

OVERVIEW



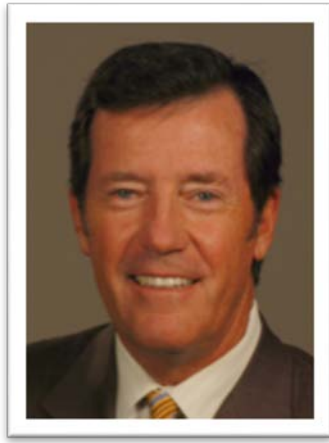
A Synopsis of the Responsibilities and Organization of the Florida Transportation Commission

February, 2015

Commission Members



Jay Trumbull
Chairman



Ken Wright
Vice Chairman



Beth Kigel
Secretary



John Browning



Donnie Ellington



Maurice Ferré



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MISSION STATEMENT

The mission of the Florida Transportation Commission is to provide leadership in meeting Florida's transportation needs through policy guidance on issues of statewide importance and by maintaining oversight and public accountability for the Department of Transportation and other statutorily specified transportation authorities.

Overview

- The Commission was created by the 1987 Legislature.
- The Commission is assigned to the Department for administrative and fiscal purposes; otherwise, it is independent of the Department.
- The Commission is required to meet a least four times per year. However, it usually meets seven to eight times in locations throughout the state in order to receive local input.
- Originally composed of seven Commissioners; membership was increased to nine in the June, 1991 Special Session.
- Commissioners are appointed by the Governor for four-year terms, subject to confirmation by the Florida Senate.
- Statutes require that membership "equitably represent all geographic areas." Historical precedent is one Commissioner from each Department district and two "at large" Commissioners.
- Commissioners must have private sector business managerial experience and may not have any direct or indirect interest in any contract or other benefit granted or awarded by the Department.
- Commissioners must represent transportation needs of the state as a whole and may not subordinate state needs to those of any particular area.
- The Commission is prohibited from involvement in the day-to-day operations of the Department (e.g., consultant or contractor selection, specific projects, personnel matters, etc.).
- The Commission's primary functions are to:
 - (1) Review major transportation policy initiatives or revisions submitted by the Department pursuant to Law.
 - (2) Recommend major transportation policy to the Governor and Legislature (the Commission has recommended policies related to public transit, funding, road jurisdiction, distribution of funds to districts, etc.).
 - (3) Serve as an oversight body for the Department and transportation authorities created under Chapters 343, 348, and 349, including those formed using the provisions of Part I of Chapter 348, Florida Statutes.
 - (4) Serve as a nominating Commission in the selection of the Secretary of Transportation (the Governor appoints the Secretary from among three candidates nominated by the Commission).

Guiding Legislation

FDOT Enabling Legislation

Florida Statutes, 20.23 Department of Transportation.--There is created a Department of Transportation which shall be a decentralized agency.

Commission Nominates Secretary Candidates to Governor

(1)(a) The head of the Department of Transportation is the Secretary of Transportation. The secretary shall be appointed by the Governor from among three persons nominated by the Florida Transportation Commission and shall be subject to confirmation by the Senate. The secretary shall serve at the pleasure of the Governor.

Qualifications of Secretary

(b) The secretary shall be a proven, effective administrator who by a combination of education and experience shall clearly possess a broad knowledge of the administrative, financial, and technical aspects of the development, operation, and regulation of transportation systems and facilities or comparable systems and facilities.

Department Assistance to the Commission

(c) The secretary shall provide to the Florida Transportation Commission or its staff, such assistance, information, and documents as are requested by the commission or its staff to enable the commission to fulfill its duties and responsibilities.

(d) The secretary may appoint up to three assistant secretaries who shall be directly responsible to the secretary and who shall perform such duties as are assigned by the secretary. The secretary may delegate to any assistant secretary the authority to act in the absence of the secretary.

(e) Any secretary appointed after July 5, 1989, and the assistant secretaries shall be exempt from the provisions of part III of chapter 110 and shall receive compensation commensurate with their qualifications and competitive with compensation for comparable responsibility in the private sector.

Commission Enabling Legislation

(2)(a)1. The Florida Transportation Commission is hereby created and shall consist of nine members appointed by the Governor subject to confirmation by the Senate. Members of the commission shall serve terms of 4 years each.

Commissioner Qualifications

2. Members shall be appointed in such a manner as to equitably represent all geographic areas of the state. Each member must be a registered voter and a citizen of the state. Each member of the commission must also possess business managerial experience in the private sector.

**Independence
Statement**

**Commission's
Primary
Functions**

3. A member of the commission shall represent the transportation needs of the state as a whole and may not subordinate the needs of the state to those of any particular area of the state.

4. The commission is assigned to the Office of the Secretary of the Department of Transportation for administrative and fiscal accountability purposes, but it shall otherwise function independently of the control and direction of the department.

(b) The commission shall have the primary functions to:

1. Recommend major transportation policies for the Governor's approval, and assure that approved policies and any revisions thereto are properly executed.

2. Periodically review the status of the state transportation system including highway, transit, rail, seaport, intermodal development, and aviation components of the system and recommend improvements therein to the Governor and the Legislature.

3. Perform an in-depth evaluation of the annual department budget request, the Florida Transportation Plan, and the tentative work program for compliance with all applicable laws and established departmental policies. Except as specifically provided in s. [339.135\(4\)\(c\)2.](#), (d), and (f), the commission may not consider individual construction projects, but shall consider methods of accomplishing the goals of the department in the most effective, efficient, and businesslike manner.

4. Monitor the financial status of the department on a regular basis to assure that the department is managing revenue and bond proceeds responsibly and in accordance with law and established policy.

5. Monitor on at least a quarterly basis, the efficiency, productivity, and management of the department, using performance and production standards developed by the commission pursuant to s. [334.045](#).

6. Perform an in-depth evaluation of the factors causing disruption of project schedules in the adopted work program and recommend to the Legislature and the Governor methods to eliminate or reduce the disruptive effects of these factors.

7. Recommend to the Governor and the Legislature improvements to the department's organization in order to streamline and optimize the efficiency of the department. In reviewing the department's organization, the commission

shall determine if the current district organizational structure is responsive to Florida's changing economic and demographic development patterns. The initial report by the commission must be delivered to the Governor and Legislature by December 15, 2000, and each year thereafter, as appropriate. The commission may retain such experts as are reasonably necessary to effectuate this subparagraph, and the department shall pay the expenses of such experts.

8. Monitor the efficiency, productivity, and management of the authorities created under chapters 348 and 349, including any authority formed using the provisions of part I of chapter 348 and any authority formed under chapter 343 which is not monitored under subsection (3). The commission shall also conduct periodic reviews of each authority's operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles.

Commission Prohibitions

(c) The commission or a member thereof may not enter into the day-to-day operation of the department or a monitored authority and is specifically prohibited from taking part in:

1. The awarding of contracts.
2. The selection of a consultant or contractor or the prequalification of any individual consultant or contractor. However, the commission may recommend to the secretary standards and policies governing the procedure for selection and prequalification of consultants and contractors.
3. The selection of a route for a specific project.
4. The specific location of a transportation facility.
5. The acquisition of rights-of-way.
6. The employment, promotion, demotion, suspension, transfer, or discharge of any department personnel.
7. The granting, denial, suspension, or revocation of any license or permit issued by the department.

Commission Meeting Procedures

(d)1. The chair of the commission shall be selected by the commission members and shall serve a 1-year term.

2. The commission shall hold a minimum of 4 regular meetings annually, and other meetings may be called by the chair upon giving at least 1 week's notice to all members and the public pursuant to chapter 120. Other meetings may also be held upon the written request of at least four other

members of the commission, with at least 1 week's notice of such meeting being given to all members and the public by the chair pursuant to chapter 120. Emergency meetings may be held without notice upon the request of all members of the commission. At each meeting of the commission, the secretary or his or her designee shall submit a report of major actions taken by him or her as the official representative of the department.

3. A majority of the membership of the commission constitutes a quorum at any meeting of the commission. An action of the commission is not binding unless the action is taken pursuant to an affirmative vote of a majority of the members present, but not fewer than four members of the commission at a meeting held pursuant to subparagraph 2., and the vote is recorded in the minutes of that meeting.

4. The chair shall cause to be made a complete record of the proceedings of the commission, which record shall be open for public inspection.

Meeting Location

(e) The meetings of the commission shall be held in the central office of the department in Tallahassee unless the chair determines that special circumstances warrant meeting at another location.

Remuneration

(f) Members of the commission are entitled to per diem and travel expenses pursuant to s. [112.061](#).

Conflicts of Interest

(g) A member of the commission may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by the department during the term of his or her appointment and for 2 years after the termination of such appointment.

Commission Staff Requirements

(h) The commission shall appoint an executive director and assistant executive director, who shall serve under the direction, supervision, and control of the commission. The executive director, with the consent of the commission, shall employ such staff as are necessary to perform adequately the functions of the commission, within budgetary limitations. All employees of the commission are exempt from part II of chapter 110 and shall serve at the pleasure of the commission. The salaries and benefits of all employees of the commission shall be set in accordance with the Selected Exempt Service; provided, however, that the commission shall have complete authority for fixing the salary of the executive director and assistant executive director.

Commission Budget

(i) The commission shall develop a budget pursuant to chapter 216. The budget is not subject to change by the

**Commission
Review of
Department
Policy**

department, but such budget shall be submitted to the Governor along with the budget of the department.

(3)(a) The central office shall establish departmental policies, rules, procedures, and standards and shall monitor the implementation of such policies, rules, procedures, and standards in order to ensure uniform compliance and quality performance by the districts and central office units that implement transportation programs. Major transportation policy initiatives or revisions shall be submitted to the commission for review.

**Commission
Review of the
Department's
Work Program**

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

4(g)1. The Florida Transportation Commission shall conduct a statewide public hearing on the tentative work program and shall advertise the time, place, and purpose of the hearing in the Florida Administrative Weekly at least 7 days prior to the hearing. As part of the statewide public hearing, the commission shall, at a minimum:

a. Conduct an in-depth evaluation of the tentative work program for compliance with applicable laws and departmental policies; and

b. Hear all questions, suggestions, or other comments offered by the public.

2. By no later than 14 days after the regular legislative session begins, the commission shall submit to the Executive Office of the Governor and the legislative appropriations committees a report that evaluates the tentative work program for:

a. Financial soundness;

b. Stability;

c. Production capacity;

d. Accomplishments, including compliance with program objectives in s. [334.046](#);

e. Compliance with approved local government comprehensive plans;

f. Objections and requests by metropolitan planning organizations;

- g. Policy changes and effects thereof;
- h. Identification of statewide or regional projects; and
- i. Compliance with all other applicable laws.

(h) Following evaluation by the Florida Transportation Commission, the department shall submit the tentative work program to the Executive Office of the Governor and the legislative appropriations committees no later than 14 days after the regular legislative session begins.

**Commission
Adoption of
Performance
Measures**

Florida Statutes, 334.045 Transportation performance and productivity standards; development; measurement; application.--

(1) The Florida Transportation Commission shall develop and adopt measures for evaluating the performance and productivity of the department. The measures may be both quantitative and qualitative and must, to the maximum extent practical, assess those factors that are within the department's control. The measures must, at a minimum, assess performance in the following areas:

- (a) Production;
- (b) Finance and Administration;
- (c) Preservation of the current state system;
- (d) Safety of the current state system;
- (e) Capacity improvements: highways and all public transportation modes; and
- (f) Disadvantaged business enterprise and minority business programs.

(2) The commission shall establish annual performance objectives and standards that can be used to evaluate the department's performance and productivity.

**Quarterly
Evaluation of
Department**

(3) The commission shall evaluate the department's performance and productivity quarterly, using the measures adopted under this section.

**Report to
Governor and
Legislature**

(4) As soon as is practical after each annual evaluation, the commission shall submit its findings to the Governor and to the legislative transportation and appropriation committees. If the commission finds that the department failed to perform satisfactorily under these measures, the commission must

| recommend actions to be taken to improve the department's performance.

Member Biographies

Jay N. Trumbull, Chairman, Panama City. President/Owner of Trumbull Bottled Water, Inc. Currently serves on the Bay County Planning Commission, Panama City Housing Authority, Bay Medical Board Foundation, and has just finished his term on the Bay County Chamber of Commerce. Also serves on the Board of Directors for Bay Bank and Trust and serves on several boards within his industry: Culligan Dealers of North America and on the Culligan Dealer Advisory Council. Appointed in March, 2011. Term ends September 30, 2015.

Ken Wright, Vice-Chairman, Orlando. Attorney with Shutts & Bowen LLP. Co-Chairman of the firm's Government Relations Practice Group. Previously served as Chairman of the Florida Fish and Wildlife Conservation Commission and currently serves as a Trustee on the Board of Directors for Hubbs-Sea World Research Institute. He is past chair for eight years of the Florida Environmental Regulation Commission. Wright also served on the East Central Florida Regional Planning Council and served eight years on, and chaired the board of, the Orlando/Sanford International Airport. He served as general counsel to the Orlando-Orange County Expressway Authority and is presently serving as right-of-way counsel. Appointed in September, 2013. Term ends September 30, 2018.

Beth R. Kigel, Secretary, Lake Worth. Commissioner Beth Kigel of Lake Worth, Florida was elected to the office of Secretary. Ms. Kigel is President and CEO of Northern Palm Beach County Chamber of Commerce headquartered in Palm Beach Gardens, Florida. With more than 20 years' experience serving the public sector, Ms. Kigel began her career as a corporate representative in the telecommunications industry focused almost exclusively on government solutions at the federal, state, county, and municipal levels. She also has experience in government relations and public policy. She has also served on the Palm Beach County Criminal Justice Commission, the Palm Beach County Sports Commission, and as Chair of the Palm Beach County Groundwater and Natural Resources Protection Board. Ms. Kigel has served as a Trustee and Board Member of area Chambers of Commerce, an Executive Committee member of the Economic Council of Palm Beach County, and the 2012 Chair of the William T. Dwyer Awards for Excellence in Education. She is also a member of Leadership Florida, an organization of statewide leaders originally established by the Florida Chamber of Commerce. Appointed in January, 2012. Term ends September 30, 2015.

John Browning, Jr., East Palatka. President of Browning Packing and Browning Consulting. Browning previously served on the Florida Transportation Commission from 1987-2001. Appointed in June, 2013. Term ends September 30, 2015.

Donald (Donnie) Ellington, P.E. Gainesville. Construction/Facilities Manager with Nanotherapeutics; a privately-held biopharmaceutical company. Previous co-owner of Causseaux and Ellington, Inc. Provides engineering services (as a temporary staff member or as a contracted consultant) to selected clients, including the Taylor County, Florida, Board of County Commissioners, the St. Johns River Community College, Sanchez Planning Development, and CRG Architects. Appointed in September, 2011. Term ends September 30, 2017.

Maurice Ferré, Miami. Business Consultant and former Mayor of Miami from 1973-1985. Also served in the Florida House of Representatives, former Miami City Commissioner and Miami-Dade Board of County Commissioners. Member of the Council on Foreign Relations and the Inter-American Dialogue. Appointed in June, 2011. Term ends September 30, 2018.

Katherine Frazier, Tampa. Attorney with Hill Ward Henderson. Serves on the Executive Council of the Real Property, Probate and Trust Law Section of The Florida Bar, current Vice President of the Board of Trustees of the Henry B. Plant Museum, also serves on the Board for the Child Abuse Council, and the Board for the H. Lee Moffitt Cancer Center Foundation. Appointed in December, 2011. Term ends September 30, 2015.

Ronald Howse, P.E., Cocoa. President of Real Deal Development Group, an Engineering and Land Planning company. Former Councilman for the City of St. Cloud, Board Member of the East Central Florida Regional Planning Council, Board Member of the Kissimmee/Osceola County Chamber of Commerce, and Assistant Director of Public Works for the City of Altamonte Springs. Involved with many civic organizations over the years. Appointed in December, 2009. Term ends September 30, 2017.

Jim Sebesta, St. Petersburg. President of Sebesta Consulting Services. Former member of the Florida Senate and served as Chairman of the Transportation Committee. Currently a member of the Pinellas Housing Finance Authority. Appointed in June, 2013. Term ends September 30, 2015.

Florida Transportation Commission Reports

The Commission has issued the following reports:

1. ***Performance and Production Review of the Florida Department of Transportation*** (Statutory mandate). Quarterly report that evaluates the Department's achievement in meeting a number of performance measures. The 4th quarter report serves as the annual performance evaluation and is submitted to the Governor and Legislature.
2. ***In-Depth Evaluation of the Department of Transportation Tentative Work Program*** (Statutory mandate). Annual review of the Department's proposed Five Year Work Program. This report is submitted to the Governor and Legislature.
3. ***Transportation Authority Monitoring and Oversight Report*** (Statutory mandate). Annual performance review of the transportation authorities established in Chapters 343 and 348 of the Florida Statutes.
4. ***Highway Safety Report***. Former annual report to assist the Florida Department of Transportation in assessing the outcomes derived from investments in the safety programs it administers.
5. ***State of Florida Parking Meter Study***, October 31, 2015. A study to identify the potential for state revenue provided by parking facilities placed on the State Highway System by local governments.
6. ***FTC Study of Cost Savings for Expressway Authorities***, December 31, 2012 (Statutory mandate). A study of the potential for cost savings that could be realized through increased efficiencies through the sharing of resources among the state's expressway authorities.
7. ***A Meeting of the Modes: A Retreat on the State of Intermodalism in Florida***, February 12-13, 2007. A Report on the Discussion and Findings of the Retreat.
8. ***A Charrette on Florida's Future New Corridors***, September 13, 2006. A Summary of Discussion Session Held August 14-16, 2006.
9. ***A Study of the Impacts of Commercial Vehicles on the Strategic Intermodal System of Florida***, May 23, 2006 (Commission initiative). Documentation of the impacts of commercial vehicles on the physical condition and efficient operation of the Strategic Intermodal System.
10. ***Evaluation and Monitoring of 2005 Growth Management Legislation***, May 15, 2006 (Commission initiative). A review of the implications of the new growth

management funding on the FDOT five-year work program and an analysis of other aspects of the legislation related to transportation.

11. ***FDOT Executive Compensation Study***, March 26, 2004 (Commission initiative). An assessment of the current labor market for senior transportation managers working in the Department and recommendations for how to address problems FDOT may have in relation to that market.
12. ***Assessment of Florida's Regional and Intermodal Transportation Planning Process***, December 15, 2003 (Commission initiative). An assessment of the need for an improved philosophical approach to regional and intermodal input in the planning for and governing of the Strategic Intermodal System and other transportation systems.
13. ***Organizational and Operational Review of the Florida Department of Transportation***, January 12, 2001 (Commission initiative). The purpose of the report was to present opportunities for improving the Department's operation and enhancing the quality of service provided by the Department, its management and employees.
14. ***Independent Review of Florida's High Speed Rail Ridership Forecasts***, August 1998 (Commission initiative). An assessment of the reasonableness, soundness, and validity of the processes, methodologies and assumptions used in arriving at the Department's high-speed rail ridership estimates.
15. ***Transportation: An Investment in Florida's Future***, June 1996 (Commission initiative). Joint effort with Floridians for Better Transportation that documents the strong linkage between transportation investment and economic strength and quantifies the economic return on that investment.
16. ***Functional Classification of Roads***, December 1994 (Statutory mandate). Study undertaken to develop, apply and identify fiscal impacts of a new system for determining road ownership based on road function.
17. ***Analysis of Department Right of Way Acquisition Activities on the Central Connector Project***, September 1993 (Requested by Governor). Conclusions and recommendations regarding the Department's right of way acquisition activities.
18. ***Truck Weights and Penalties in Florida***, July 1993 (Statutory mandate). Reviews Florida's regulation of truck weights and associated penalties and makes findings and recommendations to the Legislature.
19. ***Transportation Performance and Productivity Measures***, January 1992 (Statutory mandate). Documentation and explanation of the transportation performance measures that were developed by the Commission's 13 member Working Group to provide accountability for the Department of Transportation.

20. ***A Study of Coordination of Local and Regional Public Bus Transit and Fixed Guideway Transportation Systems in Florida***, April 1991 (Statutory mandate). Study of the need to coordinate local and regional bus transit and fixed guideway transportation systems, including an analysis of current coordination; a determination of the need for coordination among levels of government; a review of coordination methods and their applicability to Florida; and recommendations.
21. ***District Equity***, March 1991 (Statutory mandate). In-depth evaluation of the allocation of funds to the Department districts and to the various counties within each district.
22. ***Review of Metropolitan Planning Organizations***, February 1991 (Statutory mandate). Review of the responsibilities imposed on metropolitan planning organizations by state or federal law, rule, or regulations and an assessment of the adequacy of funding in light of mandated responsibilities.
23. ***Review of Employee Positions***, December 1990 (Statutory mandate). Review of employee positions in the Department of Transportation with recommendations to the Legislature as to those positions that should be exempt from the Career Service System.
24. ***Evaluation of the Florida Department of Transportation's Implementation of the KPMG Peat Marwick Action Plan***, May 1990 (Commission initiative). An evaluation of the Department's progress in implementing recommendations made by KPMG Peat Marwick to address financial management and program management problems including an evaluation of the Department's use of information technology resources.
25. ***Transportation Funding Initiative***, January 1990 (Commission initiative). Analysis presented to the President of the Florida Senate outlining Commission recommendations on a program for additional transportation funding.
26. ***Report on Results of Applying Certain Agreed-Upon Procedures in Accordance with Proviso Language Contained in Section 2.5 of the 89/90 General Appropriations Act***, October 1989 (Statutory mandate). Analysis of the impact of legislative proviso language regarding bonds for advanced acquisition of transportation right of way, including additional revenue requirements and resources and estimates of the cost effectiveness of utilizing bond financing for advanced acquisition.
27. ***Functional Classification of Roads in Florida***, October 1989 (Statutory mandate). Study to determine the fiscal impact of transferring to the counties those urban minor arterial roads currently on the State system, recommend time frames for transfer and recommend criteria for determining if a road serves a regional or statewide function.

28. **Public Transit in Florida**, February 1989 (Statutory mandate). An assessment of public transit needs, institutional relationships, financing strategies and the effect of urban density on the feasibility of public transit.
29. **Funding Alternatives** March 1988 (Requested by Governor). Analysis by the Commission addressing the State's transportation funding needs. The Commission proposed three funding initiatives: an increase in tolls to support a bonding program for Turnpike expansion; a Constitutional Amendment allowing debt financing of the State Transportation Trust Fund for infrastructure needs; and an increase in transportation user-type fees. All three proposed initiatives were subsequently approved by the Legislature.

Reports can be obtained by contacting the Commission Office at:

Florida Transportation Commission
605 Suwannee Street
Mail Station 9
Tallahassee, Florida 32399-0450
850-414-4105