

**Minutes  
Citizens' Advisory Committee Meeting**

**2570 W. International Speedway Blvd., Suite 120  
Daytona Beach, FL 32114-4185**

**Members Present:**

Donald Smart  
Malcolm Smith  
Ferd Heeb  
J. NeJame  
Gilles Blais  
P.J. Arvidson, Chairperson  
Bob Storke  
Peter Hauser  
Susan Elliott  
Don Romanik  
Bobby Ball  
Lary Galphin  
Nadine Collard  
Tomm Friend  
Dan D'Antonio  
Heather Blanck  
Mary Schoelzel (non-voting)  
Karl Welzenbach (non-voting)

**Representing:**

Daytona Beach  
DeLand  
Edgewater  
Flagler Beach  
Holly Hill  
New Smyrna Beach  
Orange City  
Ormond Beach  
Pierson  
Ponce Inlet  
Port Orange  
Volusia County  
Volusia County  
Volusia County  
Volusia County  
Votran  
FDOT District V  
MPO Staff

**Members Absent:**

**Representing:**

**Others Present:**

Pamela Blankenship, Recording Secretary  
Lois Bollenback  
Carole Hinkley  
Bob Keeth  
Jean Parlow  
Stephan Harris

**Representing:**

MPO Staff  
MPO Staff  
MPO Staff  
MPO Staff  
MPO Staff  
MPO Staff

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

The meeting of the Volusia County Metropolitan Planning Organization (MPO) Citizens' Advisory Committee (CAC) was called to order at 1:30 p.m. by Chairperson P.J. Arvidson. The roll was called and it was determined that a quorum was present.

## II. Consent Agenda

### A) Approval of November 17, 2009 CAC Meeting Minutes

**MOTION:** *Mr. Smith moved to approve the November 17, 2009 CAC meeting minutes. The motion was seconded by Mr. NeJame and carried unanimously.*

## III. Action Items

### Amended Agenda Action Item: Determination of Enhancement Projects from Stimulus Package

Mr. Welzenbach explained that Ormond Beach has two projects: SR 40 Multi-use Trail phases 1 and 2, which had bids come in under the anticipated amount by roughly \$191,000. This leaves \$190,000 in ARRA Enhancement Funding that is not associated with a project. There is still opportunity to receive money for projects that are ready to go. One of the projects that is ready to go is the Flagler Beach area sidewalks, whose bid came in under \$400,000. The MPO is currently working with FDOT to get that money put back on that project so that the project can continue. Originally, Flagler Beach had asked the MPO for \$2 million dollars; the MPO gave them \$1 million dollars, causing Flagler Beach to scale back the project. The bid then came in \$400,000 lower than anticipated. There are still portions of the project that need to be done; therefore, the MPO is asking FDOT to let Flagler Beach keep the \$400,000 so that they can continue with the remainder of their project. The Flagler Beach area sidewalks are currently on the Enhancement project list, but it is being assumed that FDOT will give the money.

Ms. Schoelzel noted that FDOT is waiting on Flagler Beach to give them the plans for the sidewalk indicating the project limits. Nothing further can be done until that information is received.

Mr. Welzenbach continued reviewing the list of Enhancement projects that were ready to go. He emphasized that there is a deadline of March 1, 2010, for the obligation of Stimulus funds; because of the deadline it is not feasible to submit a new project since that would take a minimum of 2-3 months. The projects that are being proposed are already in the Work Program, have an FM number and can use additional funding. Orange Avenue sidewalks in Daytona Beach and the Tomoka State Park Trail are currently in the Work Program and funded with XU money. It is possible to swap the XU funding for the Stimulus funding, which would free up the XU funding to use on another project. The other two projects on the list, CR 4139 Kicklighter Avenue and resurfacing the Dunn Avenue Extension, have sidewalk components to both of them. Volusia County has paid for the CR 4139 project. Both projects are eligible for Stimulus funding (sidewalk portions). In all, four projects have been identified that would have no delay in applying the money, other than the time it takes for Tallahassee to approve it. He noted that if the money was not spent it would be lost. The MPO is asking for a recommendation on how to reallocate the remaining Stimulus funding.

**MOTION:** *Mr. Galphin recommended that the Enhancement projects be funded in the following order: Orange Avenue Sidewalk, Tomoka State Park Trail, CR 4139 (Kicklighter Road) Sidewalk Replacement, and the Dunn Avenue Extension Sidewalks.*

Ms. Schoelzel noted that this did not guarantee that the projects would be funded; it is only a request for funding. There is always the possibility that Tallahassee will say no.

Mr. Heeb asked how the projects could be funded so that no money would be left over.

Mr. Romanik asked if a project could be partially funded.

Mr. Welzenbach stated that partial funding could not be done because the Orange Avenue sidewalk and the Tomoka Trail are both in outer years in the Work Program. If you fully replace the money you can move the project up and but if the project is only partially funded it cannot be moved. Mr. Welzenbach noted that Flagler Beach anticipated that the other phase of their sidewalk project was going to come in under bid as well. He suggested that it might be a good idea to present the list to FDOT as it stood and let them choose what to fund.

***The motion to submit the list as presented was seconded by Mr. Smith.***

Mr. Friend asked if the Orange Avenue sidewalk was funded, and the local match of \$51,000 was released back to the City of Daytona Beach, what would happen to the remaining XU funds; which projects would the funds be placed on?

Mr. Welzenbach stated that the funds would go into the XU set aside box for the BPAC's next call for projects.

Mr. Welzenbach restated that the motion: to approve the Enhancement Listing in the following order: Orange Avenue sidewalk, CR 4139 Kicklighter Road sidewalk replacement, Tomoka State Park Trail and Dunn Avenue Extension sidewalk components.

***The motion carried unanimously.***

**A) Review and Recommend Approval of LRTP Technical Alternative #1**

Mr. Welzenbach stated that the MPO is coordinating with all MPOs in District 5 on the Long Range Transportation Plan (LRTP). All the MPOs have agreed to develop two alternatives for FDOT to model. One is the Technical Alternative developed by the MPO committees. The other is the public alternative which will be developed through the Make Your Mark public involvement exercises. He noted that this is primarily a modeling exercise to identify potential problems with the transportation network. The current Technical Alternative, if it stays as it is, is grossly over budget. There is a total of \$609 million dollars in Federal and State funds for the twenty year period. The Technical Alternative listing is currently at \$622 million just for the first page. The

second page contains the projects that Volusia County would like in the plan and the third page covers transit.

Ms. Booker clarified that the County list contains the projects that they would like to see modeled. Volusia County is not endorsing all of the projects.

Mr. Welzenbach added that the transit projects on the last page would need a tax to fund – and even with a tax it is over budget. The MPO is trying to keep the list within the fiscal constraints given. The fiscal constraint without the transit component is \$609 million, with a tax of ½ cent is \$789 million and with a 1 cent tax is \$1.57 billion (in addition to the \$609 million). The MPO Board must adopt the LRTP by October of this year and that plan must be financially feasible. This leaves the MPO with a policy issue to consider: do we assume a local revenue source which does not currently exist, and will be enacted in the year 2016? (The local revenue source would be a tax).

Mr. Romanik asked what the tax duration was to generate the \$789 million.

Mr. Welzenbach replied that it was from the year 2016 through 2035.

Mr. Romanik stated that he would like to wait to make a tax decision until it is clarified what is happening with SunRail.

Mr. Welzenbach replied that SunRail was approved and a deal was reached between FDOT and the local counties involved: FDOT will pay for the operations of SunRail for the first seven years. The capital will be divided between the seven funding partners – the Federal Government will pay 50%, FDOT will pay 25% and the remaining 25% will be split between the rest of the partner counties. After seven years, operations will then be the partnering counties responsibility. None of the partners currently have a dedicated local revenue source for operations.

Mr. Romanik asked if SunRail had to come out of *ad valorem*?

Mr. Welzenbach replied that unless a tax is passed that is dedicated for operations, then it must come out of *ad valorem*.

Mr. Heeb asked if the 2035 LRTP included County funding.

Mr. Welzenbach stated that the 2035 LRTP included County projects as information only. A project in our region cannot receive Federal or State funds unless it is in the LRTP. If it is in the LRTP, it must already be paid for. The County will request that projects be included in the plan which they will fund, and if money later becomes available they can use that money to reduce the amount they must pay for because they are already included in the LRTP.

Mr. Heeb noted that there are projects that Edgewater would like in the 2035 plan. All of them are projects that are listed in the report as “County or city road projects considered at Make Your Mark” but not included on any County road list.

Mr. Welzenbach explained that a sales tax can be used for operations as well as infrastructure (roads and bridges).

Mr. Friend explained that getting a project on the LRTP only means that the project is eligible for funding. He noted that sales taxes as a whole tend to inhibit public spending and asked why a gas tax was not being considered.

Mr. Welzenbach replied that gas tax revenues have declined at the national, state and local levels over the past five years. All local option gas taxes have been used and only a portion of one of the five cent gas taxes could be used and it must go toward operations. If we say in the LRTP that we anticipate an additional local revenue source, we must be able to enact it; we have no authority to pass a gas tax.

Mr. Friend asked if it was possible to coordinate among the seven entities a way to enact a gas tax.

Mr. Welzenbach replied that there may be, but it does not currently exist. There is not enough time to do so – all the partners must agree to pass the tax which would then require Tallahassee to approve it, the Governor to sign it and the MPO to put it in the LRTP.

Ms. Schoelzel added that the MPO Board does not have the authority to pass a gas tax.

Mr. Welzenbach explained that the proposed sales tax would commence in the year 2016 (the year after the plan expires) so that if the tax is not enacted, the LRTP would not have to be amended because a new LRTP would be adopted by then.

Mr. Hauser asked if there was any county in the State of Florida that has a workable model we could follow.

Mr. Welzenbach stated that Hillsborough County has a referendum for a ¾ cent sales tax. Volusia is a charter county and has the authority through referendum to pass a charter county transportation surtax. Hillsborough County is pursuing that referendum this year.

Mr. Friend asked if we agreed to have a sales tax, was there any way to move forward with a gasoline tax to superseding that sales tax.

Mr. Welzenbach replied that we could pursue that as a strategy but it could not be put in the LRTP.

Mr. Friend added that the idea must be stated as a goal by the committees or it would have no chance to move forward.

Discussion continued.

**MOTION:** *Mr. Friend moved to recommend approval of the draft Technical Alternative #1 as presented assuming a tax. In addition, send a recommendation from the MPO Chairperson to the Transportation Funding Task Force requesting they seriously consider a gas tax as an alternative source of funding.*

Discussion ensued.

**Mr. Hauser seconded the motion.**

Mr. Romanik asked if the motion could be separated into two motions.

**The motion failed with 3 in favor, 13 opposed.**

The motion was separated into two parts:

**MOTION:** *A motion to approve the draft LRTP Technical Alternative #1 was made. The motion was seconded Mr. D'Antonio and carried with a vote of 11-5.*

**MOTION:** *Mr. Friend made a motion to send a recommendation from the MPO Chairperson to the Transportation Funding Task Force requesting they seriously consider a gas tax as an alternative source of funding. The motion was seconded and failed with a vote of 5 in favor, 11 opposed.*

**B) Recommendation Regarding \$191,555 Available from Reduced Estimate for Design of Clyde Morris Boulevard**

Mr. Welzenbach explained that last year the MPO Board approved \$3.8 million XU dollars for the six-laning of Clyde Morris Boulevard. FDOT keeps programming additional money for this project: \$191,555, plus another \$40,000 has been programmed without the MPOs authorization. MPO staff is suggesting that the money (\$231,555) be put back in the XU set aside boxes for traffic operations and bike/ped projects.

Mr. Heeb asked if there were any alternative options.

Mr. Welzenbach replied that the money could be left on Clyde Morris Boulevard to be spent or put it on a specific project such as SR 415. He explained the history of the XU funding formula. Once the XU formula was redistributed in 2006, there were three projects that were grandfathered in: a US 1/SR 40 intersection in Ormond Beach,

Mason Avenue/US 1 intersection in Daytona Beach and Clyde Morris Boulevard. FDOT had done a PD&E on Clyde Morris Boulevard which only looked at a six-lane alternative. The MPO was then approached by students from Embry-Riddle Aeronautical University complaining about the safety of bicycle riding on Clyde Morris Boulevard. Embry-Riddle also came to the MPO asking for help. The MPO paid for a feasibility study to look at a possible multiuse path along Clyde Morris Boulevard and came up with a recommendation for the Board. The MPO Board was moving in the direction of the multiuse path when the Volusia-Flagler Higher Education Consortium weighed in on the matter. They passed a resolution in October, 2008 asking the MPO Board to keep the money on the design of Clyde Morris Boulevard and not to build the multiuse path. The MPO Board agreed to keep the money on the design. Therefore, there is no multiuse path planned for Clyde Morris Boulevard.

Ms. Collard asked if the money could be kept on the design and used some of it for the multiuse path.

Mr. Welzenbach replied that in the PD&E study there were two sidewalks as part of the design. Since that time, the Daytona Beach Airport has moved their boundaries. Because of this, most likely, a facility cannot be put in on the west side of the road. In addition, Mr. Lovett, FDOT, has informed him that there is no way a six-lane road and a 12 foot multiuse path can be put in due to a lack of available right of way.

Ms. Schoelzel added that in order to put in a path, the PD&E study would have to be redone. She added that FDOT had asked the MPO if some of the \$3.8 million could be reprogrammed for the mitigation phase.

Mr. Welzenbach replied that he had responded by stating that the MPO Board has control of those funds and they must make that decision. He asked Ms. Schoelzel why the remaining \$40,000 was programmed.

Ms. Schoelzel answered that the \$40,000 was for contamination of a pond.

Mr. Welzenbach stated that any activity on the XU funds by FDOT must come before the MPO Board.

**MOTION:** *Mr. Heeb moved to recommend that the \$231,555 in XU funds currently programmed on Clyde Morris Boulevard be moved to the MPOs XU set aside boxes. The motion was seconded by Mr. Galphin and carried unanimously.*

**C) Determination of the Allocation of Available ARRA Funding**

This item was a duplicate to the amended agenda and had been addressed at the beginning of the meeting.

**D) Appointment of UPWP Subcommittee**

The following CAC members volunteered for the UPWP Subcommittee:

Susan Elliott

J. NeJame

**E) Appointment of TIP Subcommittee**

The following CAC members volunteered for the TIP Subcommittee:

P.J. Arvidson

Gilles Blais

Nadine Collard

**IV. Presentation and Status Reports**

**A) Presentation on the FY 2010/11 – 2015/16 FDOT Tentative Work Program**

Ms. Schoelzel gave a brief presentation on FDOT's FY 2010/11 – 2015/16 tentative Work Program.

Mr. Welzenbach noted that the St. John River to the Sea Trail is anticipated to have its opening in time for the anniversary of Ponce de Leon landing in Florida. He asked if there was a way to move that money in the Work Program up to 2013.

Ms. Schoelzel stated that she would check.

Ms. Schoelzel explained that FDOT is currently working on low bid funding. The cities and County need to know that if they have any projects on the project priority list, the plans and documentation need to be submitted to FDOT in order to receive funding. In addition, FDOT is hoping to hear something about the Job Creation Bill which is currently in the Senate. She recommended the MPO to submit a list of approved projects which can be to the contractor within 90 days of receipt of the money.

Mr. Welzenbach noted that what Ms. Schoelzel was referring to was called the "*Jobs for Main Street Act*" and it is anticipated to produce less money than the last time. He has met with the public works directors and sent an email to the public works directors, County/city managers, the MPO, as well as its committees asking them get their projects ready. He added that he does not expect Volusia County to receive more than \$2 million.

Ms. Schoelzel reminded the CAC that any projects submitted must already be on the MPOs Priority List.

Mr. Welzenbach noted that many communities applied for projects last time which were not ready to go. The criteria the project must meet to qualify as ready to go has been sent out.

**B) FDOT Report and ARRA Project Status Updates**

This item was addressed previously.

**C) Volusia County Construction Report**

Ms. Booker stated that bids would be open soon on the Doyle Road safety improvements. The LPGA widening has begun and a construction contract has been awarded for the Dunn Avenue Extension project. Lastly, on the County's website, under the drop down menu for construction, the status of all the County's projects can be found.

**V. Staff Comments/Information Items**

Ms. Blankenship noted that a list of CAC members had been included with the agenda. She asked the members to let her know if there were any corrections to the listing.

**VI. CAC Member Comments**

Mr. Welzenbach announced that the CAC Bylaws Subcommittee met to review the bylaws and had an addition: the requirement of the CAC members to provide a summary of the CAC meetings to the elected official who appointed them; MPO staff will provide the summary to the members.

Ms. Blanck distributed the new Votran bus route maps which are set to begin on Monday on the east side of Volusia. The west side changes are in progress. The information can be found on Votran's website as well.

Mr. Friend asked about the ads on the shelter covers at the bus stops. The advertising is starting to be placed on the side instead of the back. This is very dangerous and blocks the view.

Ms. Blanck stated that if the shelter is within the city limits, it is under the jurisdiction of the city.

**VII. Press/Citizen Comments**

There were no press or citizen comments.

**VIII. Adjournment**

The meeting adjourned at 2:55 p.m.