

Minutes
Volusia County Metropolitan Planning Organization

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

March 23, 2010

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 Rick Basso
Commissioner Bill Marcello
Vice-Mayor Jeff Allebach
Mayor Fred Costello
Mayor James Sowell
Council Member Kris Derr
Council Member George Locke
County Chair Frank Bruno
Council Member Joshua Wagner
Council Member Pat Northey
Council Member Joie Alexander
Mary Schoelzel (non-voting)
P.J. Arvidson (non-voting)
Mike Chuyen (non-voting)

Members Absent:

Commissioner Lynne Plaskett
Vice-Mayor Mary Martin
Council Member Andy Kelly
Council Member Jack Hayman
Diane J. Smith (non-voting)(excused)
Doug Gutierrez (non-voting)(excused)

Others Present:

Pamela Blankenship, Recording Secretary
Karl Welzenbach
Jean Parlow

Representing:

Beverly Beach
Daytona Beach
Daytona Beach Shores
DeBary
DeLand
Deltona
Edgewater
Flagler Beach
Holly Hill
Lake Helen
Oak Hill
Orange City
Ormond Beach
Pierson
Ponce Inlet
South Daytona
Volusia County
Volusia County
Volusia County
Volusia County
FDOT District V
CAC Chairperson
BPAC Chairman

Representing:

New Smyrna Beach
Port Orange
Volusia County
Volusia County
Volusia County School Board
TCC Chairman

Representing:

MPO Staff
MPO Staff
MPO Staff

Others Present:

Stephan Harris
Lois Bollenback
Carole Hinkley
Herb Seely
Bob Keeth
Susan Sadighi
Bob Hamm
Mike Ruland
Gary Huttman
Jon Cheney
Malcolm Smith
Jerry Brinton
Alex Kish
Paul McKitrick
Ron A. Paradise
Pedro Leon
Big John

Representing:

MPO Staff
MPO Staff
MPO Staff
MPO Staff
MPO Staff
FDOT
Wilbur, Smith & Associates
FDOT
Burgess & Niple
VC Traffic & Engineering
DeLand citizen
VC Traffic & Engineering
Brent, Milliken & Company
Daytona Beach
Deltona
VC Dept. of Economic Development
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

Chairperson Alexander stated that she and County Chairman Bruno had to leave early to go to Tallahassee to testify to the Senate Committee on the TABOR bill. Commissioner Vath will be chairing the remainder of the meeting. She stated that Action Item B would be heard before she leaves.

A) Review and Approval of Priority Project Listing for New Jobs Bill

Chairperson Alexander announced that the TCC had worked on creating the new Jobs Bill priority project listing, however, it appears that there is not any money in the bill.

Mr. Welzenbach stated that the local governments staff worked hard to get their projects in on time. Unfortunately, subsequent to the last TCC meeting, the Senate passed the jobs bill – and there are no stimulus funds in that bill. The bill only extends SAFETEA-LU until the end of this year. However, the effort of the TCC is not without purpose. The House still intends to pass some form of a jobs/stimulus package. If and when that happens, the MPO will already have a list of projects ready to go.

Commissioner Matusick noted that one of the reasons that DeLand was not on the project listing was because of a lack of funding. In order to get the Stone Street project ready, it would cost about \$80,000, and DeLand does not have that money to put on a project which may or may not get funded. She added that the MPO needs to look into helping the smaller cities that have good projects but do not have the money to move them forward.

Mr. Welzenbach replied that the issue of helping smaller cities would be discussed later in the meeting.

Councilman Cooper asked where the \$19 billion from the stimulus funding went.

Mr. Welzenbach explained that the amount was \$17.5 billion; the \$19 billion that Councilman Cooper was referring to was taken from the general fund and moved to transportation trust fund in order to cover the cost of extending SAFETEA-LU through December. The remaining money in the jobs bill had gone to fund tax breaks and incentives for small businesses in an effort to encourage them to hire new people. None of the money went for new infrastructure.

MOTION: Commissioner Deyette moved to approve the priority project listing, as presented, for future needs. Council Member Northey seconded the motion, which carried unanimously.

Chairperson Alexander passed the meeting to Vice Chairman Vath.

III. Presentation to Outgoing CAC Member

Vice Chairman Vath presented Mr. Malcolm Smith with a plaque in recognition of the many years of service to the MPOs Technical Coordinating Committee and Citizens' Advisory Committee.

Mr. Smith thanked the MPO Board, adding that it had been a pleasure to serve on the MPOs committees.

IV. Public Comment/Participation

There were no public comments.

V. Consent Agenda

- A. Approval of February 23, 2010 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 Report, Resignations & Appointments
- H. Communications Subcommittee Meeting Summary
- I. LRTP Subcommittee Meeting Summary
- J. Review and Approval of New Enhancement and XU Set-Aside for ITS/Traffic Operations/Safety Project Selection and Ranking Criteria

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

V. Action Items

A) Presentation and Acceptance of Audit Report for Nine Months Ending on June 30, 2009

Mr. Alex Kish, Brent Milliken & Company, gave a brief presentation on the MPOs nine month audit ending on June 30, 2009. The MPO undertook two separate audits this past fiscal year due to the MPO changing the onset of its fiscal year to begin on July 1. An unqualified opinion on the financial statements has been issued. He stated that there was only one comment and that was in reference to the maintenance of capital assets; it was recommended the current program be supplemented. The MPO is in a good position and its financial strength has remained unchanged.

Councilman Cooper asked how the Volusia County MPO compared to other MPOs.

Mr. Kish replied that he has not audited any other MPOs. It is difficult to get financial information on non-government entities.

Council Member Wagner asked about the definition of “non-government entities”.

Mr. Kish explained that the MPO is incorporated under a special section of the law. It is looked upon as a governmental type entity, but is not a city, township or county. It is similar to a special district.

MOTION: *Council Member Northey moved to accept the Volusia County MPOs audit report for nine months ending on June 30, 2009. The motion was seconded by Councilman Cooper and carried unanimously.*

B) Review and Approval of Priority Project Listing for New Jobs Bill

This item previously addressed.

C) Review and Approval of Resolution 2010-02 for the Deobligation of PL Funds from FY 2010-2011 UPWP

Vice Chairman Vath explained that every year, the MPO deobligates funds in order to take advantage of a unique situation when dealing with state and federal fiscal years. Deobligation allows the MPO to capture these funds up to a year earlier than if they were just allowed to roll over.

MOTION: *Council Member Northey moved to approve Resolution 2010-02 for the deobligation of PL funds from the FY 2010-2011 UPWP. Commissioner Matusick seconded the motion which carried unanimously.*

D) Review and Approval of Resolution 2010-03 Amending the FY 2009/10 – 2013/14 Transportation Improvement Program (TIP) to Include Federal Lands Highway Projects

Vice Chairman Vath stated that the federal government requires that any federal funds for transportation being expended in an MPO area be reflected in the MPOs TIP. There is a portion of the Lake Woodruff Wildlife Refuge within the MPOs planning area and FDOT is planning to pursue road and bridge improvements with federal funding. FDOT is requesting that the MPO amend the TIP to reflect these projects.

Mr. Welzenbach added that these funds have no impact on the MPOs revenue stream.

MOTION: *Commissioner Matusick moved to approve Resolution 2010-03 amending the FY 2009/10 – 2013/14 Transportation Improvement Program (TIP) to Include federal land highways Project. Council Member Northey seconded the motion which carried unanimously.*

E) Discussion and Direction Regarding Office Relocation

Vice Chairman Vath stated that MPO staff, under the direction of the Executive Committee, has been having ongoing discussions with the property manager regarding possible relocation into one of the currently vacant suites.

Mr. Welzenbach stated that Root, the property manager, has agreed to pay for renovations to the old SunTrust offices; in addition, the rent the MPO will be paying represents a 54% increase in space, but only a 28% increase in rent. If the MPO needs to accommodate Flagler in the coming years, there would be no need to look for more office space. Mr. Welzenbach noted that because of the current soft market, this is a very good offer. He added that Mayor Costello had requested that a stipulation be added to the lease – a sub-lease agreement with VCOG -- stating that if their funding is lost anytime in the future, they will be responsible for the remaining rent for the rest of that year. VCOG agreed to the stipulation.

Councilman Cooper asked about moving costs.

Mr. Welzenbach stated that it would be a gradual move and everything would be walked over. It would not be necessary to hire a moving company. He noted that the offices would be larger and one of them would remain vacant. In three to four years, the MPO will most likely include Flagler County and Palm Coast, at which time the extra office would be necessary. There is sufficient storage as well as a smaller conference room. He added that the MPO, in cooperation with VCOG, would like to hire a receptionist, with each organizing paying half her salary.

Discussion continued.

Commissioner Lenzen stated that the MPO is overpaying rent for the current market.

MOTION: *Councilman Cooper made a motion to direct the Executive Director to pursue an agreement with the property manager for the new office space. Commissioner Gilliland seconded the motion and it carried unanimously.*

VI. Presentations, Status Reports, and Discussion Items

A) Presentation on the FY 2011/12 – 2012/13 UPWP for Review and Submittal to FDOT for Review

Mr. Welzenbach explained that the UPWP is the MPOs two-year, federally required work program that identifies how much federal funding the MPO can anticipate receiving and how it intends to expend those funds. He highlighted some of the new categories and tasks that have been added to the upcoming plan, including:

1. Strategic planning workshop for MPO Board members in December – this will set the goals for the following year
2. Census activities (CTTP)
3. Livability
4. Small community assistance to develop master plans for bike/ped:

Mr. Welzenbach explained that the MPO intends to work with the smaller communities to develop a comprehensive bike/ped master plan so that they will have a plan to work from in applying for project funding.

In addition, he noted that it had come to his attention that a large number of the smaller cities do not have the ability or funding to pursue a project through FDOTs process. They must hire a consultant and work with FDOT. Under this task, he is proposing that the MPO hire a traffic engineering consulting firm on retainer. Their sole purpose will be to work with the small communities to help work their projects through the process. He added the Volusia County currently does this for local governments and he is not trying to infringe on that; the MPO will be working with the

county to make sure they are not being undermined. There will be a fee for the consultant but it will not be 100% of the cost.

5. Community planning assistance – coordinating mobility plans

6. Choice ridership for Votran

7. Adaptation Study

Mr. Welzenbach stated that every draft bill that has passed the House in Washington D.C. has included a requirement that MPOs address climate change, reduce greenhouse gasses and carbon footprints. The adaptation portion of this task assumes that no matter what we do in the next 20 years, climate change will still occur. One impact that has been identified to significantly affect Florida is sea level rise. It is anticipated that in the next 50 years, sea level will rise three feet. The idea for this task is to look at scenarios of 6, 12, 24 inch increase in sea level, the accompanying storm surge and what areas will be impacted and what mitigation efforts can be undertaken. In some instances, the best thing to do may be nothing. He added that he has met with the public works directors and this issue was met with mixed enthusiasm. Volusia County has a LiDAR system along with storm surge models which will be utilized for modeling.

Council Member Northey noted that Brevard County has already been looking at sea level rise; she recommended that the MPO collaborate with them.

Council Member Northey asked about the engineering consultant to the MPO staff and inquired as to why the current MPO staff cannot do that job.

Mr. Welzenbach replied that currently, MPO staff are planners and not familiar with the FDOT process in depth. He noted that he would like to hire a retired FDOT engineer. The smaller communities are the ones that need this service the most.

Commissioner Basso stated that Lake Helen does not have an engineer in house. He asked if this would increase the speed at which a project can go through the process and ultimately, if it will cost less money.

Mr. Welzenbach replied that it would save both money and time. The full cost of the consultant would not be charged to the city.

Council Member Wagner asked what the county's view was on this and questioned the appropriateness for the MPO to do this.

Mr. Gerry Brinton, Volusia County Public Works, stated that the county is currently doing some projects for the smaller cities. Volusia County can continue to support the smaller cities. The issue that recently came up was the need for many of the cities projects to be ready at the same time for stimulus funding; he added that he did not believe that situation would arise again. The downside of Volusia County working with a small city on a non-county facility is that it costs Volusia County - FDOT does not

reimburse them for the full overhead. Now that the stimulus funding is complete, the county will have more time to dedicate to the smaller cities.

Mr. Welzenbach stated that the MPO would be using PL funds for the consultant.

Mayor Costello stated that Mr. Brinton is saying that the county can continue to assist the cities but needs help with reimbursement; he suggested retaining Volusia County to assist the cities and have the MPO reimburse 50% of the cost with the city paying the remaining 50%.

Mr. Brinton replied that Mayor Costello's idea would work for the county as long as it works with their schedule.

Vice Chairman Vath asked about the cost of a consultant and the speed at which one could be retained.

Mr. Welzenbach commented that it would take at least two months to retain a consultant and the cost is estimated at \$4,000-\$5,000; if a design is involved, the cost is estimated at \$12,000-\$20,000. The MPO is trying to make sure all of the communities have the ability to use a consultant when they need one.

Councilman Cooper noted that the county's workload has been the problem. He added that the MPO has five large cities that have engineers on their staff; he would like to see what it would cost for them to develop their own consortium that is available for the small cities.

Commissioner Matusick asked what position Flagler was in regarding the issue. It was unlikely that Volusia County would help with Flagler's projects. She asked how the county would fit in a number of projects at the same time.

Mr. Brinton stated that unless the county is expecting an influx of money, they have the ability to do many projects at once. The county has continuing services contracts with engineering firms with no work specified; this would help with the smaller LAP projects. Volusia County would not be interested in doing a controversial project on behalf of a city unless County Council directed them to.

Mr. Chuen stated that this had not been an issue at the UPWP Subcommittee meeting. He suggested changing the wording to state that the MPO will retain a consultant who will be used above and beyond the capability of Volusia County.

Mayor Costello agreed as long as it is a no-cost retainer. He noted that Volusia County should also be given the first right of refusal.

Council Member Wagner stated that there should be a funding mechanism set up; He asked how a "small city" would be defined.

Mr. Welzenbach stated that the consultant would only be for cities that do not have a consultant on staff.

Council Member Wagner noted that the cities with consultants on staff could then cut that position to save money under the assumption that the MPO would then allow them to use the MPOs consultant.

Commissioner Deyette stated that Deltona recently missed getting a project funded because they did not understand the process and there was no help available. She added that she supported this idea.

Mr. Welzenbach gave examples of projects that have not moved forward because of the lack of a consultant to help them.

Mr. Cheney suggested that the cities and the county work through the TCC to address this issue.

Mayor Costello noted that the task should be left in until the TCC comes up with additional guidelines.

Commissioner Gilliland asked if the projects would come back to the Board for authorization.

Mr. Welzenbach replied that the intent would be similar to the feasibility studies; if there is a project, and the city lack the funds for a consultant, the MPO would provide one at a discounted rate.

Commissioner Gilliland suggested that the consultant services be available for all the cities and the county. It should not be limited to the smaller cities.

Commissioner Basso noted that there needs to be a definition of "small city".

Council Member Northey stated that all of the cities need to review their operations; this may not be an equitable idea. She added that it would be appropriate for the TCC to discuss this.

Mr. Brinton requested that the public works directors be invited to participate in the TCC discussion in April.

B) FDOT Presentation on the I-95 Alternatives Study

Ms. Sadighi, FDOT, stated that the I-95 Transportation Alternative Study was a result of House Bill 1021 and is estimated to be completed by June 30, 2010. There are four purposes of this study to assess travel demand and freight movement along the entire I-95 corridor: assess transportation, emergency management, homeland security, and economic development.

Ms. Sadighi introduced Mr. Bob Hamm, FDOT, who continued with a PowerPoint presentation on the study. The final results will be presented to the Legislature in June.

C) LRTP Update (Public Alternative)

Ms. Bollenback stated that the technical alternative had been submitted to FDOT for modeling; the results have not yet been received. The next LRTP Subcommittee meeting has been scheduled for March 31st to discuss the results and review and refine the alternative based on those results. She added that she has discussed the transit element with Votran and noted that transit must be built over time. The public alternative is almost completed. Information has been gathered through the Make Your Mark events and the transportation surveys. There have been about 190 participants in the Make Your Mark events and almost 350 responses to the surveys. Once the public alternative is submitted, the combined plan must be developed. It is expected that a draft combined plan will be available in May and submitted for consideration and modeling in June. The 2035 LRTP will be adopted in September.

Commissioner Matusick suggested a couple of people that could be helpful in spreading the word on the final Make Your Mark event.

Mr. Welzenbach stated that there may be a workshop in May for the Board to discuss the transit element of the plan.

Discussion continued.

D) FDOT Update on XU Funds and FDOT Reports

Ms. Schoelzel noted that the SR 600 project on the construction list would not be completed until June. She gave a brief update on the ARRA projects. All nine projects in Volusia County have had their bid openings and the first seven are currently under construction. There is \$192,943 remaining from a low bid on phase 2 of the SR 40 multiuse trail. FDOT is recommending that the Orange Avenue Sidewalk, the Tomoka State Park Trail sidewalk and the Flagler Beach Streetscape improvement projects be considered to receive that additional stimulus enhancement funding.

Ms. Schoelzel gave an update on the status of SunRail. FDOT is still working with the local governments on their stations and amending their agreements to change the language to reflect what is currently happening. FDOT is working on negotiating for the full funding grant agreement and submitting the supplemental environmental assessments to the FTA. FDOT is also working with CSX on contracts for the closing and with Votran on managing the transit to and from the stations. If SunRail exceeds the local government commitments, FDOT will work with the local governments to use the district dedicated revenue funding from the work program and state funding to help program the operation, maintenance and capital costs.

Mr. Welzenbach stated that FDOT is requesting an amendment to the interlocal agreements with the funding partners. None of the funding partners currently has a local dedicated revenue funding source for transit or the operation of SunRail. The amendment FDOT is requesting is to the effect that should the local funding partner be unable or unwilling to pay for the operational costs when they come due, FDOT reserves the right to review the work program for that geographic area and withdraw funding as necessary from that work program to cover those costs.

Council Member Wagner stated that this is the reason he is not supportive of SunRail.

Ms. Schoelzel stated that the Revenue Estimating Conference was held and the revenue numbers came in lower than expected; Volusia County will not be receiving as much as originally expected. She added that as soon as she is notified of the exact reductions she would let the Board know.

Mr. Welzenbach requested that he has requested the revenue estimates a number of times and has yet to receive them. He requested them again.

Discussion ensued.

VII. Executive Director's Report

Mr. Welzenbach stated that the Board needed to be aware that Transportation Economic Development Committee (in the Senate) agreed to move forward with a bill that will raid the Transportation Trust Fund of \$485 million (the money we receive through the work program). If this is successful, that means that over the past six years they have taken over \$1.2 billion out of the trust fund.

Mr. Welzenbach explained that all of the changes: name change, location change, etc., are planned to take place on July 1, 2010. The logo will include the motto "Vision-Plan-Implement". He showed the Board the new logo and asked for opinions.

Council Member Wagner asked if Mr. Welzenbach had seen any implications of the federal government not giving us any money because they are already giving us money for SunRail.

Mr. Welzenbach replied that no one from the federal government had responded as to why we did not receive any TIGER Grant funding.

Council Member Wagner requested a one page listing of all the money the MPO has access to.

Discussion continued.

Mr. Welzenbach stated that he would ask Ms. Tawny Olore, SunRail's Project Manager, to give a presentation to the MPO Board next month on various funding options for SunRail.

VIII. MPO Member Comments

Commissioner Towsley asked why Holly Hill’s project had been removed from the LRTP.

Mr. Welzenbach stated that Holly Hill’s project had not been removed – Holly Hill removed it by resolution.

Commissioner Towsley stated that Holly Hill would submit a resolution to add the LPGA project back on the LRTP.

Commissioner Matusick announced the upcoming Bike Florida event.

Commissioner Gilliland commented on the problems that have occurred with the repaving of International Speedway Boulevard. He noted that the response he received regarding his inquiry was that the Speedway was okay with it. There are over 100 other businesses in that corridor that may not be. He requested that the business accesses not be shut down during business hours.

IX. Information Items

X. Adjournment

There being no further business, the meeting adjourned at 10:22 a.m.

**Volusia County
Metropolitan Planning Organization**

**County Council Vice Chairperson 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 March 23, 2010 regular meeting of the Volusia County Metropolitan Planning Organization (VCMPO), approved and duly signed this 27th day of April, 2010.

Pamela Blankenship, Recording Secretary