

**Minutes**  
**Volusia County Metropolitan Planning Organization**

**September 22, 2009**

**2570 W. International Speedway Boulevard, Suite 120**  
**Daytona Beach, FL 32114-8145**

**Members Present:**

Commissioner John McDonald  
Commissioner Robert Gilliland  
Mayor Greg Northrup  
Council Member Jack Lenzen  
Commissioner Leigh Matusick  
Commissioner Janet Deyette  
Councilman Ted Cooper  
Commissioner Ron Vath  
Commissioner Liz Towsley  
Commissioner Lynne Plaskett  
Mayor Fred Costello  
Mayor James Sowell  
Mayor Allen Green  
Council Member Pat Northey  
Council Member Andy Kelly  
County Chair Frank Bruno  
Council Member Joie Alexander  
Mary Schoelzel (non-voting)  
Mike Chuyen (non-voting)  
Doug Gutierrez (non-voting)

**Members Absent:**

Mayor Joan Duffy  
Vice-Mayor Jeff Allebach  
Council Member Kris Derr (excused)  
Council Member George Locke  
Council Member Jack Hayman (excused)  
Council Member Joshua Wagner (excused)  
Commissioner Bill Marcello (excused)  
Diane J. Smith (non-voting) (excused)  
P.J. Arvidson (non-voting)

**Others Present:**

Pamela Blankenship, Recording Secretary  
Karl Welzenbach  
Bob Keeth

**Representing:**

Beverly Beach  
Daytona Beach  
Daytona Beach Shores  
DeBary  
DeLand  
Deltona  
Edgewater  
Flagler Beach  
Holly Hill  
New Smyrna Beach  
Ormond Beach  
Pierson  
Port Orange  
Volusia County  
Volusia County  
Volusia County  
Volusia County  
FDOT District V  
BPAC Chairman  
TCC Chairman

**Representing:**

Lake Helen  
Orange City  
Ponce Inlet  
South Daytona  
Volusia County  
Volusia County  
Oak Hill  
Volusia County School Board  
CAC Chairperson

**Representing:**

MPO Staff  
MPO Staff  
MPO Staff

Stephan Harris	MPO Staff
Lois Bollenback	MPO Staff
Mike Marcum	Daytona Beach
Heather Blanck	Votran
George Recktenwald	Volusia County Public Works
Paul McKittrick	Daytona Beach
Chris Hardesty	ERAU
Mark Garcia	FDOT
Steve Tonjes	FDOT EMO
Gary Balogh	FDOT EMO
Jon Cheney	VC Traffic Engineering
Kyle Fegley	New Smyrna Beach
Arlene Smith	DB International Airport
Susan Sadighi	FDOT
Noranne Downs	FDOT
Big John	Press

**I. Call to Order / Roll Call / Determination of Quorum**

The meeting of **Volusia County Metropolitan Planning Organization (MPO)** was called to order at 8:00 a.m. by Chairperson Joie Alexander. The roll was called and it was determined that a quorum was present.

**II. Pledge of Allegiance**

**III. Public Comment/Participation**

There were no public comments.

**IV. Consent Agenda**

- A. Approval of August 25, 2009 Meeting Minutes
- B. Approval of Treasurer’s Report
- C. Executive Committee Report
- D. Technical Coordinating Committee Report
- E. Citizens’ Advisory Committee Report
- F. Bicycle/Pedestrian Advisory Committee
- G. Transportation Disadvantaged Local Coordinating Board
- H. Report on Transportation Funding Task Force

Chairperson Alexander pointed out Item H, the report on the Transportation Funding Task Force, was a separate handout.

Mr. Welzenbach explained that County Chair Bruno attended the Transportation Funding Task Force meeting which included the funding partners for SunRail. Both gas tax revenues and

impact fees have declined. The task force discussed options for a regional source for obtaining transportation revenue. The task force plans to meet again in December to discuss other opportunities and potential revenue that can be generated. The political side of the issue will also be addressed. Everyone was in agreement that it was not a good time to pursue additional taxes.

**MOTION:** *Councilman Cooper moved to approve the Consent Agenda. The motion was seconded by Commissioner McDonald and carried unanimously.*

## V. Action Items

### A) Review and Approval of Resolution 2009-22 Amending the FY 2009-2010 Unified Planning Work Program (UPWP)

Mr. Welzenbach stated that the MPO is reprogramming the \$75,000 which was deobligated in the Spring. An estimate of how much Federal funding the MPO will be getting was received and it is increasing. In addition, one task in the UPWP is being amended, Task 5.4, the general planning assistance to local communities. After issues relating to SB 360 are settled, the TCC has recommended the MPO be the forum to coordinate the mobility plans for those cities who have transportation concurrency exception areas (TCEAs).

**MOTION:** *Commissioner Vath moved to approve Resolution 2009-22, amending the FY 2009/10 -2012/13 UPWP. The motion was seconded by Commissioner Gilliland and carried unanimously.*

### B) Review and Approval of Amended Resolution 2009-08 to Include the Requirement of Local Matching Funding for Feasibility Studies

Chairperson Alexander explained that the TCC and CAC were split in their recommendations on this item; the CAC recommended approval of the resolution as written, requiring local governments to cover the non-federal match. The TCC recommended the MPO cover the cost of the non-federal match.

Mr. Welzenbach stated the local match is a Federal requirement. Prior to this year, FDOT provided the local match in-kind. Now, a local match of 9.035% is being required for any off-system project. MPO staff has recommended the local jurisdictions pay the local match. On average, a feasibility study costs \$12,000, leaving a local match of less than \$1,200 per study. The TCC recommended using the yearly assessments that the MPO receives from the local jurisdictions to pay for the local match. All the local jurisdictions pay this assessment; however, over the last seven years, only two of the four smallest cities have asked for feasibility studies. The majority of feasibility studies are requested by the larger cities and the County: Ormond Beach, Daytona Beach, Port Orange and Volusia County. Therefore, if the MPO is going to pay the local match through the MPO assessment fees collected, the

smaller cities are essentially subsidizing the larger cities. He added that he did not feel this was fair.

Mr. Chuvien stated that the BPAC voted for the resolution as it was written, adding that most feasibility studies are not expensive and not likely to be a burden to the cities.

Mr. Welzenbach noted that MPO staff feels that if the local governments have to make an investment, however small, there is more of an obligation for them to follow through with the project. Three years ago, there was a moratorium on feasibility studies because there were too many projects that were not being done.

Mr. Cheney asked what the MPO local assessments were being used for. He also clarified that the TCC recommended the MPO only pay for one feasibility study match per jurisdiction, per year.

Councilman Cooper asked if the TCC had made a recommendation to have the smaller cities pay less into the MPO assessment fund and if not, could an amendment be written to exclude the smaller cities, allowing them to have one feasibility study per year.

Mr. Welzenbach replied that the smaller cities would include the four smallest cities in Volusia County and the two in Flagler County.

Council Member Northey asked how many feasibility studies are requested in one year.

Mr. Harris replied that before the moratorium was lifted, there were about eight studies. While it was in place, one was done and since it was been lifted, two studies have been completed, with two currently in progress, which are suspended pending a decision on this item.

Councilman Cooper asked how many of the studies just mentioned were requested by the smaller cities.

Mr. Harris noted that none of those studies were from the smaller cities.

Commissioner Matusick stated that all the jurisdictions are contributing. If they have all made that contribution, then perhaps they should all have one feasibility study match paid by the MPO.

**MOTION:** *Commissioner Vath moved to approve that the MPO pay the local match of 9.035% for one feasibility study per local jurisdiction per year. Mayor Costello seconded the motion.*

Mr. Welzenbach recommended a cap be put on the amount the MPO pays per year on local matches.

Councilman Cooper stated that he would vote against this motion. He added that he felt the larger cities were getting subsidized by the smaller cities.

Mr. Welzenbach reiterated that none of the smaller cities have applied for feasibility studies in the last few years.

Commissioner Matusick asked how many of the last few years of studies were from the same cities.

Mr. Welzenbach noted that many of the feasibility studies were requested by the same cities, with Port Orange being first, followed by Daytona Beach and DeBary. He added that there are 18 communities and he has to assume that all 18 will apply for a feasibility study.

Council Member Northey stated she would not support the motion. She believes the jurisdiction requesting the study should bear the cost.

Council Member Lenzen agreed that the local jurisdictions should pay a local match.

Council Member Kelly asked what the MPO assessments are currently used for.

Mr. Welzenbach replied that they are used for conferences, trips to Tallahassee and Washington, D.C., moving to our new location and other things that are not covered by PL funds.

***A vote was called and the motion failed.***

***MOTION: Council Member Northey moved to approve amended Resolution 2009-08 to include the requirement of local matching funding for feasibility studies. The motion was seconded by Council Member Lenzen. The motion passed.***

- C) Review and Approval of Resolution 2009-23 Amending the FY 2008/09 -2012/13 and FY 2009/10 - 2013/14 Transportation Improvement Programs (TIPs) to Replace the US 1 Sidewalk Project in the City of Edgewater – an ARRA Enhancement Funded Project – with a SR 40 Multi Use Trail Project in the City of Ormond Beach**

***MOTION: Mayor Costello moved to approve Resolution 2009-23 amending the FY 2008/09 -2012/13 and FY 2009/10 - 2013/14 Transportation Improvement Programs (TIPs) to replace the US 1 sidewalk project in the City of Edgewater – an ARRA Enhancement funded project – with a***

*SR 40 multi use trail project in the City of Ormond Beach. The motion was seconded by Council Member Northey and carried unanimously.*

**D) Review and Acceptance of Volusia County Pavement Condition Survey PCI Index Ranking for Additional Stimulus Funding**

**MOTION:** *Councilman Cooper moved to accept the Volusia County Pavement Condition Survey PCI Index Ranking for additional Stimulus funding. The motion was seconded by Commissioner Matusick.*

Councilman Cooper stated that the cooperation between the MPO staff and the City of Edgewater was great.

*The motion carried unanimously.*

**E) Direction Regarding the Allocation of the Remaining \$213,000 in ACSA Funds**

Mr. Welzenbach stated that the TCC recommended this decision be delayed until FDOT was able to clarify some of the issues regarding the next two projects on the priority list.

**MOTION:** *Commissioner Gilliland moved to continue the recommendation regarding the allocation of the remaining \$213,000 in ACSA funds until the October MPO Board meeting. Council Member Northey seconded the motion and it carried unanimously.*

**F) Review and Selection of Land Use Scenario for Developing Long Range Transportation Plan**

Ms. Bollenback gave a PowerPoint presentation on the various land use scenarios which the local jurisdictions have chosen to use. For the 2035 Long Range Transportation Plan, the MPO is trying to recognize the “How Shall We Grow?” vision, compare it to the existing long range plans and ask the communities if they want to consider making changes to the land use elements in order to lead and guide how the communities are going to grow.

Ms. Bollenback went over the cities that indicated they would like to use their adopted Comprehensive land use plans (FLUM):

DeBary	New Smyrna Beach	Oak Hill
Lake Helen	Daytona Beach	Daytona Beach Shores
Pierson	Holly Hill	Orange City
Ponce Inlet	South Daytona	

There are also some jurisdictions that acknowledge there are going to be changes or they want to explore changes from what is currently in their adopted comprehensive plan:

- Edgewater
- Deltona
- Port Orange
- Volusia County
- Ormond Beach

Ms. Bollenback reviewed the individual city maps with land use accommodations.

Mayor Costello asked if the MPO has the authority to tell Farmton that it must accommodate the impacts it causes (even it is a transportation concurrency exception area (TCEA)).

Mr. Welzenbach replied that the MPO has no say in respect to development but it does have the methodology in place to assess the impacts of development on transportation. Two years ago, the MPO required the adoption of the Transportation Impact Analysis (TIA) Methodology by November 2009. If a local jurisdiction failed to adopt it by November 2009 it will no longer have access to state and federal transportation dollars.

Mr. Cheney stated that Volusia County is trying to work with the applicant for Farmton so that they will follow the DRI process, which is most likely more strict than the TIA Methodology. If this development is approved by the Volusia County Council, intergovernmental coordinations will be addressed as part of the DRI process.

Council Member Northey noted that there is an assumption by the cities in their comprehensive plans that they are going to grow in a certain manner. Under Farmton, there is a finite amount of density that is allowed under BEBR. If Farmton gets that density, it changes the equation for both the County and the cities. An example is the DeLand Train Station. The density required to develop a commuter rail station is lost because the density has shifted to Farmton.

Mr. Welzenbach explained that Farmton will not be represented in the 2035 Long Range Transportation Plan. The BEBR gives a population total for the County and there will be a cap. Because Farmton won't "exist", it will not take away from other locations; it is at least three years away from any definitive developments. The next update to the Long Range Transportation Plan will be in four years and Farmton will be accommodated at that time.

Council Member Kelly stated that County Council will be making the decision whether or not to include Farmton in their comprehensive plan next month.

Mr. Cheney added that County staff is uncertain of where the application and comp plan amendment stand in regards to approval and moving forward. The applicant is not planning any development along SR 442 at the I-95 interchange until 2025.

Ms. Bollenback continued her presentation. She noted that today's approval of the land use models would not commit the jurisdictions to anything, nor does it preclude any changes, such as Farmton. Traffic modeling information must be transmitted to FDOT after approval.

**MOTION:** *Councilman Cooper moved to approve the accommodated land use scenarios as presented for development of the 2035 Long Range Transportation Plan. Council Member Northey seconded the motion.*

Councilman Cooper strongly suggested that Volusia County follow the comprehensive plans, DRIs and development orders of the individual jurisdictions that will be affected by Farmton.

*The motion carried unanimously.*

**G) Review and Approval of the Amended Bylaws and Name Change of the Volusia County Metropolitan Planning Organization to the Volusia Transportation Planning Organization (VTPO)**

Commissioner Matusick stated that there was an issue with the Executive Committee meeting date. The meeting date has recently been changed from the first Monday of the month to the 2<sup>nd</sup> Monday; this has made it difficult for MPO staff to get the MPO agendas together and distributed in a timely manner. She suggested moving the meeting time to 3:00 p.m. on the 1<sup>st</sup> Monday of the month.

Chairperson Alexander stated that the bylaws could be amended to state the Executive Committee can make their own schedule each year.

Commissioner Vath asked about why Flagler County wanted the Flagler designation removed from the new name of the MPO.

Mr. Welzenbach explained that he had met with the Flagler County Administrator and City Managers to discuss their participation in the MPO. They felt that renaming the MPO the "Volusia-Flagler Transportation Planning Organization" would not be the best approach at the present time. Discussions will continue with Flagler County and they are aware of the issues surrounding the various MPO's and the 2010 census.

Mr. Welzenbach also noted that there was an issue to be decided with the MPO Board member officer election cycle. It is currently scheduled to coincide with the calendar year and it has been recommended that the cycle be changed to coincide with the

MPO's fiscal year. There are ramifications to this change, including the fact that Chairperson Alexander would continue to be Chairperson until July 2010.

**MOTION:** *Commissioner Matusick moved to approve the MPO Bylaws as amended including the change of election cycle from calendar year to fiscal year and the addition of wording to allow the Executive Committee to set their own schedule at the start of the year. Councilman Cooper seconded the motion.*

Mr. Welzenbach requested that the MPO not immediately change its name, though approved, because of timing issues.

*The motion carried unanimously.*

## **VI. Presentations, Status Reports, and Discussion Items**

### **A) FDOT Reports and ARRA Project Status Updates**

Ms. Schoelzel gave an update on the Stimulus projects:

- SR 40 multi use trail from Tymber Creek to Breakaway Trail - City of Ormond Beach - bid opening 10/15/09 - agreement has not been executed
- 8<sup>th</sup> Street resurfacing from Carswell Avenue to Grove Avenue - City of Holly Hill - Bid opening 10/15/09 - agreement has been executed
- 8<sup>th</sup> Street from Ridgewood Avenue to Daytona Avenue - City of Holly Hill - bid opening 10/15/09 - agreement has been executed
- Riverside Drive resurfacing from Lytle Avenue to 6<sup>th</sup> Street - New Smyrna Beach funds allocated \$600,000, bid opening amount \$295,460 on 8/31/09, balance is \$304,540
- Canal View Boulevard resurfacing from Dunlawton Avenue – it is going back to Council to see if they want to proceed \$-57,388 - funds allocated \$51,425 - bid opening \$108,813

Mayor Green stated that Port Orange is voting to reject the funds on this project tonight.

Mr. Welzenbach explained that if there are cost overruns, the City will have to bear that cost.

Ms. Schoelzel explained that there are a number of options for that project. The money can be left until the project is completed, but there is a risk of losing the funds if the project is not complete by November.

Commissioner Plaskett stated that the Riverside Drive project may have archeological issues.

Mr. Welzenbach stated that \$600,000 has been programmed for the project.

Ms. Schoelzel noted that the main goal for all of the Stimulus projects is to get people working.

Mr. Fegley explained that the main concern for the New Smyrna Beach project is the base bid, although favorable, may not account for unforeseen issues.

Ms. Schoelzel stated that the New Smyrna Beach is required to let some of that money go if they do not think it will be used completely.

Mayor Costello suggested looking for another project for the remaining \$250,000.

Councilman Cooper asked about those who were getting low bids with the intention of putting in change orders in order to increase the amount they bill for – can a ceiling be forced on a low bidder?

Ms. Schoelzel replied that for state projects, contractors are held to their bid.

Mr. Welzenbach noted that the money must be obligated by November 2010.

Ms. Schoelzel replied that it is taking about three months to get a project obligated.

Mr. Welzenbach asked for clarification on the issue – he stated that he is hearing two conflicting things: we cannot have contingency but we are being told to leave the money there.

Ms. Schoelzel continued with the Stimulus report:

- Dunn Avenue Extension - new roadway from Tomoka Farms Road to Williamson Boulevard - agreement not executed - waiting for FHWA approval / authorization - bid approval 12/17/09 - trying to have them move that up
- CR 4139 resurfacing -from Kicklighter Avenue to City limits - Volusia County for Lake Helen - bid opening 10-08-09

Ms. Downs stated that the bid is the amount that will be programmed and any additional money needs to be put on another project.

Mr. Welzenbach asked if Mayor Green wanted the some of the additional \$300,000 put on his project.

Mayor Green replied yes.

**MOTION:**        *Commissioner Gilliland moved to deobligate \$305,000 from the New Smyrna Beach project. County Chair Bruno seconded the motion and it carried unanimously.*

**MOTION:** *Commissioner Gilliland moved to allocate \$57,000 to the Port Orange project. County Chair Bruno seconded the motion and it carried unanimously.*

Commissioner Matusick asked if New Smyrna Beach says this project will cost \$305,000 and their build is \$256,000, when do they have to have an answer?

Mr. Welzenbach replied that New Smyrna Beach is getting \$256,000. The concern is that things will be found that will raise the cost of the project. There is no contingency and the City will have to pay for anything that is over the \$256,000.

## **VII. Executive Director's Report**

Mr. Welzenbach noted that he was going to be attending a peer exchange on climate change and greenhouse gasses. He reminded the members that the deadline for the TIA Methodology adoption is November, 2009. Beginning in January, if it is not adopted, the MPO will identify those projects that will no longer be funded with federal and state dollars and pull them from existing plans as well as future ones.

Mayor Costello asked Chairperson Alexander if she would send a letter to those jurisdictions who have not yet adopted the TIA Methodology.

## **VIII. MPO Member Comments**

Commissioner Matusick announced the ribbon cutting for the River of Lakes Heritage Corridor.

Council Member Northey requested that the wage increase request for MPO staff be placed on the October agenda.

Chairperson Alexander announced White Cane Day on October 9<sup>th</sup>.

## **IX. Information Items**

- Citizens' Advisory Committee Attendance Record - 2009
- Technical Coordinating Committee Attendance Record - 2009
- Bicycle/Pedestrian Advisory Committee Record – 2009
- FDOT Letter concerning the relocation of SIS designation from US 17/92 to SR 15A in DeLand
- Transportation Impact Analysis Methodology Update

## **X. Adjournment**

There being no further business, the meeting adjourned at 9:35 a.m.

**Volusia County  
Metropolitan Planning Organization**

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**County Council Vice Chair Joie Alexander  
Chairperson, Volusia County MPO**

**CERTIFICATE**

The undersigned duly qualified and acting Recording Secretary of the Volusia County MPO, certified that the foregoing is a true and correct copy of the minutes of the September 22, 2009 regular meeting of the Volusia County Metropolitan Planning Organization (VCMPO), approved and duly signed this 27<sup>th</sup> day of October, 2009.

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**Pamela Blankenship, Recording Secretary**