

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION ~~2015~~2016-05##

RESOLUTION OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION (TPO)
~~UTILIZING THE TPO'S URBAN ATTRIBUTAL FUNDS (SU) AND TRANSPORTATION ALTERNATIVES~~
~~PROGRAM (TAP) FUNDS~~ FOR PROJECTS PRIORITIZED FOR FUNDING BY THE TPO

WHEREAS, Florida Statutes 339.175; 23 U.S.C. 134; and 49 U.S.C. 5303 require that the urbanized area, as a condition to the receipt of federal capital or operating assistance, have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS, the River to Sea Transportation Planning Organization (TPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for the designated Metropolitan Planning Area (MPA) comprised of Volusia County and the urbanized areas of Flagler County including the cities of Flagler Beach, Beverly Beach, and portions of Palm Coast and Bunnell; and

WHEREAS, the FDOT funds projects in the Work Program based on the plans and priorities set by the TPO; and

~~**WHEREAS**, the River to Sea TPO is designated and certified by the U.S. DOT as a "large MPO"; and~~

~~**WHEREAS**, as a result of the aforementioned designation the River to Sea TPO annually receives suballocations of federal Surface Transportation Funds (SU) and Transportation Alternatives Program Funds (TALU); and~~

~~**WHEREAS**, the River to Sea TPO maintains full authority over the programming and distribution of these SU and TALU funds; and~~

WHEREAS, the River to Sea TPO desires to provide, whenever possible, financial assistance to governmental entities to allow them to pursue transportation projects and programs which are consistent with the TPO's plans and priorities and benefit residents of and visitors to our planning area; and

WHEREAS, the River to Sea TPO wants to leverage ~~its annual allocations of SU and TALU~~ the state and federal transportation funds programmed on transportation projects in TPO's MPA and ensure a measure of local financial commitment to transportation projects and programs utilizing these funds;

NOW, THEREFORE, BE IT RESOLVED by the River to Sea TPO that:

1. Every governmental entity receiving ~~SU or TALU funds from the River to Sea TPO~~ state and/or federal transportation funds for a project on any of the following Priority Project Lists shall provide a local match ~~commitment~~ at the ratio of 10% local funds to 90% state and/or federal funds:
 - a. Traffic Operations, Safety, and Local Initiatives Projects;
 - b. Bicycle/Pedestrian, Transportation Alternatives, Regional Trails, and Local Initiatives Projects.

This match requirement shall not apply to projects on the State Highway System; and
2. Every governmental entity receiving state and/or federal transportation funds for a project on the TPO's Priority List of Transportation Planning Studies shall provide a local match at the ratio of 10% local funds to 90% state and/or federal funds; and
- ~~1.3.~~ A local match shall not be required for any project on the TPO's Priority Lists of Strategic Intermodal System (SIS) Projects, Regionally-Significant, Non-SIS Roadway Projects, or Transit Projects, subject to the any other funding program requirements that may apply (e.g., Transportation Regional Incentive Program); and
- ~~2.~~ for project applications received after January 28, 2015, the governmental entity requesting the funds shall be required to match SU and TALU funds programmed on the project with local funds at the ratios of 90/10 (SU/local) and 80/20 (TALU/local); and
- ~~3.4.~~ the River to Sea TPO determines that "local match" shall be defined as non-state/non-federal cash match and/or in-kind services that advance the project in question; and
- ~~4.5.~~ notwithstanding the terms prescribed in subparagraph 2, above, the required local match shall not exceed the ratio required in the current policy of the TPO ~~board~~ Board at the time the governmental entity requesting the funds commits to its amount of local match for the project; and
- ~~5.6.~~ the River to Sea TPO reserves the right to waive or adjust the local match requirements if the TPO Board deems there exists sufficient reason or circumstance; and
- ~~6.7.~~ the River to Sea TPO also reaffirms its policy that any cost overruns encountered on a project funded with ~~SU funds or TALU~~ state and/or federal transportation funds will be the responsibility of the governmental entity identified as the project originator with the following exception: if the project is on the state highway system and the State DOT is the project manager of record then the state shall be responsible for any cost overruns utilizing state dollars; and
- ~~7.8.~~ the River to Sea TPO Executive Director may authorize the use of state or federal funds to cover some or all of a cost overrun on any project phase up to and including 10% of the project cost estimate for that phase; and
- ~~8.9.~~ the use of state or federal funds to cover cost overruns exceeding 10% of the project cost estimate for any phase may be authorized only by the River to Sea TPO Board; and

~~9.~~10. the River to Sea TPO deems that a cost overrun shall be the difference between the amount programmed on any project phase and the actual cost for that phase; and

~~10.~~11. the Chairman of the River to Sea TPO (or his designee) is hereby authorized and directed to submit this resolution to the:

- a. Florida Department of Transportation;
- b. Federal Transit Administration (through the Florida Department of Transportation);
- c. Federal Highway Administration (through the Florida Department of Transportation); and
- d. Councils, Commissions, and Managers of the TPO Member Local Governments.

DONE AND RESOLVED at the regularly convened meeting of the River to Sea TPO held on the ~~28th~~ day of ~~January, 2015~~, 2016.

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

VOLUSIA COUNTY COUNCIL MEMBER, PAT PATTERSON
~~1st VICE CHAIRMAN~~ CHAIRMAN, RIVER TO SEA TPO

CERTIFICATE:

The undersigned duly qualified and acting Recording Secretary of the River to Sea TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the River to Sea TPO held on ~~January 28, 2015~~, 2016.

ATTEST:

PAMELA C. BLANKENSHIP, RECORDING SECRETARY

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION ~~2015~~2016-06##

RESOLUTION OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION
~~REAFFIRMING~~ESTABLISHING THE POLICY FOR THE ANNUAL ALLOCATION OF SURFACE
TRANSPORTATION PROGRAM (STP) URBAN ATTRIBUTABLE (SU) FUNDING AND
~~TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDING~~ OTHER STATE AND FEDERAL
FUNDS IDENTIFIED IN THE 2040 LONG RANGE TRANSPORTATION PLAN FOR LOCAL
INITIATIVES

WHEREAS, Florida Statutes 339.175; 23 U.S.C. 134; and 49 U.S.C. 5303 require that every urbanized area with a population of 50,000 or more, as a condition to the receipt of federal capital or operating assistance, shall have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS, the River to Sea Transportation Planning Organization (TPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for the designated Metropolitan Planning Area (MPA) comprised of Volusia County and the urbanized areas of Flagler County including the cities of Flagler Beach, Beverly Beach, and portions of Palm Coast and Bunnell; and

WHEREAS, 23 C.F.R. 450.104 provides that the River to Sea TPO shall annually endorse, and amend as appropriate, the plans and programs required, among which is the Surface Transportation Program (STP) projects list of the annual Transportation Improvement Program (TIP) submission; and

WHEREAS, each year the appropriate River to Sea TPO committees, made up of a cross-section of interested citizens and staff, are charged with the responsibility of drafting a list of prioritized projects; and

WHEREAS, it is the responsibility of the River to Sea TPO to establish project priorities within the River to Sea TPO's planning boundaries that are equitable for all areas of Volusia County and the cities of Beverly Beach and Flagler Beach in Flagler County; and

WHEREAS, the River to Sea TPO reaffirms its commitment to the priority process and related policies;

NOW, THEREFORE, BE IT RESOLVED by the River to Sea TPO that:

1. Annual set-asides of the River to Sea TPO's total Surface Transportation Program (STP) Urban Attributable (SU) funding will be made in the following manner: 40%

of the total SU funds will be used for Traffic Operations, ~~ATS~~Safety, and Local Initiatives (traffic operations focused) Project Priorities, 30% of the total SU funds will be used for Transit Project Priorities, and 30% of the total SU funds will be used for Bicycle/Pedestrian, Transportation Alternatives, Regional Trails, and Local Initiatives (bicycle/pedestrian focused) Project Priorities;

~~4.2.~~ Annual set-asides of other state and federal funds identified in the 2040 Long Range Transportation Plan for Local Initiatives will be made available in the following manner: 50% of the funds will be used for Traffic Operations, Safety, and Local Initiatives (traffic operations focused) Project Priorities and 50% will be used for Bicycle/Pedestrian, Transportation Alternatives, Regional Trails, and Local Initiatives (bicycle/pedestrian focused) Project Priorities;

~~2. With regard to the 30% set-aside for bicycle/pedestrian projects: no more than \$1.5 million in SU funds will be awarded to any single project in any single application cycle, and no more than \$3 million in SU funds will be awarded toward the completion of any single project; waivers/exceptions may be granted by the Sea River to Sea TPO Board; project applications submitted for bicycle/pedestrian funds that contain more than a strictly bicycle/pedestrian component (i.e. roadway improvements, bridge replacements, etc.) may be funded in part with these funds. The limitations are as follows: a maximum of 10% of the total project cost may be funded with bicycle/pedestrian SU funds but that amount MAY NOT exceed 10% of the total annual allotment of bicycle/pedestrian SU funds;~~

~~3. Notwithstanding, the language contained in item #3 above, any mixed Mixed projects (defined as a project that is not a stand-alone bicycle or pedestrian project) will only be accepted and ranked if the predominant cost component is consistent with the category of funding to which it is submitted. All other cost components are subject to eligibility of available funding. Mixed projects submitted by a member local government will ~~come before~~be presented to the TPO Board for final determination prior to being ~~included~~ranked in the TPO's list of Priority Projects for Bicycle/Pedestrian facilities;~~

~~4.3. For projects funded with the VTPO's allocation of Transportation Alternative Program (TAP) funds for urbanized areas with over 200,000 population, no more than \$500,000 of such TAP funds may be awarded to any single project in any applications cycle; waivers/exceptions may be granted by the Volusia TPO Board; The VTPO will also develop a Priority List for Regional Trails for projects to be submitted for funding with TAP funds allocated to the state and/or any other funds administered by the state for regional trails;~~

~~5.4.~~ Resolution ~~2014-08~~2015-06 is hereby repealed and replaced by this resolution;

~~6.5.~~ The policies set forth in this resolution shall remain in effect unless and until they are repealed by the TPO; and

7.6. The Chairman of the River to Sea TPO (or his designee) is hereby authorized and directed to provide a copy of this resolution to the:

- a. Florida Department of Transportation (FDOT);
- b. Federal Transit Administration (FTA) (through the Florida Department of Transportation); and
- c. Federal Highway Administration (FHWA) (through the Florida Department of Transportation).

DONE AND RESOLVED at the regular meeting of the River to Sea TPO held on the ~~28th~~ day of ~~January 2015~~ 2016.

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

VOLUSIA COUNTY COUNCIL MEMBER, PAT PATTERSON
~~1st VICE CHAIRPERSON~~ CHAIRMAN, RIVER TO SEA TPO

CERTIFICATE:

The undersigned duly qualified and acting Recording Secretary of the River to Sea TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the River to Sea TPO held on ~~January 28, 2015~~ 2016.

ATTEST:

PAMELA C. BLANKENSHIP, RECORDING SECRETARY
RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION