

FLORIDA TRANSPORTATION COMMISSION

MINUTES OF JANUARY 29, 2004

MEETING NUMBER 141

The one hundred and forty-first meeting of the Florida Transportation Commission was held Thursday, January 29, 2004 at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida. Chairman Durden called the meeting to order at 8:35 a.m.

ATTENDANCE

Members in attendance were: Commissioners Earl Durden, Jim Holton, David Brown, Gasper Lazzara, Bob Namoff, Janet Watermeier, Sidney Calloway, Heidi Eddins and David Straz.

MINUTES

Minutes of the December 9, 2003 Commission Meeting were approved.

CHAIRMAN'S REPORT

Chairman Durden reported:

- Welcomed the two newly appointed Commissioners Heidi Eddins and David A. Straz, Jr. Commissioner Eddins is from St. Augustine and Commissioner Straz is from Tampa.
- Introduced Emil Frankel, Assistant Secretary for Transportation Policy, U.S. Department of Transportation, Washington, D.C. Mr. Frankel spoke to the Commission regarding priority issues with the USDOT and how it relates to Florida. He discussed the TEA-21 Reauthorization. **Chairman Durden** asked Mr. Frankel if they would be proposing any changes in the formula and Mr. Frankel responded no, they would not. The USDOT's current intent is to leave that to Congress. **Commissioner Brown** commented that Florida could benefit from a positive incentive in the reauthorization to encourage not only Florida but other states to continue to expand toll systems. Mr. Frankel responded that was a very good suggestion. **Chairman Durden** responded that the Commission should write Mr. Frankel a letter and copy the Transportation & Infrastructure Committee members. **Commissioner Brown** commented that federal funding precludes Florida from doing any advanced acquisition of right of way for multi-modal transportation corridors. If we do not plan for new corridors 10-20 years in advance in a state like Florida, which is rapidly growing, the State will be very limited in solution alternatives. Mr. Frankel said they have tried to deal with that to some degree in the environmental streamlining proposals to permit advanced acquisitions before the environmental process has been completed. Mr. Frankel does not know if it will make it through Congress.
- Commissioner Gasper Lazzara has been appointed to the TEAM Florida Board. Commissioner Lazzara attended the Executive Board Workshop in Orlando at the Turnpike headquarters on January 14th.

- Commissioner David Brown has been appointed Chairman of the Turnpike Enterprise Corporate Advisory Board.
- Presentations of the Assessment of Florida's Regional and Intermodal Transportation Planning were made before the Senate Transportation Committee, House Transportation Committee and the MPO Advisory Council Meeting.
- Workshops on the Strategic Intermodal System are currently being held around the state. **Chairman Durden** encouraged each Commissioner to attend the workshop when held in their area.
- Commissioner Namoff attended the Cargo Security Summit in Tallahassee. **Commissioner Namoff** gave a brief summary of the Summit. This was the first ever Cargo Security Summit sponsored by Motor Carrier Compliance held at the FDLE headquarters. The Governor spoke at the Summit.
- Terry Griffith, President of ITS Florida invited the Commissioners to ITS Legislative Awareness days on March 17, 2004.
- The Commission's Quarter in Review will be sent out Monday, February 2nd.

FLORIDA DEPARTMENT OF TRANSPORTATION REPORT

Assistant Secretary Lowell Clary reported on the following:

- The Governor released his budget last week. The \$6.5 billion Department budget is the highest budget in the Department's history. The Department continues its position reduction plan and currently has 7,832 positions in the current budget, reducing a net of 213 positions this year. The Work Program budget is \$5.8 billion, an increase over the current year by \$300 million. The Work Program includes \$500 million of new funding. Senate Bill 24A, passed last legislative session increased the Turnpike bond cap. In addition, the budget includes a one time increase in federal fiscal year 2004. There is a \$100 million sweep to general revenue in this budget that will be taken from the Transportation Outreach Program in FY 04/05. Through the good efforts of this Commission and the Secretary – it's not a \$200 million sweep. 75% of the new federal funds has been allocated to the Strategic Intermodal System. Past policy has been 50% to the Florida Intrastate Highway System which is the highway component to the Strategic Intermodal System and 50% to the Districts. This policy change is focusing the State's priorities on to the Strategic Intermodal System.
- Turnpike Operations were fully funded in accordance with the request. The Governor is also consolidating state facilities. The Department is going to build a consolidated operations center for Florida Highway Patrol, Motor Carrier, Fish & Wildlife, plus a coordinated dispatch center in West Palm Beach. Another new facility will be in the Panhandle in Defuniak Springs to consolidate ten locations that will close in the future. It will be an operations center for Maintenance and Construction and other field facilities.
- All ITS and related technology issues were fully funded.
- The Department was concerned about the contract lettings going down. The Department has worked hard to bring those up and will continue through reauthorization to bring those up through 2008 and years beyond. The Department feels as though it has made good progress. **Chairman Durden**

commented that the Department needs to continue to work on future letting levels. That was a question that was raised by one of the House members – what that drop off was going to be. This information needs to be shared with Chairman Russell. Mr. Clary responded the Department would be presenting their budget recommendations in the next week or so and he will provide the information to the Appropriation Committees and also the Transportation Committees. **Commissioner Brown** asked if he will review where the money is coming from when the Department presents the Work Plan. Mr. Clary responded yes.

- Congress passed their budget and it is now moving to the President for approval. There is an increase in highway funding. Transit funding was pretty much level with the previous years budget. Keep in mind the increase we are talking about is a one time increase. Congress is spending at a higher level than the President has recommended so it is starting to eat into the trust fund balance. This is going to be an issue they are going to have to deal with as part of reauthorization.
- The Senate Bill tables were released recently. The Department has some concerns. Florida is at 90.5% return in the bill all the way through 2008 and then it jumps to 95% in the last year. The Department is working closely with its peer states that are in similar situations to recommend some changes. The House is a little different situation. Their bill is a much higher dollar number than the Senate. The Senate is at about \$310 - \$315 million total. The House is at \$375 million. So they have more money, but the bad news is they haven't figured out how to fund it. Their equity coverage is much smaller than TEA-21. High priority projects are not covered under the equity provision, they have added some new high priority projects called "Projects of National Significance" that are not by the equity guarantee. Essentially, in TEA-21 the guarantee covered about 93% of the total funding and the House bill is down to 82%. While it sounds good, the devil is in the details. **Chairman Durden** said that Florida has not been getting its part of the high priority projects, and we have got to do better in that regard. Even though we are supposed to have a 90.5% rate of return, our return is really about 86% because high priority project funding which is outside of the guarantee. Florida is not getting its fair share of High Priority projects. Mr. Clary said the Department is trying to get them to expand what is covered by the guarantee. **Commissioner Holton** stated that we are running out time – does the Department have any specific projects that the Department wants to focus on? Mr. Clary said they do, they have been in contact with the District Secretaries and they are working closely with them on their priorities. **Commissioner Holton** asked for a copy of the priority list the Districts Secretaries have developed. Mr. Clary said they were not always getting a list, but the ones they are getting the Department is commenting on. The message the Department is continuing to stress is that what is not productive for the member or the state is to have a project pop out of nowhere that can't be delivered. **Chairman Durden** asked Mr. Clary if the lists were going to him for review from the Districts? Mr. Clary said yes, but the Department is not always getting the list from the Congressional members. **Chairman Durden** said that the Department has a list of what they are recommending and that is the list the Commission wants. Mr. Clary said they have a list they are working with them on.

- Assistant Secretary Ken Morefield is leaving the Department early March. Leroy Irwin, Manager of the Environmental Management Office is also leaving.
- The Department's operating budget decreased \$3.9 million. **Commissioner Namoff** asked the Department what parts of their operating budget are being cut. Mr. Clary responded that Toll Operations and Turnpike operations have cut over \$1 million due to contracting out part time positions. The rest is from expense budget reductions associated with the position reduction plan.
- **Chairman Durden** recognized Assistant Secretary Ken Morefield and commended him for his many years of work for the Florida Department of Transportation and to his contributions to the success of the Department. On behalf of the Commission, we wish you well as you go forth in the private sector.

HIGH SPEED RAIL RESOLUTION

Chairman Durden mentioned that the Commission has been approached by a number of Legislators and others asking the Commission to take a position on High Speed Rail. The Commission has prepared a draft Resolution that has been sent around. There are one or two issues that need to be resolved prior to adopting the Resolution. **Chairman Durden** proposed that we hold the Resolution until the next meeting, work out the issues and make sure everyone has a chance to review and discuss. If you have any thoughts on the draft Resolution, please forward them on to Laura Kelley. The Commission will adopt a Resolution at the next meeting.

STRATEGIC INTERMODAL SYSTEM UPDATE

Assistant Secretary Ysela Llort gave an update to the Commission. There is overall strong support for the Strategic Intermodal System (SIS) and the Emerging Systems. There are also some concerns in terms of how the system will be prioritized, how high speed rail will fit into the picture on the SIS, and what it might mean in financing on the rest of the SIS. There is some concern that as we are moving on with financing the SIS that we understand there are other needs beyond the SIS that are more regional and need to be taken care of. They also want the Department, as they go into the project prioritization process, to consider economic factors. Not only at the Work Program stage but also in how they consider cost benefit factors and other issues that would level the playing field among modes and among regions.

The other issue that comes up occasionally is trying to make sure the Metropolitan Planning process is one that incorporates the concerns of the business community into the decision making process. Much in line with the recommendations the Commission has made. There are some big issues the Department will have to face in moving forward with the SIS. She discussed some of the policy issues that the Department will be bringing to the Commission in the near future. The Department would like to provide a very strong statutory framework for the level of investment. The proper balance of funding for the Emerging SIS must be determined. There is a lot of support for making sure the Department finances the Emerging SIS. The Department needs to consider how they might finance off system facilities. Right now, the Department does not have the

statutory ability to do that. **Chairman Durden** responded that if something is not done to clarify Emerging SIS funding and other program issues before they become problems, then we haven't done proper planning. Ms. Llort responded yes that is correct. So the Department is going to have to broaden the inventory of facilities that the Department can invest state dollars on. That will require changes in legislation.

The Statewide Intermodal Transportation Advisory Council (the council that was created as part of the same SIS legislation) has had a series of meetings. A lot of their effort has been focused on responding to the Commission's report on the Assessment of Regional Transportation Planning. The SITAC supported all the recommendations. What the Department is hearing from the SITAC is that they want to make sure that the SIS and Emerging SIS are well funded. They want to make sure that the Department provides for good processes, which allows everyone to make investments rapidly. They want to be sure that, not only is the Department making investments in the right facilities, but that the Department is investing in an agile manner on the right facility, and that the Department can get that investment out in place to make sure it benefits the public.

COORDINATION OF FLORIDA'S TRAFFIC MANAGEMENT CENTERS

Assistant Secretary Ken Morefield gave a brief presentation on the Co-location of Florida's Traffic Management Centers. The bottom-line is that the Department does encourage co-location of transportation management centers. The Department has no jurisdiction or statutory authority to require co-location by other members such as cities, counties, expressway authorities or even FHP. But mainly the interstate systems and other limited access facilities are facilities that the Department is keying in on with early traffic management centers. The Department has developed and entered into an MOU with FHP to co-locate with the regional communication centers that FHP has. The Department will work with FHP to provide space, to get budget for staffing and for the locations the Department has to provide for the facilities. The Department has been very successful so far in working with FHP. **Commissioner Namoff** asked if there was any requirement forcing the different entities to work together with Essence of Architecture, such as the city, county or expressway authority – they are not required to use that software unless there is some mandate somewhere. Mr. Morefield responded no, but ITS of Florida and the Department have a working group where just about everyone that has a TMC, if not everybody, meets and coordinates efforts and he believes that they will do that voluntarily. It is in the best interest of these centers, and the population that they represent, to be able to do this. Even though an incident may not occur in their area, it may be coming their way or the results of it may be coming their way in forms of traffic or other types of instances. There is no requirement. **Commissioner Namoff** said he noticed that a few years ago that Peat Marwick had made recommendations to FDOT and one of their recommendations was a more centralized ITS structure. It seems that the individual districts have worked well operating on their own, but in a situation like this when center to center communications need to be coordinated, how do you keep them all together and what can we do to motivate them all to use this same architecture without requiring them? Ken Morefield responded that from what he has seen from attending all the meetings – they are all very encouraged by what the Department is trying to do to standardize the software. The Department is standardizing the software so that all the new centers that the Department has will be on the same software. The Department is

also making the software available to all the other centers. **Commissioner Namoff** asked if they would be equipped with fiber optic too? Mr. Morefield responded that yes, you can do it with fiber optic and also wireless. Fiber optic is best from the standpoint of a storm, but wireless may also provide other benefits. **Commissioner Namoff** recommended to the Chairman that he get with some of the District ITS staff and look at the need to have remote centers – some of the ITS staff believe there is benefit in having remote centers and he would like to do more research and report back. Mr. Morefield recommended that you might want to go a step further and meet with the Department and the advisory group (which are all the key players in the state) to talk about the issue. **Commissioner Brown** commented that at some point you have to get past planning and start doing to get something done.

PINELLAS COUNTY MPO PROGRAM HIGHLIGHTS

Vice Chair Karen Williams Seel made a presentation to the Commission on issues and the needs of the Pinellas County area. **Commissioner Brown** asked about the issue of the Hometown Democracy.com comp plan – and what were Ms. Seel's thoughts about the issue? Ms. Seel responded that it is very frightening to them because redevelopment will be the key which will require some land use changes. While Pinellas County has a good comp plan right now, it could constrain them as they try to move forward. **Commissioner Namoff** asked about the transportation impact fee that has not been approved yet – what are the developers saying about that? Ms. Seel said the developers think it's wonderful.

Chairman Durden asked Commissioners about the proposed legislation that the Commission is going to forward to the Senate and House Transportation. The Commission submitted the report on December 15, as required. The Commission has been asked to get final recommendations to the legislature next week. **Chairman Durden** asked for a motion to forward the legislation to the Legislature, **Commissioner Eddins** moved the motion and **Commissioner Calloway** seconded the motion. Ms. Kelley mentioned that Senator Clary asked the Commission to revise the members to the technical advisory committee to include military installations and she asked if the Chairman wanted to include that in the recommendation. **Chairman Durden** responded yes. **Commissioner Watermeier** asked if military installations are represented only if the region has a defense industry, because if you make it mandatory for all MPOs, Ft. Myers would have a great difficult time filling that slot. **Chairman Durden** responded no, only if you have a military base within that MPO. The motion was amended to include the military representative on the technical advisory committee if there is a military installation within the MPO. **Commissioner Eddins** said correct, the motion will be to submit the legislation amended as discussed. The motion was moved.

LOCAL TRANSPORTATION ISSUES

Presentations were made to the Commission from the following: Dave Goodwin for Mayor Rick Baker, St. Petersburg; Janice Miller for Mayor Beverland, Oldsmar; Mayor Mischler, Pinellas Park; Mayor Maloff, Treasure Island; Vice Mayor Hamilton, Clearwater; Major DiDonato, Tarpon Springs; Mayor Yakes, City of Gulfport; Commissioner Gay Gentry, City of Largo.

I-4 RECONSTRUCTION AESTHETICS & HISTORIC STRUCTURES

District Secretary Ken Hartmann, District Seven, shared videos of the I-4 Reconstruction Aesthetics & Historic Structures. The videos were developed as part of the community outreach program to show the community and explain the project and share what was being done on the I-4 project and the restoring of the homes and neighborhoods where I-4 was being constructed. FDOT and the community have done a great job working together to restore National Historic Landmark District - Ebor City back to the way it was years ago.

ASIA'S TRANSPORTATION INNOVATIONS

Harry Reed, Senior Project Manager, URS Corporation made a presentation to the Commission on Asia's Transportation Innovations. Mr. Reed discussed the public/private partnerships and how they could be used in Florida to accomplish more projects.

PUBLIC COMMENTS

Jim Kimbrough, Chairman of the Tampa Bay Partnership and former Commissioner of the Florida Transportation Commission spoke to the Commission regarding the Partnership and regional transportation.

Chairman Durden mentioned that there was additional data on the Executive Compensation Study included in each Commissioner's package. A full report will go out to Commissioners for review in the next few weeks. This item will be discussed at the next Commission meeting.

The next Commission meeting will be March 2nd in Tallahassee.

The meeting adjourned at 11:55 a.m.

MINUTES APPROVED _____AS READ_____AS AMENDED

THIS 2nd DAY OF MARCH 2004

CHAIRMAN

NOTE: If further detail of these proceedings is required, please contact Commission staff at 850-414-4105 or write to 605 Suwannee Street, Mail Station 09, Tallahassee, Florida 32399-0450. Meetings of the Florida Transportation Commission are recorded on video and audiotape.

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