update

SUMMARY

In August of 2023, the Board of County Commissioners adopted an update to the Countywide Plan that included the recommendations from the 2023 update to the Target Employment and Industrial Land Study (TEILS), as well as the adoption of the Multimodal Accessibility (MAX) Index. As part of these efforts, Forward Pinellas staff has included updates to the Countywide Plan Appendix which includes the incorporation of the North American Industry Classification System (NAICS) codes associated with the broader Target Employment Clusters identified as part of the TEILS update, as well as a summary document outlining the methodology of the MAX Index and the countywide average MAX score for the 2024 year. These updates to the appendix are intended to be used as a reference for local governments.

The Countywide Plan Appendix is an unadopted support document to the Countywide Plan and does not need to be amended through the public hearing process.

ATTACHMENT(S):

- Target Employment & Industrial Lands Study Update NAICS Codes
- Multimodal Accessibility (MAX) Index Summary Document

ACTION: Board, in its role as the Pinellas Planning Council, to approve the recommended additions to the Countywide Plan Appendix.

ADVISORY COMMITTEE RECOMMENDATION: At its February 5, 2024 meeting, the Planners Advisory Committee voted 12-0 to recommend approval of this update.



TEILS - Target Industries

NAICS	Descriptions	Target Industry
551114	Corporate, Subsidiary, and Regional Managing Offices	Business Services
561422	Telemarketing Bureaus and Other Contact Centers	Business Services
541611	Administrative Management and General Management Consulting Services	Business Services
561110	Office Administrative Services	Business Services
541690	Other Scientific and Technical Consulting Services	Business Services
541330	Engineering Services	Business Services
541990	All Other Professional, Scientific, and Technical Services	Business Services
541618	Other Management Consulting Services	Business Services
561330	Professional Employer Organizations	Business Services
541310	Architectural Services	Business Services
541214	Payroll Services	Business Services
541612	Human Resources Consulting Services	Business Services
561311	Employment Placement Agencies	Business Services
485320	Limousine Service	Business Services
485310	Taxi Service	Business Services
551112	Offices of Other Holding Companies	Business Services
541199	All Other Legal Services	Business Services
533110	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	Business Services
541614	Process, Physical Distribution, and Logistics Consulting Services	Business Services
541930	Translation and Interpretation Services	Business Services
541320	Landscape Architectural Services	Business Services
561210	Facilities Support Services	Business Services
561312	Executive Search Services	Business Services
541340	Drafting Services	Business Services
561421	Telephone Answering Services	Business Services
561920	Convention and Trade Show Organizers	Business Services
551111	Offices of Bank Holding Companies	Business Services
485999	All Other Transit and Ground Passenger Transportation	Business Services
532112	Passenger Car Leasing	Business Services
522293	International Trade Financing	Financial Services
522294	Secondary Market Financing	Financial Services
523130	Commodity Contracts Dealing	Financial Services
523140	Commodity Contracts Brokerage	Financial Services
523210	Securities and Commodity Exchanges	Financial Services
522320	Financial Transactions Processing, Reserve, and Clearinghouse Activities	Financial Services
524126	Direct Property and Casualty Insurance Carriers	Financial Services
523120	Securities Brokerage	Financial Services
522292	Real Estate Credit	Financial Services
524113	Direct Life Insurance Carriers	Financial Services
522310	Mortgage and Nonmortgage Loan Brokers	Financial Services
523930	Investment Advice	Financial Services
523920	Portfolio Management	Financial Services
522220	Sales Financing	Financial Services
524298	All Other Insurance Related Activities	Financial Services
524127	Direct Title Insurance Carriers	Financial Services
524291	Claims Adjusting	Financial Services
524128	Other Direct Insurance (except Life, Health, and Medical) Carriers	Financial Services
524114	Direct Health and Medical Insurance Carriers	Financial Services
522298	All Other Nondepository Credit Intermediation	Financial Services
523110	Investment Banking and Securities Dealing	Financial Services

523991	Trust, Fiduciary, and Custody Activities	Financial Services
561450	Credit Bureaus	Financial Services
523999	Miscellaneous Financial Investment Activities	Financial Services
523910	Miscellaneous Intermediation	Financial Services
522120	Savings Institutions	Financial Services
522390	Other Activities Related to Credit Intermediation	Financial Services
522291	Consumer Lending	Financial Services
522210	Credit Card Issuing	Financial Services
525990	Other Financial Vehicles	Financial Services
524130	Reinsurance Carriers	Financial Services
525910	Open-End Investment Funds	Financial Services
521110	Monetary Authorities-Central Bank	Financial Services
522190	Other Depository Credit Intermediation	Financial Services
	Computer and Computer Peripheral Equipment and Software	
423430	Merchant Wholesalers	Information Technology
541511	Custom Computer Programming Services	Information Technology
541512	Computer Systems Design Services	Information Technology
517311	Wired Telecommunications Carriers	Information Technology
518210	Data Processing, Hosting, and Related Services	Information Technology
511210	Software Publishers	Information Technology
541430	Graphic Design Services	Information Technology
519130	Internet Publishing and Broadcasting and Web Search Portals	Information Technology
541519	Other Computer Related Services	Information Technology
541513	Computer Facilities Management Services	Information Technology
811212	Computer and Office Machine Repair and Maintenance	Information Technology
517919	All Other Telecommunications	Information Technology
425110	Business to Business Electronic Markets	Information Technology
325414	Biological Product (except Diagnostic) Manufacturing	Medical Technology / Life & Marine Sciences
334514	Totalizing Fluid Meter and Counting Device Manufacturing	Medical Technology / Life & Marine Sciences
334516	Analytical Laboratory Instrument Manufacturing	Medical Technology / Life & Marine Sciences
325412	Pharmaceutical Preparation Manufacturing	Medical Technology / Life & Marine Sciences
339112	Surgical and Medical Instrument Manufacturing	Medical Technology / Life & Marine Sciences
339115	Ophthalmic Goods Manufacturing	Medical Technology / Life & Marine Sciences
326299	All Other Rubber Product Manufacturing	Medical Technology / Life & Marine Sciences
339113	Surgical Appliance and Supplies Manufacturing	Medical Technology / Life & Marine Sciences
541715	Research and Development in the Physical, Engineering, and Life Sciences (except Nanotechnology and Biotechnology)	Medical Technology / Life & Marine Sciences
334510	Electromedical and Electrotherapeutic Apparatus Manufacturing	Medical Technology / Life & Marine Sciences
541714	Research and Development in Biotechnology (except Nanobiotechnology)	Medical Technology / Life & Marine Sciences
333314	Optical Instrument and Lens Manufacturing	Medical Technology / Life & Marine Sciences
326291	Rubber Product Manufacturing for Mechanical Use	Medical Technology / Life & Marine Sciences
325411	Medicinal and Botanical Manufacturing	Medical Technology / Life & Marine Sciences
339114	Dental Equipment and Supplies Manufacturing	Medical Technology / Life & Marine Sciences
334519	Other Measuring and Controlling Device Manufacturing	Medical Technology / Life & Marine Sciences
334517	Irradiation Apparatus Manufacturing	Medical Technology / Life & Marine Sciences
541713	Research and Development in Nanotechnology	Medical Technology / Life & Marine Sciences
339991	Gasket, Packing, and Sealing Device Manufacturing	Medical Technology / Life & Marine Sciences
325413	In-Vitro Diagnostic Substance Manufacturing	Medical Technology / Life & Marine Sciences
336411	Aircraft Manufacturing	Aviation / Aerospace / Defense
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	Aviation / Aerospace / Defense
336414	Guided Missile and Space Vehicle Manufacturing	Aviation / Aerospace / Defense
335931	Current-Carrying Wiring Device Manufacturing	Aviation / Aerospace / Defense
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers	Aviation / Aerospace / Defense
336413	Other Aircraft Parts and Auxiliary Equipment Manufacturing	Aviation / Aerospace / Defense
335999	All Other Miscellaneous Electrical Equipment and Component Manufacturing	Aviation / Aerospace / Defense
334290	Other Communications Equipment Manufacturing	Aviation / Aerospace / Defense
336412	Aircraft Engine and Engine Parts Manufacturing	Aviation / Aerospace / Defense

336415	Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing	Aviation / Aerospace / Defense
336419	Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing	Aviation / Aerospace / Defense
517410	Satellite Telecommunications	Aviation / Aerospace / Defense
332993	Ammunition (except Small Arms) Manufacturing	Aviation / Aerospace / Defense
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing	Aviation / Aerospace / Defense
336992	Military Armored Vehicle, Tank, and Tank Component Manufacturing	Aviation / Aerospace / Defense
334112	Computer Storage Device Manufacturing	Microelectronics
334515	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals	Microelectronics
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing	Microelectronics
334412	Bare Printed Circuit Board Manufacturing	Microelectronics
334111	Electronic Computer Manufacturing	Microelectronics
423690	Other Electronic Parts and Equipment Merchant Wholesalers	Microelectronics
334419	Other Electronic Component Manufacturing	Microelectronics
334418	Printed Circuit Assembly (Electronic Assembly) Manufacturing	Microelectronics
335314	Relay and Industrial Control Manufacturing	Microelectronics
334413	Semiconductor and Related Device Manufacturing	Microelectronics
334417	Electronic Connector Manufacturing	Microelectronics
333242	Semiconductor Machinery Manufacturing	Microelectronics
334416	Capacitor, Resistor, Coil, Transformer, and Other Inductor Manufacturing	Microelectronics
334118	Computer Terminal and Other Computer Peripheral Equipment Manufacturing	Microelectronics
335921	Fiber Optic Cable Manufacturing	Microelectronics
325211	Plastics Material and Resin Manufacturing	Microelectronics
334613	Blank Magnetic and Optical Recording Media Manufacturing	Microelectronics
519110	News Syndicates	Marketing, Design, and Publishing
541830	Media Buying Agencies	Marketing, Design, and Publishing
541613	Marketing Consulting Services	Marketing, Design, and Publishing
541910	Marketing Research and Public Opinion Polling	Marketing, Design, and Publishing
541890	Other Services Related to Advertising	Marketing, Design, and Publishing
541810	Advertising Agencies	Marketing, Design, and Publishing
541860	Direct Mail Advertising	Marketing, Design, and Publishing
541410	Interior Design Services	Marketing, Design, and Publishing
511120	Periodical Publishers	Marketing, Design, and Publishing
519120	Libraries and Archives	Marketing, Design, and Publishing
519190	All Other Information Services	Marketing, Design, and Publishing
541850	Outdoor Advertising	Marketing, Design, and Publishing
541870	Advertising Material Distribution Services	Marketing, Design, and Publishing
541820	Public Relations Agencies	Marketing, Design, and Publishing
541490	Other Specialized Design Services	Marketing, Design, and Publishing
511130	Book Publishers	Marketing, Design, and Publishing
541840	Media Representatives	Marketing, Design, and Publishing
541420	Industrial Design Services	Marketing, Design, and Publishing
511140	Directory and Mailing List Publishers	Marketing, Design, and Publishing
511199	All Other Publishers	Marketing, Design, and Publishing

Multimodal Accessibility Index (MAX) Overview

The Multimodal Accessibility Index, or MAX Index, is a GIS-based alternative to traditional roadway level of service (LOS) that was developed in partnership with members of the Forward Pinellas Planners Advisory Committee (PAC) and Technical Coordinating Committee (TCC). This approach considers various multimodal performance criteria beyond vehicular travel conditions and is more appropriate for an urban, redeveloping county.

The MAX Index works by breaking Pinellas County into quarter-mile grid cells and scores each grid cell based on the number of facilities in each grid cell multiplied by the number of points awarded for each facility type. For example, if a grid cell has two trail access locations and four transit access locations, it will receive a 10.0 MAX score (2 x 3 points for trail access + 4 x 1 point for transit access). Furthermore, the MAX Index considers proximity, awarding points to grid cells that are near features, even if the feature itself is in a neighboring cell. This ensures that features within a reasonable travel shed are still accounted for even though they do not receive as many points as they would if they were directly in a cell. Facilities that are awarded points and their associated point weights are listed below:

Scoring Criteria	Points
Walkability Score at the Countywide Average or Better	2
Separated Bike Lane	3
Sharrow	1
Micromobility Access (Bike Share, Scooters, Etc.)	1
Trail Access	3
TIP Funded Improvements	1
Bus Rapid Transit	3
Bus Headways of 30 Minutes or Less	3
Transit Access (Bus Stop)	1
Level of Service (LOS) D or Better	1.5
Volume/Capacity (V/C) at the Countywide Average or Better	1.5

Proposed changes to the Countywide Plan must meet the countywide average MAX Score. Additional balancing criteria may be applied to those proposed amendments that do not meet the countywide average MAX score as outlined in section 6.5.5.2 of the Countywide Rules. In the instance where a proposed amendment intersects multiple parcels, the average score of those parcels will be considered the MAX score for the amendment area. Proposed improvements for deficient grid cells are not required to bring the deficient grid cell up to the countywide average, they only need to improve the overall score of the deficient grid cell.

MAX Index Countywide Average as of January 1, 2024: 9.7

[Link to MAX Index Search by Address Tool](#)

February 14, 2024

**6A. Proposed Amendment(s) to the FY 2023/24-2027/28
Transportation Improvement Program (TIP)**

SUMMARY

The Florida Department of Transportation (FDOT) is requesting that Forward Pinellas, in its role as the metropolitan planning organization, approve an amendment to the Transportation Improvement Program (TIP). This amendment will not affect any other projects in the TIP.

FPN 452125-1, SR 586/Curlew Road from East of Landmark Drive to Tampa Road:

This amendment is to change the limits of the project. As the project has been progressing, FDOT decided that the western limit of the project should be moved east by 0.385 miles, decreasing the total project length to 1.088 miles instead of the original 1.473 miles. For the project to continue to receive funding, the project limits in the TIP must match the project exactly, triggering this amendment.

ATTACHMENT(S):

- 452125-1 STIP Page
- 452125-1 TIP Table

ACTION: Board, in its role as the metropolitan planning organization, to approve the TIP Amendment(s).

ADVISORY COMMITTEE RECOMMENDATION(S): The Technical Coordinating Committee met on January 24, 2024 and voted unanimously to recommend approval of the TIP Amendment(s). The Citizens Advisory Committee met on January 25, 2024 and voted unanimously to recommend approval of the TIP Amendment(s).

The preparation of this report has been financed in part through grant[s] from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the State Planning and Research Program, Section 505 [or Metropolitan Planning Program, Section 104(f)] of Title 23, U.S. Code.

The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

Transportation Improvement Program Amendment
 FY2023/24 - 2027 /28
 ** This STIP is in an MPO Area **

STIP Amendment Number:

TIP Page Number: Attached

On **Wednesday, February 14, 2024**, the **Forward Pinellas** Metropolitan Planning Organization amended the Transportation Improvement Program that was developed and adopted in compliance with Title 23 and Title 49 in a continuing, cooperative and comprehensive transportation planning process as a condition to the receipt of federal assistance. By signature below, the MPO representative certifies that the TIP amendment was adopted by the MPO Board as documented in the supporting attachments. **This amendment will be subsequently incorporated into the MPOs TIP for public disclosure.**

The amendment does not adversely impact the air quality conformity or financial constraints of the STIP.

The STIP Amendment is consistent with the Adopted Long Range Transportation Plan. (Page Number: **TBD**)

This document has not been approved

Metropolitan Planning Organization Chairman or Designee
Forward Pinellas

This document has not been approved

Federal Aid Management Manager or Designee

This document has not been approved

FDOT District Representative or Designee District **07**

This document has not been approved

Federal Authorization

STIP amendment criteria:

G - Major Scope Change due to Termini Change

An air conformity determination must be made by the MPO on amended projects within the non-attainment or maintenance areas

E - The MPO is not in an air quality non-attainment or maintenance area.

This project is not subject to the requirements of 23 CFR 667, where repair and reconstruction was required from two or more permanent emergency events at this location.

Project Name 452125-1: SR 586/CURLEW RD FROM EAST OF LANDMARK DR TO TAMPA RD

Status	ITEM	Ver	Description	< FY 2024	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	> FY 2028	All Years
Original STIP	452125 1	AD	SR 586/CURLEW RD FROM COUNTRYSIDE BLVD TO TAMPA RD HARDIE PIPE REPLACEMENT MANAGED BY FDOT								
		DDR PE		876,778	300	0	0	0	0	0	877,078
		DIH PE		5,287	713	0	0	0	0	0	6,000
		DS PE		9,142	0	0	0	0	0	0	9,142
		ACPR CST		0	6,700,000	0	0	0	0	0	6,700,000
		DDR CST		0	1,648,942	0	0	0	0	0	1,648,942
		DIH CST		0	80,400	0	0	0	0	0	80,400
Proposed Project	452125 1	AM	SR 586/CURLEW RD FROM COUNTRYSIDE BLVD TO TAMPA RD HARDIE PIPE REPLACEMENT MANAGED BY FDOT								
		DDR PE		877,411	68,373	0	0	0	0	0	945,784
		DIH PE		5,894	5,013	0	0	0	0	0	10,907
		DS PE		14,653	0	0	0	0	0	0	14,653
		ACPR CST		0	7,370,000	0	0	0	0	0	7,370,000
		DDR CST		0	978,942	0	0	0	0	0	978,942
		DIH CST		0	80,400	0	0	0	0	0	80,400
Funding Source After Change	190437 2	AD	PROTECT GRANT PROGRAM MANAGED BY FDOT *SIS*								
		ACPR CST		0	6,943,706	0	2,484,847	3,020,447	5,000,000	79,380,573	96,829,573
	254479 1	AD	INHOUSE CONTINGENCY MANAGED BY FDOT								
		DIH CST		0	1,384,176	253,399	1,312,753	2,916,635	3,105,474	0	8,972,437
	254488 5	AD	STATE HIGHWAY CONSTRUCTION CONTINGENCY MANAGED BY FDOT								
		DDR CST		0	482,042	503,252	280,728	209,785	133,488	0	1,609,295
	254572 1	AD	CEI CONSTRUCTION CONTINGENCY DISTRICT WIDE, PHASE 62 MANAGED BY FDOT								
		DDR CST		0	221,653	1,500,000	83,257	352,816	1,000,000	0	3,157,726
Funding Source Balance Before Change				6,751	9,103,950	2,256,651	4,161,585	6,499,683	9,238,962	79,380,573	110,648,155
Funding Source Balance After Change					9,031,577	2,256,651	4,161,585	6,499,683	9,238,962	79,380,573	110,569,031
Net Change to Funding Source				-6,751	-72,373						-79,124
Proposed Project Before Change				891,207	8,430,355						9,321,562
Proposed Project After Change				897,958	8,502,728						9,400,686
Net Change to Project				6,751	72,373						79,124
Net Change to Funding Source				-6,751	-72,373						-79,124
Net Change to Proposed Project				6,751	72,373						79,124
Net Change to STIP											

Notes:

STIP Added on: 12/14/2023; By: Kelsey Olinger; Of: FI DOT
 STIP Updated on: 12/14/2023; By: Kelsey Olinger; Of: FI DOT

The development of this application has been financed in part through grant[s] from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the State Planning and Research Program, Section 505 [or Metropolitan Planning Program, Section 104(f)] of Title 23, U.S. Code. The reports generated from this application do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

February 14, 2024

6B1. Case CW 24-04 Pinellas County



SUMMARY

From: Office and Preservation
To: Public/Semi-Public
Area: 3.4 acres m.o.l.
Location: 3720 and 3730 Tampa Road
Jurisdiction: Pinellas County

RECOMMENDATION

Pinellas Planning Council staff recommends that the proposed map amendment to Public/Semi-Public, be approved.

BACKGROUND

This proposed amendment is submitted by Pinellas County to amend a property from Office and Preservation to Public/Semi-Public. The current Office category is intended accommodate areas developed, or appropriate to be developed, with office uses, low-impact employment uses, and residential uses (subject to an acreage threshold), in areas characterized by a transition between residential and commercial uses and in areas well-suited for community-scale residential/office mixed-use development.

The current Preservation category is intended to recognize natural resource features worthy of preservation and those areas of the county that are now used, or are appropriate to be used, for the conservation, production, and management of the regional potable water supply and the supporting infrastructure, consistent with the natural resources of the area.

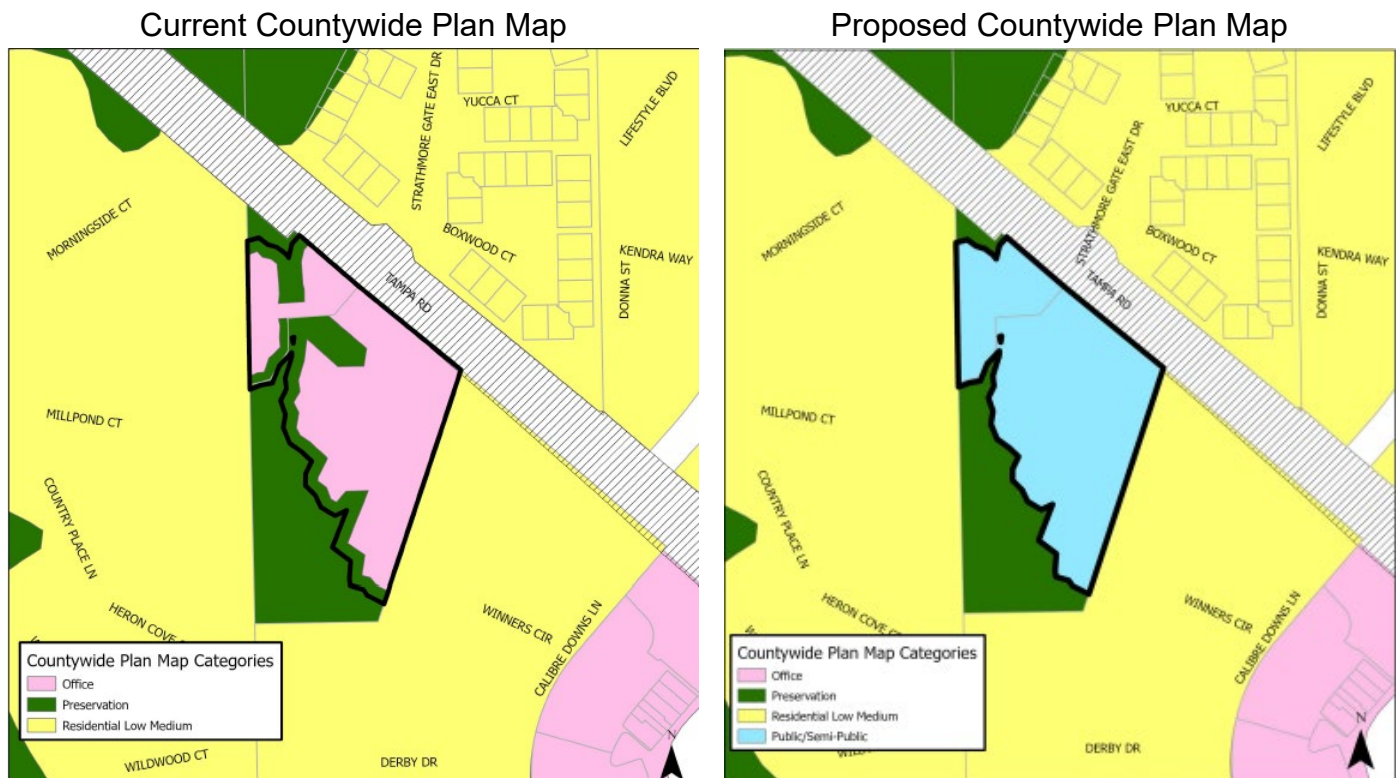
The proposed Public/Semi-Public category is intended to recognize institutional and transportation/utility uses that serve the community or region, especially larger facilities having acreage exceeding the thresholds established in other plan categories, and which are consistent with the need, character, and scale of such uses relative to the surrounding uses, transportation facilities, and natural resource features.

The applicant is seeking a land use change on the 3.4-acre portion of the properties located at 3720 and 3730 Tampa Road in Palm Harbor. The parcels currently contain a beauty salon and an office. The applicant desires to have the ability to construct additional building square footage, which would require a local future land use map amendment to a category that allows a higher floor area ratio as well as the termination of the 2014 deed restrictions. This proposed amendment to the Countywide Plan Map would result in a maximum floor area ratio of 0.65. This would allow up to 23,314 square feet of building area. It is important to note that the subject property is further and more specifically regulated by a

development agreement and deed restriction. Therefore, regardless of the future land use designation, there are additional limitations governing the property.

Additionally, there is a new Development Agreement proposed that requires a new deed restriction, at the time of site redevelopment, that would reflect the updated maximum building area limitation.

The subject property is surrounded by environmentally sensitive areas and residential uses and is located along a designated Scenic/Non-Commercial Corridor. Public/Semi-Public uses are common and consistent along the applicable Residential Scenic/Non-Commercial Corridor category.



FINDINGS

Staff submits the following findings in support of the preliminary recommendation:

- A. The Public/Semi-Public category is appropriate for the proposed use of the property and is consistent with the criteria for utilization of this category.
- B. The MAX Index score for the subject property's grid cell is 4.5, which is below the countywide average score of 9.7. However, the Countywide Rules allow for the consideration of other factors when determining if the requested amendment meets the relevant Countywide Considerations. Forward Pinellas considered other multimodal and development potential factors and determined support is warranted for the proposed amendment.
- C. The proposed amendment either does not involve, or will not significantly impact, the remaining relevant countywide considerations.

Please see accompanying attachments in explanation and support of these findings.

LIST OF MAPS & ATTACHMENTS:

- Map 1 Location Map
- Map 2 Jurisdictional Map
- Map 3 Aerial Map
- Map 4 Current Countywide Plan Map
- Map 5 Proposed Countywide Plan Map

Forward Pinellas Staff Analysis
[Presentation](#)

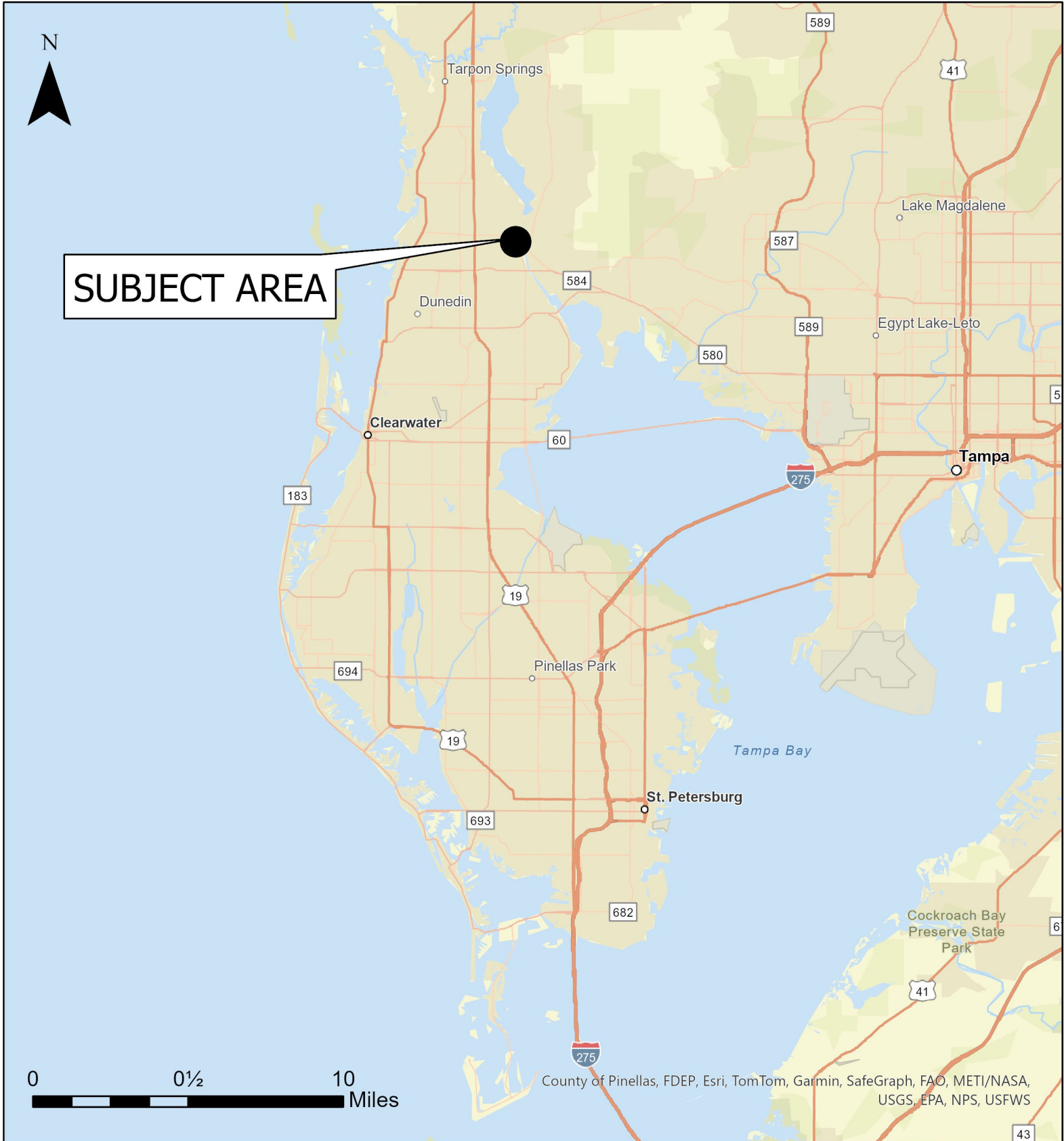
MEETING DATES:

Planners Advisory Committee, February 5, 2024, at 1:30 p.m.
Forward Pinellas, February 14, 2024, at 1:00 p.m.
Countywide Planning Authority, March 5, 2024, at 9:30 a.m.

ADVISORY COMMITTEE RECOMMENDATION: At its February 5, 2024 meeting, the Planners Advisory Committee voted 13-0 to recommend approval of this amendment.

Case CW24-04

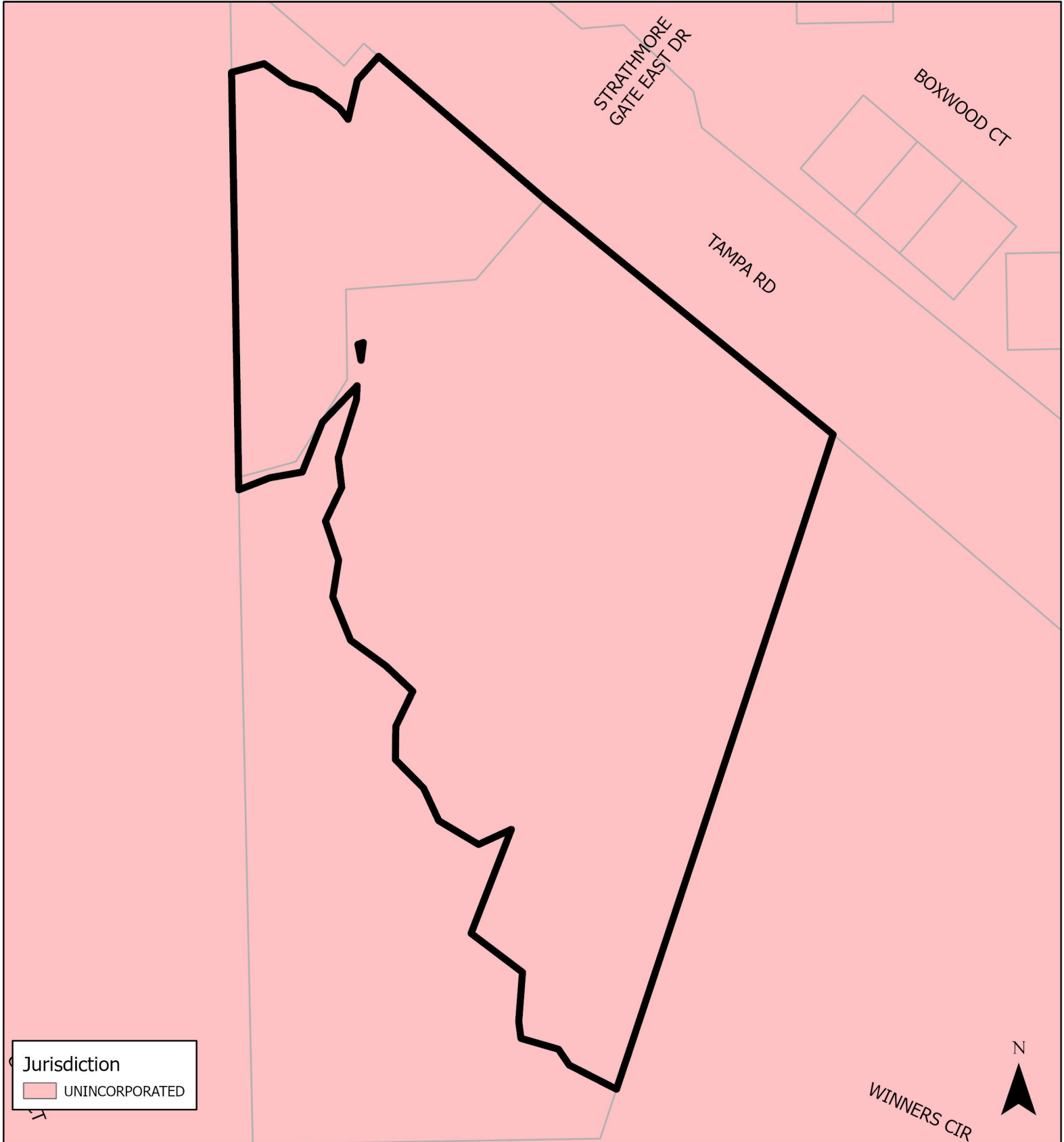
Map 1: Location Map



JURISDICTION: Pinellas County **FROM: Preservation & Office**
AREA: 3.4 acres m.o.l. **TO: Public/Semi-Public**

Case CW24-04

Map 2: Jurisdictional Map

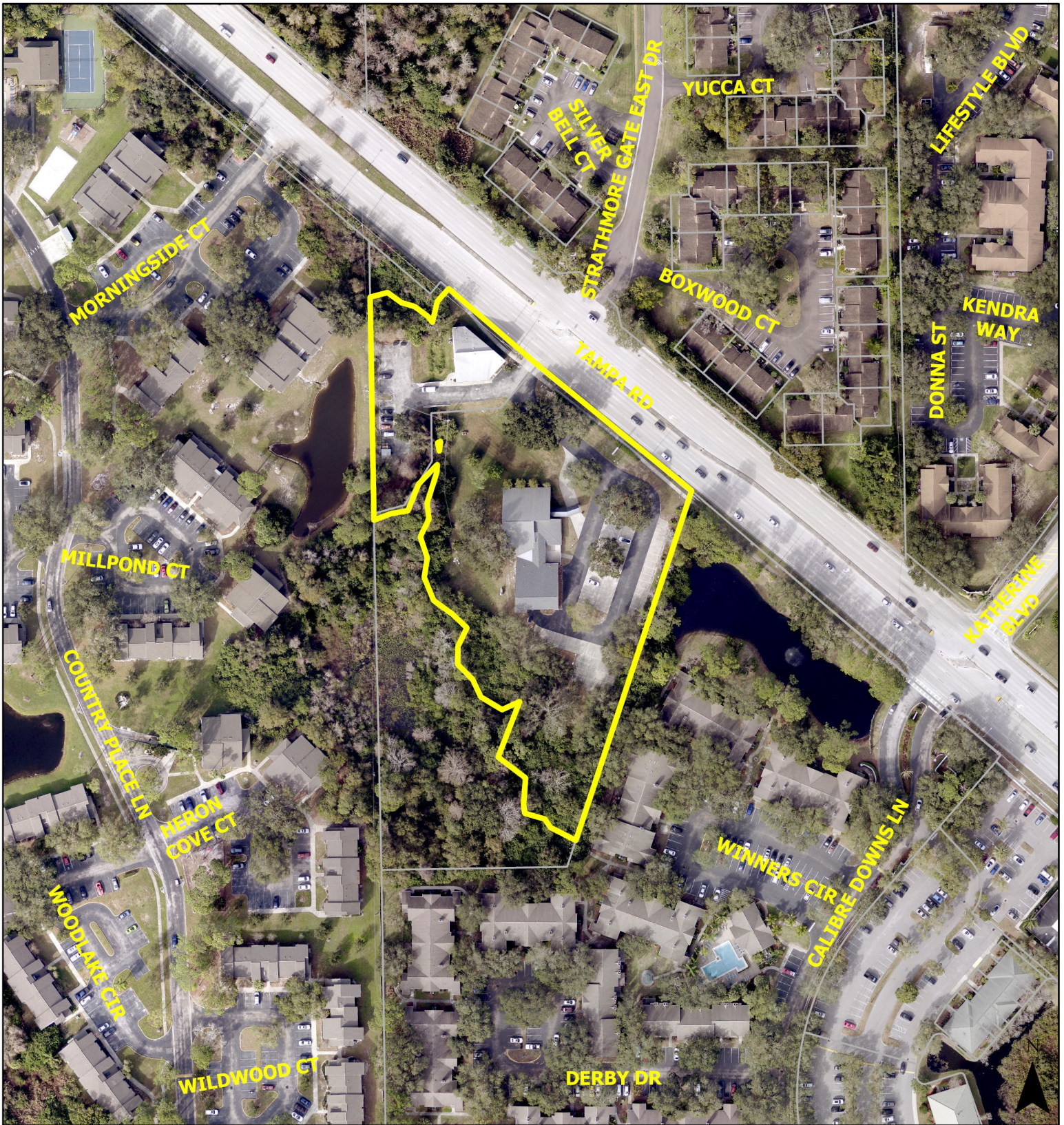


JURISDICTION: Pinellas County **FROM:** Preservation & Office
AREA: 3.4 acres m.o.l. **TO:** Public/Semi-Public



Case CW24-04

Map 3: Aerial Map

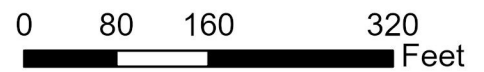


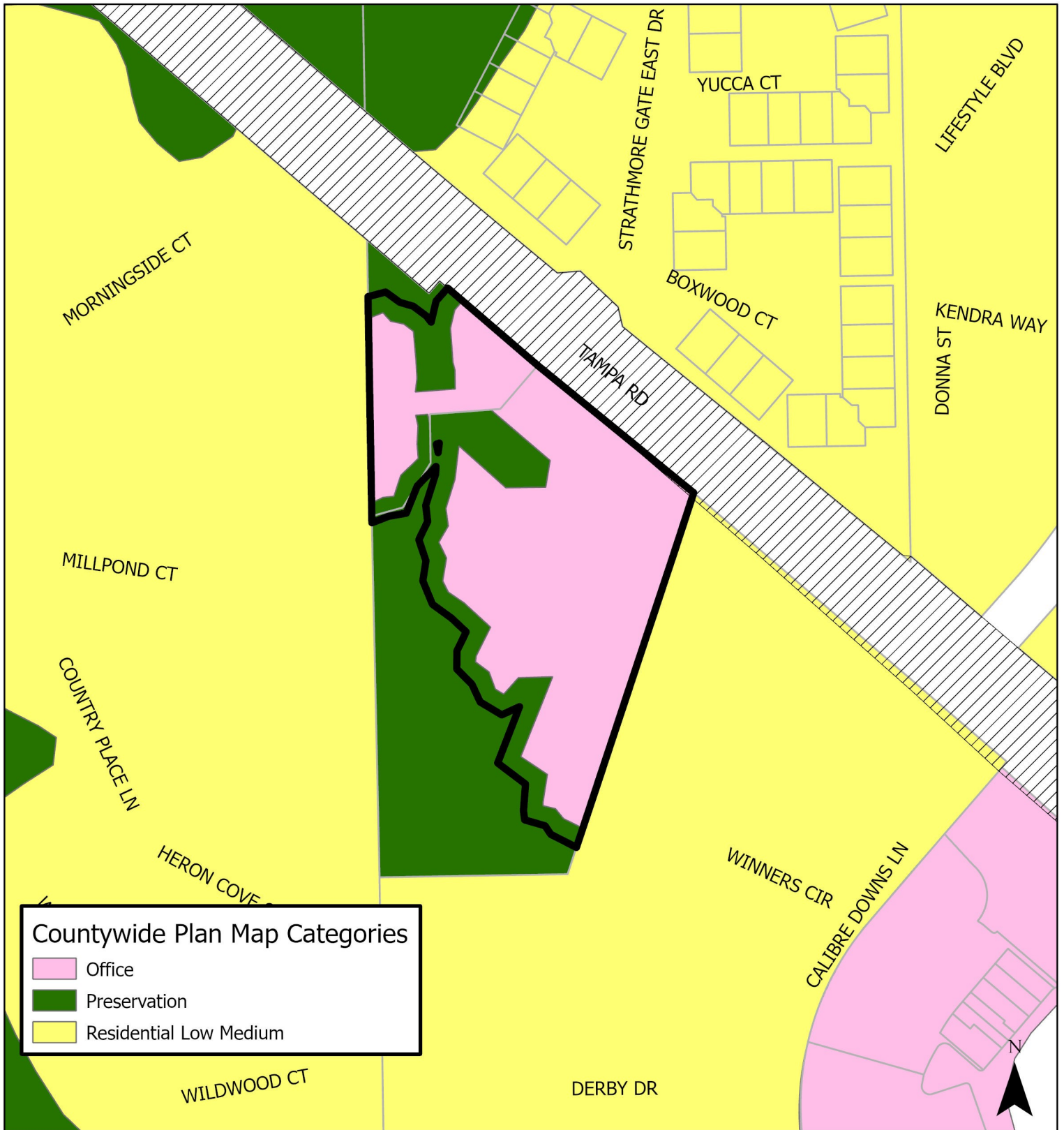
JURISDICTION: Pinellas County

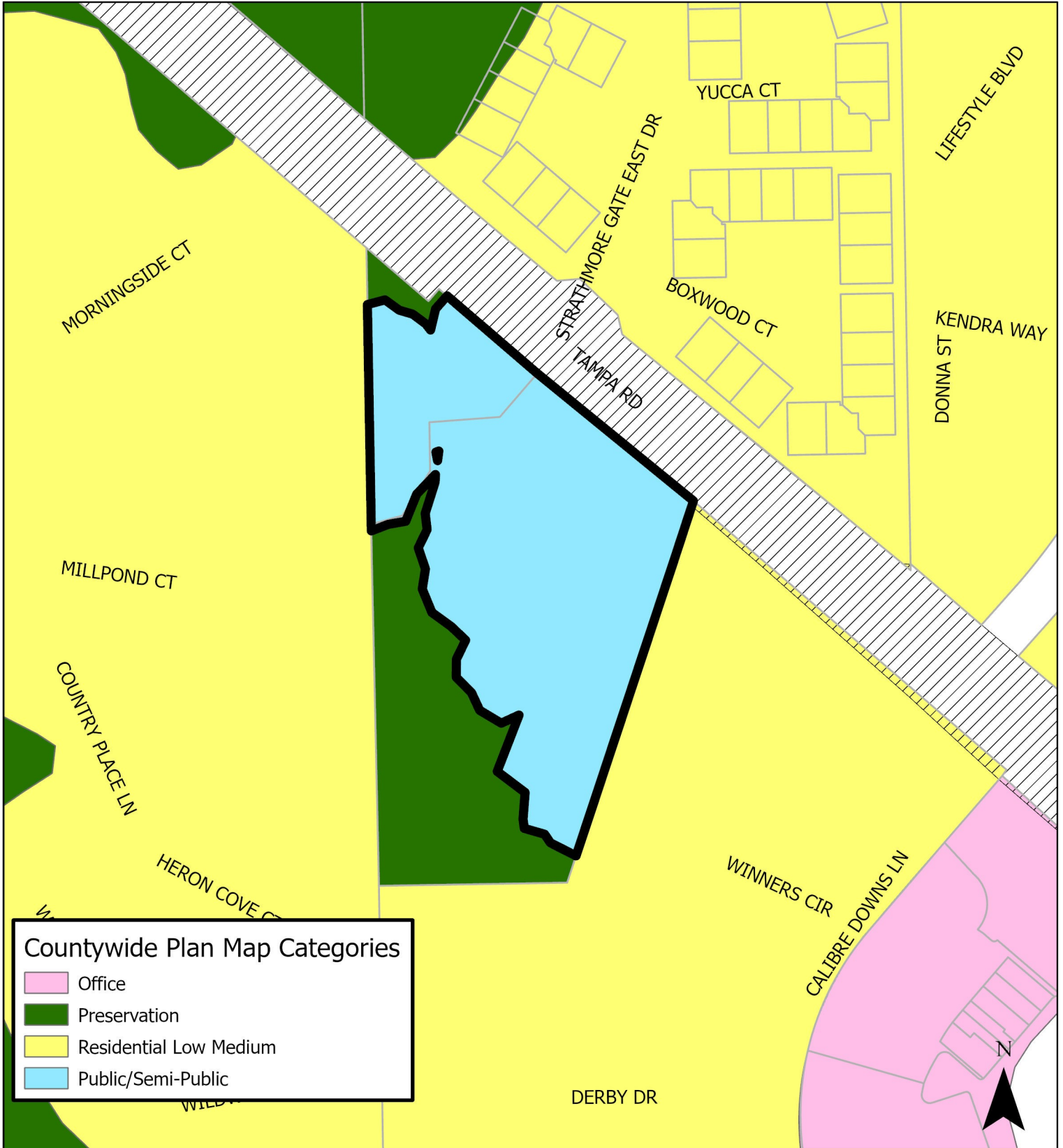
FROM: Preservation & Office

AREA: 3.4 acres m.o.l.

TO: Public/Semi-Public





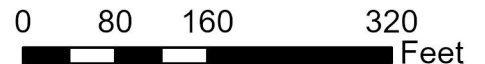


JURISDICTION: Pinellas County

FROM: Preservation & Office

AREA: 3.4 acres m.o.l.

TO: Public / Semi Public



FORWARD PINELLAS STAFF ANALYSIS



APPLICATION NO.:	Case CW 24-04
STAFF:	Emma Wennick, Program Planner
APPLICANT:	Pinellas County
PROPERTY SIZE:	3.4 acres m.o.l.
CURRENT COUNTYWIDE PLAN MAP CATEGORY:	Office and Preservation
PROPOSED COUNTYWIDE PLAN MAP CATEGORY:	Public/Semi-Public
CURRENT LOCAL FUTURE LAND USE PLAN MAP CATEGORY:	Pinellas County – Residential/Office General
PROPOSED LOCAL FUTURE LAND USE PLAN MAP CATEGORY:	Pinellas County – Institutional
LOCATION / PARCEL ID:	Upland portions of parcel numbers 08-28-16-47437-000-0010 & 08-28-16-47437-000-0020

BACKGROUND SUMMARY:

The applicant is requesting an amendment to the Countywide Plan Map from Office and Preservation to Public/Semi-Public on approximately 3.4 acres located at 3720 and 3730 Tampa Road.

STAFF RECOMMENDATION:

Staff recommends approval of an amendment to the Countywide Plan Map from Office and Preservation to Public/Semi-Public.

PLANNERS ADVISORY COMMITTEE RECOMMENDATION:

The Planners Advisory Committee met on February 5, 2024 and voted unanimously (13-0) in favor of approval.

LOCAL GOVERNMENT COUNCIL/COMMISSION ACTION:

The Pinellas County Board of County Commissioners held a public hearing on the local future land use map amendment on December 12, 2023. The Board approved the first reading with a

vote of 7-0 and there were no public comments.

CURRENT PROPERTY INFORMATION:

Property Use(s):	Beauty salon and small medical office
Site Features:	The subject property consists of the upland portion of two adjacent parcels that total approximately 3.4 acres located at 3720 and 3730 Tampa Road

PLANNING CONSIDERATIONS:

When considering this application, the following general site conditions, planning concepts, and other facts should be noted:

1. The site was originally developed as a church and was part of a larger 1980s era master planned development that included part of the surrounding residential area.
2. As part of the master plan, 76% of the development rights were transferred off the subject property and utilized elsewhere. As a result, only 24% of the otherwise maximum development potential is available.
3. The applicant desires to have the ability to construct additional building square footage, which requires a future land use map amendment to a category that allows a higher floor area ratio as well as the termination of the 2014 deed restrictions.

RELEVANT COUNTYWIDE CONSIDERATIONS:

The proposed amendment to the Countywide Plan Map is a legislative decision. The standards for the current and proposed Countywide Plan Map categories are summarized below:

	Current Countywide Plan Map Category: Office	Current Countywide Plan Map Category: Preservation	Proposed Countywide Plan Map Category: Public/Semi-Public
Purpose:	Intended accommodate areas developed, or appropriate to be developed, with office uses, low-impact employment uses, and residential uses (subject to an	Intended to recognize natural resource features worthy of preservation and those areas of the county that are now used,	Intended to recognize institutional, and transportation/utility uses that serve the community or region, especially larger facilities having

	<p>acreage threshold), in areas characterized by a transition between residential and commercial uses and in areas well-suited for community-scale residential/office mixed-use development.</p>	<p>or are appropriate to be used, for the conservation, production, and management of the regional potable water supply and the supporting infrastructure, consistent with the natural resources of the area.</p>	<p>acreage exceeding the thresholds established in other plan categories, which are consistent with the need, character, and scale of such uses relative to the surrounding uses, transportation facilities, and natural resource features, and may include residential as part of the mix of uses.</p>
<p>Permitted Uses:</p>	<p>Office; Personal Service/Office Support; Residential Equivalent; Research/Development-Light; Public Educational Facility; Recreation/Open Space; Community Garden; Agricultural-Light.</p> <p>Ancillary Nonresidential; Transportation/Utility; Manufacturing-Light are subject to a three-acre maximum.</p> <p>Residential; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Institutional (except Public Educational Facilities which are not subject to this threshold, pursuant to the provisions of Section 6.5.4.2). are subject to a five-acre maximum.</p>	<p>Preservation; Environmental Education/Research; Wellfield Protection, and Groundwater Monitoring and Recharge; Resource-Based Recreation; Replacement/Repair of Water Infrastructure; Site Alterations as Permitted by a Management Plan Approved by a Local Government</p> <p>Uses subject to requirements per the local government management plan: Wellfield Development; Water Supply Infrastructure and Facilities</p>	<p>Institutional; Transportation/Utility; Residential; Residential Equivalent; Vacation Rental pursuant to the provisions of Section 509.242(1)(c), Florida Statutes; Storage/Warehouse/Distribution-Light; Storage/Warehouse/Distribution-Heavy; Recreation/Open Space; Community Garden; Agricultural-Light; Ancillary Nonresidential.</p>
<p>Max. Density:</p>	<p>15 units per acre</p>	<p>N/A</p>	<p>12.5 units per acre</p>
<p>Max. Floor Area Ratio (FAR):</p>	<p>0.50</p>	<p>Nonresidential Use: Shall not exceed a floor area ratio (FAR) of .10</p> <p>No public water supply use shall exceed an FAR of .25</p>	<p>Institutional uses shall not exceed 0.65 (except for hospital uses which shall not exceed an FAR of 1.0 within any single jurisdiction) / Transportation/utility uses shall not exceed an FAR of 0.70</p>
<p>Max. Impervious Surface</p>	<p>0.75</p>	<p>Nonresidential Use: - Shall not exceed an impervious surface ratio (ISR) of .20.</p>	<p>Institutional uses shall not exceed 0.85 / Transportation/utility uses shall not exceed 0.90</p>

Ratio (ISR):		No public water supply use shall exceed an ISR of .50.	
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Section 6.5.3. of the Countywide Rules provides the review criteria for amendments to the Countywide Plan Map. An analysis of these criteria are provided below:

1. The manner in, and extent to, which the amendment is consistent with the Countywide Rules and with the Countywide Plan Strategies as implemented through the Countywide Rules.

Staff Analysis: The Countywide Rules state that the Public/Semi-Public category is “intended to recognize institutional, and transportation/utility uses that serve the community or region, especially larger facilities having acreage exceeding the thresholds established in other plan categories, which are consistent with the need, character, and scale of such uses relative to the surrounding uses, transportation facilities, and natural resource features, and may include residential as part of the mix of uses.”

The locational characteristics of the Public/Semi-Public category are “generally appropriate to those locations where institutional uses (such as educational, health, public safety, civic, religious and like uses) and transportation/utility uses (such as air and sea transport terminals, utility installations, major transmission lines, refuse disposal, and public works facilities) are required to serve the community; and to recognize the special needs of these uses relative to their relationship with surrounding uses and transportation access.”

The applicant desires to have the ability to construct additional building square footage, which would require a local future land use map amendment to a category that allows a higher floor area ratio as well as the termination of the 2014 deed restrictions. This proposed amendment has resulted in an amendment to the Countywide Plan Map, which would result in a maximum floor area ratio of 0.65. This would allow up to 23,314 square feet of building area. It is important to note that the subject property is further and more specifically regulated by a development agreement and deed restriction.

Therefore, regardless of the land use designation, there are additional limitations governing the property. Additionally, there is a new Development Agreement proposed that requires a new deed restriction, at the time of site redevelopment, that would reflect the updated maximum building area limitation.

Environmentally sensitive wetlands and conservation easements border much of the amendment area, beyond which is residential development to the south, east and west. In terms of land use, the wetlands are designated Preservation.

2. Forward Pinellas has developed a multimodal accessibility index (MAX index). Proposed amendments must maintain a MAX index score equal to or better than the Countywide Average MAX score. The Current Countywide Average MAX score

is 9.7; if that score is not reached, balancing criteria will be required. An amendment adopting or amending the Activity Center (AC), Multimodal Corridor (MMC) or Planned Redevelopment District (PRD) categories and affecting fewer than 10 acres shall be subject to the MAX index.

Staff Analysis: The MAX Index score for the subject property's grid cell is 4.5, which is below the countywide average score of 9.7. However, the Countywide Rules allow for the consideration of other factors when determining if the requested amendment meets the relevant Countywide Considerations.

In this instance, the following additional factors are relevant to the multimodal characteristics of the area:

- FY 2023/24-2027/28 Transportation Improvement Program (TIP) includes a trail construction project in 2025 that's located in the adjacent grid cell to the east
- Tampa Road has a vehicular Level of Service grade of "C"
- Tampa Road has a volume-to-capacity ratio of 0.712
- Development Agreement reduces the maximum intensity of development on the site from 93,437 square feet to 23,314 square feet
- Deed restriction must be recorded on the property prior to the approval of a site plan or issuance of a development permit

For these reasons, Forward Pinellas has determined that the proposed Countywide Plan Map amendment satisfies this consideration.

- 3. If located within a Scenic/Noncommercial Corridor, the manner in, and extent to, which the amendment conforms to the criteria and standards contained in Section 6.5.4.1 of these Countywide Rules.**

Staff Analysis: Tampa Road in this location is a designated Scenic/Non-Commercial Corridor and further classified as a Residential Corridor. No specific redevelopment project is proposed at this time. However, the applicant stated that the property owner commits to redeveloping the property with land uses that preserve the scenic nature of the area and traffic capacity of the roadway.

- 4. If located within a Coastal High Hazard Area, the manner in, and extent to, which the amendment conforms to the terms set forth in Section 4.2.7.**

Staff Analysis: The amendment area is not located within the Coastal High Hazard Area.

- 5. If the amendment involves the creation, expansion, contraction of, or substantive change to the Activity Center, Multimodal Corridor, or Planned Redevelopment District category, the manner in, and extent to, which the amendment conforms to the purpose and requirements of the applicable category, and addresses the relevant Planning and Urban Design Principles described in Section 6.2.6 and Land Use Goal 16.0 of the Countywide Plan Strategies.**

Staff Analysis: The amendment area does not involve the creation, expansion, contraction of, or substantive change to the Activity Center, Multimodal Corridor, or Planned Redevelopment District category.

6. The manner in, and extent to, which the amendment significantly impacts a public educational facility or an adjoining jurisdiction.

Staff Analysis: The amendment area is not located adjacent to an adjoining jurisdiction and if approved, the amendment would not significantly impact a public educational facility.

7. If the amendment involves the conversion from the Employment (E), Industrial (I), or Target Employment Center (TEC) category, the extent to which the amendment area can continue to provide for target employment opportunities as evaluated and set forth in Section 6.5.4.5.

Staff Analysis: The amendment area does not involve the conversion of Employment, Industrial, or Target Employment Center designated land.

PUBLIC CORRESPONDENCE

The proposed Countywide Plan Map amendment was publicly advertised as required by Section 7.8.4. of the Countywide Rules. No public correspondence has been received to date.

CONCLUSION

Staff finds the proposed amendment is consistent with the Relevant Countywide Considerations found in Section 6.5.3.1 of the Countywide Rules.

February 14, 2024

6B2. Case CW 24-05 City of Tarpon Springs



SUMMARY

The City of Tarpon Springs has requested this case be continued to the March Planners Advisory Committee and Forward Pinellas Board meetings.

ATTACHMENT(S): Email from the Planning Director for the City of Tarpon Springs requesting a continuance.

ADVISORY COMMITTEE RECOMMENDATION(S): At its February 5, 2024 meeting, the Planners Advisory Committee voted 13-0 to recommend continuance this amendment.

From: Renea Vincent <rvincent@ctsfl.us>
Sent: Monday, February 5, 2024 9:52 AM
To: Chatman, Rodney S <rschatman@forwardpinellas.org>
Cc: Patricia McNeese <pmcneese@ctsfl.us>; Allie Keen <AKeen@ctsfl.us>
Subject: CW 24-05 City of Tarpon Springs

CAUTION: *This message has originated from outside of the organization. Do not click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.*

Rodney,

Please defer this item to March 2024 PAC agenda.

Thank you!

Renea Vincent, AICP, CPM

Planning Director

City of Tarpon Springs

727-942-5611

Mission: *To protect, preserve, and enrich the heritage, traditions, and independence of the city through quality services and a commitment to excellence.*

Vision: *An inclusive and prosperous community guided by our history, traditions, and natural environment.*

February 14, 2024

7A. PSTA Activities Report



SUMMARY

This item includes a report from the board member representing the Pinellas Suncoast Transit Authority (PSTA). This report will provide an opportunity for the PSTA representative to share information concerning planning initiatives, partnerships and collaboration and other relevant matters with the board.

ATTACHMENT(S): None

ACTION: None required; informational item only.

February 14, 2024

7B. Regional Activities Report



SUMMARY

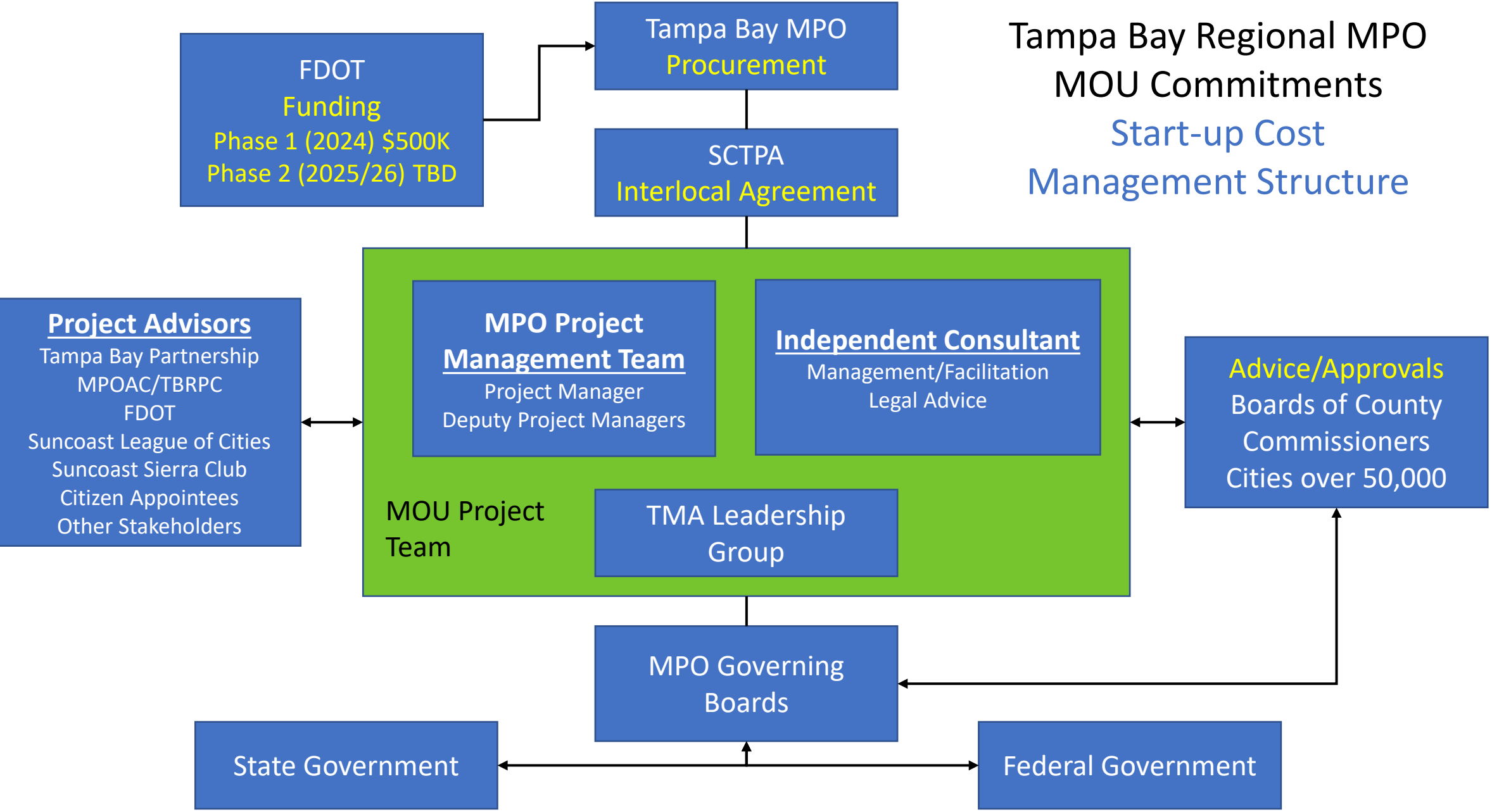
This report will include any relevant information or action items to share with the board from the Sun Coast Transportation Planning Alliance and its subcommittee, the Transportation Management Area (TMA) Leadership Group, and other regional transportation agencies and authorities. This item will include a report from appropriate agency staff and/or board members regarding regional transportation planning and development activities. The report will provide an opportunity to share information concerning planning initiatives, partnerships, collaboration and other relevant matters.

This month's report will include a status update of the request to the State of Florida for \$500,000 in start-up funding to address the considerations in the Memorandum of Understanding for creating a regional MPO serving the core counties of the Tampa Bay region. At its next meeting in February, the TMA Leadership Group will renew discussions of alternative scenarios for composition of the regional MPO governing board.

ATTACHMENT(S): Organizational Chart showing start-up cost process

ACTION: None required; informational item only.

Tampa Bay Regional MPO
MOU Commitments
Start-up Cost
Management Structure



February 14, 2024

7C. Safety Performance Measures and Targets



SUMMARY

The Federal Highway Administration (FHWA) requires a performance-based, outcome-driven planning process for developing transportation projects and monitoring infrastructure performance. States and metropolitan planning organizations (MPOs) must adopt targets for defined performance measures, including safety targets, and demonstrate progress towards achieving those targets on an annual basis. The implementation of projects identified in the Transportation Improvement Program (TIP) is central to the effort necessary to meet defined targets.

In February 2023, the board adopted a series of targets for each of the safety-related performance measures, each slightly aspirational in nature. MPOs are required to review these targets on an annual basis to evaluate progress towards meeting each one. Crash data statistics for 2022 have been made available by the state and Forward Pinellas staff has evaluated the data. It has been determined that there is a downward trend in the number of serious injury crashes, the serious injury crash rate and bicycle and pedestrian fatalities and serious injuries, but there was an increase in fatal crashes and the fatal crash rate. The downward trend for pedestrian and bike fatalities and serious injuries was enough to meet the previously adopted target and necessitate that a new target be set. The new target uses the same methodology utilized for the previous targets set in 2019 and 2023. Given that there is still progress to be made toward achieving the targets set last year for the other measures, staff is recommending that these targets remain the same for the coming year. Staff will provide an overview of the Safety Performance Measures and the progress being made towards the achievement of each target, as well as discuss the methodology utilized to set the new targets for bicycle and pedestrian serious injuries and fatalities.

ATTACHMENT(S):

- 2024 Safety Targets Summary Report
- [Presentation](#)

ACTION: Board, in its role as the metropolitan planning organization, to approve the Safety Performance Measures and Targets.

ADVISORY COMMITTEE RECOMMENDATION(S): The Technical Coordinating Committee met on January 24, 2024 and voted unanimously to recommend approval of the Safety Performance Measures and Targets. The Citizens Advisory Committee met on January 25, 2024 and voted 17-3 to recommend approval of the Safety Performance Measures and Targets.

2024 Forward Pinellas Safety Targets Summary

Table 1: Comparison between 2018-2022 Data and Adopted Targets

Performance Measures	2018-2022	2023 Targets	% diff between 2018-2022 actual and target
Average Annual Fatalities	125.8	97.4	22.6%
Average Annual Serious Injuries	797.2	657.3	17.5%
Average Annual Fatalities Rate	1.537	1.18	23.2%
Average Annual Serious Injuries Rate	9.732	7.9	18.8%
Average Annual Pedestrian and Bike Fatalities and Serious Injuries	200.2	206.6	-3.2%

In the 2018-2022 data year, one safety performance measure met the targets set by Forward Pinellas. Besides the serious injury crashes and rates targets changing last year, the targets for the remaining performance measures have remained the same since 2019. This year, pedestrian and bike fatalities and serious injuries have achieved the adopted target. Meanwhile, the serious injury crashes and rates continue to demonstrate a downward trend, while the fatality crashes and rates continue to increase incrementally.

Table 2: Proposed 2024 Targets

Performance Measures	2018-2022	Propose 2024 Targets	% diff between 2018-2022 actual and target
Average Annual Fatalities	125.8	97.4	22.6%
Average Annual Serious Injuries	797.2	657.3	17.5%
Average Annual Fatalities Rate	1.537	1.18	23.2%
Average Annual Serious Injuries Rate	9.732	7.9	18.8%
Average Annual Pedestrian and Bike Fatalities and Serious Injuries	200.2	187.2	6.90%

Forward Pinellas staff is recommending retaining the targets set for the four measures that were not met with the 2018-2022 data. For the bike and pedestrian injury measures, staff is recommending a new target, calculated using the same methodology utilized to set targets in 2019 and in 2023. For the most recent five-year period, the percent difference between the highest and lowest year was calculated and applied to the most recent year of data (2018-2022). This resulted in a recommended 6.9% decrease in pedestrian and bike fatalities and serious injuries.

February 14, 2024



7D. Multimodal Impact Fee Ordinance Update Approach

SUMMARY

Over the past few months, Forward Pinellas and Pinellas County Housing and Community Development have begun working towards an update to the County's Multimodal Transportation Impact Fee Ordinance. The Pinellas County Multimodal Impact Fee Ordinance (Chapter 150, Article II, Part III – Pinellas County Code of Ordinances) is a countywide ordinance that is used to ensure that new development bears a proportionate share of the cost of capital expenditures necessary to meet mobility needs as established by the county comprehensive plan, the Metropolitan Planning Organization's long range transportation plan, and the comprehensive plans of the municipalities in Pinellas County.

This is a multi-phase update process that is just getting started. So far Forward Pinellas has engaged in a number of "listening sessions" involving both internal departments (Pinellas County Housing and Community Development, Public Works, Economic Development, Attorney's Office, Office of Management and Budget, Building and Development Review Services) and external partners, including transportation and land-use planning, and engineering staff from the Cities of Clearwater, Largo, and St. Petersburg. Additionally, we have gathered input from neighboring communities, such as Tampa and Sarasota, that are updating their ordinances.

This effort will involve evaluating the existing ordinance as well as the potential for switching to something more comprehensive, such as a mobility fee-based approach. Currently Forward Pinellas is exploring potential consultant services for this work and intends to formally begin this update in the March to early April timeframe.

ATTACHMENT(S):

- Multimodal Impact Fee Ordinance Summary Document
- [Presentation](#)

ACTION: None required; informational item only.

Multimodal Impact Fee Ordinance Update

Common Themes across Pinellas County and the Region

Overview:

Over the past few months, Forward Pinellas and Pinellas County Housing and Community Development have begun working towards an update to the County's Multimodal Impact Fee Ordinance. The Pinellas County Multimodal Impact Fee Ordinance (Chapter 150, Article II, Part III – Pinellas County Code of Ordinances) is a countywide ordinance that is used to ensure that new development bears a proportionate share of the cost of capital expenditures necessary to meet mobility needs as established by the county comprehensive plan, the Metropolitan Planning Organization's long range transportation plan, and the comprehensive plans of the municipalities in Pinellas County.

This is a multi-phase update process which began with a series of “listening sessions” involving both internal departments (Pinellas County Housing and Community Development, Public Works, Economic Development, Attorney's Office, Office of Management and Budget, Building and Development Review Services) and external partners, including transportation and land-use planning, and engineering staff from the Cities of Clearwater, Largo, and St. Petersburg. Additionally, we have gathered input from neighboring communities like Tampa and Sarasota who are updating their ordinances. Key themes from these meetings are summarized below.

The Existing Ordinance and its Ability to Keep up with New Demands:

- Overwhelmingly, we heard the existing ordinance is not keeping up with the transportation demands new development is putting on local governments.
- However, many participants expressed that if the fee were to be raised to keep up with rising construction costs, flexibility should be provided for the size of the development to not price out smaller developments.
- Additionally, many felt we should allow impact fee reductions for affordable housing.

Legal Concerns with the Existing Ordinance

- The existing ordinance has not been updated on its programmed two-year cycle. Furthermore, it may not be in line with state statutes.
- There is a lack of consistency in what is being calculated, collected, and waived at a local level, because each jurisdiction has its own process, separate from what is being collected by the County.

Lack of Flexibility

- Many felt that the existing ordinance lacks flexibility in terms of what project impact fees can fund and where they can be expended.
- Some felt larger impact fee districts were needed for smaller jurisdictions, whereas larger jurisdictions like St. Petersburg may need more refined districts for impact fee expenditures, especially in the downtown area.
- Local governments expressed an interest in having greater flexibility on what is credited towards a new development.

Opportunities for Improvement

- Many stated they would like clearer guidance on how dollars can be spent on what types of projects and where.
- Greater clarity is needed on the future arrangement of fee collection between local governments and the cities.
- Simplicity of fee calculation is a must, both for new development (what costs can be expected by developers), as well as for staff who need to implement the calculation of fees.
- Reduction of fees should be considered for ADUs and Affordable Housing.
- Many believed greater nuances were needed for different land-use types around the county, especially given the variety of impacts imposed by each (i.e., ADU vs. Single Family Home).
- Involve developers in the update so they are aware of the process.

Summary of Neighboring Jurisdictions:

The table below compares the average impact fees per category for surrounding counties and cities. These averages include all districts outlined in associated fee schedule within the associated jurisdiction. This table was formulated to depict a clear comparison between existing fees of Pinellas County and surrounding jurisdictions. This table shows that Pinellas County currently has one of the lower fee averages. Pinellas County and City of Tampa are most comparable with fee averages and update timeline. While the City of Tampa is currently undergoing an impact fee update, theirs similarly has not been updated since 2015. It is important to note the year of the most recent fee update as it generally reflects increased fees from jurisdictions with more recent updates.

Table 1: Consolidated Fee Comparison by Jurisdiction

Consolidated Fee Comparison by Jurisdiction					
	Single Family Residential (per dwelling unit)	Multi-Family Residential (per dwelling unit)	Office (per 1000 sq ft)	Retail (per 1000 sq ft)	Industrial (per 1000 sq ft)
Pinellas County²⁰¹⁶	\$ 1,301	\$ 786	\$ 2,080	\$ 5,895	\$ 835
Orange County ²⁰²¹	\$ 10,758	\$ 3,934	\$ 20,661	\$ 12,503	\$ 1,980
Miami Dade County ²⁰²²	\$ 5,838	\$ 2,446	\$ 7,655	\$ 12,868	\$ 2,797
Palm Beach County ²⁰²²	\$ 5,597	\$ 1,827	\$ 7,600	\$ 10,666	\$ 1,063
Hillsborough County ²⁰²²	\$ 9,433	\$ 4,013	\$ 21,525	\$ 12,165	\$ 2,606
City Of Tampa ²⁰¹⁵	\$ 1,476	\$ 704	\$ 3,065	\$ 3,172	\$ 783
City of Orlando ²⁰²²	\$ 5,522	\$ 2,053	\$ 11,904	\$ 9,077	\$ 1,455

[Pinellas County - Orange County Ordinance No. 2021-36](#) - [Miami Dade County Ordinance No. O-22-80](#) - [Palm Beach County ORDINANCE No. 2022- 026](#)

[Hillsboro County Fee Schedule](#) - [City of Tampa Ordinance 2016-43](#) - [City of Orlando Ordinance No. 2022-47](#)

February 14, 2024



7E. Live Local Dashboard Update

SUMMARY

Senate Bill 102, also known as the Live Local Act, was signed into law on March 29, 2023. Among other provisions designed to encourage the creation of affordable housing, this law preempts some local zoning regulation for residential and mixed-use developments on industrial or commercial land if at least 40% of the units are affordable for at least 30 years. The preemptions include:

- Density may not be restricted below the maximum permitted standard within the jurisdiction.
- Building heights may not be restricted below the tallest permitted building height within one mile, or three stories, whichever is greater.
- The local government may not require a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for height and density.
- The development must be administratively approved if requirements for multifamily developments other than height or density are satisfied.

Unlike previous similar legislation, the provisions of the Live Local Act are not optional for the local government. The law took effect on July 1, 2023.

Forward Pinellas has been developing a “Live Local” dashboard to track development activity related to prior preemptions in HB 1339 and SB 962, as well as the Live Local Act. Forward Pinellas has met with municipalities across the county to gather feedback on the tool’s application and practical use. These meetings have concluded, and the tool has been adjusted to reflect the feedback. The tool is currently live and will be updated monthly.

Moving forward a point-of-contact provided to Forward Pinellas by each jurisdiction will be contacted monthly for data related to any Live Local, HB 1339, or SB 962 related projects that have been submitted for review. If such a project has been received, Forward Pinellas will provide a data form to be completed with the requested information and returned to Forward Pinellas.

This data will be utilized and reflected on our online “Live Local” dashboard and will be used to track and easily compare Live Local projects countywide, as well as review project statistics in a clear and simplified way.

Forward Pinellas staff will provide a demonstration of the dashboard.

ATTACHMENT(S): None

ACTION: None required; informational item only.

February 14, 2024



8. Director's Report

The Executive Director will update and/or seek input from board members on the following items:

- A. SPOTlight Update
- B. Legislative Update
- C. Complete Streets Project Update

ATTACHMENT(S): None

ACTION: None required; informational item only.

February 14, 2024



8A. SPOTlight Emphasis Areas Update

SUMMARY

The Executive Director will provide an update on the status of the activities related to the adopted SPOTlight Emphasis Areas, which include Enhancing Beach Community Access, a Vision for the US 19 Corridor, the Gateway/Mid-County Area Master Plan (now reduced in emphasis), and Innovations in Target Employment and Jobs Access.

Vision for the US 19 Corridor

The first part of the update will be to apprise the board and public on the next steps for planning improvements to the US 19 North Corridor. The Florida Department of Transportation is evaluating alternative concepts for the section north of Nebraska Avenue to the Pasco County line at Forward Pinellas's request. The concepts include alternatives to the approved design concept similar to the segment under construction from SR 580 (Main St.) through Curlew Road and Nebraska Avenue. The Executive Director will discuss the plans for March through May to seek public input on the US 19 North corridor concepts from the City of Tarpon Springs, Pinellas County, and the public in the Palm Harbor and adjacent areas, prior to development and adoption of the 2050 Cost Feasible Long Range Transportation Plan.

Enhancing Beach Community Access

The Executive Director will provide a summary of the discussion that took place at the January Bicycle Pedestrian Advisory Committee (BPAC) regarding the Dunedin Causeway.

The Dunedin Causeway, which is owned by Pinellas County, features a multiuse trail that connects the Honeymoon Island State Park to the Pinellas Trail. While most of the trail is built to current standards, there are three pinch points at the two tidal bridges and drawbridge on the causeway where the trail width reduces from 12 to six feet. After receiving complaints from residents at the Royal Stewart Arms condominium complex in January 2022, Pinellas County posted signs requiring bicyclists to walk their bike across the three bridges, consistent with signage installed earlier on the Belleair Causeway bridge. Following feedback received from citizens and partner agencies about these changes, Pinellas County removed the requirement to walk bicycles across the two tidal bridges and installed shared-lane markings and "Bikes May Use Full Lane" signs around the drawbridge in February 2023.

At the request of a BPAC member, Pinellas County Public Works presented at the January BPAC meeting on the evolution of bicycle riding restrictions on the causeway bridges and highlighted the upcoming bridge replacement scheduled to begin in 2026. Following discussion around the tradeoffs of prohibiting bicycle riding on the drawbridge sidewalk until the new bridge is constructed, the BPAC passed a resolution urging the Forward Pinellas Board to work with the County to reconsider whether the signs ordering the bicyclist to dismount are necessary and to reevaluate the situation including the signs and other alternatives.

ATTACHMENT(S): None

ACTION: None required; informational item only.

February 14, 2024



8B. Legislative Update

SUMMARY

Staff is currently following several bills that would affect Forward Pinellas in its role as either the MPO or PPC. The executive director will highlight the latest on these bills of note and seek board input and direction, as appropriate. In particular, [SB 1032](#) and [HB 7049](#) would set up the state's MPOs to be subservient to the Florida Department of Transportation through oversight of the Long Range Transportation Plan and a requirement to produce annual "quality performance metrics" for productive flow of people and freight.

The Executive Director will also seek board support for the next segment of Brightline rail service between Orlando International Airport and Tampa. Brightline has a legislative earmark request for \$50 million to address some of the construction needs, but the overall cost for the Orlando to Tampa leg is about \$8 billion. Instead of supporting the \$50 million earmark, the board will be asked to consider a vote of support for the Orlando-Tampa connection.

ATTACHMENT(S): Legislative Summary Document

ACTION: As deemed appropriate based on board discussion.

Legislative Summary as of February 8, 2024 12:36 PM

Transportation Bills of Concern

[SB 1032](#) (Gruters) and [HB 7049](#) (McFarland) – Transportation

The bills propose to significantly revise Metropolitan Planning Organizations (MPOs) and other statewide transportation organizations. While some of the most concerning provisions have been amended out of the Senate version, the following remain in both bills:

- The Florida Department of Transportation (FDOT) will review each MPO’s long-range transportation plan for “productive flow and connectivity for people and freight,” which are not defined.
- FDOT will establish quality performance metrics to rate each MPO’s service to its communities, taking into consideration traffic congestion, the utilization rate of multimodal transportation facilities, resident satisfaction, and efficiency of the transportation system. The additional annual reporting requirements will be a financial and staffing burden to federally-funded MPOs.
- The statewide MPO Advisory Council, which currently serves as statewide clearinghouse for MPOs and provides training for governing board members, will be eliminated.

The House bill retains this problematic provision:

- An MPO that does not achieve the minimum acceptable quality performance score shall be placed under the control of the Secretary of Transportation, who will appoint an executive director and chair of the governing board for up to one year. Recommendations will be made for leadership, process, and management changes, and/or consolidation with other MPOs.

SB 1032 committee status:

1. Transportation Committee – Passed 2/06/24
2. Appropriations Committee on Transportation, Tourism, and Economic Development – Not yet scheduled
3. Appropriations Committee

HB 7049 committee status:

1. Transportation and Modals Subcommittee – Committee bill, passed 1/19/24
2. Infrastructure & Tourism Appropriations Subcommittee – Passed 2/01/24
3. Infrastructure Strategies Committee – Not yet scheduled

SB 266 (Hooper) and HB 287 (Esposito) – Transportation

Both bills stipulate that the Florida Department of Transportation may not annually commit more than 20 percent of revenues from state fuel taxes and motor vehicle license-related fees deposited into the State Transportation Trust Fund to public transit projects, except for a) funds used for federal matching, or b) for projects that are approved by a supermajority vote of the board of county commissioners of the county in which the project is located.

SB 266 committee status:

1. Transportation Committee – Passed 1/17/24
2. Appropriations Committee on Transportation, Tourism, and Economic Development – Passed 2/08/24
4. Appropriations Committee

HB 287 committee status:

1. Transportation & Modals Subcommittee – Committee bill, passed 1/10/24
2. Tourism Appropriations Subcommittee – Passed 2/01/24
3. Infrastructure Strategies Committee – Not yet scheduled

HB 1487 (Chaney) – Pinellas Suncoast Transit Authority

The bill proposes several major changes to the governance and operation of the Pinellas Suncoast Transit Authority (PSTA), including:

- The governing board is reduced from 15 to 11 members, consolidating the seats for some local governments into rotating seats.
- PSTA is prohibited from employing or sponsoring any actor whose purpose is to eliminate or repurpose lanes, other than a local or municipally owned roadway.
- A 2/3 majority vote of the governing board is required for eminent domain and lane elimination or repurposing
- PSTA must report such actions to the Board of County Commissioners, along with regular presentations on ridership statistics and financial information.

Committee status:

1. Local Administration, Federal Affairs & Special Districts Subcommittee – Passed 1/25/24
2. Infrastructure Strategies Committee – Passed 2/08/24
3. State Affairs Committee – Not yet scheduled

HB 479 (Robinson, W.) and SB 688 (Martin) – Alternative Mobility Funding Systems

The bills revise statutes governing funding alternatives to transportation concurrency, with provisions including:

- Requiring that only the local government issuing the building permit may charge for transportation impacts within its jurisdiction, prompting concerns that this provision could invalidate countywide mobility fee programs.
- The local government must “collect and account for any extrajurisdictional impacts.”
- The bill sponsors have stated that the intent is to require cities and counties to enact interlocal agreements so that each developer is only charged one fee. However, the bill does not state this explicitly.

HB 479 committee status:

1. Local Administration, Federal Affairs & Special Districts Subcommittee – Passed 1/10/24
2. Ways & Means Committee – Passed 1/17/24
3. Commerce Committee – Passed 1/30/24
4. House – Not yet scheduled

SB 688 status:

1. Community Affairs Committee – Passed 1/09/24
2. Transportation Committee – Passed 1/30/24
3. Rules Committee – Not yet scheduled

SB 1110 (DiCeglie) and HB 1177 (Duggan) – Land Development

Similarly to the above bill, SB 1110 and HB 1177 propose that local governments have “exclusive power to evaluate transportation impacts, apply concurrency, or assess any fee related to transportation improvements,” but that they may be carried out jointly by mutual agreement. This language is proposed for a different statute than HB 479/SB 688, but could help clarify their intent.

SB 1110 committee status:

1. Community Affairs Committee – Not yet scheduled
2. Transportation Committee
3. Rules Committee

HB 1177 committee status:

1. Local Administration, Federal Affairs & Special Districts Subcommittee – Passed 1/25/24
2. Ways & Means Committee – Agenda item postponed on 2/08/24
3. State Affairs Committee

Affordable Housing Bills

SB 328 (Calatayud) and HB 1239 (Lopez) - Affordable Housing

These bills amend provisions of the Live Local Act, clarifying some existing preemptions and broadening others. Both bills contain these provisions:

- Allowing qualifying developments to be built up to the highest allowable density or floor area ratio standard in the jurisdiction. The statute currently allows density only.
- Requiring parking standards to be reduced for qualifying developments located within 1/2 mile of a major transportation hub or in a designated transit-oriented area.
- The bills originally proposed to delete industrial from eligible types of land and reduce the preemption of building height, but those provisions were removed due to opposition from the real estate industry.

SB 328 status:

1. Community Affairs Committee – Passed 1/09/24
2. Fiscal Policy Committee – Passed 1/31/24
3. Senate – Passed 2/07/24
4. House – Not yet scheduled

HB 1239 committee status:

1. State Affairs Committee – Passed 2/07/24
2. Ways & Means Committee – Not yet scheduled
3. Appropriations Committee

Virtual Meeting Bills

SB 224 (Wright) and HB 413 (Altman) - Citizen Volunteer Advisory Committees

These bills allow citizen advisory committees with representatives from four or more counties to meet virtually. Both bills have been amended to refer only to advisory committees related to the National Estuary Program.

SB 224 has passed its three committees but has not yet been scheduled for a Senate vote. HB 413 has passed one committee.

HB 157 (Caruso) and SB 894 (Bradley) – Governing Body Meetings

These bills authorizing governing bodies of municipalities to meet virtually up to two times per year. Formal action may not be taken on ordinances or are quasi-judicial hearings, but other official business may be conducted.

HB 157 has not been scheduled for any committees. SB 894 has passed two committees.

Transportation Safety Bills

SB 1528 (Collins) and HB 1133 (Redondo) – Violations Against Vulnerable Road Users

Both bills would establish criminal penalties for a moving violation that causes serious bodily injury to, or causes death of, a vulnerable road user. Similar bills have been proposed in previous years, but have not been successful. SB 1528 has not yet been referred to any committees. HB 1133 has been referred to three committees, but has not yet been scheduled to be heard.

SB 1528 status:

1. Transportation Committee – Passed 02/06/24
2. Rules Committee – Not yet scheduled

HB 1239 committee status:

1. Criminal Justice Subcommittee – Passed 1/25/24
2. Transportation & Modals Subcommittee – Passed 1/31/24
3. Judiciary Committee – Not yet scheduled

February 14, 2024



8C. Complete Streets Project Update

SUMMARY

The Executive Director will provide a status report and next steps on the Drew Street project in the City of Clearwater. The FDOT project entails a resurfacing of the roadway from Osceola Avenue in downtown Clearwater to US 19 along with safety modifications throughout the corridor, including a lane repurposing component for safety and accessibility from Keene Road/CR 1 west to Osceola Avenue. With design underway and funding for construction in place in the next couple of years, local support for the project may be in question. The Director will discuss how Forward Pinellas and the FDOT plan to move forward to a resolution.

ATTACHMENT(S): None

ACTION: None required; informational item only.

February 14, 2024



9. Informational Items

Staff and/or board members will provide information and updates on the following items as deemed appropriate:

INFORMATIONAL ITEMS

- A. CPA Actions and Forward Pinellas Administrative Review Items
- B. Countywide Plan Rules Interpretations Annual Update
- C. Quarterly Report on Executive Director Approvals
- D. Fatalities Map
- E. Pinellas Trail Data
- F. Draft PAC Action Sheet
- G. Committee Vacancies
- H. Correspondence of Interest

ATTACHMENT(S):

- Quarterly Report on Executive Director Approvals
- Fatalities Map
- Pinellas Trail Data
- Draft PAC Action Sheet
- Letter from Forward Pinellas to Senator DiCeglie on SB1032 with attachment

February 14, 2024

**9A. CPA Actions and Forward Pinellas Administrative Review
Items**



SUMMARY

This information is presented in order to better, and more systematically, apprise the Forward Pinellas Board of final action(s) by the Board of County Commissioners, in their role as the Countywide Planning Authority (CPA) on matters that have been previously considered. This summary also includes the Tier I Countywide Plan Map Amendments and Map Adjustments that have been administratively reviewed by Forward Pinellas staff.

CPA Actions January 2024:

The Board of County Commissioners, acting according to its Countywide Planning Authority, did not hold any public hearings in January. The next date for public hearings is February 20, 2024.

Tier I Countywide Plan Map Amendments January 2024:

There were no Tier I amendments processed in January 2024.

Map Adjustments January 2024:

There were no map adjustments processed in January 2024.

ATTACHMENT(S): None

ACTION: None required; informational item only.

SUMMARY

Section 7.6.1 of the Countywide Rules requires Forward Pinellas staff to provide a report to the board on the official interpretations made during the past calendar year. For 2023, there were five requested interpretations that covered topics such as density/intensity bonuses, amendments in the Coastal High Hazard Area, alternative temporary lodging standards, and amended development agreements. Below is a more detailed discussion as to how certain sections of the Countywide Rules were applied in these instances.

- ***Interpretation #1 – Can a local government adopt a density/intensity bonus to incentivize stormwater management beyond what is required in the local land development code?*** Prior to 2023, density/intensity bonuses authorized by the Countywide Rules were limited to affordable housing, missing middle housing, senior housing, and vertically integrated mixed-use development. As a result of this requested interpretation, in August 2023, the Countywide Rules were amended to add a new Section 4.2.4.7 allowing adoption of a local bonus to encourage water conservation and improved water quality. This section also recognizes the new graywater bonus required by Section 403.892, Florida Statutes (see below).
- ***Interpretation #2 – If a property is eligible for both for a local affordable housing density/intensity bonus and the statutorily required bonus for graywater recycling systems, how do the bonuses interact?*** Both bonuses may be applied to the property, but each must be calculated independently based on the density/intensity allowed by the local future land use category. Units awarded by one bonus may not be used in the calculation of another bonus. Language clarifying this issue was added to Section 4.2.4.2 of the Rules as part of the August 2023 amendment.
- ***Interpretation #3 – If a proposed Countywide Plan Map amendment in the Coastal High Hazard Area (CHHA) results in an increase to density or intensity based on the local future land use categories, but results in a decrease based on the Countywide Plan Map categories, how is it treated in the countywide review process?*** Because local governments may adopt more restrictive density/intensity standards for their local future land use categories than for the corresponding Countywide Plan Map categories, it is possible (though unusual) for a local amendment to result in a local density or intensity increase while the Countywide Plan Map categories show a decrease. Since the Countywide Plan Map categories set the maximum threshold for what standards a local government may adopt, and that maximum would be decreasing, it would be treated as a density/intensity decrease for the countywide review process. However, per Section 4.2.7.3 of the Rules, the CHHA balancing criteria would still need to be addressed as part of the local review process.

- ***Interpretation #4 – If a local government adopts the Alternative Temporary Lodging Standards in an Activity Center, is it treated as a Countywide Plan Map amendment pursuant to Section 6.2.2.1 of the Rules, similar to other amendments to density/intensity standards?*** The Alternative Temporary Lodging Standards were created to allow local governments to offer incentives for resort-style temporary lodging, and they also mandate additional requirements relative to other density/intensity standards. Therefore, they are treated as a separate type of adoption, similar to a density/intensity bonus. A local adoption of these standards is reviewed for consistency but not subject to the Countywide Plan Map amendment process. Staff recommends that a future Rules amendment be made to clarify this process.
- ***Interpretation #5 – If a Countywide Plan Map amendment is approved based on a locally adopted development agreement, and a subsequent amendment to the development agreement triggers a rehearing of the Countywide Plan Map amendment subject to Section 6.1.5.3 of the Rules, at what point in the local approval process must the amended development agreement be submitted to Forward Pinellas?*** Countywide Plan Map amendments generally are submitted following the first public hearing of the local governing body (e.g., City Commission). However, when adopting or amending a development agreement, Section 163.3225, Florida Statutes, permits the first public hearing to be held by the local planning agency. For consistency with the state statute, Forward Pinellas will accept the submittal of an amended development agreement following the first local public hearing whether it is held by the governing body or the local planning agency. Staff recommends that a future Rules amendment be made to clarify this process.

ATTACHMENT(S): None

ACTION: None required; informational item only.

The Forward Pinellas Internal Control Structure Policy Manual authorizes the Executive Director the ability to approve certain instruments, such as contracts under \$25,000, amendments and extensions to contracts previously approved by the board, PPC Budget line item transfers not to exceed \$10,000, and invoice approvals and submittals. The full list of items is available on page 4 of the Internal Control Structure Policy Manual. The manual notes that documents and instruments approved by the Executive Director under this authority shall be placed as an informational item on the board agenda at least quarterly and aligned with quarterly financial reporting.

The board approved the Internal Control Structure Policy Manual on February 14, 2018. The first report was at the May 9, 2018 Board meeting. The manual includes references to the Federal Acquisition Thresholds, which have since been updated. The adjusted numbers were added for reference to the manual in July 2018.

The Florida Department of Transportation released a memorandum on July 22, 2019 recommending executive director time and travel for MPO activities be reviewed by the Board. This information has been added to this quarterly report.

Grant-Related Submittals

- Quarterly invoice submitted to FDOT on 11/15/23 FTA Section 5305 Funds, contract G2647 for period July - September 2023, request of \$37,938.70.
- Quarterly invoice submitted to FDOT on 11/14/23 FHWA PL and STP Funds, contract G2775 for period July - September 2023, request of \$486,620.12.
- Quarterly invoice submitted to the Commission for the Transportation Disadvantaged on 10/30/23 for TD Planning Grant G2J12 July - September 2023, request of \$8,010.02.

Work Authorizations and Notices to Proceed

- Project Title: CMDS/Traffic Counts; Firm: Benesch; Total Project Cost: \$110,210.00, Work Authorization for \$51,159.00 in PL fund and \$59,051.00 in SU fund ; Date Submitted: 10/26/23.
- Project Title: LRTP Financial Resource; Firm: WSP ; Total Project Cost: \$49,908.62, Work Authorization for \$49,908.62 in PL funds; Date Submitted: 11/20/23.
- Project Title: Gateway Commute Options Assessment & Employer/Employee Survey; Firm: Kittelson & Associates Inc.; Total Project Cost: \$76,570.00, Work Authorization for \$76,570.00 in PL funds; Date Submitted: 11/27/23.

Internal Control Structure Policy Manual

- Revise the Fixed Assets Capitalization Policy from costs exceeds of \$1,000 to \$5,000 to be consistent with the BCC policy. Excerpt from policy showing changes attached.



**Quarterly Report on Executive Director Approvals
October - December 2023**

Executive Director MPO Travel (beyond FDOT District 7)

- Event: American Public Transportation Association (APTA) conference; Date: 10/10/2023; MPO Cost: \$141.82.
- Events: Brightline High Speed Rail Tour and FDOT Model Task Force conference; Dates: 11/06 – 11/07/2023; MPO Cost: \$508.44.

Executive Director Time

- **Regular Time:** 445 hours (PPC: 173 hours, MPO: 272 hours)
- **Holiday:** 32 hours
- **Annual Leave/Leave with Pay-Other:** 27 hours

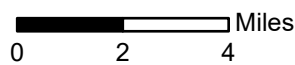
Fixed Assets Capitalization Policy

All tangible property which costs exceeds \$5,000 and with an estimated life in excess of one year will be included in the General Fixed Asset Account Group. The above assets will be inventoried using the asset's serial number(s). At the Executive Director's discretion, assets not meeting the above policy (i.e., less than \$5,000) may also be assigned an asset number and tagged for control purposes. Should there be an asset that is split between the PPC and MPO, the split information shall be documented. For the purposes of this fixed asset capitalization policy, all costs associated with a particular, individually identifiable asset, including all appropriate charges incurred in placing the asset in its intended location and condition for use shall be recorded as a single purchase.

2024 Reported Traffic Fatalities (as of January 30)

Crash Type

- Pedestrian
- Vehicle



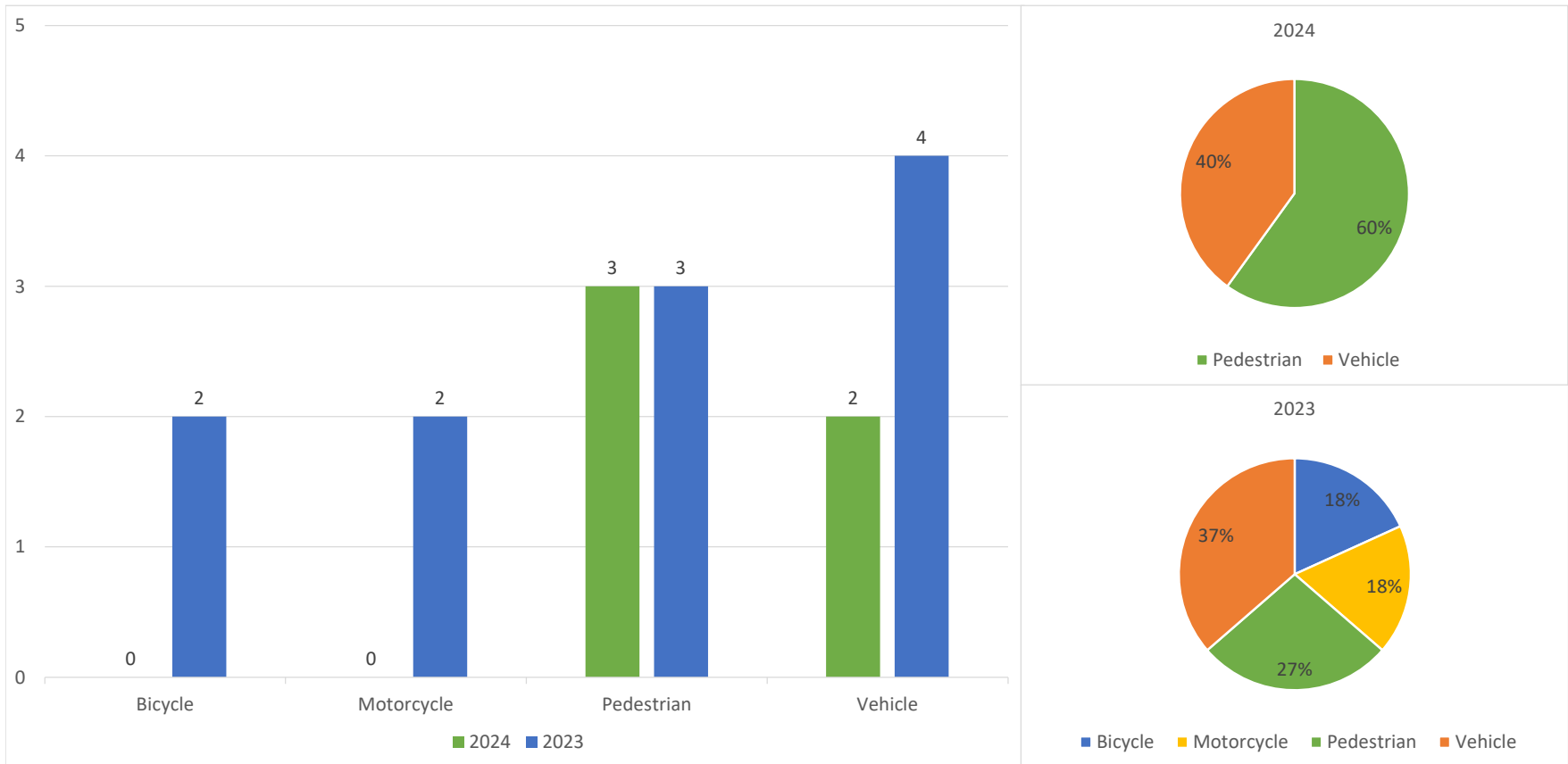
Data Source: Forward Pinellas, 2024.
Map Produced: January 30, 2024.



Report Number	Fatalities	Date	Time	Type	On Street	Intersecting Street	Jurisdiction	Driver Age	Driver Sex
25959532	1	1/3/2024	6:45 PM	Pedestrian	22nd Ave N	41th St N	St. Petersburg	Unknown	Unknown
Unknown	1	1/23/2024	10:08 AM	Pedestrian	US 19	Beckett Way	Tarpon Springs	21	Female
Unknown	1	1/26/2024	Unknown	Vehicle	US 19	Seville Blvd	Clearwater	71	Male
Unknown	2	1/28/2024	5:15 AM	Vehicle	Starkey Rd	East Bay Dr	Largo	Unknown	Unknown
Unknown	1	1/28/2024	9:33 PM	Pedestrian	Gulf to Bay Blvd	Mercury Ave	Clearwater	25	Unknown

Note: Due to Florida Statute changes, there is a 60-day delay in the sharing of crash data from FLHSMV. As such, all crashes listed for the month of January are unofficial. These crash listings will be updated with official information as it becomes available.

Reported Fatal Crashes 2023/2024 Comparison (as of January 30)



Pinellas Trail Count Data Summary

Automated Trail Counter Data Collection Period:
December 1st-31st

December 2023

31-Day Count Total: 150,421

Daily Average Count: 4,852

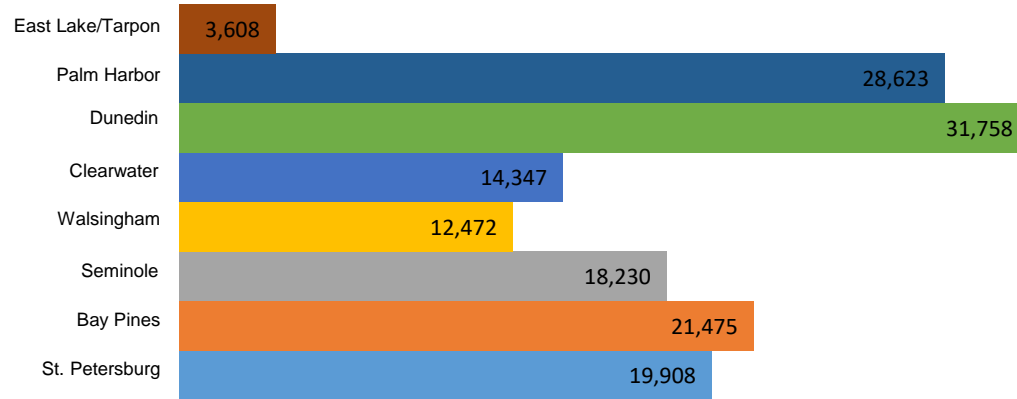
Highest Daily Totals:

#1 – Saturday, December 9th (Dunedin – 2,175)

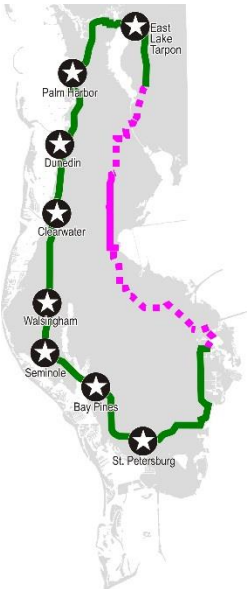
#2 – Sunday, December 9th (Palm Harbor – 1,899)

#3 – Sunday, December 9th (St. Petersburg – 1,215)

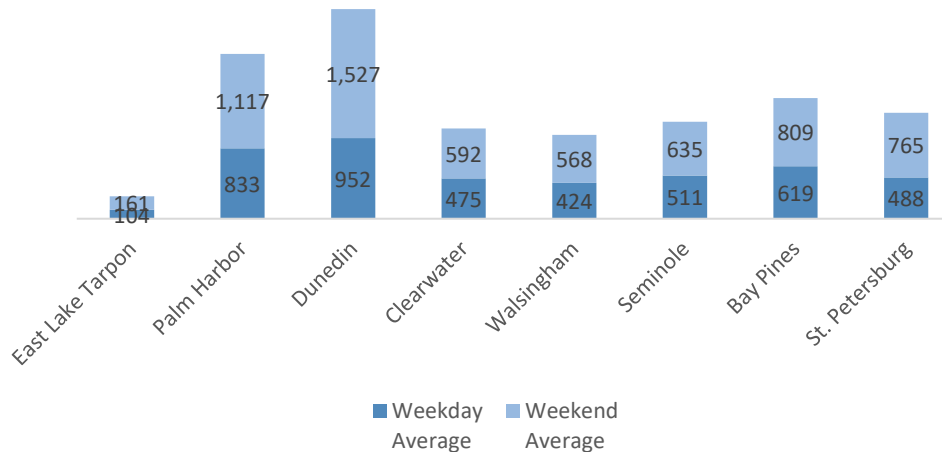
December Totals by Counter Location



Counter Locations



Weekday & Weekend Profile



Trail User Mode Split*

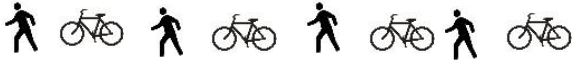
Counter Location	Pedestrian (%)	Bicyclist (%)
Palm Harbor	31%	69%
Dunedin	19%	81%
Clearwater	N/A	N/A
Walsingham	N/A	N/A
Seminole	28%	72%
Bay Pines	25%	75%
St. Petersburg	28%	72%
East Lake/Tarpon	9%	91%

Source: Forward Pinellas December 2023

Pinellas Trail Count Data Summary

Automated Trail Counter Data Collection

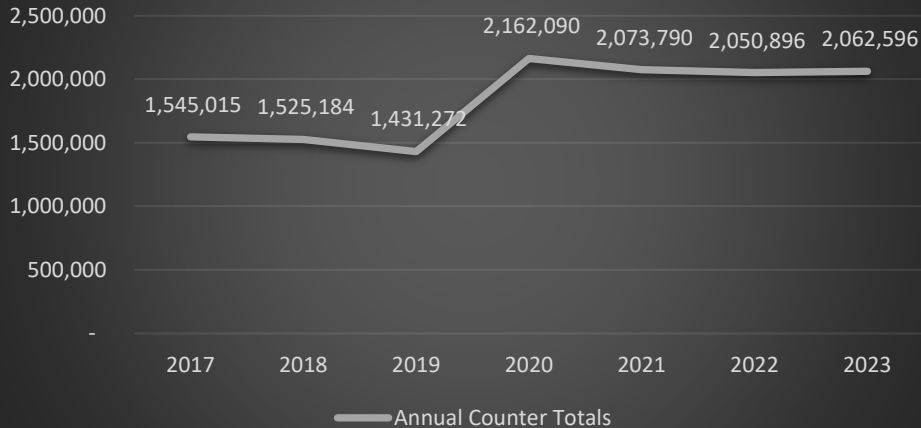
Period: January 2017 – December 2023 Data



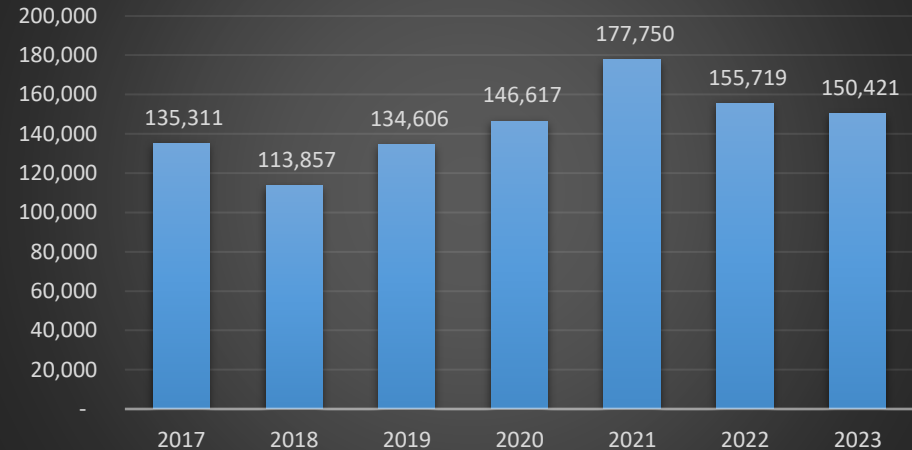
2023 Total Count:
2,062,596

December Monthly Trail Counts 2017 - 2023

Pinellas Trail Use 2017 - 2023



December Counter Data



Notes:

- *Due to technical issues with the Clearwater and Walsingham counters, mode split data was not available.
- Data in this report represents total counts from each count station located along the Pinellas Trail system. Each datapoint does not necessarily represent a unique trail user.
- The El Niño weather pattern, including the storm system that came through the area on the weekend of December 16-17 likely contributed to reduced counts in December 2023.

PAC AGENDA – SUMMARY AGENDA ACTION SHEET
DATE: FEBRUARY 5, 2024

ITEM	ACTION TAKEN	VOTE
1. <u>CALL TO ORDER AND ROLL CALL</u>	<p>The PAC held its February 5, 2024, meeting in the Palm Room at 333 Chestnut Street, Clearwater.</p> <p>The Chair, Matt Jackson, called the meeting to order at 1:30 p.m. and the members introduced themselves.</p> <p>Committee members in attendance included: Andrew Morris, Allie Keen, Tiffany Menard, Tom Scofield, Wesley Wright (late arrival 1:33 p.m.), Jayme Lopko, Kathy Gademer, Alicia Parinello, Matt Jackson, Marcie Stenmark, Jacob Labutka (late arrival 1:33 p.m.), Mark Griffin, Maryellen Edwards.</p> <p>Others in attendance: Scott Swearengen, Pinellas County staff.</p> <p>Forward Pinellas staff included: Rodney Chatman, Linda Fisher, Emma Wennick, Tina Jablon, and Jared Austin.</p>	
2. <u>APPROVAL OF MINUTES FROM THE JANUARY 2, 2024 PAC MEETING</u>	<p>Motion: Tom Scofield Second: Marcie Stenmark</p>	11-0
3. <u>REVIEW OF FORWARD PINELLAS AGENDA FOR FEBRUARY 14, 2024 MEETING</u> <u>PUBLIC HEARING ITEMS</u> A. <u>Countywide Plan Map Amendments</u> 1. Case CW 24-04 – Pinellas County	<p>Motion: Alicia Parinello Second: Marcie Stenmark</p>	13-0
2. Case CW 24-05 – Tarpon Springs	<p>The City of Tarpon Springs requested a continuance of this case until the March PAC meeting.</p> <p>Motion: Tom Scofield Second: Marcie Stenmark</p>	13-0
<u>REGULAR AGENDA ITEMS</u> B. <u>CPA Actions and Forward Pinellas Administrative Review Items</u>	<p>Rodney Chatman advised the committee members that there were no items to report this month.</p>	
4. <u>PLANNING TOPICS OF INTEREST</u> A. <u>Advantage Alt 19 Plan</u>	<p>Rodney Chatman provided some historical context on the project crediting former staff, Christina Mendoza, for leading much of the effort. He reviewed the broader Advantage Pinellas Investment Corridor Strategy and outlined the rationale for beginning with Alt. 19. He then provided an overview of the highlights</p>	

	<p>of the completed plan. Specifically, he discussed the linkage between the land use planning and the SunRunner. Mr. Chatman then reviewed the next steps which include working with the City of Largo to implement the plan recommendations for station areas, working with PSTA to conduct a Transit Concept Alternatives Review (TCAR) study, and identifying potential funding opportunities. Lastly, Mr. Chatman noted that this is a multi-step process that would include beginning planning on the next corridor to connect to this one.</p>	
<p>B. <u>Legislative Update</u></p>	<p>Linda Fisher alerted the PAC that this year's legislative session has reached the mid-way point. She advised that, because fewer bills than average were filed this year, items are moving faster through the process. She updated the group on several bills of interest being followed by Forward Pinellas staff covering a variety of topics including the Live Local Act, PSTA, Affordable Housing, parking requirements, and tax exemptions for Accessory Dwelling Units (ADUs). Most notably and most concerning, Ms. Fisher highlighted SB 1032 which would impose state mandates on MPOs. This bill is scheduled to be heard by committee again on Tuesday, February 6, 2024 at 8:30 a.m.</p>	
<p>C. <u>Countywide Rules Interpretations Annual Update</u></p>	<p>Linda Fisher reminded the PAC that the Countywide Rules require the annual reporting of the Rule interpretations that staff make throughout the year. Although the inclusive list was provided, Ms. Fisher highlighted those that rose to a level worth mentioning for the benefit of the group.</p>	
<p>D. <u>Urban Design Services Pilot Program Update</u></p>	<p>Jared Austin provided some historical context on the Urban Design Services Pilot Program which began as a partnership between Forward Pinellas and Pinellas County's Department of Housing & Community Development to improve the quality of new development through the use of various urban design tools for local governments. The pilot program funded projects in three local government communities including Oldsmar, Clearwater and Pinellas County. Mr. Austin provided an overview of the completed projects. Lastly, he alerted the committee members that, despite inquiries from the local governments about future projects, the program will not be accepting future applications due to budgetary constraints.</p>	

<p>E. <u>Countywide Plan Appendix Update</u></p>	<p>Jared Austin reminded the PAC members that the Countywide Plan was updated last year to incorporate recommendations from the Target Employment and Industrial Land Study (TEILS) Update and the adoption of the Multimodal Accessibility (MAX) Index. As a result, Forward Pinellas staff similarly updated the Countywide Plan Appendix as a reference for the local governments. The Countywide Plan Appendix is an unadopted support document to the Countywide Plan that does not need to be amended through a public hearing process. The Forward Pinellas Board will approve the amended appendix at its February meeting. The PAC recommended approval of the proposed additions.</p> <p>Motion: Marcie Stenmark Second: Alicia Parinello (Note: Kathy Gademer had left the meeting)</p>	<p>12-0</p>
<p>5. <u>OTHER PAC BUSINESS/PAC DISCUSSION AND UPCOMING AGENDA</u> A. <u>Pinellas SPOTlight Emphasis Areas Update (Information)</u></p>	<p>Rodney Chatman stated that there were no SPOTlight updates to offer this month.</p>	
<p>B. <u>Forward Pinellas & PAC Local Government Happenings</u></p>	<p>Rodney Chatman provided the rationale for adding this section to the PAC meeting agenda each month. He emphasized the importance of developing comradery and collegiality amongst the committee members as new members continue to join. This will facilitate the exchange of ideas and information that is beneficial to the group. Mr. Chatman cited the most recent Forward Pinellas Board meeting as an example of this type of engagement and offered examples of the types of information that could be shared. He encouraged the members to come prepared beginning next month for this section of the meeting.</p>	
<p>C. <u>Upcoming Land Use Cases & Pre-App Meetings</u></p>	<p>Rodney Chatman stressed the importance of pre-application meetings prior to the formal submittal of land use amendments to ensure a smooth process from the start.</p>	
<p>6. <u>Upcoming Events</u></p>	<p>The Chair highlighted the upcoming events and encouraged the PAC members to participate as they are able.</p>	
<p>7. <u>ADJOURNMENT</u></p>	<p>There being no further business, the meeting was adjourned at 2:42 p.m.</p>	

Respectfully Submitted,

PAC Chair

Date

February 14, 2024

9G. Committee Vacancies



SUMMARY

- **Bicycle Pedestrian Advisory Committee (BPAC)**

The BPAC currently has five openings: two for Pinellas Park/Mid County area, one for the Largo area, one At Large seat and one North County (Tarpon Springs/Palm Harbor/Ozona/Oldsmar/Safety Harbor) area.

- **Citizens Advisory Committee (CAC)**

The CAC currently has three openings: one for Largo, one for Beaches and one At Large opening.

- **Local Coordinating Board (LCB)**

The LCB currently has three openings: one for Citizen Representative, one for Veterans Services representative and one for a Community Action Agency representative.

- **School Transportation Safety Committee (STSC)**

The STSC currently has one opening for Gulfport.

ATTACHMENT(S):

- BPAC Membership Listing [\(5Ba\)](#)
- CAC Membership Listing [\(5Bd\)](#)
- LCB Membership Listing
- STSC Membership Listing

ACTION: None required; informational item only.

**LOCAL COORDINATING BOARD
FOR THE TRANSPORTATION DISADVANTAGED**

Chairman

Councilmember Patti Reed (06/08/22)

Agency for Health Care Administration – Area 5 Medicaid Office -

Emily Hughart (01/2020) Ian Martin (Alternate- 10/2016)

Citizens

Gloria Lepic-Corrigan – Citizen TD Rider
Vacant – Citizen Rep (06/2022)

FL Dept. of Elder Affairs

Michelle Tavares (10/2023) Jason Martino (Alternate - appointed 10/2023)

Persons with Disabilities

Jody Armstrong (Reappointed 04/2022) (Alternate –)

Pinellas County Dept. of Veterans Services

Vacant

Pinellas Suncoast Transit Authority (Non-Voting)

Ross Silvers (Alternate: Vacant)

Transportation Provider for Profit

Brian Scott (Vice Chair - 03/10/2010) (reappointed 11/17/2020)

Community Action Agency

Vacant

Over 60

Duncan Kovar (01/2021)

Public Education

Joseph Camera (10/2020) (Alternate: Autumn Westermann (10/2020)

Department of Children and Families

Ivonne Carmona (Reconfirmed 03/2021) (Alternate -)

Children at Risk

Yaridis Garcia (08/10/22)

Division of Blind Services

Amanda Honingford (Reappointed 04/13/2022) Mark Harshbarger (alternate: Reappointed 04/13/2022)

Career Source Pinellas (Regional Work Force Development)

Shawna Peer (10/2021) Jennifer Brackney (Alternate)

Local Medical Community

Kaila Yeager (10/11/2023)

Regional Agency for Persons with Disabilities

Michael Taylor (Reappointed 04/13/2022) (Alternates: Debra Noel and Brett Gottschalk)

Technical Support – Florida Department of Transportation (FDOT)

Tracy Noyes (03/2022)

SCHOOL TRANSPORTATION SAFETY COMMITTEE MEMBERS

School Board

Stephanie Meyer - Chair
Carol Cook – Vice Chair

Pinellas County

Commissioner Rene Robinson- Flowers

Clearwater

Councilmember Mark Bunker

Citizen

Doug Mullis

Dunedin

Commissioner Jeff Gow

PSTA

Josh Shulman

Gulfport

Vacant

Largo

Commissioner Eric Gerard

Oldsmar

Councilmember Katie Gannon

Gulf Beaches

Mayor Cookie Kennedy

Pinellas Park

To Be Appointed

Tarpon Springs

Commissioner Mike Eisner

Seminole

Vacant

Safety Harbor

To Be Appointed

St. Petersburg

Councilmember Ed Montanari

Non-Voting Tech Support Members

Pinellas County School Board/Transportation

Matthew Atwell
T. Mark Hagewood, Transportation

Pinellas County Long Range Planning

Scott Swearingen

Pinellas County Public Works

Casey Morse / Jeff Thompson

Pinellas County School Board

Marshall Touchton, Demographic Specialist

Pinellas County School Board

Joseph Camera, Customer Service Analyst
Autumn, Westermann, Customer Service Analyst (Alt.)

FORWARD PINELLAS

P: (727) 464.8250

F: (727) 464.8212

forwardpinellas.org

310 Court Street
Clearwater, FL 33756



February 5, 2024

Sen. Nick DiCeglie
Chair, Senate Committee on Transportation
308 Senate Building
404 South Monroe Street
Tallahassee, FL 32399-1100

RE: SB 1032 Transportation

Dear Chairman DiCeglie:

I am writing in my capacity as executive director of Forward Pinellas and as president of the Florida Chapter of the American Planning Association (APA Florida) to express concerns about the legislative intent and consequences of SB 1032, Transportation. This bill is a well-intentioned but misguided effort to force the state's diverse metropolitan and transportation planning organizations (MPOs or TPOs) into a state-mandated one-size-fits-all approach to transportation planning and spending priorities. The bill introduces conflicts into a cooperative transportation planning process and appears to contravene federal law.

The attached legal opinion describes the conflicts with federal laws governing MPOs and I have added my observations for your consideration:

- MPOs and TPOs are created in federal law to convene local and regional officials to develop transportation plans and establish transportation spending priorities using federal funds that reflect local and regional needs and mobility challenges.
 - These plans are developed in partnership with the Florida Department of Transportation, cities, counties, and public transportation providers. Existing state regulations already provide ample oversight, transparency, and accountability for how MPOs go about their defined responsibilities.
 - Oversight includes FDOT's annual certification review of MPOs for consistency with state laws and rules, and the USDOT's more intensive certification review that occurs every four years.
 - The requirements in this bill are inconsistent with federal law and MPO responsibilities. MPOs are funded by federal grants; if the State of Florida is requiring additional performance reporting and analysis beyond federal requirements, then the state should provide additional funding to MPOs to fulfill the bill's mandates.

- The basis for transportation funding in urban areas is the MPO's adopted **Long Range Transportation Plan (LRTP)**. This 25-year plan is updated every five years with new data through extensive public engagement and inclusion of expected transportation revenues to adopt a financially feasible plan. The plans are meant to be regional in scope and include multi-modal transportation projects, from highways to transit, bicycle facilities, and waterborne transportation. Any MPO wishing to include emerging technologies like micromobility, advanced air mobility, aerial gondolas, electric vehicles, etc. already has that ability and many are doing so now.
 - MPO Long Range Transportation Plans are now reviewed by both the state and federal government, and projects advancing with funding must be consistent with existing state and federal laws and rules.
 - MPOs serve a role by aligning local, regional, and statewide transportation needs, consistent with local and regional land use development plans. This is a complementary and cooperative process, and giving FDOT authority to determine if a plan is congruent with the metropolitan area may exacerbate conflict.

- Support for any transportation project is rarely unanimous and often contentious. Existing public participation plans and requirements for local support ensure that projects advanced into funding and construction have public support. MPOs already must demonstrate public support in the development and adoption of the 5-year Transportation Improvement Program (TIP), which integrates FDOT's 5-year Work Program. MPOs are convening bodies, not operational agencies, and while they already measure public satisfaction of the transportation system through extensive outreach and engagement, they are not responsible for the operation of state, local or regional transportation facilities and services. This bill places unrealistic expectations on MPOs to control factors that are not within their limited responsibilities and financial authority.

- MPOs embrace transparency and accountability. However, the bill's sections on accountability unnecessarily burden FDOT and every MPO. The bill's provisions for measuring satisfaction are vague, ambiguous, and without additional resources will detract from existing responsibilities.
 - The bill mandates a costly and time-consuming annual reporting requirement for FDOT to create "quality performance metrics" for MPOs that will include solving traffic congestion and measuring the "utilization" of transportation facilities.
 - Everyone wants less congestion and a quality multi-modal transportation system, but congestion is a result of growth and land use actions that are not under direct MPO purview, and measuring "utilization" sets up additional conflicts with the safety and accessibility needs of everyone, including people who are vulnerable users of the transportation system.

- Finally, the annual training program and regular meetings of the state's 35-year-old MPO Advisory Council (MPOAC) provides an excellent forum for continuous quality improvement and process consistency for all of Florida's MPOs and TPOs. The MPOAC is in the best position to effectively deliver those services to the state's 27 MPOs without political or policy influence. It is doubtful any other organizations named in the bill will be

able to replicate those activities with the same effectiveness and cost-efficiency as the MPOAC.

Senator DiCeglie, SB 1302 conflicts with federal law and inhibits MPOs' ability to carry out their mandates to cooperatively plan for the unique context and needs of each region. While the bill is well-intentioned, the reporting requirements are vague and onerous, and will result in needless confusion, conflict, and bureaucratic waste. Transportation planning is complex, multi-faceted, public-facing work that depends on a consistent, cooperative, and continuing process. This bill undermines those effective partnerships and creates an overly bureaucratic and potentially adversarial process that will add barriers to improving transportation safety, accessibility, and multi-modal mobility.

Thank you for your consideration of these concerns. Please let me know if I can be of any further assistance.

Respectfully,

A handwritten signature in blue ink, appearing to read "Whit Blanton", with a stylized flourish extending to the right.

Whit Blanton, FAICP
Executive Director

cc: Forward Pinellas Board
Pinellas County Legislative Delegation



MEMORANDUM

TO: Mark Reichert, Executive Director

FROM: Paul Gougelman, MPOAC General Counsel

SUBJECT: SB-1032 (2024 Leg. Sess.)

DATE: January 4, 2023

BACKGROUND: SB-1032 (2024 Leg.Sess.) proposes several major transportation-related law changes, including abolition of the Florida Metropolitan Planning Organization Advisory Council (“MPOAC”) and the Florida Transportation Commission. This memorandum analyzes the changes affecting Metropolitan Planning Organizations (“MPO) and the MPOAC with a view toward two areas of concern, including: consistency with federal law and administrative regulations and regarding cost-efficient delivery of services to the public and MPOs.

ISSUES: The issues presented are based on five sets of statutory changes set forth in SB-1032 and are discussed below.

- 1) New Language on Page 19, Lines 531-535, amending Section 339.175(2)a.2.:

After July 1, 2024, no additional M.P.O.’s shall be designated in this state except in urbanized areas, as defined by the United States Bureau of the Census, where the urbanized area boundary is not contiguous to an urbanized area designated before the 2020 census,

This language appears inconsistent with 23 USC Section 134(d) and (d)(7), the federal statute that sets the criteria for creation of an MPO. 23 USC Section 134(d) and (d) (7) set forth the criteria for the designation of an MPO as follows:

§134 Metropolitan transportation planning .

(d) DESIGNATION OF METROPOLITAN PLANNING ORGANIZATIONS.— (1) IN GENERAL.—To carry out the transportation planning process required by this section, a metropolitan planning organization shall be designated for each urbanized area with a population of more than 50,000 individuals— (A) by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population

(including the largest incorporated city (based on population) as determined by the Bureau of the Census); or (B) in accordance with procedures established by applicable State or local law.

* * *

(7) DESIGNATION OF MORE THAN 1 METROPOLITAN PLANNING ORGANIZATION.—More than 1 metropolitan planning organization may be designated within an existing urbanized area (as defined by the Bureau of the Census) only if the Governor and the existing metropolitan planning organization determine that the size and complexity of the area make designation of more than 1 metropolitan planning organization for the area appropriate.

23 CFR §450.310(b) and (e) implement this statutory provision as follows:

§ 450.310 Metropolitan planning organization designation and redesignation.

* * *

(b) MPO designation shall be made by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable State or local law.

* * *

(e) To the extent possible, only one MPO shall be designated for each urbanized area or group of contiguous urbanized areas. More than one MPO may be designated to serve an urbanized area only if the Governor(s) and the existing MPO, if applicable, determine that the size and complexity of the urbanized area make designation of more than one MPO appropriate. In those cases where two or more MPOs serve the same urbanized area, the MPOs shall establish official, written agreements that clearly identify areas of coordination, and the division of transportation planning responsibilities among the MPOs.

In essence, a new MPO “shall” be designated in an urbanized area with a population of 50,000 or more individuals. 23 USC §134(d); 23 CFR §450.310(b). Note the use of the word “shall,”¹ a term that is mandatory in nature. The proposed Florida statutory

¹ The use of the word “shall” is generally interpreted to be mandatory or a requirement. Lexecon, Inc. v. Milberg Weiss Bershad Hynes & Leach, 523 U.S. 26, 118 S.Ct. 956 (1998); In re King, 463 B.R. 555

language provides further limits on when a new MPO may be designated if the designation occurs after July 1, 2024. Pursuant to the new language proposed in SB-1032, a new MPO can only be designated in an urbanized area if the urbanized area is not contiguous to an urbanized area existing prior to 2020.

23 USC Section 134(d) provides that an MPO may be designated in an urbanized area with a population of more than 50,000 individuals by either: (1) agreement between the governor and at least 75 percent of the affected population (including the largest incorporated city (based on population)); or (2) state or local *procedures*. However, this language relates to the process or “procedure” by which a new MPO is designated. Consequently, the statutory criteria provided by SB-1032 to create a new MPO constricts the federally mandated procedure. SB-1032 simply prohibits new MPOs from being created when the MPO to be created is located in an urbanized area with an existing MPO or in a contiguous urbanized area.

The SB-1032 language is also inconsistent with 23 CFR Section 450.310(e), which permits new MPOs to be designated in an existing urbanized area, or a contiguous urbanized area, where an MPO already exists in the contiguous urbanized area. 23 CFR Section 450.310(e) provides that in an existing urbanized area, or in a contiguous urbanized area, a new MPO may be designated or created in the urbanized area, if the Governor and the existing MPO in the contiguous urbanized area determine that the size and complexity make the designation of the additional MPO appropriate. 23 USC §134(d)(7).

The language proposed by SB-1032 limits the location of new MPOs created after July 1, 2024, and the language is more limiting than the federally set standard criteria in the federal statute and federal administrative rule. The new language in SB-1032 is inconsistent with federal law and regulation. Consequently, it is trumped by Article VI, Paragraph 2 to the U.S. Constitution, which is known as the Supremacy Clause.² This clause provides that federal law and regulations supersede state law on the same subject.

2) New Language on Page 21, Lines 595-606, amending Section 339.175(6)(j):

(j)1. To more fully accomplish the purposes for which M.P.O.’s have been mandated, the department shall, at least annually, convene M.P.O.’s of similar size, based on the size

(Bankr. S.D. Fla. 2011); City of St. Petersburg v. Remia, 41 So.3d 322 (Fla. 2d DCA 2010); Shands Teaching Hospital and Clinics, Inc. v. Sidky, 936 So.2d 715 (Fla. 4th DCA 2006).

² When application of state law *would* interfere with the operation of a valid federal statute, modern courts are more likely to conclude that the state law is preempted. Ever since Hines v. Davidowitz, 312 U.S. 52, 61 S.Ct. 399 (1941), the Supreme Court has sometimes articulated a broad version of this idea. The majority opinion in Hines arguably suggested that state law is preempted whenever its application “stands as an obstacle to the accomplishment and execution of the full purposes and objectives” behind a valid federal statute, and later cases have repeated this formulation.

of population served, for the purpose of exchanging best practices. M.P.O.'s may shall develop committees or working groups as needed to accomplish such purpose. At the discretion of the department, training for new M.P.O. governing board members shall be provided by the department, by an entity pursuant to a contract with the department, by the Florida Center for Urban Transportation Research, or by the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies (I- STREET) Living Lab

While this language sounds good, the proposed amendment does not provide a concrete improvement in MPO operations or training. For example, language currently existing in Section 339.175(6)(h), Florida Statutes, provides that each MPO **shall** provide for training opportunities for local officials serving on an MPO :

(h) In order to enhance their knowledge, effectiveness, and participation in the urbanized area transportation planning process, each M.P.O. shall provide training opportunities and training funds specifically for local elected officials and others who serve on an M.P.O. The training opportunities may be conducted by an individual M.P.O. or through statewide and federal training programs and initiatives that are specifically designed to meet the needs of M.P.O. board members.

The foregoing provision needs to be read together with Section 339.175(11)(c)5., Florida Statutes, which requires the MPOAC to:

(11) METROPOLITAN PLANNING ORGANIZATION
ADVISORY COUNCIL.—

* * *

(c) The powers and duties of the Metropolitan Planning
Organization Advisory Council are to:

* * *

5. Deliver training on federal and state program requirements and procedures to M.P.O. board members and M.P.O. staff.

The training tasks called for by SB-1032 are already being conducted by the MPOAC. Thus, SB-1032 sounds like it is adding something positive, but it merely takes the task away from the MPOAC which is already performing it. Training sessions cover a full day and are held twice per year. Reviews conducted by elected officials who attend these training session have all been uniformly *highly* favorable. Why reinvent the wheel when the wheel is already working well.

The new language in SB-1032 also removes networking opportunities for MPOs to improve their operations through quarterly MPOAC conferences and meetings and switches the networking orchestration to FDOT. However, the new language only provides for MPOs of similar size, based on population served, to network with each other, thereby neglecting an opportunity for all MPOs to network together at one time.

If a system is working at the MPOAC, which it is, why abolish it and switch the responsibilities to another agency, namely FDOT? Elimination of the MPOAC and the networking/training opportunities that it provides will result in regression of transportation planning in Florida and abandons programs that have been designed and revised over a 30 + year time frame. This amendment abandons a cost-efficient delivery of service provided by the MPOAC.

3) Strike Language on Page 24, Lines 675-678, amending Section 339.175(7)(a):

Multiple M.P.O.'s within a contiguous urbanized area must coordinate the development of long-range transportation plans to be reviewed by the Metropolitan Planning Organization Advisory Council.

Striking this language appears inconsistent with federal law. For example, 23 USC §134(g)(1) and (4) provides:

§134 Metropolitan transportation planning .

(g) MPO CONSULTATION IN PLAN AND TIP COORDINATION.—

(1) NONATTAINMENT AREAS.—If more than 1 metropolitan planning organization has authority within an urbanized area (as defined by the Bureau of the Census) or an area which is designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.), each metropolitan planning organization shall consult with the other metropolitan planning organizations designated for such area and the State in the coordination of plans and TIPs required by this section.

(4) COORDINATION BETWEEN MPOS.—If more than 1 metropolitan planning organization is designated within an urbanized area (as defined by the Bureau of the Census) under subsection (d)(7), the metropolitan planning organizations designated within the area shall ensure, to the maximum extent practicable, the consistency of any data used in the planning process, including information used in forecasting travel demand.

(emphasis supplied). Reference to the “coordination of plans” would include several types of plans, including the long-range transportation plan.

§ 450.314 Metropolitan planning agreements.

* * *

(h)(1) The MPO(s), State(s), and the providers of public transportation shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO (see §450.306(d)), and the collection of data for the State asset management plan for the NHS for each of the following circumstances:

(i) When one MPO serves an urbanized area;

(ii) When more than one MPO serves an urbanized area; and

(iii) When an urbanized area that has been designated as a TMA overlaps into an adjacent MPA serving an urbanized area that is not a TMA.

(emphasis supplied).

Deletion of this language will undercut a current requirement of Florida law which is of importance. There are a number of urban areas that span the limits of more than one county and more than one MPO.³

Urban areas that span the limits of more than one county include, by example, the Bradenton-Sarasota-Venice urban area boundaries⁴ which now run from portions of Manatee County, through Sarasota and Charlotte Counties, and into Lee County. Another example is the Miami-Fort Lauderdale urban area which spans portions of Palm Beach, Broward, and Miami-Dade Counties.⁵

³ Provision of more than one MPO in a given urban area, the process of designation, was established in Florida by agreement between the Governor and the existing MPO in the area some years ago given the size and complexity of the urbanized area. This is consistent with 23 CFR §450.310(e) and provides that the designation of more than one MPO is appropriate in such instance.

⁴ Urban area boundaries, as determined by the U.S. Bureau of the Census every ten years, are based on the location and density of population and do not coincide with county boundaries.

⁵ Other examples of urban areas spanning more than one county include the Port St. Lucie urban area which includes portions of St. Lucie and Martin Counties; Vero Beach-Sebastian urban area which includes portions of Brevard, Indian River, and St. Lucie Counties; Daytona Beach-Palm Coast-Port Orange urban area which includes portions of Fagler and Volusia Counties; the Jacksonville urban area which includes portions of Clay, St. Johns, and Duval Counties; the Orlando urban area which includes

Coordination of long-range transportation plans between MPOs within a single urban area only makes sense, since connecting transportation facilities (primarily roads) should connect in a uniform manner, notwithstanding that they are located within the jurisdictional areas of two or more MPOs and two or more counties. By requiring adjacent MPOs to coordinate long-range transportation plans, a coherent plan of roadway widening and improvement can be designed that ignores county boundaries and is based on population and actual traffic volume. Elimination of this language is a step, indeed a leap, away from planned transportation improvement, and elimination of this provision appears inconsistent with federal law.

4) New Language on Page 26, Lines 738-737, amending Section 339.175(10), and New Language on Pages 26-27, Lines 738-780, amending Section 339.175(10):

The long-range transportation plan must be approved by the M.P.O. and by the department as provided in subsection (10).

* * *

(10) ACCOUNTABILITY.—

(a) The department shall review each M.P.O.'s long-range transportation plan for productive flow and connectivity for people and freight within the M.P.O.'s metropolitan area. If the department finds an M.P.O.'s long-range transportation plan to be unsatisfactory or incongruent with the metropolitan area, the department shall return the plan to the M.P.O. for revision.

(b) The department shall create quality performance metrics and a scoring mechanism by which to evaluate each M.P.O.'s service to its communities, taking into consideration traffic congestion, the utilization rate of multimodal transportation facilities, resident satisfaction, efficiency of the transportation system for people and freight, and other factors the department deems necessary. The department shall establish a minimum acceptable quality performance score.

(c) Beginning in 2025, and each year thereafter, each

portions of Lake, Seminole, Orange, and Osceola Counties; The Villages urban area which includes portions of Lake, Sumter, and Marion Counties; the Beverly Hills-Homosassa Springs-Pine Ridge urban area which includes portions of Citrus and Marion Counties; the Spring Hill urban area which includes portions of Hernando and Pasco Counties; the Tampa-St. Petersburg urban area which includes portions of Pasco, Pinellas, Hillsborough Counties; the Four Corners urban area which includes portions of Osceola, Polk, Orange, and Lake Counties; the Kissimmee-St. Cloud urban area which includes portions of Orange and Osceola Counties; the Poinciana urban area, which includes portions of Polk and Osceola Counties; the Port Charlotte-North Port urban area which includes portions of Charlotte and Sarasota Counties; the Bonita Springs-Estero urban area which includes portions of Collier and Lee Counties. the Navarre-Miramar Beach-Destin urban area which includes portions of Santa Rosa, Walton, and Okaloosa Counties; and the Pensacola, FL-AL urban area which includes portions of Santa Rosa and Escambia County, FL and Baldwin County, Alabama.

M.P.O. shall report its score for each quality performance metric by December 1 to the district secretary and shall publish the score and supporting data on its website. The department must validate each M.P.O.'s score calculation and make adjustments thereto if necessary.

(d) Beginning in December 2026, and every 3 years thereafter, an M.P.O. that does not achieve the minimum acceptable quality performance score shall be placed under the control of the Secretary of Transportation. The Secretary of Transportation shall appoint the district secretary or another person to assume the role of executive director of the M.P.O. and chair of its governing board for a period not to exceed 1 year, during which time the district secretary or other person shall make recommendations to the governing board regarding:

1. Any leadership, process, and management changes needed to improve the M.P.O.'s quality performance score.

2. Whether the metropolitan area of the M.P.O. would be better served by consolidation of the M.P.O. with an M.P.O. in a contiguous urbanized metropolitan area.

(e) Subject to appropriation by the Legislature, beginning in 2026 and every 3 years thereafter, the single M.P.O. with the highest quality performance score will receive \$5 million from the State Transportation Trust Fund. Such funds shall be expended at the M.P.O.'s discretion for a project approved in its work program list. Such M.P.O. shall also represent the state in any federal M.P.O. conference or membership organization.

SB-1032 Section 339.175(7) and new sub-section (10), Florida Statutes will require development and adoption of a long-range transportation plan by an MPO. However, the new language in SB-1032 that is being added requires long-range transportation plans to also be reviewed and approved by FDOT using statutorily prescribed metrics. This is inconsistent with federal law which requires approval only by locally elected officials that comprise an MPO governing board.

23 USC Section 134(c)(1) provides that long-range transportation plans shall be developed by MPOs. The language of the statute indicates that development of the plan should be in "cooperation with the state" but beyond cooperation, there is no requirement of review and approval of a long-range plan by the state.

§134 Metropolitan transportation planning .

* * *

(c) GENERAL REQUIREMENTS.—

(1) DEVELOPMENT OF LONG-RANGE PLANS AND TIPS.—

To accomplish the objectives in subsection (a), **metropolitan planning organizations** designated under subsection (d), in cooperation with the **State** and public transportation operators, shall develop long-range transportation plans and transportation improvement programs through a performance-driven, outcome-based approach to planning for metropolitan areas of the **State**.

The administrative rules adopted by the FHWA that implement 23 USC Section 134 make no reference to review and approval of a long-range transportation plan by the state. A review of 23 CFR Section 450.324(a)-(c), which relevant provisions, contains no reference to state review and approval of the long-range transportation plan.

§ 450.324 Development and content of the metropolitan transportation plan.

(a) The metropolitan transportation planning process shall include the development of a transportation plan addressing no less than a 20-year planning horizon as of the effective date. In formulating the transportation plan, the MPO shall consider factors described in § 450.306 as the factors relate to a minimum 20-year forecast period. In nonattainment and maintenance areas, the effective date of the transportation plan shall be the date of a conformity determination issued by the FHWA and the FTA. In attainment areas, the effective date of the transportation plan shall be its date of adoption by the MPO.

(b) The transportation plan shall include both long-range and short-range strategies/actions that provide for the development of an integrated multimodal transportation system (including accessible pedestrian walkways and bicycle transportation facilities) to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand.

(c) The MPO shall review and update the transportation plan at least every 4 years in air quality nonattainment and maintenance areas and at least every 5 years in attainment areas to confirm the transportation plan's validity and consistency with current and forecasted transportation and land use conditions and trends and to extend the forecast period to at least a 20-year planning horizon. In addition, the MPO may revise the transportation plan at any time using the

procedures in this section without a requirement to extend the horizon year. The MPO shall approve the transportation plan (and any revisions) and submit it for information purposes to the Governor. Copies of any updated or revised transportation plans must be provided to the FHWA and the FTA.

* * *

However, 23 CFR Section 450.324(g) does explain the relationship of the state in the long-range transportation plan development process. It provides that “[t]he MPO *shall consult, as appropriate, with State . . . concerning the development of the long transportation plan. The consultation shall include (1) Comparison of transportation plans with State conservation plans or maps, if available; or (2) Comparison of transportation plans to inventories of natural or historic resources, if available.*” (emphasis supplied).

§ 450.324 Development and content of the metropolitan transportation plan.

* * *

(g) The MPO shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan. The consultation shall involve, as appropriate:

- (1) Comparison of transportation plans with State conservation plans or maps, if available; or
- (2) Comparison of transportation plans to inventories of natural or historic resources, if available.

(emphasis supplied). 23 CFR Section 450.324(g) does need to be read together with 23 CFR Section 450.316(b) which further discusses the MPOs’ consultation and involvement with other organizations, such as the state, in the development of the long-range transportation plan.

§ 450.316 Interested parties, participation, and consultation.

* * *

(b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPO shall develop the

metropolitan transportation plans and TIPs with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

(1) Recipients of assistance under title 49 U.S.C. Chapter 53;

(2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and

(3) Recipients of assistance under 23 U.S.C. 201–204.

Thus, there is supposed to be “consultation” with the state, but state review and approval is not a part of the federal plan for development of the long-range transportation plan.

By requiring state approval and “accountability” as defined by new proposed Section 339.175(10), Florida Statutes, the legislation is chipping away, indeed dismantling, the federal transportation planning scenario which requires decisions by locally elected officials. Specifically, although transportation monies are granted to the states, Congress wanted to see that local officials play a major role in transportation planning. Consequently, MPOs were created in 1962 by the Federal Aid Highway Act of 1962⁶ with the intent of providing for decision-making and planning by local elected officials in urbanized areas. The governing board of an MPO consists of local elected officials, including county commissioners, city council members, and port (seaport or airport) authority members.⁷

SB-1032 through the additional language in Section 339.175(7) and (10) moves the transportation planning process away from one of local input and decision-making to state oversight and control. It is inconsistent with the concept of local decision-making that

⁶ See §9, Pub.L 87-866, 76 Stat. 1148 (Oct. 23, 1962).

⁷ See §339.175(3)(a), Fla.Stat. An M.P.O. may also include as part of its governing board voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida. *Id.*

forms the underpinnings of federal law, and it is inconsistent with the old conservative adage⁸ that “government closest to the people serves the people the best.”⁹

Not only does the new statutory language move decision-making away from the local level through MPOs, the decisions of an MPO in the form of its long-range transportation plan will now be graded by the FDOT. The FDOT is directed to set up a process by bureaucratic osmosis known as “quality performance metrics and scoring mechanisms” which measure an MPO’s service to the community. See SB-1032, New Section 339.175(10)(a) and (b), Lines 745-752.

Traffic congestion and resident satisfaction are key factors in the scoring mechanisms, which given the backlog of transportation projects in Florida due to a shortage of funds, and development approval processes which make it impossible to downzone properties or stop development, should easily equate to negative scoring through the “quality performance metrics and scoring mechanism.”

What will follow is a legislative demand that MPOs be further dismembered and all transportation planning be done by central authorities in Tallahassee. In fact, the legislation provides that if an MPO does not meet the minimum required rating established by FDOT, then the MPO “shall be placed under the control of the Secretary of Transportation. The Secretary of Transportation shall appoint the district secretary or another person to assume the role of executive director of the M.P.O. and chair of its governing board for a period not to exceed 1 year, . . .” New Section 339.175(10)(d), Florida Statutes; SB-1032, Lines 759-772.

Another concern in new Section 339.175(10)(e), Florida Statutes; SB-1032, Lines 773-780, is a provision that awards a \$5 million “bonus” to the single MPO which scores the highest in the FDOT’s quality performance metrics and scoring mechanism and provides that the highest scoring MPO will represent the state at any federal MPO conference or membership organization, such as AMPO. This carrot and stick approach by suggesting financial reward is an attempt to lure MPO’s into doing exactly that which is directed by FDOT at the expense of local officials engaging in making contrary decisions. This carrot and stick approach is completely inconsistent with the goal of having local elected

⁸ This statement is often attributed to Thomas Jefferson. However, the first reference to the expression appeared in print in a magazine, the *United States Magazine and Democratic Review*, which was founded in 1837. Jefferson could not have been contemporaneously quoted, because he died in 1826. See Check Your Fact.com, checkyourfact.com/2019/04/10/fact-check-facebook-thomas-jeffe-government-best-governs-least/.

⁹ An editorial critical of changes in Florida law stated that “[t]he Jeffersonian maxim that government closest to the people governs best is a central plank of republicanism. Nonetheless, Florida’s Republican-dominated Legislature in recent years has been steadily moving away from this central plank toward centralizing local governance at the state level.” Editorial, *Citrus County Chronicle* (Apr. 1, 2019) www.chronicleonline.com/opinion/editorials/government-closest-to-people-governs-best/article_c2b1e9d0-54f5-11e9-9b95-c7be517b59ae.html.

decision-makers setting policy with regard to the expenditure of federal transportation monies, which is inherent in federal law creating MPOs.

The quality performance metrics and scoring mechanism shifts MPO decision-making so that it mirrors FDOT expectations and demands as set in the scoring mechanism. This approach is the reverse of what is required by federal law as set forth in 23 USC Section 135, which requires the state to “coordinate” transportation planning with MPOs.

§ 135 - Statewide and nonmetropolitan transportation planning

* * *

(b) COORDINATION WITH METROPOLITAN PLANNING; STATE IMPLEMENTATION PLAN.—A State shall— (1) coordinate planning carried out under this section with the transportation planning activities carried out under section 134 for metropolitan areas of the State [namely MPOs] and with statewide trade and economic development planning activities and related multistate planning efforts; . . .

Lastly, it is unclear where the \$5 million “bonus” money is to come from. Will it come from federal transportation monies, which may implicate the legality of such “bonus” money? If it comes from federal PL monies, this indicates that one or more MPOs may be deprived of some funding, which they would ordinarily benefit from.

(5) The fifth change of import in SB-1032 abolishes the MPOAC, and when combined with other language discussed above substitutes some of what the MPOAC has been competently performing for years from the MPOAC to the FDOT.

SE 1032 proposes striking language on Pages 26-29, Lines 781-832, amending Section 339.175(11), as follows:

(11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.—

(a) A Metropolitan Planning Organization Advisory Council is created to augment, and not supplant, the role of the individual M.P.O.’s in the cooperative transportation planning process described in this section.

(b) The council shall consist of one representative from each M.P.O. and shall elect a chairperson annually from its number. Each M.P.O. shall also elect an alternate representative from each M.P.O. to vote in the absence of the representative.. Members of the council do not receive any compensation for their services, but may be reimbursed from funds made available to council members for travel and per

diem expenses incurred in the performance of their council duties as provided in s. 112.061.

(c) The powers and duties of the Metropolitan Planning Organization Advisory Council are to:

1. Establish bylaws by action of its governing board providing procedural rules to guide its proceedings and consideration of matters before the council, or, alternatively, adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law conferring powers or duties upon it.

2. Assist M.P.O.'s in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law.

3. Serve as a clearinghouse for review and comment by M.P.O.'s on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes instituted pursuant to s. 339.155. The council must also report annually to the Florida Transportation Commission on the alignment of M.P.O. long-range transportation plans with the Florida Transportation Plan.

4. Employ an executive director and such other staff as necessary to perform adequately the functions of the council, within budgetary limitations. The executive director and staff are exempt from part II of chapter 110 and serve at the direction and control of the council. The council is assigned to the Office of the Secretary of the Department of Transportation for fiscal and accountability purposes, but it shall otherwise function independently of the control and direction of the department.

5. Deliver training on federal and state program requirements and procedures to M.P.O. board members and M.P.O. staff.

6. Adopt an agency strategic plan that prioritizes steps the agency will take to carry out its mission within the context of the state comprehensive plan and any other statutory mandates and directives.

(d) The Metropolitan Planning Organization Advisory Council may enter into contracts in accordance with chapter 287 to support the activities described in paragraph (c). Lobbying and the acceptance of funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources are prohibited.

This language is of concern, because it eliminates a major coordination method that has been cited as a potential national model by the Association of Metropolitan Planning Organizations (“AMPO”) and other MPOs around the nation. The MPOAC coordination model is especially useful in Florida because of the number of MPOs, 27, in the state, which is more than any other state.¹⁰

The MPOAC convenes at least quarterly, or in some cases more often. As current state legislation provides,¹¹ the MPOAC acts as a clearinghouse for federal and state MPO issues. To the extent that the FDOT chooses to utilize this clearinghouse, it is a centralized location for review and comment on draft uniform FDOT contracts with the various MPOs.

The MPOAC is a center for review and comment on the applicability of new FDOT policies with regard to MPOs. It is a review and comment center for revisions to proposed funding formulas, and it provides a direct center of communication for federal agencies, such as FHWA and FTA, with the MPOs with regard to grant opportunities federally available to MPOs and with regard to new or amended federal regulations and policies. The MPOAC provides a networking opportunity for MPO staff members and governing board members from the various MPOs.

The MPOAC also operates a training program that it has developed during its 30+ years in existence to train MPO governing board members in federal and state transportation legal issues and procedures, as well as educating the governing board members with regard to how federal and state transportation funding has developed over the years.

The abolition of the MPOAC likely won't save the state transportation dollars. The MPOAC during its 30+ years of existence has worked to keep a minimal staff of only two individuals. Essentially, the abolition of the MPOAC dumps over 30 years of development of a coordination and networking system to improve local and state planning of transportation in Florida. It provides for FDOT, at the expense of the state transportation planning funds, to develop and implement a new coordination system and will, at the expense to the state budget, no doubt result over the long term in the hiring of additional state employees to replicate what the MPOAC and the MPOs have already developed.

SUMMARY: SB-1032 merely repackages certain tasks already being performed by the MPOAC and places them under FDOT. In essence, FDOT is being required to reinvent the wheel, and it is doubtful whether these tasks can be achieved as efficiently as the MPOAC is doing it with a staff of only two people.

¹⁰ One of the reasons that Florida has such a high number of MPOs is due to the fact that it is the state with the third highest amount of population, and rather than having the population concentrated in a handful of enormous metropolitan areas, such as New York City, Chicago, or Los Angeles, Florida has a high number of urban areas, as classified by the U.S. Bureau of the Census. In actuality, however, while it may seem that Florida has a high number of MPOs, it does not. The Federal Highway Administration indicates that nationally, there are approximately 420 MPOs. narc.org/about/what-is-a-cog-or-mpo/ Thus, 27 MPOs in the nation's third largest state does not seem particularly disproportionate.

¹¹ §339.175(11)(c)3., Fla.Stat.

Mark Reichert, Executive Director

January 4, 2023

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Additionally, the changes outlined in SB-1032 are simply inconsistent with federal law and would seem to violate the Supremacy Clause of the U.S. Constitution.

Lastly, it is odd that if someone feels that changes are needed in MPO state legislation, there has been no contact with the MPOs or the MPOAC to discuss what is the most efficient and effective way of achieving those changes. Certain unknown individuals merely have contacted legislators with proposals to end the MPOAC and adopt changes inconsistent with federal law without discussing those changes with those individuals who are most affected even having an opportunity to propose amendatory language.¹²

PRG/mb

¹² In fact, the MPOAC attempted to propose changes to Section 339.175, Florida Statutes, to streamline the statute and make it more consistent with changes made over the years in federal law. This attempt was made about 15 to 20 years ago, but the MPOAC was told that its proposals were too in depth, and probably would not be considered by legislators because they were too lengthy. Finally, after being rebuffed some years ago, in the last session of the Legislature, the MPOAC's ability to lobby for improvements to the MPO statute was prohibited by the Legislature. See §15, Chap. 2023-197, Laws of Fla.

February 14, 2024

10. Upcoming Events



Staff and/or board members will provide information on the following upcoming events as needed:

UPCOMING EVENTS

Feb 16 th	TMA Leadership Group Meeting – 9:30 a.m.
Feb 17 th	Targeted Enforcement Day – Pinellas Trail
Feb 19 th	Forward Pinellas Community In-Service Day – St. Pete Bike Co-op - Noon
Feb 24 th	LRTP Outreach – Localtopia – St. Petersburg 10:00 a.m. – 5:00 p.m.
March 2 nd	8th Annual Bike Your City – St. Petersburg
March 8-9 th	MPOAC Weekend Institute for Elected Officials – Orlando
May 17-18 th	MPOAC Weekend Institute for Elected Officials – Tampa

ATTACHMENT(S): None

ACTION: None required; informational item only.