

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED



Business Meeting Agenda October 25, 2021 2:00 PM until Completion

*Dr. Phillip Stevens, Acting Chairman
Christinne Gray, Commissioner
Renee Knight, Commissioner
Dr. Robin Tellez, Commissioner
Mike Willingham, Commissioner*

**Ocean Center Daytona – Room MO2AB
101 N. Atlantic Avenue
Daytona Beach, FL 23118**

**GoToMeeting Webinar: <https://global.gotomeeting.com/join/351113549>
Call-In Number: (872) 240-3412; Conference Code: 351-113-549**

Item #	Agenda Item	Speaker(s)
I.	Call to Order	Chairman Phil Stevens
II.	Pledge of Allegiance	Chairman Stevens
III.	Introduction of Commissioners and Advisors	Commissioners and Advisors
IV.	Public Comments (Comments limited to the current agenda items)	Public
	Action Items	
V.	Approval of June 3, 2021 Meeting Minutes	Chairman Stevens
VI.	Review and Approval of FY 2021-2022 Annual Regulatory Plan	Rachelle Munson, CTD General Counsel
	Information Items	
VII.	Update on Phase Down of CTD COVID-19 Rescue Plan	David Darm, CTD Executive Director
VIII.	Presentation on Innovation & Service Development Grant Technical Assistance Project	Martin Catala, University of South Florida-Center for Urban Transportation Research
IX.	Executive Director Report	David Darm
X.	Commissioner and Advisor Reports	Commissioners and Advisors
XI.	Public Comments	Public

XII.	Commissioner and Advisor Closing Comments	Commissioners and Advisors
XIII.	Adjournment	Chairman Stevens
	Next Meeting: December 15, 2021 – Webinar and Teleconference	

When operating under Florida's Government in the Sunshine Law, the Florida Supreme Court recognizes the importance of public participation in open meetings. The Commission provides that right of access at each public meeting and adheres to Chapter 286.011, Florida Statutes. This meeting will be recorded and a summary of the discussion will be published at a future date.

Members of the public interested in speaking during the "Public Comments" segments are encouraged to complete the attached public comment card and return to David Darm prior to the meeting date at: David.Darm@dot.state.fl.us. The chairman will call on each speaker in the order public comment cards are received. Public comments are limited to five (5) minutes per speaker.

In accordance with the Americans with Disabilities Act (ADA), and Chapter 286.26, Florida Statutes, persons in need of special accommodation to participate in the meeting (including an agenda) shall email David Darm or contact our office listed below, at least 48 hours before the meeting:

Commission for the Transportation Disadvantaged
605 Suwannee Street, MS-49
Tallahassee, FL 32399-0450
(850) 410-5703 or (800) 983-2435
(850) 410-5708 (TDD/TTY).

This meeting is subject to change upon the chairman's request.

State of Florida
Commission for the Transportation Disadvantaged
Commission Business Meeting

MEETING DATE: October 25, 2021

AGENDA ITEM:

IV and XI Public Comments

BACKGROUND INFORMATION:

When operating under Florida's Government in the Sunshine Law, the Florida Supreme Court recognizes the importance of public participation in open meetings. The Commission provides that right of access at each public meeting and adheres to Chapter 286.011, Florida Statutes.

The Commission facilitates two "Public Comments" segments on its agenda. For participants interested in providing public comments, the Commission requests speakers complete the attached public comment form and return to David Darm prior to the meeting date at David.Darm@dot.state.fl.us. Hard copies of the public comment form will be provided at the October 25, 2021 Commission Business Meeting. The Commission requests speakers indicate whether they will be participating in-person or by webinar. The chairman will call on speakers in the order public comment cards are received.

Participants planning to speak during the first public comments segment (Item IV) of the agenda must direct their remarks to agenda items only. The Commission welcomes input on any topic during the second public comments segment (Item XI) of the agenda. Pursuant to Commission Rule 41-2.018, F.A.C., all speakers are limited to five minutes per public comment.

ATTACHMENT:

Public Comment Form



Commission for the Transportation
Disadvantaged
PUBLIC COMMENT FORM

Instructions:

1. Complete comment form, including your address. PLEASE TYPE OR PRINT
2. Email comment card to David.Darm@dot.state.fl.us or provide at Commission Business Meeting
3. The chairman will call on speakers in the order comment cards are received. Please indicate below whether you plan on participating via webinar or conference call.
4. Comments must be limited to five (5) minutes per speaker.

How will you be participating in this meeting? In-Person____Webinar____

Name_____

E-Mail_____

Phone_____

Address_____

City_____

Zip Code_____ County_____

Representing_____

Subject_____

Support_____ Oppose_____ Neutral_____

State of Florida
Commission for the Transportation Disadvantaged
Commission Business Meeting

MEETING DATE: August 10, 2021

AGENDA ITEM:

V Approval of Minutes – June 3, 2021

BACKGROUND INFORMATION:

The Commission held its business meeting via GoToMeeting webinar and teleconference on June 3, 2021.

ATTACHMENTS:

Minutes of the June 3, 2021 Commission Business Meeting

EXECUTIVE DIRECTOR RECOMMENDATION/MOTION:

Approve Minutes from the June 3, 2021 Commission Business Meeting.

MEETING SUMMARY

Commission for the Transportation Disadvantaged Commission Business Meeting

GoToMeeting Webinar
Conference Call Meeting
Tallahassee, Florida 32399

June 3, 2020
1:00 PM

<i>Commissioners Present</i>	<i>Commissioners Absent</i>
Chairman Marion Hart	Mike Willingham
Vice-Chairman Dr. Phillip Stevens	
Renee Knight	
Christinne Rudd	
Dr. Robin Tellez	

<i>Advisors Present</i>	<i>Advisors Absent</i>
Liz Stutts, FDOT	Erica Floyd-Thomas, AHCA
Krysta Carter, DOEA	Dennis Latta, FDVA
	Diane Harris, DCF
	Kent Carroll, APD

Call to Order

Chairman Hart called the meeting to order. Executive Director David Darm called the roll. A quorum was present.

Pledge of Allegiance

Chairman Hart led the Pledge of Allegiance.

Welcome and Introductions

Chairman Hart invited the Commissioners and Advisors to introduce themselves.

Chairman Hart informed participants that the meeting is being recorded and all feedback received, including comments within the webinar chat box, will be reflected in the Meeting Minutes.

Deborah Hall, Commission staff, provided the webinar participants a tutorial on the features of GoToMeeting.

Public Comments

Lisa Bacot, representing Florida Public Transportation Association (FPTA), spoke on the agenda item "CTD Policy on Americans with Disabilities (ADA) Complementary Paratransit Services." She thanked the Commission for hosting the public workshops and allowing FPTA members to present their input on this issue. Ms. Bacot stated FPTA continues to disagree with many of the statements made in the draft report presented to the Commission today. She stated both the Federal Transit Administration (FTA) and Florida Department of Transportation (FDOT) have concerns about the Commission's policy. FTA agrees with FPTA that ADA complementary paratransit services should not be

considered a “sponsored” program or used to deny services to other transportation programs. If the Commission goes forward with approving this policy today, Ms. Bacot said the Commission will be going against both FTA and FDOT’s concerns.

Ms. Bacot stated FPTA continues to question numerous areas of the CTD policy, including that it was unwritten from the beginning, was only applied to certain CTCs in urban areas, and has ignored other funding sources that happen in each county. She said this is called “trip shedding,” which Medicaid attempted to do in the 1990s to not fund certain trips for individuals who were eligible for ADA paratransit services. Medicaid changed its policy after guidance issued by FTA. If the Commission sanctions this policy, Ms. Bacot said other state agencies may follow, such as Medicaid brokers. Ms. Bacot requested the Commission rescind this policy.

Approval of March 30, 2021 Meeting Minutes

Chairman Hart asked for a motion to approve the minutes from the March 30, 2021 Commission Business Meeting:

ACTION TAKEN: Commissioner Tellez moved, and Vice-Chairman Stevens seconded the motion, to approve the minutes. The motion carried unanimously.

Community Transportation Coordinator (CTC) Designations

Chairman Hart recognized representatives from the Designated Official Planning Agency for each of the counties to present their recommendations for the CTC of their respective designated service area.

Sarah Kraum, representing Space Coast Transportation Planning Organization, presented the recommendation for Brevard County Board of County Commissioners (BOCC) to serve as the CTC for Brevard County. Chairman Hart asked for a motion to approve the recommendation:

ACTION TAKEN: Commissioner Knight moved, and Commissioner Rudd seconded the motion, to approve Brevard County BOCC to serve as the CTC for Brevard County. The motion carried unanimously.

Kwentin Eastberg, representing Apalachee Regional Planning Council, presented the recommendation for Calhoun County Senior Citizens Association, Inc., to serve as the CTC for Calhoun County. Chairman Hart asked for a motion to approve the recommendation:

ACTION TAKEN: Vice-Chairman Stevens moved, and Commissioner Knight seconded the motion, to approve Calhoun County Senior Citizens Association as the CTC for Calhoun County. The motion carried unanimously.

Mr. Eastberg also presented the recommendation for Wakulla County Senior Citizens Council to serve as the CTC for Wakulla County. Chairman Hart asked for a motion to approve the recommendation:

ACTION TAKEN: Vice-Chairman Stevens moved, and Commissioner Knight seconded the motion, to approve Wakulla County Senior Citizens Council as the CTC for Wakulla County. The motion carried unanimously.

Elizabeth de Jesus, representing North Florida Transportation Planning Organization, presented the recommendation for Jacksonville Transportation Authority (JTA) to serve as the CTC for Duval County. Chairman Hart asked for a motion to approve the recommendation:

ACTION TAKEN: Commissioner Tellez moved, and Commissioner Rudd seconded the motion, to approve JTA as the CTC for Duval County. The motion carried unanimously.

Don Scott, representing Lee County Metropolitan Planning Organization (MPO), presented the recommendation for Lee County BOCC to serve as the CTC for Lee County. Chairman Hart asked for a motion to approve the recommendation:

ACTION TAKEN: Commissioner Rudd moved, and Commissioner Knight seconded the motion, to approve Lee County as the CTC for Lee County. The motion carried unanimously.

Tania Gorman, representing Pasco County MPO, presented the recommendation for Pasco County BOCC to serve as the CTC for Pasco County. Chairman Hart asked for a motion to approve the recommendation:

ACTION TAKEN: Commissioner Tellez moved, and Commissioner Rudd seconded the motion, to approve Pasco County BOCC as the CTC for Pasco County. The motion carried unanimously.

Jami Evans, representing Taylor County BOCC, presented the recommendation for Big Bend Transit to serve as the CTC for Taylor County. Chairman Hart asked for a motion to approve the recommendation:

ACTION TAKEN: Commissioner Rudd moved, and Commissioner Tellez seconded the motion, to approve Big Bend Transit as the CTC for Taylor County. The motion carried unanimously.

Joshua Barber, representing Hillsborough County MPO, presented the recommendation for Hillsborough County BOCC to serve as the CTC for Hillsborough County. Chairman Hart asked for a motion to approve the recommendation:

ACTION TAKEN: Vice-Chairman Stevens moved, and Commissioner Knight seconded the motion, to approve Hillsborough County BOCC as the CTC for Hillsborough County. The motion carried unanimously.

FY 2021-22 Innovative Service Development Grant Recommendations

Commissioner Renee Knight presented an overview of the subcommittee recommendations for the Innovative Service Development (ISD) Grant program. The 2019 Legislature created the Multi-Use Corridors of Regional Economic Significance (M-CORES) Program, which included \$10 million in recurring funding to the Transportation Disadvantaged Trust Fund. The funding is administered through the ISD Grant program and is used to award competitive grants to CTCs and transportation network companies (TNCs) to support innovative projects that increase access to critical activities, support cross-county mobility, and/or reduce barriers to access a transportation hub.

In 2021, the Florida Legislature passed SB 100, which repeals the M-CORES program, including the funding for the ISD Grant program. If the bill is signed into law, Commissioner Knight stated the Commission will not be able to award ISD Grant funding for projects in FY21-22. Since the Commission did not know the final outcome of the legislative process, she stated the Commission facilitated its application process for the upcoming fiscal year. She clarified that the ISD Grant Subcommittee's recommendations are contingent upon the availability of funding.

Commissioner Knight summarized the application and review process. This year, the Commission contracted with USF-Center for Urban Transportation Research (CUTR) to provide technical assistance in facilitating this process. CUTR assisted CTD staff in developing the application packet and provided a training webinar for grant applicants to learn about the expectations of the program. The Commission announced the application process for the FY21-22 grant cycle on March 9, with the deadline to submit applications on May 3, 2021. Sixteen applications were received, requesting approximately \$7.2 million in total grant funding (from the state 90% match).

The review subcommittee met on May 17 via webinar and included state agency representatives from FDOT, Elder Affairs, and APD. The subcommittee used a scoring rubric to evaluate each proposal, which provides feedback to the grant applicants for future consideration when submitting similar proposals. The subcommittee recommends funding all sixteen projects and the "Direct Connect" project by Pinellas Suncoast Transportation Authority for its second year, totaling \$7.4 million, contingent on the availability of funding. However, the subcommittee recommends only approving the applications by Jacksonville Transit Authority (JTA) and PSTA (Late Shift) on a one-year basis.

Chairman Hart asked Mr. Darm to clarify that the projects could receive Commission approval, but the funding is contingent on the outcome of the M-CORES program. Mr. Darm said yes. Chairman Hart asked for a motion to approve the subcommittee's recommendations:

ACTION TAKEN: Commissioner Rudd moved, and Commissioner Knight seconded the motion, to approve the recommendations for the Innovative Service Development Grant projects for Fiscal Year 2021-22, contingent on the availability of funding. The motion carried unanimously.

FY 2021-22 Shirley Conroy Rural Area Capital Assistance Grant Recommendations

Commissioner Christinne Rudd presented an overview of the subcommittee's recommendations. Each year, FDOT transfers \$1.4 million to the Transportation Disadvantaged Trust Fund to provide financial assistance for the purchase of capital equipment focusing on rural areas. The funding is used to award competitive grants to CTCs that demonstrate the need for the capital, the ability to complete the project, and the ability to meet the match requirement. She provided a summary of what equipment is eligible to be funded under the grant program.

The Commission announced the application process for the FY21-22 grant cycle on March 4, with the deadline of April 9, 2021, to submit applications. Twelve applications were received, requesting approximately \$1.3 million in total grant funds (from the state 90% match). The review subcommittee met on April 29 via webinar and included agency advisors from FDOT, the Department of Children and Families, and APD. The subcommittee recommended ten projects for approval.

Chairman Hart asked for a motion to approve the subcommittee's recommendations.

ACTION TAKEN: Commissioner Tellez moved, and Vice-Chairman Stevens seconded the motion, to approve the recommendations for the Shirley Conroy Grant projects for Fiscal Year 2021-22. The motion carried unanimously.

Review of the CTD COVID-19 Rescue Plan

David Darm presented an overview of the phase down of the COVID-19 Rescue Plan, which was implemented within the Trip & Equipment (T&E) Grant program beginning in March 2020. The purpose of the plan was to mitigate some of the financial losses incurred by CTCs due to the decrease in TD services, which are reimbursed under the T&E Grant program. On March 30, 2021, the Commission voted to begin phasing down the plan for the fourth quarter (April-June) of the fiscal

year. Mr. Darm recommended the Commission continue the phase down for the first quarter (July-September) of FY21-22. He said the goal is to completely phase out the Rescue Plan by December 31, 2021. Mr. Darm presented two options for phasing down the rescue amounts:

OPTION 1 – The Commission can lower all rescue amounts across each “percent loss threshold” (i.e., a reduction across all systems).

OPTION 2 – The Commission can lower the rescue amounts applied to the highest “percent loss thresholds” (i.e., a reduction on systems invoicing the lower percentages of trips under the T&E Grant).

Casey Perkins, representing Thomas Howell Ferguson, presented the analyses of rescue funding and phase down options, which were provided in the Commission Meeting Packet (p. 59-61).¹ The first table provided a summary of the rescue funding amounts distributed between March 2020 and April 2021. The second table provided the percentage of each county’s allocation consisting of rescue funding during the same period. For example, Alachua County received 7.1 percent of its monthly allocation in rescue funding in March 2020. At the bottom of this table, the percentages were averaged all equally to adjust for the outliers. Mr. Perkins stated this table illustrated the average rescue funding lowered each month since December 2020. The third table provided a summary of the impact of the two proposed “phase down” options presented by Mr. Darm.

Commissioner Knight asked Mr. Darm to clarify if the Commission approved Option 2 during the March 30, 2021 Commission Business Meeting. Mr. Darm said yes: Option 2 presented here would continue phasing down the rescue amounts within the highest brackets (as opposed to a cut across the board).

Chairman Hart asked for a motion on Option 2 presented to begin phasing down the Rescue Plan:

ACTION TAKEN: Commissioner Knight moved, and Commissioner Rudd seconded the motion, to approve OPTION 2 to continue phasing down the COVID-19 Rescue Plan, effective July 1, 2021. The motion carried unanimously.

CTD Policy on ADA Complementary Paratransit Services

Commissioner Robin Tellez provided an overview of the issue. The U.S. Americans with Disabilities Act (ADA) affords individuals with disabilities who live within a community that has a fixed bus route access to public transportation through “complementary paratransit services.” Transit entities are required to provide these services to eligible individuals to access any destination within ¾ of a mile of a fixed route. CTCs that operate fixed bus route services are required to provide ADA paratransit in addition to the TD services they provide as a CTC.

The Commission administers the Transportation Disadvantaged Trust Fund (TDTF), which is used to purchase transportation services for eligible individuals to access activities that are not otherwise funded or provided by any other agency, known as “non-sponsored services.” Individuals are eligible to receive “non-sponsored” services if they demonstrate to the CTC: 1) they are “transportation disadvantaged” due to age, disability or income status; 2) have no other agency or program to purchase their trips, such as Medicaid “sponsored” trips to medical appointments; and 3) have no other means of transportation available, including the ability to access public transit services in their community. Based on these criteria, which were established by the Commission in 1997, Commissioner Tellez stated the Commission determined ADA complementary paratransit services were not eligible for reimbursement under the TDTF.

¹ https://ctd.fdot.gov/docs/MeetingPackages/2021Meetings/20210603_CTD_Business_Mtg_Pkg.pdf

The Florida Public Transportation Association (FPTA) and some CTC-transit systems have requested the Commission reconsider this position. In response to these requests, the Commission conducted a study of the policies governing the TDTF to determine whether to maintain or revise its current policy related to ADA paratransit services. The Commission facilitated a small working group, consisting of Commissioner Tellez, CTD staff, the FDOT-Transit Office, and Thomas Howell Ferguson, to oversee the study and coordinate two public workshops to gather input from stakeholders.

The public workshops were held on February 25 and May 7, 2021, via GoToMeeting webinar and teleconference. During both workshops, Mr. Darm presented an overview of both TD and ADA programs as well as the basis for the Commission's policy decision. Participants were posed questions to consider as part of their public input during the workshops. Executive Director Darm also provided an opportunity for members of the public to provide written feedback to him via email prior to the publication of the study's final report. A summary of all public feedback received during the public workshops and via email were published in the final report. The draft version of this report was presented to the Commission by Thomas Howell Ferguson on May 28, 2021.

Commissioner Tellez presented the reasons for recommending the Commission maintain its policy on ADA complementary paratransit services at this time:

- **Access to Transportation** – A major theme of the TD program under Chapter 427, Florida Statutes, is to address the “needs of the recipient.” Individuals who are served by ADA paratransit services are guaranteed access to transportation under federal law, regardless of the existence of the state’s TDTF. Therefore, TDTF dollars should only be used to enhance their access, where their needs are not being met by the ADA.
- **Limitation on Funding** – Unlike ADA paratransit services, TDTF “non-sponsored” services are provided only to the extent funding is available. Commission regulations provide that TDTF dollars “shall not be used to supplant or replace funding” of services provided to an individual under any other federal, state, or local government program. A reversal of this policy would allow CTCs to supplant a portion of ADA services, which are already covered under the fixed route system, and reduce the availability of funding for “non-sponsored” services to other TD (non-ADA) riders.
- **Eligibility** – Chapter 427 directs the Commission and CTCs to use “needs-based” criteria to help determine individuals eligible for TDTF non-sponsored services. These criteria identify “public transit” fixed route as a transportation option that must be explored by the CTC prior to determining an individual eligible for non-sponsored services. ADA paratransit services are provided as a “complement” to the fixed route system.
- **Coordination** – Another major theme of the TD program is the “coordination” of transportation services to the TD population, which is defined by Chapter 427 as the “cost-effective” provision of services. The Commission’s policy to use TDTF dollars to only subsidize the fare for fixed route and ADA paratransit services (as opposed to the full cost of those trips) is the most cost-effective means of ensuring TD eligible riders have access to public transit.

Casey Perkins provided an overview of the data analyzed for the report presented by Thomas Howell Ferguson. The main source of trip data came from the National Transit Database (NTD), where transit systems around the country report financial data, trip data, etc. The NTD data demonstrated that ADA complementary paratransit services are part and parcel to the fixed route transit system. When a transit entity reports its operational expenses to the NTD, that data must include operating

expenses related to ADA complementary paratransit. The revenues reported in the NTD include funds earned from the fixed route system (e.g., passenger fares) as well as local, state and federal government sources. Mr. Perkins stated those four revenue “buckets” cover the operational expenses, which are inclusive of the ADA complementary paratransit expenses. In terms of trip data, there are three categories of trips: fixed route, ADA complementary paratransit, and “sponsored” trips, which are trips purchased by a third party. He stated the NTD specifically requires transit entities to report ADA complementary paratransit trips separate from the sponsored trips.

Mr. Darm provided an overview of the public comments received during the public workshops. Much of the debate centered around the definition of the term “sponsored” trip (i.e., what is eligible to be reimbursed under the TDTF). He clarified that the report is not defining ADA complementary paratransit services as “sponsored” in the sense that they are purchased by a specific agency, such as Medicaid. Rather, ADA paratransit trips are part of the fixed route system. Fixed route trips are not reimbursed under the TDTF, except through rider subsidies (bus pass programs) to ensure TD eligible individuals have access to those services. Mr. Darm stated the Commission’s policy to only cover the costs of the rider’s fare for ADA paratransit trips is consistent with the access provided under bus passes. He clarified that TDTF dollars can be used to subsidize a greater portion of the costs of paratransit trips not covered under the fixed route system.

Mr. Darm discussed the fiscal impact of reversing this policy on the T&E Grant program. He said such a decision would divert funding to trips that would otherwise be provided under the fixed route system, leaving less funding available for TD individuals who do not have access to ADA paratransit services. For example, the CTC in Hillsborough County (Sunshine Line) used approximately 20% of its T&E Grant funding in FY18-19 to purchase HARTPlus passes (ADA fares) for individuals who were eligible for ADA complementary paratransit services, which allowed approximately 80% of the funding to be used for non-sponsored paratransit trips. This example demonstrates how a CTC can ensure access to both ADA and TD non-sponsored trips.

Mr. Darm responded to the comment that the CTD policy is unequally applied (i.e., the policy has only been applied to large urban transit systems). ADA “complementary” paratransit services are an extension of the fixed route system; therefore, the policy only applies to counties where a fixed route system is available. Mr. Darm addressed the concern about some CTCs not being able to draw down their allocation due to this policy. He said this concern relates to the practice of some CTCs that use their T&E Grant allocation to match federal grant programs. Although the Commission does not preclude CTCs from doing this, Mr. Darm said the purpose of the funding is to ensure CTCs provide non-sponsored services to eligible individuals. Beyond the TDTF, Chapter 427 permits CTCs to use other funding sources to support the delivery of TD services.

Mr. Darm discussed the public comment recommending the Commission allow the CTCs to use their local eligibility guidelines to determine trips eligible for reimbursement under the TDTF. He said the Commission recognizes the importance of local autonomy in terms of setting eligibility guidelines and trip priorities. However, those guidelines must comply with the Commission’s Eligibility Criteria adopted in 1997. The Commission maintains the authority when it comes to what is determined eligible for reimbursement under the TDTF, pursuant to s. 427.0159, F.S.

In conclusion, Mr. Darm said the report recommends the Commission maintain its policy on ADA complementary paratransit services. It recommends the Commission codify this policy within its existing eligibility criteria. The report also recommends the Commission explore strategies to assist CTCs in implementing this policy, including technical assistance, quality assurance, and data collection. Mr. Darm discussed a letter that was provided by FDOT, which was included in the appendixes of the report. In the letter, FDOT stated it is pursuing a study with USF-CUTR to explore

this issue further. He stated the policy is being presented based on the evidence gathered during the public workshops; however, the Commission could choose to revisit this issue and/or amend the policy in the future, if new information is presented by FDOT's study that justifies a change.

Vice-Chairman Stevens suggested the Commission partner with FDOT in developing the scope of the study. He wanted to see how other states are addressing these issues.

Chairman Hart agreed with Vice-Chairman Stevens and hoped the Commission will be open to the information obtained from the study. Regarding the report's recommendations, he wanted to ensure the Commission assists the CTCs in implementing the policy. He said the policy instructions should include development of procedures, training, technical assistance, quality assurance, analysis of program data, and compiling and reporting of information. Chairman Hart wanted to be sure that the policy is being implemented consistently across the state.

Chairman Hart asked for a motion to approve the report on the CTD policy on ADA complementary paratransit services.

ACTION TAKEN: Commissioner Rudd moved, and Vice-Chairman Stevens seconded the motion, to approve the report, allowing Commission staff to make technical changes for the final publication of the report.

Executive Director Report

Mr. Darm provided updates on a few issues. During the week of this meeting, Governor Ron DeSantis signed the General Appropriations Act of Fiscal Year 2021-22, which includes all the funding for the Commission's grant programs. The projected T&E Grant funding allocations for FY 2021-22, which were provided in the Commission Business Meeting packet for June 3, 2021, will take effect July 1, 2021. Mr. Darm also discussed the development of a new invoice template for the T&E Grant, which will be implemented sometime in the upcoming fiscal year. Thomas Howell Ferguson assisted the Commission in hosting a webinar to introduce the template to and gather feedback from stakeholders in April 2021.

Mr. Darm discussed the final report that will be presented by USF-CUTR as part of the technical assistance that was provided through the ISD Grant program. Regardless of the outcome of the M-CORES funding, he said the report may provide insights into how the Commission could promote innovative services within the TD program. The report is expected to be discussed at the next Commission Business Meeting. Mr. Darm also discussed the upcoming annual training conference that will be hosted by the Commission and FPTA. He said the event is expected to be held in-person in October at the Ocean Center in Daytona Beach.

Mr. Darm concluded his report by discussing the Commission's new subcommittee chaired by Commissioner Christinne Rudd. The "Rider & Stakeholder Relations" Subcommittee will assist the Commission in collaborating with partnering agencies to promote greater awareness of the TD Program among impacted stakeholders. This will include exploring ways to improve the CTD website and identifying stakeholder venues where the Commission can share information about TD services, such as the Family Café. Commissioner Rudd stated the subcommittee will explore ways to inform riders about their rights and responsibilities.

Commissioner and Advisor Reports

There were no reports provided by Commissioners and Advisors.

Public Comments

There were no public comments received.

Closing Remarks and Adjournment

Chairman Hart announced that he will be retiring from his position on the Commission and that this will be his final meeting on the board. He said it was a good time to be on the Commission and was excited to see the active participation of the board members. Chairman Hart was appointed by Governor Rick Scott to serve on the Commission in 2012 and was re-appointed to serve as the Chairman in 2016. He said this has been an enjoyable and worthwhile experience. He credited all the stakeholders for the achievements that occurred during his tenure on the Commission: "I've always been a member of a fantastic team. My motto has always been to encourage putting forth a continued effort to make the best better. We can never rest on our laurels. We cannot afford to just be a maintenance organization." He said the State of Florida is continuing to grow and will require the system to use "every tool in the toolbox" to serve the needs of the TD population. He encouraged the commissioners to continue to find ways to strengthen collaborative relationships.

Mr. Darm thanked Chairman Hart for his service on the Commission and for being such a great mentor to him.

Vice-Chairman Stevens congratulated Chairman Hart on his retirement and said he would be greatly missed on the Commission.

Winova Hart-Mayer, Chairman Hart's daughter, attended the Commission meeting and spoke in appreciation of her father's leadership. She was accompanied by her children.

The meeting was adjourned.

Minutes compiled by David Darm.

Note: This meeting has been summarized to reduce paperwork in accordance with policies of State government. If an accessible format or more information than is provided herein is needed, please contact the Commission for Transportation Disadvantaged at (850) 410-5700 or 1-800-983-2435 for assistance. A copying or printing fee may be charged to the requesting party.

State of Florida
Commission for the Transportation Disadvantaged
Commission Business Meeting

MEETING DATE: October 25, 2021

AGENDA ITEM:

VI Review and Approval of 2021-22 Annual Regulatory Plan

BACKGROUND:

The Commission's Legal Counsel, Rachelle Munson, Office of Attorney General, will provide a review of Section 120.74(1)(d), Florida Statutes, and the attached Annual Regulatory Plan.

ATTACHMENTS:

2021-2022 Commission for the Transportation Disadvantaged Annual Regulatory Plan

EXECUTIVE DIRECTOR RECOMMENDATION/MOTION:

Approve the recommendations as provided in the plan.

**Commission for the Transportation Disadvantaged
2021-2022 Annual Regulatory Plan**

Section 1

Laws Enacted or Amended within the previous 12 months which create or modify the duties or authority of the Commission.

Law	Mandatory rulemaking? Yes/No	Is rulemaking necessary? Yes/No	Notice of Development Published? Yes/No If Yes, Citation	Expected publication date for NPRM	If rulemaking is not necessary? Explain
None					

Section 2

Laws not listed above that the agency expects to implement by rulemaking by the following July 1.

Law	Is rulemaking intended to:	Simplify	Clarify/ Update	Increase efficiency	Improve coordination with other agencies	Reduce regulatory costs	Delete obsolete, unnecessary or redundant rules
427.013, 427.0159, 427.016	Amend Rule 41-2.014, F.A.C.		x	x	x	x	

Section 3: Updates to the prior year's regulatory plan.

(120.74(1)(c), Florida Statutes)

There are no updates to the prior year's regulatory plan.

Section 4: Certification.

Pursuant to Section 120.74(1)(d), Florida Statutes, I hereby certify that I have reviewed this Annual Regulatory Plan and that the Commission regularly reviews all of its rules to determine if the rules remain consistent with the Commission's rulemaking authority and the laws being implemented, with the most recent comprehensive review having been completed August 17, 2021.

/s/ Phillip W. Stevens

Phillip W. Stevens, Chair

Commission for the Transportation Disadvantaged

August 31, 2021

Date

/s/ Rachelle Munson

Rachelle Munson, Assistant Attorney General

Office of Attorney General

Commission for the Transportation Disadvantaged

August 31, 2021

Date

State of Florida
Commission for the Transportation Disadvantaged
Commission Business Meeting

MEETING DATE: October 25, 2021

AGENDA ITEM:

VII Update on Phase Down of CTD COVID-19 Rescue Plan

BACKGROUND:

Beginning in April 2020, the Commission implemented a rescue plan within the Trip and Equipment (T&E) Grant program to mitigate some of the financial losses incurred by the system due to the reduction in TD services from COVID-19. The “rescue” funding has been based on a percentage of loss in TD revenue reported on a CTC’s monthly invoice. The plan was designed to provide a certain level of financial relief while incentivizing CTCs to continue providing essential TD services throughout the duration of the pandemic.

The attached spreadsheets provide an overview of the rescue funding that was distributed in FY 2020-21. As of the end of the state fiscal year, the Commission has distributed approximately \$13.9 million in total rescue funding as part of the reimbursement of TD services.

In April 2021, the Commission voted to begin phasing down the rescue plan in response to the rollout of the COVID-19 vaccine and anticipated gradual increase of TD services. On June 3, 2021, the Commission voted to completely phase out the Rescue Plan by December 31, 2021.

The Commission can choose to adjust rescue amounts if service levels lower again or reinstate the rescue plan in response to a future pandemic or major disaster.

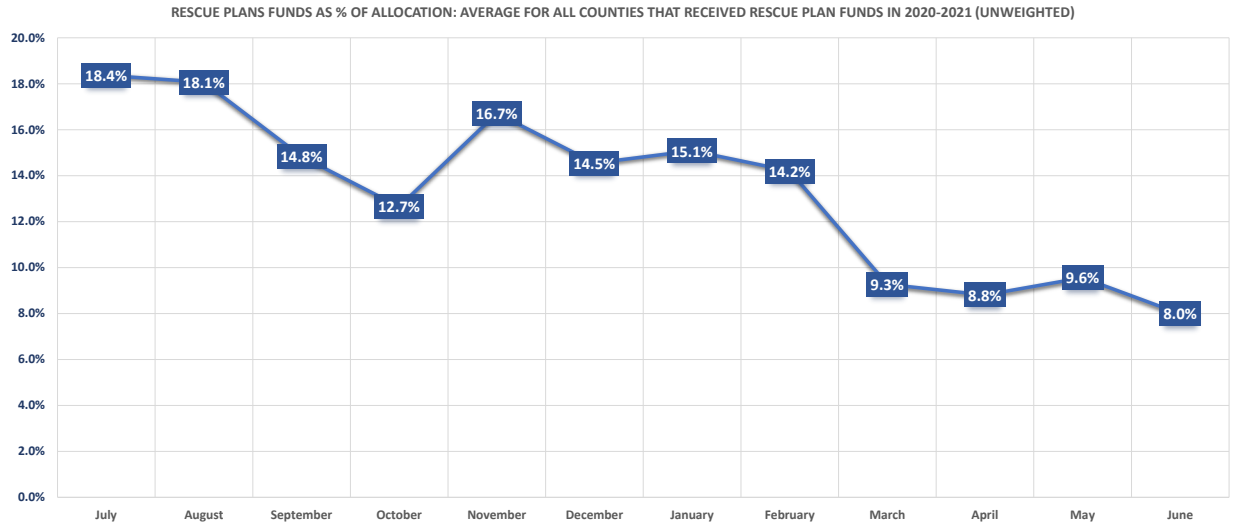
ATTACHMENTS:

- CTD: Monthly Allocations and Rescue Plan Funds Distributed in FY20-21
- Rescue Plan Funds as % of Allocation: County-by-County

EXECUTIVE DIRECTOR RECOMMENDATION/MOTION:

For information purposes only. No action required.

County/Counties	July	August	September	October	November	December	January	February	March	April	May	June
Alachua	12.5%	18.5%	19.4%	8.0%	15.6%	12.2%	13.3%	13.9%	6.6%	5.6%	7.4%	5.7%
Baker	2.2%	2.0%	6.8%	0.0%	1.9%	7.3%	0.0%	0.8%	0.0%	1.3%	0.0%	0.0%
Bay	17.3%	24.2%	25.1%	10.2%	17.7%	9.2%	11.4%	8.6%	0.7%	1.1%	1.4%	0.7%
Brevard	32.4%	29.1%	25.0%	19.7%	27.8%	25.7%	22.6%	23.1%	14.9%	11.8%	13.2%	11.6%
Broward	33.3%	34.0%	31.8%	31.5%	33.0%	31.6%	31.8%	33.4%	29.5%	30.4%	26.9%	19.4%
Calhoun	23.6%	13.4%	12.0%	13.8%	17.7%	20.4%	17.0%	7.5%	0.0%	0.0%	0.0%	0.0%
Charlotte	4.3%	5.0%	4.8%	4.5%	16.9%	15.9%	20.7%	22.0%	13.7%	16.1%	19.2%	13.2%
Citrus	19.3%	22.2%	12.4%	14.9%	15.0%	13.1%	16.9%	17.3%	11.6%	15.6%	15.7%	6.7%
Clay	0.0%	0.0%	0.0%	0.7%	4.7%	0.7%	3.8%	6.0%	1.5%	0.6%	1.1%	0.8%
Collier	21.3%	26.7%	16.7%	15.7%	21.0%	13.5%	12.7%	13.9%	5.8%	6.0%	4.5%	2.7%
Columbia, Hamilton, Suwannee	21.0%	23.7%	17.2%	19.4%	28.1%	29.4%	31.4%	26.9%	22.8%	23.4%	20.9%	25.4%
DeSoto, Hardee, Highlands, Okeechobee	12.1%	21.4%	16.7%	9.9%	22.6%	15.0%	20.5%	22.9%	5.4%	1.9%	0.0%	0.0%
Duval	38.4%	37.4%	35.4%	35.0%	37.1%	38.6%	37.9%	38.4%	34.5%	36.1%	36.3%	36.4%
Flagler	33.0%	29.1%	21.6%	16.8%	20.6%	22.6%	15.8%	13.6%	6.0%	7.6%	1.4%	0.1%
Franklin	15.2%	22.4%	10.7%	8.9%	14.2%	11.0%	16.1%	3.2%	0.0%	0.0%	0.0%	0.0%
Gadsden	11.9%	18.7%	9.7%	8.2%	13.0%	9.9%	15.4%	15.9%	6.3%	8.0%	5.6%	4.9%
Glades, Hendry	18.5%	19.6%	19.7%	36.5%	37.1%	37.2%	25.2%	25.1%	23.7%	17.2%	27.3%	26.0%
Gulf	12.9%	21.6%	21.2%	13.1%	17.5%	10.2%	17.0%	7.0%	0.0%	0.0%	0.0%	0.0%
Hernando	38.4%	30.5%	23.5%	21.5%	33.6%	27.5%	25.6%	25.5%	17.6%	21.9%	21.7%	14.0%
Holmes, Washington	22.6%	17.5%	15.9%	9.5%	15.9%	8.0%	10.4%	4.7%	0.0%	0.0%	0.0%	0.0%
Indian River	6.6%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Jackson	2.5%	9.1%	2.3%	4.5%	3.5%	4.3%	1.9%	3.5%	0.0%	2.0%	0.0%	0.0%
Jefferson	2.6%	5.7%	0.0%	0.0%	1.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Lake	3.2%	2.0%	1.5%	0.0%	3.9%	2.3%	4.4%	6.7%	3.0%	5.6%	4.8%	5.1%
Lee	31.0%	32.1%	32.9%	30.3%	29.7%	25.9%	27.8%	30.5%	24.9%	0.0%	0.0%	23.8%
Leon	18.9%	19.8%	15.7%	15.8%	19.6%	14.9%	16.8%	14.4%	9.5%	8.6%	6.0%	3.5%
Levy	7.3%	4.6%	12.3%	14.0%	12.3%	10.8%	14.6%	16.3%	9.1%	14.0%	16.8%	13.6%
Liberty	25.5%	24.8%	27.9%	20.3%	10.1%	10.2%	26.2%	15.8%	7.9%	10.1%	17.1%	9.7%
Madison	6.0%	0.0%	0.5%	1.1%	9.3%	3.2%	1.7%	1.8%	0.0%	0.0%	0.0%	0.0%
Manatee	23.1%	21.0%	20.2%	12.7%	21.1%	19.8%	22.1%	27.3%	25.4%	28.4%	32.5%	37.0%
Marion	0.6%	1.7%	0.6%	1.3%	7.2%	4.9%	7.8%	4.2%	7.0%	0.0%	1.5%	0.8%
Martin	32.4%	20.0%	8.4%	1.4%	7.0%	1.3%	3.7%	0.4%	0.2%	0.0%	0.0%	0.0%
Miami-Dade	47.0%	47.0%	47.0%	47.0%	47.0%	47.0%	47.0%	47.0%	47.0%	37.0%	37.0%	12.0%
Monroe	11.1%	1.9%	6.0%	18.0%	8.9%	8.4%	7.9%	3.7%	1.6%	3.0%	1.4%	0.0%
Nassau	15.8%	13.5%	9.1%	5.1%	11.6%	10.8%	9.4%	14.9%	0.0%	0.0%	0.0%	0.0%
Okaloosa	23.6%	5.8%	9.5%	2.4%	6.2%	4.0%	5.9%	5.7%	1.3%	3.8%	16.1%	7.5%
Palm Beach	24.9%	18.0%	11.4%	4.4%	11.7%	9.7%	10.9%	8.9%	5.4%	2.4%	2.2%	4.8%
Pasco		36.8%	15.1%	15.3%	26.4%	28.6%	24.8%	20.9%	15.5%	22.6%	25.2%	19.2%
Pinellas	45.7%	45.3%	44.9%	42.9%	44.4%	43.7%	43.7%	45.1%	44.9%	37.0%	37.0%	37.0%
Polk	11.4%	17.4%	14.2%	12.2%	11.4%	12.2%	12.0%	14.7%	9.3%	10.2%	12.8%	8.7%
Putnam	2.1%	7.5%	9.0%	3.6%	3.3%	0.0%	0.0%	4.9%	0.0%	0.0%	0.0%	0.0%
Santa Rosa	6.7%	6.9%	12.1%	11.0%	14.3%	9.3%	7.1%	6.7%	1.1%	0.7%	1.7%	0.0%
Sarasota	35.2%	25.8%	21.7%	16.3%	22.3%	21.8%	22.6%	20.1%	13.7%	16.8%	17.2%	7.5%
St. Lucie	24.2%	24.4%	7.3%	2.9%	8.4%	5.2%	12.1%	16.6%	8.8%	8.8%	12.6%	11.7%
Taylor	14.2%	11.4%	1.2%	0.0%	1.9%	1.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Volusia	34.2%	35.6%	20.0%	13.6%	21.9%	22.1%	2.5%	1.2%	0.8%	0.0%	0.5%	3.1%
Wakulla	2.9%	1.7%	1.0%	0.8%	6.6%	1.4%	5.0%	4.9%	0.0%	0.0%	3.3%	0.0%
Walton	14.4%	10.1%	14.3%	12.4%	20.5%	16.5%	20.3%	15.8%	7.8%	7.2%	10.6%	10.9%
AVERAGE LEVEL OF RESCUE (UNWEIGHTED)	18.4%	18.1%	14.8%	12.7%	16.7%	14.5%	15.1%	14.2%	9.3%	8.8%	9.6%	8.0%



State of Florida
Commission for the Transportation Disadvantaged
Commission Business Meeting

MEETING DATE: October 25, 2021

AGENDA ITEM:

VIII Presentation on Innovation and Service Development Grant Technical Assistance Project

BACKGROUND INFORMATION:

In 2019, the Florida Legislature appropriated \$10 million in recurring funding to the Transportation Disadvantaged Trust Fund, through the passage of the Multi-Use Corridors of Regional Economic Significance (M-CORES) Program, to support competitive grant opportunities for innovative projects within the TD program.¹ The Commission administered the funding through the Innovation and Service Development (ISD) Grant program.² The funding was repealed through the passage of Senate Bill 100 during the 2021 Legislative Session.

In FY 2020-21, the Commission contracted with the University of South Florida-Center for Urban Transportation Research (USF-CUTR) to provide technical assistance for the ISD Grant program. The technical assistance served to 1) support the Commission in administering the grant program, including improving the application and evaluation process; and 2) provide training and resources for grant applicants to develop proposals that fulfill the expectations of the grant program. USF-CUTR also conducted research of other grant programs around the nation to identify best practices that promote innovative service models that could be replicated in the TD program. A final report will be presented to the Commission, which will include a summary of best practices and recommendations for future consideration.

Martin Catala from USF-CUTR will present the findings from the technical assistance at the October 25, 2021 Commission Business Meeting.

EXECUTIVE DIRECTOR RECOMMENDATION/MOTION:

For information purposes only. No action required.

¹ Section 338.2278(8), F.S.

² Rule 41-2.014(2)(c), F.A.C.

State of Florida
Commission for the Transportation Disadvantaged
Commission Business Meeting

MEETING DATE: October 25, 2021

AGENDA ITEM:

IX. Executive Director Report

BACKGROUND:

David Darm will provide an update of the Commission's legislative budget request (LBR) for Fiscal Year 2022-23 as well as other upcoming initiatives.

SUMMARY OF LBR:

The Commission is requesting a total of \$10 million in additional budget authority for FY 2022-23 to address the following issues:

- \$4 million in recurring revenue to the Trip & Equipment (T&E) Grant program; and
- \$6 million in nonrecurring revenue to the Innovation & Service Development (ISD) Grant program.

The Commission's grant programs are funded under the Transportation Disadvantaged Trust Fund (TDTF). Revenue estimates for the TDTF are projected to increase during the next five years:

- \$2,859,949 in 2023
- \$3,613,987 in 2024
- \$4,905,039 in 2025
- \$5,130,099 in 2026

The Commission's request for \$4 million in additional budget authority is intended to align the T&E Grant funding with the projected revenues of the TDTF. This request will also assist the Commission in implementing its new funding formula within the T&E Grant program, which took effect July 1, 2021. The formula incentivizes Community Transportation Coordinators (CTCs) to provide more cost-effective services. As 30% of the funding is based on the CTC's prior year performance (i.e., number of trips provided), the new formula encourages CTCs to provide more trips under the T&E Grant program.

The Commission's request for \$6 million in nonrecurring revenue is intended to restore a portion of the funding for the ISD Grant program, which was originally funded under the Multi-Use Corridors of Regional Economic Significance (M-CORES) program. This request is intended to support innovative service projects within the TD program.

EXECUTIVE DIRECTOR RECOMMENDATION/MOTION:

For information purposes only.

State of Florida
Commission for the Transportation Disadvantaged
Commission Business Meeting

MEETING DATE: October 25, 2021

AGENDA ITEM:

IV and XI Public Comments

BACKGROUND INFORMATION:

When operating under Florida's Government in the Sunshine Law, the Florida Supreme Court recognizes the importance of public participation in open meetings. The Commission provides that right of access at each public meeting and adheres to Chapter 286.011, Florida Statutes.

The Commission facilitates two "Public Comments" segments on its agenda. For participants interested in providing public comments, the Commission requests speakers complete the attached public comment form and return to David Darm prior to the meeting date at David.Darm@dot.state.fl.us. Hard copies of the public comment form will be provided at the October 25, 2021 Commission Business Meeting. The Commission requests speakers indicate whether they will be participating in-person or by webinar. The chairman will call on speakers in the order public comment cards are received.

Participants planning to speak during the first public comments segment (Item IV) of the agenda must direct their remarks to agenda items only. The Commission welcomes input on any topic during the second public comments segment (Item XI) of the agenda. Pursuant to Commission Rule 41-2.018, F.A.C., all speakers are limited to five minutes per public comment.

ATTACHMENT:

Public Comment Form



Commission for the Transportation
Disadvantaged
PUBLIC COMMENT FORM

Instructions:

1. Complete comment form, including your address. PLEASE TYPE OR PRINT
2. Email comment card to David.Darm@dot.state.fl.us or provide at Commission Business Meeting
3. The chairman will call on speakers in the order comment cards are received. Please indicate below whether you plan on participating via webinar or conference call.
4. Comments must be limited to five (5) minutes per speaker.

How will you be participating in this meeting? In-Person____Webinar____

Name_____

E-Mail_____

Phone_____

Address_____

City_____

Zip Code_____ County_____

Representing_____

Subject_____

Support_____ Oppose_____ Neutral_____