

Minutes
Volusia County Metropolitan Planning Organization

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

April 27, 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 Lynne Plaskett
Commissioner Bill Marcello
Vice-Mayor Jeff Allebach
Mayor Fred Costello
Mayor James Sowell
Vice-Mayor Mary Martin
Council Member Kris Derr
Council Member George Locke
County Chair Frank Bruno
Council Member Joshua Wagner
Council Member Andy Kelly
Council Member Pat Northey
Council Member Joie Alexander
Mary Schoelzel (non-voting)
P.J. Arvidson (non-voting)
Mike Chuyen (non-voting)
Diane J. Smith (non-voting)

Members Absent:

Council Member Jack Hayman
Commissioner Rick Basso
Doug Gutierrez (non-voting)(excused)

Others Present:

Pamela Blankenship, Recording Secretary
Karl Welzenbach
Jean Parlow
Stephan Harris

Representing:

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

Representing:

Volusia County
Lake Helen
TCC Chairman

Representing:

MPO Staff
MPO Staff
MPO Staff
MPO Staff

Others Present:

Lois Bollenback
Carole Hinkley
Herb Seely
Bob Keeth
Patricia Gadbow
George Recktenwald
Deborah Denys
Heather Blanck
Gary Huttman
Mike Ruland
Noranne Downs
Mark Garcia
Claudia Calzareth
Heather Garcia
Teresa Moran
Jerry Brinton
John Decarie
Teresa Jacobs
Paul McKitrick
Kellie Kirby
Robin Kent-Gardner
Melissa Booker
Harold Barley
Big John

Representing:

MPO Staff
MPO Staff
MPO Staff
MPO Staff
League of Women Voters
Volusia County
Volusia County
Votran
Burgess & Niple
FDOT
FDOT
FDOT
FDOT
FDOT
Volusia County Health Dept.
Volusia County
LRTP Chairman
Tindale-Oliver & Associates
Daytona Beach
DRMP
Citizen
Volusia County Traffic Engineering
Metroplan Orlando
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. Presentations from Bike Florida

Commissioner Matusick presented Mr. Ruland (FDOT), Ms. Schoelzel (FDOT) and Mr. Harris (MPO) with plaques in recognition of the assistance and guidance they provided to the recent Bike Florida ride.

IV. Public Comment/Participation

Chairperson Alexander announced that the transportation trust fund had been raided of \$160 million. The MPO recently sent a letter asking the legislature not to take that money; a letter will be sent to the Governor requesting that he veto the bill.

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 Report
- G) TDLCB Report, Resignations & Appointments
- H) MPOAC Report
- I) CFMPOA Report
- J) LRTP Subcommittee Report
- K) Review and Approval of Joint Participation Agreement with FDOT District Five

MOTION: *County Chair Bruno moved to approve the Consent Agenda. Commissioner Gilliland seconded the motion, which carried unanimously.*

VI. Action Items

A) **Presentation, Discussion and Approval of Resolution 2010-04 Defining the MPOs Position on Earmarks**

Mr. Welzenbach gave a brief PowerPoint presentation on three types of earmarks: the good, the bad and the ugly. The MPO does not currently have an official policy on earmarks. The good earmarks come from discretionary funds and transit; no one is affected by these earmarks. The bad earmarks are included as a small part of the reauthorization of the transportation bill; these come off the top of what the country receives, which ultimately reduces the amount each state receives. The ugly earmarks are the ones that the local cities go after during the annual appropriations. If awarded, the money is then set aside and can only be used on the specific project that it is earmarked for. Initially, the money is removed from the total amount the state receives. The state then takes the money from the district, who in turn, takes it from the MPO or county in which the project originated. The MPO then must give up a project that was already funded in order to fund the earmarked project. On page two of the resolution, the CAC recommended that the parenthetical phrase "with the exception of bicycle and pedestrian projects" be moved to the end of the sentence. They also recommended that the resolution only apply to the annual appropriation earmarks (ugly earmarks). The TCC rejected Resolution 2010-04 altogether.

Councilman Cooper asked why the TCC rejected the resolution.

Mr. Welzenbach replied that the TCC felt that their job within their local government is to go out and look for money; this resolution denies funding and it would be in their best interest not to support it.

Vice Mayor Martin asked what happened to the money that is earmarked if the state denies the project.

Mr. Welzenbach replied that the money just sits there and cannot be used for another project.

Vice Mayor Martin asked if Mr. Welzenbach supported the CACs version of the resolution. She also pointed out that the federal legislators are not on the resolutions distribution list.

Mr. Welzenbach stated that he does support the CACs resolution and the federal legislators can be added.

Council Member Northey asked if there had ever been an annual appropriations earmark in Volusia County.

Mr. Welzenbach stated that he was not aware of any in the time he has been at the MPO.

Council Member Northey asked if this might be an over-reach; is this making an issue out of something that isn't?

Mr. Welzenbach stated that he is looking for guidance on the issue. He asked if his job was to help the cities get earmarks, and if so, why was there an MPO process?

Mayor Costello asked how earmarks were currently handled within the district.

Mr. Welzenbach stated that no other MPO currently has a policy on earmarks.

Ms. Downs, FDOT, stated that if an ugly earmark came in, the money would come off the top. FDOT is not for or against the earmark process.

Mr. Barley, Metroplan Orlando, explained that Metroplan does not have a policy on earmarks as clear as the one being presented. Metroplan has had experience with bad earmarks. Ugly earmarks pit people and cities against each other and are often counterproductive and disruptive to the MPO process.

Mayor Costello added that he would like it to be on record that if this resolution were passed by the MPO, then this MPO would not be at a disadvantage (compared to other MPOs without policies on earmarks) because it refused to support earmarks.

Discussion ensued.

Commissioner Gilliland asked why the MPO was trying to fix a problem that does not exist. He emphasized that it made no sense to do this. We do not know what is going

to happen in the future – the rules may change and that could put the MPO at a disadvantage. He stated that he would not support this resolution.

Vice Chairman Vath stated that this may be an overreaction. He suggested that the Board members think about it but take no action on it. He asked if the size of a community made a difference in its ability to get an earmark.

Mr. Welzenbach replied that he has not seen any differences among various sized communities.

Council Member Kelly asked if this was a position statement or were the individual members making the statement.

Mr. Welzenbach replied that the resolution was intentionally left generic and that no language was included as to what it might mean if a city gets an annual appropriations earmark. The MPO Board as a whole is making the statement. This issue came up in February, when South Daytona submitted a request the day before a Board meeting to have the MPO support them going after an earmark. At that time, it was unclear what type of earmark they were pursuing.

Discussion on bascule bridges and their relation to earmarks continued.

Council Member Wagner stated that he would not want the MPO to send this resolution out to everyone; he would prefer it be something that was kept internal. He stressed that the MPO has to be willing to say that it does not want the money. He stated that he could not support something that he might change his mind on at a later time. If this is intended as a policy to educate people, then perhaps a phone call or meeting could better serve the purpose.

Mr. Welzenbach stated that the resolution would serve all of those purposes. The MPO staff is also looking for guidance; he has been told on numerous occasions that it was his job to help the cities get earmarks.

Commissioner Deyette noted that this is preventative – to bring it to the attention of the cities. The resolution serves as a guide that says that you need to be careful on the type of earmarks you go for.

MOTION: Vice Mayor Martin moved to approve Resolution 2010-04, as amended by the CAC, defining the MPOs position on earmarks. Commissioner Matusick seconded the motion. A roll call vote was taken and the motion failed by a vote of 6 yea and 12 nay.

At this point in the meeting, Chairperson Alexander asked the members of the audience to introduce themselves and what or who they were representing.

B) Review and Approval of Resolution 2010-05 Approving the MPOs Name Change and Effective Date of July 1, 2010

MOTION: Commissioner Matusick moved to approve Resolution 2010-05 approving the MPOs name change and effective date of July 1, 2010. The motion was seconded by Council Member Lenzen.

Discussion ensued on possible changes to the name in the future due to the census numbers and possible inclusion of Flagler County.

The motion carried unanimously.

C) Review and Approval of Resolution 2010-06 Supporting the New FHWA Guidelines for Bike/Ped Facilities

MOTION: Council Member Northey moved to approve Resolution 2010-06 supporting the new FHWA guidelines for Bike/Ped facilities. The motion was seconded by Commissioner Gilliland and carried unanimously.

D) Review and Approval of Resolution 2010-07 Adopting the FY 2010/11 – 2011/12 UPWP

Chairperson Alexander opened the public hearing on the FY 2010 /11 – 2011/12 UPWP. She noted that at the March MPO meeting, staff was directed to discuss task 5.07: Traffic Engineering Assistance to Small Communities, with the County and also to come up with a definition of “small” local government. The MPO staff, CAC and TCC all recommended that the UPWP be adopted with placeholder language in place for Task 5.07. This task will be presented to the committees and MPO Board in May for final approval.

Mr. Welzenbach thanked county staff for their help and suggestions. Currently, there is a definition of a small city in the bylaws – it is a population of less than 10,000. The issue raised is that a number of cities that qualify as “small” under that definition have significant financial resources because they tend to be some of the wealthier communities. There are five cities that the MPO is looking at as “small” and needing assistance: Flagler Beach, Beverly Beach (because Volusia County cannot help them), Pierson, Oak Hill and Lake Helen. Finalized language will be submitted for approval next month.

Councilman Cooper asked if the criteria should be broader than that. Perhaps homestead and non-industrial communities should be included.

Mr. Welzenbach emphasized that this is to provide assistance. There are two projects currently on the priority list that cannot move forward because they do not have the

experience or staff to get their projects through the process. He added that Edgewater has the staff to get their projects through, regardless of the current economic situation.

MOTION: *Vice Mayor Martin moved to approve Resolution 2010-07 adopting the FY 2010/11 – 2011/12 Unified Planning Work Program with placeholder language in place for Task 5.07 until it can be refined. County Chair Bruno seconded the motion which carried unanimously.*

E) Review and Approval of LRTP Online Survey #2

Ms. Bollenback explained that there was an updated version of the survey and the changes included an adjustment to question #5 – the TCC requested that the “top five” be ranked rather than the “lowest two”. In addition, two projects have been added to question #5, and one option has been added to the transit question, which relates to additional service in west Volusia.

Commissioner Matusick asked if the public would understand how to answer question # 5; she stated that it may not be clear from the way it is currently worded.

Ms. Bollenback stated that once you take the survey online, you cannot choose any more projects, just five.

Council Member Northey asked if the question was asking them to choose the top five or rank the top five.

Ms. Bollenback replied that the question asks the public to choose the top five.

Mr. Welzenbach stated that the survey could be changed so that they can have five choices without them appearing to be ranked.

Council Member Northey asked where the questions came from and if there was any place for the public to put down their own ideas if they are not listed.

Ms. Bollenback responded that open ended questions were extremely difficult to process and at this point, the intent is to narrow down the projects; if more projects were added, the plan would be even further out of the cost feasible range.

Councilman Cooper suggested changing question #5 so they choose the priorities as they see them, and rate them all.

Ms. Bollenback explained that it takes a very long time for someone to rank all of the projects and this survey is intended to be short.

Mr. John Decarie, LRTP Subcommittee Chairman, stated that the idea behind ranking the projects is to get closer to understanding the true needs of the population and what they are looking for. Randomly picking five will give less information than just choosing five in order.

Vice Mayor Martin requested that the question say “please rank” instead of “please identify”.

MOTION: *Council Member Wagner moved to approve the LRTP Online Survey #2, with the word “ranked” added to question #5. Commissioner Gilliland seconded the motion, which carried with Council Member Northey voting in opposition.*

Vice Mayor Derr stated that it needed to be clear that 1 is the highest and 5 is the lowest.

Commissioner Matusick stated that questions on page six also have the issue with the ranking.

Ms. Bollenback noted that the two questions would be worded consistently.

Vice Mayor Martin noted that the question on page six has no number.

F) Review and Approval of Amendment to FY 2009/10 MPO Budget

Chairperson Alexander explained that this budget amendment allocates \$25,000 for moving expenses.

MOTION: *Vice Mayor Martin moved to approve the amendment to the FY 2009/10 MPO budget to allocate \$25,000 for moving expenses. Commissioner Matusick seconded the motion and it carried unanimously.*

VII. Presentations, Status Reports, and Discussion Items

A) Presentation on the Status of SunRail

This item was delayed until FDOT has presented to the five funding partners of SunRail.

B) LRTP Update (Public Alternative) and Discussion Regarding Transit in the LRTP

Ms. Bollenback stated that Alternative 2 is the result of the 13 Make Your Mark sessions. From those sessions, 411 lines of project input were received, 70% of which were road projects. She then reviewed the projects which were submitted by the public which were not on the Technical Alternative listing. Those projects included SR

415, from Acorn Lake Road to SR 44, widening to four lanes, and north-south connector roads in New Smyrna Beach, Edgewater and Oak Hill which are parallel to I-95 on the east side. The remaining four projects include, SR 442 out to SR 415, SR 442 from US 1 to A1A Intracoastal bridge, the Airport Road project and the Rhode Island extension, from the western beltway out to the rail line.

Ms. Bollenback explained that under the transit table, there are three projects that were indicated on the public alternative that were not on the technical alternative – in general, there was a stronger interest in developing transit in east and west Volusia.

Going forward, the LRTP subcommittee is reviewing the state road projects and model results, and refining the cost estimates. Volusia County staff is working on the local road section of the plan. A combined plan will be brought back to the committees in May and the final combined draft LRTP will be open for public review following that. Ms. Bollenback requested direction regarding the transit element of the LRTP. In order to include transit in the plan, it is necessary to identify a funding source; without one, there will not be an expansion of transit included in the plan. She added that we need to develop a strong transit element that will capitalize on future opportunities and not limit our ability to access new funding.

Mr. Welzenbach stated that an immediate decision was not necessary; he suggested holding a workshop to discuss this in more detail. He stated that there are two questions that must be asked, the first being, do you feel that transit should be a part of the LRTP? And if the answer to that is yes, then it must be cost feasible - state and federal state dollars cannot be used to pay for the operation of transit. Therefore, we need to identify a revenue stream to pay for operations.

Vice Mayor Martin stated that this is one of the questions asked in the online survey. We need the results of that first before we make any decisions.

Councilman Cooper recommended using out of the box thinking to come up with the funding.

Mr. Welzenbach stated that Mr. Ken Fischer has been directed to cut Votran's budget by 15% and has successfully done so without cutting operations. SunRail will be up and running in a couple years, at which time we will face a Title VI issue. You cannot use federal funds if you discriminate; everyone on the east coast are captured riders because they need Votran. Everyone who uses Votran to get to SunRail are choice riders. You cannot substitute a choice route for a captured route – it is considered discriminatory and is a violation of Title VI. The Transportation Task Force has discussed funding sources and decided that it is necessary to look at the charter county transportation revenue tax because nothing else will generate sufficient funding to cover transit.

Ms. Bollenback stated that approximately 60% of the citizen Make Your Mark participants voted for the tax.

Mayor Costello stated that he would prefer holding a workshop to discuss this matter. In addition, he would also like to know what everyone else is planning to do and noted that almost all of the elected officials voted against the tax at their Make Your Mark session.

Council Member Northey stated that there is a committee forming on the west side of Volusia County to look at maximizing the economic benefit of SunRail in the short term, the long term funding of SunRail, and how we will get from the west to the east side of Volusia County.

It was the general consensus of the MPO Board that a workshop be held to discuss transit in the 2035 LRTP.

A workshop was scheduled for Monday, May 10th, at Daytona Beach International Airport from noon until 2:00 p.m.

C) Presentation on the FDOT District Five Regional Commuter Assistance Program

This presentation was delayed until the May MPO Board meeting.

D) Presentation on the Development of FDOTs 2060 Transportation Plan

Ms. Heather Garcia, FDOT, gave a presentation on FDOTs 2060 Transportation Plan. The FTP is the state's transportation plan which identifies goals, objectives and the needs for the entire state of Florida. This year the FTP will look at transportation out to the year 2050. Public meetings were upcoming and she urged the members to participate. The website for the transportation plan is www.2060ftp.org.

E) FDOT Update on XU Funds and FDOT Reports

Ms. Schoelzel gave a brief update on the stimulus projects. She noted that at the Revenue Estimating Conference, it was announced that revenues have decreased and two projects in Volusia County were affected: the SR 40 projects from SR 15 to US 17, and from SR 11 to Cone Road. The design phase for those projects has been delayed from the year 2013 to 2014. There may be more deferrals because of the transportation trust fund raid, but FDOT is looking at in-house projects first.

Discussion ensued.

VIII. Executive Director's Report

Mr. Welzenbach announced that Commissioner Towsley would be unable to attend the MPOAC Weekend Institute for Elected Officials and asked if anyone would be interested in taking her place.

Mr. Welzenbach stated that at the TCC meeting, they recommended that the local match requirements be reduced from 25% to 15% for the next two years due to the current economic situation. This item will be on the May MPO Board agenda. He then asked FDOT if it was true that if the I-4 interchange was going to be widened, concrete would be used.

Ms. Downs added that it was true; the life cycle of concrete is much longer than asphalt. Currently, FDOT is waiting on funding, adding that concrete with asphalt shoulders is a much better solution than asphalt alone.

Mr. Welzenbach noted that public opinion has been consistent, they would like US 92 concrete removed, not repaired.

IX. MPO Member Comments

Mayor Costello thanked Commissioner Gilliland for his insight on earmarks.

Commissioner Matusick asked for the email address for the online survey #2 .

Ms. Bollenback replied that it would be linked from the MPOs website and also emailed to the members.

Council Member Northey noted that the St. John's River license plate had been approved and was awaiting signature.

X. Information Items

XI. Adjournment

There being no further business, the meeting adjourned at 10:00 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 April 27, 2010 regular meeting of the Volusia County Metropolitan Planning Organization (VCMPO), approved and duly signed this 25th day of May, 2010.

Pamela Blankenship, Recording Secretary