



MEETING AGENDA

Please be advised that the **RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION (TPO) EXECUTIVE COMMITTEE** will be meeting on:

DATE: WEDNESDAY, FEBRUARY 1, 2023
TIME: 9:00 A.M.
PLACE: RIVER TO SEA TPO CONFERENCE ROOM
 2570 W. International Speedway Blvd., Suite 100
 Daytona Beach, Florida 32114

NOTE:
 A Microsoft Teams Meeting has been established for remote participation.

Executive Committee Meeting
 Wednesday, February 1, 2023
 9:00 a.m. EST

Click here to join the meeting

Meeting ID: 210 394 446 422

Passcode: DQ9Mg7

Download Teams | Join on the web

Or call in (audio only)

+ 1 561-484-5911,,858333882# United States, West Palm Beach

Phone Conference ID: 858 333 882#

DeLand Mayor Chris Cloudman, Chairperson Presiding

AGENDA

- I. CALL TO ORDER/ROLL CALL/DETERMINATION OF A QUORUM
- II. PUBLIC COMMENT/PARTICIPATION
- III. BUSINESS ITEMS
 - A. Review and Provide Direction on Virtual Meeting Participation
 - B. Review and Provide Direction on River to Sea TPO Lease Termination

III. BUSINESS ITEMS *(Continued)*

C. Review and Provide Direction on River to Sea TPO Temporary Office Location

D. Review and Recommend Approval of the River to Sea TPO's FY 2021/22 Independent Audit Report
(provided under separate cover)

E. Review and Approval of January 4, 2023 Executive Committee Minutes *(Enclosure, pages 3-6)*

F. Review and Approval of February 22, 2023 TPO Board Agenda *(Enclosure, pages 7-9)*

IV. STAFF COMMENTS

V. EXECUTIVE COMMITTEE MEMBER COMMENTS

VI. ADJOURNMENT

Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the River to Sea TPO office, 2570 W. International Speedway Blvd., Suite 100, Daytona Beach, Florida 32114-8145; (386) 226-0422, extension 20416, at least five (5) working days prior to the meeting date.

If any person decides to appeal a decision made by this board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

The River to Sea TPO does not discriminate in any of its programs or services. To learn more about our commitment to nondiscrimination and diversity, visit our Title VI page at www.r2ctpo.org or contact our Title VI/Nondiscrimination Coordinator, Pamela Blankenship, at 386-226-0422, extension 20416, or pblankenship@r2ctpo.org.

**Executive Committee
Meeting Minutes
January 4, 2023**

Members Physically Present:

Mayor Chris Cloudman, 1st Vice Chairperson
Mayor David Alfin
Mayor Bill Partington

Representing:

DeLand
Palm Coast
Ormond Beach

Others Physically Present:

Debbie Stewart, Recording Secretary
Colleen Nicoulin
Anna Taylor
Jonathan Scarfe

Representing:

TPO Staff
TPO Staff
FDOT
FDOT

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

The meeting of the River to Sea Transportation Planning Organization (TPO) Executive Committee was called to order at 9:00 a.m. by 1st Vice Chairperson Chris Cloudman. The roll was called and it was determined that a quorum was physically present. Due to the COVID-19 virus, the meeting was held in a hybrid format with three voting members physically present.

II. Public Comment/Participation

Ms. Taylor introduced FDOT's new MPO Liaison, Mr. Jonathan Scarfe; more FDOT staffing updates will be forthcoming.

III. Business Items

A. Discussion of Current River to Sea TPO Officer and Executive Committee Vacancies

Ms. Nicoulin explained that the TPO is in the process of amending the TPO Bylaws this month to allow for filling officer vacancies and will take action next month to fill those vacancies. Typically, a Nominating Committee is formed from Executive Committee members and nominates a slate of officers but this is a special election; she explained the nomination and election process normally used. In addition to the officers, there are four at-large Executive Committee members that are appointed by the TPO Chairperson. There are also vacancies on the Central Florida MPO Alliance (CFMPOA) and the MPO Advisory Council (MPOAC); 1st Vice Chairperson Cloudman currently serves on the MPOAC and will continue to do so but an alternate is needed. Mayor Alfin has indicated he would be interested in serving on the CFMPOA. She has contacted some board members to garner their interest in serving as an officer; some are interested and some are not.

Mayor Alfin asked that the process be included in the agenda for newer board members that may have not been through an officer election cycle or have a historical record.

Ms. Nicoulin replied that in her preliminary conversations with board members, she has discussed how officers have been elected through the Nominating Committee and that officers typically come out of the Executive Committee. She can explain the history when this is presented to the board.

Members discussed the officer vacancies; staff explained that the officers elected will serve the remaining six months of the current term; it will not change the annual nomination of officers. There currently is only one officer for the TPO Board and there is no backup to that officer's position; this change to the bylaws will remedy this situation if it occurs again in the future and allow the TPO Board to act immediately to fill vacant officer positions.

B. Review and Provide Direction for River to Sea TPO Office Lease Termination and Office Relocation
(Handout)

Ms. Nicoulin explained that last month, the TPO's landlord, The Root Company, informed the TPO that they are terminating the lease due to damage sustained from the last two hurricanes; the repairs would exceed 120 days and the current lease has a provision that allows them to terminate the lease in that situation. She reviewed that provision, which is Section 16-C; it also provides for rent abatement. She explained that not only was there water damage from the storms, but there have been numerous occurrences of water damage from regular storms over the years; drywall has been replaced, etc. The landlord was notified on September 30, 2022 (the day after Hurricane Ian) that water damage was sustained and they responded immediately. Her understanding of the clause as well as the TPO's legal counsel's understanding, is that if they are going to terminate the lease, then the landlord needs to abate the rent effective from the date of the damage. The TPO paid rent for October, November, December, and January and it is the opinion of our legal counsel that they owe the TPO money for those months; however, the landlord has not taken that position. She reviewed the lease termination agreement and the changes made by the TPO's legal counsel; it states the lease will terminate on February 28, 2023, and rent will be abated for January and February which is inconsistent with the lease document. The areas left blank are areas we want to negotiate which include the termination date and provision of compensation to assist in relocation. The landlord has indicated that there is no negotiation on the termination date of February 28, 2023, and that the TPO must vacate the property by the end of business on that date. They indicated in an email that they are not unwilling to provide relocation assistance but Ms. Nicoulin stated she is not sure what that would include; they did not provide any additional information. She noted the Cobb Cole Law Firm is representing the landlord and she received a lease termination letter from them yesterday.

Mayor Alfin asked if there is any interest in fighting the lease termination; it is unusual for a landlord to have the sole estimation regarding whether a building is destroyed or not. It would be expensive to fight but he does not know how we will fulfill their timeline and have the TPO Board approve a new location.

Mayor Cloudman added that he feels they have had this in the works for a while; he is curious if that particular clause was in the previous lease as they had approached the TPO about relocating. He noted that it is not just the TPO but every tenant in the building that is having their lease terminated.

Ms. Nicoulin added that the Officer Manager for the physical therapy office is TPO Board member Commissioner Tina-Marie Schultz, Bunnell. They received the same lease termination terms and must also leave. When the TPO signed the lease extension in 2018, we spent approximately \$38,000 for tenant improvements with the understanding we would be here another ten years; the current lease expires in April 2028. The landlord contributed \$5,000 towards those improvements.

Mayor Partington agreed that the landlord has had this in mind for a while and since it seems that they have plans for the building, they would not want a lengthy litigation. This is too much of a hurry and unreasonable with undue pressure; the date to vacate should be negotiated.

Members continued to discuss the lease termination agreement and what direction to provide TPO staff. They discussed the current rent amount, what may possibly be abated and what may be negotiated with the landlord.

Ms. Nicoulin stated she has been working with a commercial real estate broker to find new office space; she reviewed four possible locations for the TPO to move into including the Concierge Building at LPGA Boulevard and Williamson Boulevard; a more industrial space at 700 Fentress Boulevard; a professional building at 1200 W. Granada Boulevard; and a space at the Lakeside North Executive Center on Clyde Morris Boulevard. She noted the Lakeside North Executive Center is managed by The Root Company, the TPO's current landlord. She reviewed the pros and cons of each space and what renovations would be needed at each location to accommodate the TPO's needs.

Members discussed the office relocation options and which one would be most beneficial to the TPO. They discussed the renovations needed for each and how long it would take. They discussed how to present this to the TPO Board. The terms of the termination agreement as they are unreasonable and must be negotiated.

MOTION: *A motion was made by Mayor Partington to direct the TPO's legal counsel to negotiate the terms of the termination agreement including the exit date, rent abatement, and moving expenses with the landlord's attorney. The motion was seconded by Mayor Alfin and carried unanimously.*

Members continued to discuss the options for office space and what funds are within the budget for relocating. They discussed potential funding opportunities if the TPO was forced to pay for a build-out on a new space.

Ms. Nicoulin explained there are some funds within the TPO budget that were earmarked for an audio/visual upgrade. The TPO is not fully staffed and the budget assumes a full staff so there is some flexibility within the budget. Another option that has not been done before is to utilize SU funds set aside for feasibility studies; typically, there are funds left over each year. She noted that all of the available office spaces are within a quarter mile of the bus line; the TPO must be located within three-quarters of a mile from a bus line to receive federal funds.

Members discussed relocation options including the Concierge Building and the available space at 700 Fentress Boulevard. It was asked if FDOT ever shares space with MPOs; they do not.

MOTION: *A motion was made by Mayor Alfin to direct the Executive Director to create a comparison of the Concierge Building and 700 Fentress Boulevard location to present to the TPO Board. The motion was seconded by Mayor Partington and carried unanimously.*

C. Review and Approval of November 2, 2022 Executive Committee Minutes

MOTION: *A motion was made by Mayor Partington to approve the November 2, 2022 Executive Committee minutes. The motion was seconded by Mayor Alfin and carried unanimously.*

D. Review and Approval of November 2, 2022 Legislative Issues Subcommittee Minutes

MOTION: *A motion was made by Mayor Alfin to approve the November 2, 2022 Legislative Issues Subcommittee minutes. The motion was seconded by Mayor Partington and carried unanimously.*

E. Review and Approval of January 25, 2023 TPO Board Agenda

Ms. Nicoulin reviewed the draft January 25, 2023 TPO Board agenda; she referred to Action Item E, Review and Approval of River to Sea TPO Office Lease Termination and Office Relocation and noted that it will be split into two action items and presented separately. She reviewed the presentations including FDOT's presentation on the new Tentative Five-Year Work Program and the TPO's safety data and targets which we are required to adopt by February. In prior years, the TPO has based the safety target methodology on a 2% reduction but this year we will be adopting FDOT's Vision Zero.

Mayor Alfin asked how many new TPO Board members there will be and if the TPO provides any type of orientation for new board members.

Ms. Nicoulin replied it is not a requirement, but she does try to meet individually with new members; there will be at least three to five new board members. She may not be able to meet with all the new members prior to the January 25, 2023 TPO Board meeting.

MOTION: *A motion was made by Mayor Partington to approve the draft January 25, 2023 TPO Board agenda as amended splitting Action Item E into two items. The motion was seconded by Mayor Alfin and carried unanimously.*

IV. Staff Comments

There were no additional staff comments.

VI. Executive Committee Member Comments

There were no member comments.

VIII. Adjournment

The Executive Committee meeting adjourned at 10:17 a.m.

River to Sea Transportation Planning Organization

**DELAND MAYOR CHRISTOPHER M. CLOUDMAN
CHAIRPERSON, RIVER TO SEA TPO**

CERTIFICATE:

The undersigned duly qualified and acting Recording Secretary of the River to Sea TPO certifies that the foregoing is a true and correct copy of the minutes of the January 4, 2023 regular meeting of the Executive Committee approved and duly signed this 1st day of February 2023.

Debbie Stewart, Recording Secretary, River to Sea TPO

***** A recording of the January 4, 2023 Executive Committee meeting is available upon request.***



DRAFT

MEETING AGENDA

Please be advised that the **RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION (TPO) BOARD** will be meeting on:

DATE: WEDNESDAY, FEBRUARY 22, 2023
TIME: 9:00 A.M.
PLACE: RIVER TO SEA TPO CONFERENCE ROOM
2570 W. International Speedway Blvd., Suite 100
Daytona Beach, FL 32114

NOTE:
A Microsoft Teams link has been established for remote participation.

River to Sea TPO Board Meeting February 22, 2023 at 9:00 a.m. EST

[Click here to join the meeting](#)

Meeting ID: 246 527 271 585

Passcode: vLwhCV

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 561-484-5911,,306357608#](#) United States, West Palm Beach

Phone Conference ID: 306 357 608#

[Find a local number](#) | [Reset PIN](#)

DeLand Mayor Chris Cloudman, Chairperson Presiding

- I. CALL TO ORDER / ROLL CALL / DETERMINATION OF A QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. PUBLIC COMMENT/PARTICIPATION *(Public comments may be limited to three (3) minutes at the discretion of the Chairperson)*
- IV. CONSENT AGENDA
 - A. JANUARY 25, 2023 RIVER TO SEA TPO BOARD MEETING MINUTES *(Contact: Debbie Stewart) (Enclosure, pages)*
 - B. TREASURER’S REPORT *(Contact: Mariel Lemke) (Enclosure, pages)*

IV. CONSENT AGENDA *(Continued)*

- C. EXECUTIVE COMMITTEE REPORT** - Report by DeLand Mayor Chris Cloudman, TPO Board Chairperson *(Enclosure, pages)*
- D. TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD APPOINTMENTS** – Contact Mr. Stephan Harris *(Enclosure, pages)*
- E. BICYCLE/PEDESTRIAN ADVISORY COMMITTEE REPORT** -- Report by Dr. Jason Aufdenberg, BPAC Chairperson *(Enclosure, pages)*
- F. CITIZENS ADVISORY COMMITTEE REPORT**-- Report by Ms. Kerry Karl, CAC Chairperson *(Enclosure, pages)*
- G. TECHNICAL COORDINATING COMMITTEE REPORT** -- Report by Mr. Brian Walker, TCC Chairperson *(Enclosure, pages)*
- H. RIVER TO SEA TPO BOARD REPORT** -- Report by DeLand Mayor Chris Cloudman, TPO Board Chairperson *(Enclosure, pages)*
- I. EXECUTIVE DIRECTOR TIMESHEET REVIEW REPORT** -- Report by DeLand Mayor Chris Cloudman, TPO Board Chairperson *(Enclosure, pages)*

V. ACTION ITEMS

- A. REVIEW AND APPROVAL OF RESOLUTION 2023-04 ADOPTING THE 2023 RIVER TO SEA TPO SAFETY DATA AND TARGETS** *(Contact: Colleen Nicoulin) (Enclosure, pages)*
- B. REVIEW AND APPROVAL OF THE RIVER TO SEA TPO'S FY 2021/22 INDEPENDENT AUDIT REPORT** *(Contact: Mariel Lemke) (Enclosure, pages)*

VI. PRESENTATIONS, STATUS REPORTS AND DISCUSSION ITEMS

- A. PRESENTATION AND DISCUSSION OF FDOT'S RESILIENCE ACTION PLAN** *(Contact: Stephan Harris) (Enclosure, pages)*
- B. PRESENTATION AND DISCUSSION OF I-95 INTERCHANGES AT LPGA BOULEVARD AND US 1** *(Contact: Colleen Nicoulin) (Enclosure, pages)*
- C. FDOT REPORT** *(Contact: Anna Taylor, FDOT District 5) (Enclosure, pages)*

VII. EXECUTIVE DIRECTOR'S REPORT *(page)*

VIII. RIVER TO SEA TPO BOARD MEMBER COMMENTS

IX. RIVER TO SEA TPO CHAIRPERSON COMMENTS

X. INFORMATION ITEMS *(Enclosure, pages)*

- Bicycle/ Advisory Committee Attendance Record – 2023
- Citizens Advisory Committee Attendance Record – 2023
- Technical Coordinating Committee Attendance Record– 2023
- River to Sea TPO Outreach and Activities
- Volusia and Flagler County Construction Reports

XI. ADJOURNMENT *(Enclosure, page)*

The next River to Sea TPO Board meeting will be March 22, 2023

February 2023 Meeting Dates

Executive Committee, February 1, 2023 @ 9:00 a.m.

Bicycle/Pedestrian Advisory Committee, February 8, 2023 @ 2:00 p.m.

Citizens Advisory Committee, February 21, 2023 @ 1:15 p.m.

Technical Coordinating Committee, February 21, 2023 @ 3:00 p.m.

River to Sea TPO Board, February 22, 2023 @ 9:00 a.m.

Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the River to Sea TPO office, 2570 W. International Speedway Blvd., Suite 100, Daytona Beach, Florida 32114-8145; (386) 226-0422, extension 20416, at least five (5) working days prior to the meeting date.

If any person decides to appeal a decision made by this board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

The River to Sea TPO does not discriminate in any of its programs or services. To learn more about our commitment to nondiscrimination and diversity, visit our Title VI page at www.r2ctpo.org or contact our Title VI/Nondiscrimination Coordinator, Pamela Blankenship, at 386-226-0422, extension 20416, or pblankenship@r2ctpo.org.