



# MEETING NOTICE

Please be advised that the **VOLUSIA TRANSPORTATION PLANNING ORGANIZATION BOARD** (VTPO) will be meeting on:

**DATE:** Tuesday, February 28, 2012  
**TIME:** 8:00 a.m.  
**PLACE:** Volusia TPO  
2570 W. International Speedway Blvd., Suite 100  
Daytona Beach, Florida 32114

**NOTE: PLEASE SILENCE ALL BEEPERS AND CELL PHONES DURING THE BOARD MEETING**

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**Mayor Pro Tem Leigh Matusick, Chairperson Presiding**

## AGENDA

- I. CALL TO ORDER / ROLL CALL / DETERMINATION OF QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. PUBLIC COMMENT/PARTICIPATION *(Length of time at the discretion of the Chairman)*
- IV. PRESENTATIONS TO OUTGOING MEMBERS
- V. CONSENT AGENDA
  - A) APPROVAL OF JANUARY 24, 2012 TPO BOARD MEETING MINUTES *(Contact: Pamela Blankenship) (Enclosures, pages 4-13)*
  - B) APPROVAL OF TREASURER'S REPORT *(Contact: Herb Seely) (Enclosures, pages 4, 14)*
  - C) EXECUTIVE COMMITTEE REPORT -- Report by Mayor Pro Tem Leigh Matusick, Chairperson *(Enclosures, pages 4, 15)*
  - D) TECHNICAL COORDINATING COMMITTEE REPORT -- Report by Mr. Ron Paradise, TCC Chairman *(To be distributed under separate cover) (Enclosure, page 4)*
  - E) CITIZENS' ADVISORY COMMITTEE REPORT -- Report by Mr. Dan D'Antonio, CAC Chairman *(To be distributed under separate cover) (Enclosure, page 4)*

- F) **BICYCLE/PEDESTRIAN ADVISORY COMMITTEE REPORT** -- Report by Ms. A.J. Devies, BPAC Chairperson (Enclosures, pages 4, 16)
- G) **UNIFIED PLANNING WORK PROGRAM (UPWP) SUBCOMMITTEE REPORT** – Report by Dan D’Antonio (Enclosures, pages 4, 17)
- H) **MPOAC REPORT** -- Report by Karl D. Welzenbach (Enclosure, page 4)
- I) **REVIEW AND APPROVAL OF XU BICYCLE/PEDESTRIAN, XU ITS/TRAFFIC OPS/SAFETY AND ENHANCEMENT PROJECT CRITERIA AND APPLICATION FORMATS** (Contact: Robert Keeth) (Enclosures, pages 4, 18-37)
- J) **REVIEW AND APPROVAL OF RESOLUTION 2012-05 AMENDING 2011/12-2015/16 TRANSPORTATION IMPROVEMENT PROGRAM TO ADD A PROJECT TO DEVELOP SOCIO-ECONOMIC DATA FOR LRTP UPDATE** (Contact: Robert Keeth) (Enclosures, pages 4, 38-41)
- K) **REVIEW AND APPROVAL OF RESOLUTION 2012-06 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE JOINT PLANNING AGREEMENT (JPA) WITH FDOT TO DEVELOP SOCIO-ECONOMIC DATA FOR LRTP UPDATE** (Contact: Karl D. Welzenbach) (Enclosures, pages 4, 42-43)

**VI. ACTION ITEMS**

- A) **REVIEW AND ADOPTION OF VOLUSIA TPO’S TITLE VI PROGRAM AND LIMITED ENGLISH PROFICIENCY (LEP) ACCESS PLAN** (Contact: Pamela C. Blankenship) (Enclosures, pages 44-55)
- B) **REVIEW AND APPROVAL OF RESOLUTION 2012-07 SUPPORTING FLORIDA HOUSE OF REPRESENTATIVES BILL 405 AND FLORIDA SENATE BILL 1192 REGARDING PERSONS WITH DISABILITIES** (Contact: Karl D. Welzenbach) (Enclosures, pages 56-73)

**VII. PRESENTATIONS, STATUS REPORTS AND DISCUSSION ITEMS**

- A) **PRESENTATION OF DRAFT FY 2012/13 – 2013/14 UNIFIED PLANNING WORK PROGRAM (UPWP)** (Contact: Lois Bollenback) (Enclosures, pages 74-78)
- B) **PRESENTATION ON THE PEDESTRIAN SAFETY ENFORCEMENT AT CROSSWALKS PROGRAM** (Contact: Stephan Harris) (Enclosure, page 79)
- C) **PRESENTATION/STATUS UPDATE ON THE US 1 CORRIDOR IMPROVEMENT PROGRAM** (Contact: Jean Parlow) (Enclosure, page 80)
- D) **PRESENTATION ON THE MAJOR UPDATE OF THE TRANSPORTATION DISADVANTAGED SERVICE PLAN (TDSP) 2012-2017** (Contact: Carole Hinkley/Heather Blanck, Votran) (Enclosure, page 81)

- VII. PRESENTATIONS, STATUS REPORTS AND DISCUSSION ITEMS** *(continued)*
- E) PRESENTATION ON THE 2012 VOLUSIA COUNTY BICYCLING MAP FOR THE EXPERIENCED CYCLIST** *(Contact: Stephan Harris) (Enclosures, pages 82-84)*
- F) FDOT REPORTS** *(Contact: Steve Friedel, FDOT District 5) (Enclosures, pages 85-92)*
- VIII. EXECUTIVE DIRECTOR'S REPORT** *(Enclosure, page 93)*
- IX. VOLUSIA TPO MEMBER COMMENTS** *(Enclosure, page 93)*
- X. INFORMATION ITEMS** *(Enclosures, pages 93-97)*
- Citizens' Advisory Committee Attendance Record – 2012 *(page 94)*
  - Technical Coordinating Committee Attendance Report – 2012 *(page 95)*
  - Bicycle/Pedestrian Advisory Committee Attendance Record – 2012 *(page 96)*
  - Volusia County Council Proclamation of Walk/Bike to School Day *(page 97)*
- XI. ADJOURNMENT** *(Enclosure, page 93)*

*Note: Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the Volusia TPO office, 2570 W. International Speedway Blvd., Suite 100, Daytona Beach, Florida 32114-8145; (386) 226-0422, extension 21, at least five (5) working days prior to the meeting date.*

**The next TPO Board meeting will be March 27, 2012**

## MEETING SUMMARY

FEBRUARY 28, 2012

### V. CONSENT AGENDA

**A) APPROVAL OF JANUARY 24, 2012 TPO BOARD MEETING MINUTES**

Minutes are prepared for each board meeting and said minutes must be approved by the Volusia TPO Board.

**B) APPROVAL OF TREASURER'S REPORT**

Monthly treasurer reports are prepared for review and approval by the Volusia TPO Board. The January 2012 Treasurer's Report is enclosed for your information.

**C) EXECUTIVE COMMITTEE REPORT** *(enclosed)*

**D) TECHNICAL COORDINATING COMMITTEE REPORT** *(to be provided under separate cover)*

**E) CITIZENS' ADVISORY COMMITTEE REPORT** *(to be provided under separate cover)*

**F) BICYCLE/PEDESTRIAN ADVISORY COMMITTEE REPORT** *(enclosed)*

**G) UNIFIED PLANNING WORK PROGRAM SUBCOMMITTEE REPORT** *(enclosed)*

**H) MPO ADVISORY COUNCIL (MPOAC) REPORT** *(enclosed)*

**I) REVIEW AND APPROVAL OF XU BICYCLE/PEDESTRIAN, XU ITS/TRAFFIC OPS/SAFETY AND ENHANCEMENT PROJECT CRITERIA AND APPLICATION FORMATS** *(enclosed)*

**J) REVIEW AND APPROVAL OF RESOLUTION 2012-05 AMENDING 2011/12-2015/16 TRANSPORTATION IMPROVEMENT PROGRAM TO ADD A NEW PROJECT TO DEVELOP SOCIO-ECONOMIC DATA FOR LRTP UPDATE**

This TIP amendment allows the TPO to enter into a Joint Planning Agreement with FDOT so that the TPO may utilize consultant services to develop the Socio-Economic data required to update Volusia County portion of the district-wide transportation model used in the update to the LRTP. This work task was added to the UPWP during the January meeting.

**K) REVIEW AND APPROVAL OF RESOLUTION 2012-06 AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE JOINT PLANNING AGREEMENT (JPA) WITH FDOT TO DEVELOP SOCIO-ECONOMIC DATA FOR LRTP UPDATE**

This resolution allows the Executive Director to execute the JPA with FDOT to pursue the collection of Socio-Economic data for the transportation model.

***ACTION REQUESTED:***

***MOTION TO APPROVE THE CONSENT AGENDA***

**Minutes**  
**Volusia Transportation Planning Organization**

2570 W. International Speedway Boulevard, Suite 100  
Daytona Beach, FL 32114-8145

**January 24, 2012**

**Board Members Present:**

Commissioner Robert Gilliland  
Council Member Billie Wheeler  
Mayor Pro-Tem Leigh Matusick  
Mayor John Masiarczyk  
Commissioner Marshall Shupe  
Commissioner Rick Basso \*\*  
Commissioner Lynne Plaskett  
Council Member Ron Saylor \*\*  
Mayor Ed Kelley  
Council Member Joe Perrone\*\*  
Council Member Robert Ford  
Vice Mayor Nancy Long  
Council Member Joyce Cusack  
Council Member Joie Alexander  
Council Member Joshua Wagner  
Steve Friedel (non-voting)  
Dan D'Antonio (non-voting)  
Ron Paradise (non-voting)

**Representing:**

Daytona Beach  
Daytona Beach Shores  
DeLand  
Deltona  
Flagler Beach  
Lake Helen  
New Smyrna Beach  
Orange City  
Ormond Beach  
Ponce Inlet  
Port Orange  
South Daytona  
Volusia County  
Volusia County  
Volusia County  
FDOT District 5  
CAC Chairman  
TCC Chairman

**Board Members Absent:**

Councilwoman Bennington (excused)  
Vice Mayor Liz Patton (excused)  
Commissioner Ron Engele \*\*  
Mayor James Sowell  
Council Member Andy Kelly  
County Chair Frank Bruno (excused)  
Council Member Pat Northey (excused)  
Diane J. Smith (non-voting)  
A.J. Devies (non-voting) (excused)

**Representing:**

Edgewater  
Holly Hill  
Oak Hill  
Pierson  
Volusia County  
Volusia County  
Volusia County  
Volusia County School Board  
BPAC Chairperson

**\*\* Non-voting member in the small city vote rotation**

Others Present:

Pamela Blankenship, Recording Secretary  
Karl Welzenbach  
Stephan Harris  
Lois Bollenback  
Carole Hinkley  
Robert Keeth  
Karen Roch  
Herb Seely  
Jean Parlow  
Carl Mikyska  
Pat Gadbaw  
Mike Chuven  
Alex Kish  
Paul McKitrick  
Heather Blanck  
Mary Schoelzel  
Rick Snow  
Gene Lozano  
Melissa Booker  
Big John

Representing:

TPO Staff  
FHWA  
VC League of Women Voters  
BPAC Member  
Brent Milliken & Company  
Daytona Beach  
Votran  
FDOT  
FDOT  
England-Thims & Miller, Inc.  
V.C. Traffic Engineering  
Press

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

The meeting of the **Volusia Transportation Planning Organization (TPO) Board** was called to order at 8:00 a.m. by Chairperson Matusick. The roll was called and it was determined that a quorum was present.

Chairperson Matusick welcomed the following new members to the board: Commissioner Shupe, Flagler Beach; Council Member Saylor, Orange City; Council Member Wheeler, Daytona Beach Shores; Councilwoman Bennington, Edgewater; and Council Member Perrone, Ponce Inlet.

II. Pledge of Allegiance

III. Public Comment/Participation

Mr. Big John, Holly Hill resident, announced that Council Member Northey had agreed to chair, if the board wished to appoint her, the "Let's get Greyhound to the Airport Terminal" committee. He explained that Greyhound was abandoning their location in downtown Daytona Beach and moving to a 7-11 on Beville Road where Votran bus routes no longer coincide with the Greyhound buses. This will make it difficult for the poor and disabled to get to Greyhound without Votran.

Commissioner Gilliland noted that the article in the paper that had said Greyhound was moving to 7-11 was incorrect. He added that this might be a good opportunity to look into putting a Greyhound depot at the airport.

Mr. Welzenbach stated that while he is not disagreeing with the suggestion, the airport is Volusia County property and would be better handled by the county and the city, rather than the TPO.

Mr. Big John suggested that a letter be sent to the Volusia County Council letting them know how important moving Greyhound to the airport is.

Chairperson Matusick noted that the reason that a number of Volusia County Council TPO representatives were absent may be because they are in Tallahassee.

Council Member Wagner stated that there were serious concerns regarding blind services and safety. Mr. Ken Fischer, Votran, was meeting with FDOT to discuss the possible scenarios that are available. Council Member Wagner added that Mr. Fischer was leading the effort and the county was already moving forward on it. He expressed that he thought the airport location was a good idea.

#### IV. Presentations to Outgoing Members

Chairperson Matusick noted that the outgoing TPO Board members were not present and therefore, the presentations would be held off until the February board meeting.

#### V. Consent Agenda

- A. Approval of October 25, 2011 TPO Meeting Minutes
- B. Approval of Treasurer's Reports
- C. Executive Committee Reports
- D. Technical Coordinating Committee Reports
- E. Citizens' Advisory Committee Reports
- F. Bicycle/Pedestrian Advisory Committee Reports
- G. TDLCB Reports, Appointments and Resignation
- H. Central Florida MPO Alliance (CFMPOA) Report
- I. Review and Approval of Resolution 2012-01 Amending the FY 2010/11 - FY 2011/12 Unified Planning Work Program (UPWP)
- J. Review and Approval of Resolution 2012-02 Authorizing the Execution of Supplemental LAP Agreement for ITS/Traffic Ops/Safety Feasibility Studies
- K. Review and Acceptance of TPO Audit for FY ended June 30, 2011

**MOTION:** *Mayor Masiarczyk moved approval of the Consent Agenda. The motion was seconded by Commissioner Gilliland and carried unanimously.*

VI. Action Items

A. Election of TPO Officers – 1<sup>st</sup> and 2<sup>nd</sup> Vice Chairs

Chairperson Matusick explained that the election of 1<sup>st</sup> and 2<sup>nd</sup> Vice Chairs is necessary due to the recent loss of Councilman Ted Cooper. The Executive Committee met and recommended that Vice Mayor Long be moved from her current position as 2<sup>nd</sup> Vice Chair to 1<sup>st</sup> Vice Chair and Commissioner Gilliland be appointed as 2<sup>nd</sup> Vice Chair.

**MOTION:** *Commissioner Plaskett moved to approve the appointments of Vice Mayor Long to 1<sup>st</sup> Vice Chair and Commissioner Gilliland as 2<sup>nd</sup> Vice Chair. Council Member Alexander seconded the motion which carried unanimously.*

B. Review and Approval of Resolution 2012--03 Amending the Volusia TPO's 2035 Long Range Transportation Plan (LRTP) to Accommodate I-95 Improvements

Mr. Welzenbach stated that presently, FDOT is moving forward to advertise a project in Brevard County which will widen I-95 from SR 406 to the Volusia County line. FDOT anticipates that there will be funding left over due to bids coming in lower than expected. FDOT would like to be able to continue the widening of I-95 into Volusia County with leftover funds, if any. The Volusia TPO 2035 LRTP includes the widening of I-95, but the project is identified for the out year of the plan (2030-2035) and is not fully funded. In order for FDOT to move forward with widening I-95 into Volusia County, the project must be in the Volusia TPOs 2035 LRTP, its limits must be defined and funding must be identified. He added that this created a dilemma because FDOT does not know how far the widening will go or the amount of funding that will be available. Working together, FDOT and FHWA came up with language that FHWA will approve as long as the TPO amends its 2035 LRTP to accommodate the project. He stressed that there may not be any funding left over but in the event there is, the widening north from the Volusia County line will be ready to go. He added that both the TCC and CAC recommended this be approved.

Chairperson Matusick clarified that by approving this no projects in Volusia County would be moved or affected.

Mr. Welzenbach concurred, adding that funding for the I-95 widening project comes from money which was set aside for the Strategic Intermodal Systems (SIS) in Brevard County.

**MOTION:** *Mayor Kelley moved to approve Resolution 2012-03 amending the Volusia TPO's LRTP to accommodate I-95 improvements. The motion was seconded by Council Member Wheeler and carried unanimously.*

C. Review and Approval of Resolution 2012-04 Amending the FY 2011/12 - 2015/16 Transportation Improvement Program (TIP) to Add I-95 Improvements, a Transit Project and Three Railroad Crossing Safety Improvement Projects, and to Delete the SR A1A/3rd Avenue Intersection Modification Project

Mr. Welzenbach reviewed the amendments to the FY 2011/12 – 2015/2016 TIP being requested. There are several railroad crossing improvements along the FEC line. He noted that the TCC had been concerned that there would be local match requirements on those improvements. He has since verified that no local match is required by the local governments; FDOT will be covering the match.

Mr. Welzenbach explained why the deletion of the SR A1A/3<sup>rd</sup> Avenue intersection modification project was being requested. Back in November 2009, there had been a sudden inflow of unexpected XU funds and many projects were programmed in a short period of time to take advantage of the money. One of the projects was the design of intersection improvements at SR A1A and 3<sup>rd</sup> Avenue in New Smyrna Beach. At that time, the estimate for the project design was \$50,000 (as provided by engineers on the TCC at the time). The project design was more complicated than expected and FDOT now estimates that an additional \$350,000 is needed. FDOT has recommended that the project be removed from the TIP unless the TPO elects to fund the shortfall. He stressed that the other phases of the project, right-of-way and construction, are estimated at \$400,000 and \$571,000 respectively. No funding has been set aside for these phases. The CAC and TCC both recommended that no additional funding should be allocated to the project. He added that the project would remain on the Priority Project List should funding become available.

Commissioner Plaskett stated that New Smyrna Beach has developers who have spent hundreds of thousands of dollars on site plans to improve that area. She added that the only thing that needs to be done on the project is to take the bump out on the corner.

Mr. Welzenbach clarified that there is much more involved in the project; the driveway coming out of the Publix shopping center needs to be moved and in order to do that the existing surf shop would need to be purchased and removed.

Commissioner Plaskett stated that the problem is that FDOT continues to give out driveway permits to everyone.

Mr. Welzenbach replied that FDOT cannot refuse to give driveway permits on state roads.

Commissioner Plaskett stated that the city of New Smyrna Beach is against removing the project from the TIP.

Mr. Welzenbach noted that he understood Commissioner Plaskett's concern but from the perspective of the TPO and FDOT, a project phase cannot be programmed unless it is fully funded. In this case, no one has the additional \$350,000; therefore, it has to be removed

from the Work Program and the TIP. The TPO is cognizant that it is a critical project as well as a safety issue and would remain at the top of both the ITS/Traffic Ops/ Safety list and the State Road Non-SIS list.

**MOTION:** *Mayor Masiarczyk moved to approve Resolution 2012-04 amending the FY 2011/12 – 2015/16 Transportation Improvement Program (TIP) to add I-95 improvements, a transit project, three railroad crossing safety improvement projects, and to delete the SR A1A/3<sup>rd</sup> Avenue intersection modification project. The motion was seconded by Commissioner Basso. The motion carried with Commissioner Plaskett, Council Member Cusack, Council Member Wagner and Council Member Alexander voting in opposition to the motion.*

Discussion continued on the SR A1A/3<sup>rd</sup> Avenue intersection project and the reasons for the difference in cost estimates.

Mr. Welzenbach suggested meeting with the city of New Smyrna Beach, FDOT and Volusia County to look at alternatives.

Council Member Wagner asked Mr. Welzenbach how long he had known that this would be on the agenda.

Mr. Welzenbach replied that he had been notified last week that it needed to be on the agenda.

Council Member Wagner suggested that phone calls should have been made to each department at the county and the city for input.

Mr. Welzenbach replied that the TPO staff had been in contact with city staff.

Council Member Wagner asked what exactly was said and to who.

Mr. Welzenbach answered that it had been Ms. Gail Henrikson, New Smyrna Beach, and the discussion was regarding the increase in cost and the fact that the project had to be removed from the TIP.

Council Member Wagner stated that this should have been discussed with the city and the county to find out all the options that would be available so that at the TPO Board meeting it would not have to be discussed for 30 minutes and then brought back up at the next meeting.

Commissioner Plaskett stated that the New Smyrna Beach Commission had not been aware of the issues.

Commissioner Basso commented that there had been many projects pushed through back in November 2009 and things like this are bound to happen.

CAC Chairman D'Antonio suggested that the engineering costs be reevaluated before speaking with New Smyrna Beach and county staff. He added that the current estimates seem very high.

Mr. John stated that Johnny Booker, representative for Congressman John Mica, announced that there had not been a federal application for the Amtrak project and therefore, there was no project. He asked Mr. Welzenbach to allow a report to be given to the TPO Board as soon as possible on the status of the project and where it stands.

Mr. Welzenbach stated that he would address Amtrak during Executive Director's comments.

Mr. Welzenbach stated that TPO staff would meet with the New Smyrna Beach staff, FDOT and the county to refine the numbers and look at coming up with the additional money needed for the design of the intersection together.

Chairperson Matusick stressed that the money will not come from the TPO; it has to come from Volusia County, FDOT and/or New Smyrna Beach.

VII. Presentations, Status Reports, and Discussion Items

A. Presentation on Federal TMA Certification

Mr. Carl Mikyska, FHWA, reviewed the steps of federal certification process. He noted that the certification report for the TPO was good, adding that TPO staff should be commended.

B. Presentation on Volusia TPO's Draft Title VI Program and Limited English Proficiency (LEP) Plan

Mr. Welzenbach explained that both of the documents were generated as a result of the federal certification process. They are both required documents; Title VI deals with nondiscrimination on the basis of race, age or national origin and the LEP Plan requires "reasonable accommodations" be made for persons who are unable to participate or understand due to a limited ability to speak English. Concentrations of Spanish speaking people who speak English "less than very well" were identified in Deltona and Pierson. He added that the documents would be brought back to the board next month for adoption. As part of the LEP plan, the TPO will be providing a separate webpage in Spanish which will include some of the TPO's more important documents. The TPO also intends to develop agreements with the local colleges to aid in the translation of documents.

Mr. Welzenbach explained that it is necessary to look at the cost/benefit analysis when translating documents.

Ms. Blankenship clarified that there are many things that can be done to provide language assistance that are cost effective and also free. One example is the "I Speak" cards. She stressed that it is not necessary to provide everything in Spanish. Much of the bicycle safety information is already provided in Spanish.

Mr. Mikyska added that software is available that can be used to translate documents. The approach TPO staff will be using was recommended by FHWA in an effort to lower costs yet still provide effective language services.

Commissioner Basso stated that he would like to see the financial information once it is available.

Mayor Kelley added that there were applications available to translate via phone.

Discussion continued.

#### C. FDOT Reports

Mr. Friedel gave the FDOT report. He added that the recent Revenue Estimating Conference had minimal impact on Volusia County. The only project affected was the SR 40 capacity project from US 17 to SR 11; the environmental mitigation phase was moved from FY 2014 to FY 2015.

Mr. Friedel announced that FDOT would coordinate the SR A1A/3<sup>rd</sup> Avenue meeting.

#### VIII. Executive Director's Report

Mr. Welzenbach gave an update on the status of FEC Passenger Rail Service. He noted that there continues to be a lot of local support for the project and that there is funding in the FDOT budget, but the funding was only enough to provide the matching dollars for a federal grant application.

Mr. Welzenbach also provided a brief report on the recent TPO Board Retreat and announced that the MPOAC Institute would be coming up. He asked for volunteers to attend. Finally, he added that there was nothing to update regarding the Jobs Act.

#### IX. Volusia TPO Board Member Comments

Vice Mayor Long informed the board that she had attended the institute last year and highly recommended it.

X. Information Items

- Draft XU Bicycle/Pedestrian Project Criteria
- Draft XU ITS/Traffic Ops/Safety and Enhancement Project Criteria
- Citizens' Advisory Committee Attendance Record – 2011
- Technical Coordinating Committee Attendance Report – 2011
- Bicycle/Pedestrian Advisory Committee Attendance Record – 2011
- Volusia TPO Board and Committee Meeting Schedule for 2012

XI. Adjournment

There being no further business, the meeting adjourned at 9:00 a.m.

**Volusia Transportation Planning Organization**

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**City of DeLand Mayor Pro Tem Leigh Matusick  
Chairperson, Volusia TPO**

**CERTIFICATE:**

The undersigned, duly qualified and acting Recording Secretary of the Volusia TPO certified that the foregoing is a true and correct copy of the minutes of the January 24, 2012 regular meeting of the Volusia Transportation Planning Organization (TPO), approved and duly signed this 28<sup>th</sup> day of February 2012.

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**Pamela C. Blankenship, Recording Secretary**

**VOLUSIA TRANSPORTATION PLANNING ORGANIZATION  
MONTHLY TREASURER REPORT FY 11/12  
PERIOD ENDING JANUARY 31, 2012**

<u>DESCRIPTION</u>	<u>11/12 BUDGET</u>	<u>CURRENT MONTH</u>	<u>FYTD TOTAL</u>	<u>UNDER (OVER) BUDGET</u>	<u>FYTD % BUDGET</u>
<b><u>REVENUES</u></b>					
LOCAL FUNDS	\$179,463.00	\$30,701.60	\$134,861.35	\$44,601.65	75.15%
STATE FUNDS	84,802.00	16,155.27	16,155.27	68,646.73	19.05%
FEDERAL FUNDS	1,298,928.00	270,943.96	281,953.42	1,016,974.58	21.71%
<b><u>REVENUES</u></b>	<b>\$1,563,193.00</b>	<b>\$317,800.83</b>	<b>\$432,970.04</b>	<b>\$1,130,222.96</b>	<b>27.70%</b>
<b><u>EXPENSES</u></b>					
SALARIES	\$503,599.00	\$40,390.18	\$289,699.22	\$213,899.78	57.53%
FRINGE BENEFITS	163,047.00	12,367.35	86,348.42	76,698.58	52.96%
OFFICE SUPPLIES	12,500.00	672.72	3,329.38	9,170.62	26.64%
POSTAGE	13,800.00	223.74	4,612.85	9,187.15	33.43%
OFFICE RENT EXPENSE	134,187.00	10,503.81	81,547.52	52,639.48	60.77%
ADVERTISING	2,500.00	0.00	1,426.57	1,073.43	57.06%
PRINTING	20,000.00	109.82	3,492.60	16,507.40	17.46%
CONFERENCE, WORKSHOPS & SEMINAR FEES	6,300.00	0.00	1,235.00	5,065.00	19.60%
FEES	33,300.00	560.43	22,097.80	11,202.20	66.36%
DUES	1,975.00	0.00	500.00	1,475.00	25.32%
PUBLICATIONS	1,500.00	300.96	706.25	793.75	47.08%
COPY EXPENSE	26,500.00	2,262.15	12,739.05	13,760.95	48.07%
COPY MACHINE COSTS	27,730.00	1,775.83	11,152.37	16,577.63	40.22%
TRAVEL EXPENSE	16,500.00	609.85	5,292.02	11,207.98	32.07%
AWARDS PROGRAM/PROMO	10,500.00	720.20	5,977.10	4,522.90	56.92%
SPECIAL STUDIES	300,000.00	75,720.69	136,284.08	163,715.92	45.43%
PROFESSIONAL SERVICES	125,270.00	5,852.26	18,368.82	106,901.18	14.66%
MEETING EXPENSE	2,500.00	79.26	924.04	1,575.96	36.96%
LIABILITY INSURANCE	10,000.00	2,060.75	6,367.00	3,633.00	63.67%
REPAIRS	1,500.00	0.00	960.47	539.53	64.03%
NETWORK COSTS	25,568.00	1,696.93	10,800.62	14,767.38	42.24%
CAPITAL OUTLAY	10,000.00	0.00	700.00	9,300.00	7.00%
SOFTWARE	3,100.00	0.00	1,350.00	1,750.00	43.55%
TELEPHONE	3,528.00	309.95	2,193.81	1,334.19	62.18%
EDUCATION	2,750.00	880.34	880.24	1,869.76	32.01%
CONTINGENCY	105,040.00	0.00	0.00	105,040.00	0.00%
<b><u>EXPENSES</u></b>	<b>\$1,563,193.00</b>	<b>\$157,097.22</b>	<b>\$708,985.23</b>	<b>\$854,208.77</b>	<b>45.35%</b>
<b><u>BALANCE</u></b>	<b>\$0.00</b>	<b>\$160,703.61</b>	<b>(\$276,015.19)</b>	<b>\$276,014.19</b>	
58.33% OF YEAR COMPLETE					
Cash Balance as of January 31, 2012	<u>\$201,927.64</u>				



## **Executive Committee Report to TPO Board February 6, 2012**

The Volusia TPO Executive Committee met on Monday, February 6, 2012 and took the following actions:

- Discussed the LAP Agreement for socio-economic data and agreed to place it on the Consent Agenda for the TPO Board meeting if it is ready
- Directed the Executive Director to poll all TPO Board members regarding the possibility of changing the start time of the TPO Board meetings and their preference in receiving paper or electronic agendas
- Approved the draft February 28, 2012 TPO Board agenda with the potential addition of the LAP Agreement if available
- Discussed the executive director evaluation form options and agreed to utilize the hybrid form presented
- Directed the Executive Director to conduct a self-evaluation in June (when the Executive Committee will perform his evaluation)
- Directed the Executive Director to create a brief survey that will be placed on the TPO's website as a means to obtain outside input regarding the TPO's performance and to provide the information received to the Executive Committee at the time of evaluation

***NOTE: The next meeting of the Executive Committee will be March 5, 2012***

**Bicycle/Pedestrian Advisory Committee (BPAC)**  
**Report to the Board**  
**February 8, 2012**

**\*\*\*A QUORUM WAS NOT PRESENT FOR THIS MEETING\*\*\***

- **Received** an update on the Corridor Improvement Program (CIP) Phase 1: Assessment of US 1/SR 5
  
- **Received** a presentation on Transportation Issues in the DeLeon Springs Community
  
- **Received** a video presentation on Pedestrian Safety Enforcement at Crosswalks

**\*\*The next meeting of the BPAC will be March 14, 2012\*\***

UPWP Subcommittee  
Report to Board  
January 31, 2012

**Members Present:**

Dan D'Antonio  
Gilles Blais  
Pedro Leon  
Rebecca Hammock  
Colleen Nicoulin  
Mike Chuven

**Representing:**

CAC  
CAC  
TCC  
TCC  
BPAC  
BPAC

**Members Absent:**

Tomm Friend  
Gail Henrikson  
A.J. Devies

**Representing:**

CAC  
TCC  
BPAC

**Others Present:**

Lois Bollenback  
Pamela Blankenship  
Carole Hinkley

**Representing:**

TPO Staff  
TPO Staff  
TPO Staff

- à **Approved** the January 10, 2012 UPWP Subcommittee meeting summary
  
- à Reviewed and recommended **approval** of the draft task list to be included in the FY 2012/13 to FY 2013/14 UPWP with the addition of “continued implementation of school safety studies” under the Bicycle/Pedestrian Planning and Implementation task
  
- à **Directed** staff to include the overall percentage of funds for each of the tasks
  
- à **Agreed** that the UPWP Subcommittee did not need to meet again; the draft UPWP will be on the TPO committees February agenda for review and the March agendas for final approval

**Volusia TPO**  
**DRAFT 2012 Priority Application for**  
**XU Bicycle/Pedestrian Projects**

**Initial Project Screening:**

Any project submitted by a local government for consideration needs to meet the following screening criteria:

- For any proposed facility to be considered eligible through the TPO process, the project must be included on the ***Volusia TPO's Bicycle/Pedestrian Plan***.
- A **ten percent (10%) local match** is required for funding of XU projects. Projects whose sponsors are willing and able to provide a local match **greater than 10%** will be awarded additional points.
- 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 XU funds. The limitations are as follows: a maximum of 10% of the total project cost may be funded with bicycle/pedestrian XU funds, but that amount MAY NOT exceed 10% of the total annual allotment of bicycle/pedestrian XU funds. These projects will be ranked separately and only the top two (2) projects will be recommended for funding in a given year. All project applications are subject to approval by the Volusia TPO Board.
- Is this **Shared Use Path** project at least ~~10~~**12** feet wide?
  - If **Yes** – the project is eligible.
  - If **No** – ~~if this project is at least 5 feet wide then it may be eligible to be submitted as a sidewalk project.~~ justification is required.
- Is this **Sidewalk** project at least 5 feet wide?
  - If **Yes** – the project is eligible.
  - If **No** – the project application is not acceptable.

**XU Project Application Submittal Procedures:**

Any project submitted by a local government for consideration **MUST** include the following information/materials:

- **Each application MUST include a Project Map** that clearly identifies the termini of the project and Proximity to Community Assets through the use of a one (1) mile radius buffer for Shared Use Path projects and a one-half (½) mile radius buffer for Sidewalk projects. Maximum map size is 11"x17".  
In addition, all maps **MUST** include a **Scale** (in subdivisions of a mile), **North Arrow**, **Title** and **Legend**. Photographs are optional.
- Each application **MUST** be submitted as: (1) digital media in Portable Document Format (PDF), compatible with MS Windows and Adobe Acrobat® Version 9.3 or earlier, and (2) include one printed "hard-copy."
- Electronic documents may be submitted through our FTP site, as an attachment to email, on a CD or DVD.
- The application and all supporting documentation shall be included in one electronic PDF file.
- Recommended scanning resolution is 300 dpi minimum to balance legibility and file size.

- **Applications will be reviewed for ranking each year.** The TPO will then distribute the copies to the Bicycle and Pedestrian Advisory Committee for review and scoring.
- Applications will be ranked based on the information supplied in the application.
- **Please submit any ROW information as available.**
- **Incomplete applications will not be accepted.**

**Criteria Summary:**

Priority Criteria	Points
(1) Proximity to Community Assets	30
(2) Connectivity	30
(3) Safety	25
(4) Public Support/Special Considerations	5
(5) Local Matching Funds > 10%	10
(6) Value-Added Tie Breaker (if necessary)	variable
<b>Total (excluding Value-Added Tie Breaker)</b>	<b>100</b>

**Project Title:** \_\_\_\_\_

**Applicant (project sponsor):** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_ **Job Title:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Governmental entity with maintenance responsibility for roadway facility on which proposed project is located:** \_\_\_\_\_

*[If not the same as Applicant, attach letter of support for proposed project from the responsible entity.]*

**Is the Applicant Local Agency Program (LAP) certified to administer the proposed project?**

Yes       No

**If Applicant is not LAP certified, explain how you intend to comply with the LAP requirements:** \_\_\_\_\_

**Priority of this proposed project relative to other applications submitted by the Applicant:** \_\_\_\_\_

**Project Description:** \_\_\_\_\_

**Project Location** (include project length and termini, if appropriate, and attach location map): \_\_\_\_\_

**The Applicant is requesting a Feasibility Study:**  Yes       No

*[Note: the "No" box should be checked only if a feasibility study has been completed within the last 3 years. If so, the completed feasibility study must be submitted with this application.]*

**Criteria #1 – Proximity to Community Assets (30 points max.)**

This measure will estimate the potential demand of bicyclists and pedestrians based on the number of productions or attractions the facility may serve within a one (1) mile radius for Shared Use Paths or a one-half (½) mile radius for Sidewalks. A maximum of 30 points will be assessed overall, and individual point assignments will be limited as listed below.

For the application list and describe how the facilities link directly to community assets and who is being served by the facility. Show each of the Community Assets on a Project Area Map through the use of a buffer - a one (1) mile radius for Shared Use Path projects or a one-half (½) mile radius for Sidewalk projects.

<b>Proximity to Community Assets</b>	<b>Check All that Apply</b>	<b>Max. Points</b>
Residential developments, apartments, community housing	<input type="checkbox"/>	5
Activity centers, town centers, office parks, post office, city hall/government buildings, shopping plaza, malls, retail centers	<input type="checkbox"/>	5
Parks, trail facilities, recreational facilities	<input type="checkbox"/>	5
Medical/health facilities, nursing homes, assisted living, rehabilitation center	<input type="checkbox"/>	5
School bus stop	<input type="checkbox"/>	5
Schools	<input type="checkbox"/>	5
<b>Maximum Point Assessment</b>		<b>30</b>

**Criteria #1 Description (if needed):** \_\_\_\_\_

**Criteria #2 – Connectivity (30 points max.)**

This criterion considers the gaps that exist in the current network of bike lanes, bike paths and sidewalks. The measurement will assess points based on the ability of the proposed project to join disconnected networks or complete fragmented facilities.

For the application list and describe how this project fits into the local and regional bicycle/pedestrian networks and/or a transit facility. Depict this on the map and describe in the document.

<b>Network Connectivity</b>	<b>All that Apply</b>	<b>Max. Points</b>
Project provides access to a transit facility	<input type="checkbox"/>	5
Project extends an existing bicycle/pedestrian facility (at one end of the facility)	<input type="checkbox"/>	5
Project provides a connection between two existing or planned/programmed bicycle/pedestrian facilities	<input type="checkbox"/>	10
Project has been identified as “needed” in an adopted document (i.e. A comprehensive plan, master plan, arterial study)	<input type="checkbox"/>	10
<b>Maximum Point Assessment</b>		<b>30</b>

**Criteria #2 Description (if needed):** \_\_\_\_\_

**Criteria #3 – Safety (25 points max.)**

This measure provides additional weight to applications that have included safety as a component of the overall project and includes school locations identified as hazardous walking/biking zones and areas with significant number of safety concerns.

For the application list and describe whether the proposed facility is located within a “hazardous walk/bike zone” and/or provide documentation that illustrates how bicycle or pedestrian safety could be enhanced by the construction of this facility.

Safety	All that Apply	Max. Points
The project is located in an area identified as a hazardous walk/bike zone by <a href="#">Volusia County School District Student Transportation Services</a>	<input type="checkbox"/>	15
The project removes or reduces potential conflicts (bike/auto and ped/auto). There is a pattern of bike/ped crashes along the project route. Please provide documentation such as photos or video of current situation/site or any supportive statistics or studies	<input type="checkbox"/>	10
<b>Maximum Point Assessment</b>		<b>25</b>

**Criteria #3 Description (if needed):** \_\_\_\_\_

[For more information, contact Volusia County School District Student Transportation Services.](#)

**Criteria #4 – Public Support/Special Considerations (5 points max.)**

This is an opportunity for applicant to provide other relevant data that may provide **additional** information as related to the project application.

For the application list and describe whether the proposed facility has examples of public support (i.e., documented requests from community groups, homeowners associations, school administrators, as well as letters of support, signed petitions, documented public comments) or any special issues or concerns that are not being addressed by the other criteria.

Special Considerations	All that Apply	Max. Points
Is documented public support provided for the project? Are there any special issues or concerns?	<input type="checkbox"/>	5
<b>Maximum Point Assessment</b>	<input type="checkbox"/>	<b>5</b>

**Criteria #4 Description (if needed):** \_\_\_\_\_

**Criteria #5 – Local Matching Funds > 10% (10 points max.)**

If local matching funds greater than 10% of the estimated project cost are available, describe the local matching fund package in detail.

<b>Local Matching Funds &gt; 10%</b>	<b>Check One</b>	<b>Max. Points</b>
Is a local matching fund package greater than 10% of the estimated project cost documented for the project?		
10.0% < Local Matching Funds < 12.5%	<input type="checkbox"/>	1
12.5% ≤ Local Matching Funds < 15.0%	<input type="checkbox"/>	2
15.0% ≤ Local Matching Funds < 17.5%	<input type="checkbox"/>	3
17.5% ≤ Local Matching Funds < 20.0%	<input type="checkbox"/>	4
20.0% ≤ Local Matching Funds < 22.5%	<input type="checkbox"/>	5
22.5% ≤ Local Matching Funds < 25.0%	<input type="checkbox"/>	6
25.0% ≤ Local Matching Funds < 27.5%	<input type="checkbox"/>	7
27.5% ≤ Local Matching Funds < 30.0%	<input type="checkbox"/>	8
30.0% ≤ Local Matching Funds < 32.5%	<input type="checkbox"/>	9
32.5% ≤ Local Matching Funds	<input type="checkbox"/>	10
<b>Maximum Point Assessment</b>		<b>10</b>

**Criteria #5 Description (if needed):** \_\_\_\_\_

**Criteria #6 – Value-Added Tie Breaker (if necessary) (variable points)**

Projects with equal scores after evaluations using the five Project Proposal Criteria are subject to the Value-Added Tie Breaker. The BPAC and Project Review Subcommittee are authorized to award tie breaker points based on the additional value added by the project. A written explanation of the circumstances and amount of tie breaker points awarded for each project will be provided.

Volusia TPO  
2012 ~~2011~~ Priority Application for  
**XU Traffic Operations/ITS/Safety Projects**

---

February ~~2011~~ 2012

**General Instructions:**

2012

This is the first of two calls for projects for the 2012 calendar year. [Only one "Call for Projects" unless it is later determined to be necessary.] Applications for Feasibility Studies and Project Implementation will be accepted with this call for projects. A second call for projects this summer will only be for projects for which Feasibility Studies have already been completed or are not required.

Applicants must use the attached VTPO XU Traffic Operations/ITS/Safety Project Application form whether applying for a Feasibility Study or for Project Implementation. If applying for a Feasibility Study, you will complete only the first part of the application.

No project will advance beyond a Feasibility Study unless the VTPO receives an application for Project Implementation for the project. Applications for Project Implementation will be accepted only if a Feasibility Study has already been completed or if the project does not require a Feasibility Study. When applying for Project Implementation, you must complete the entire application. Information that was provided previously in an application for Feasibility Study must be updated to reflect findings and recommendations from the completed Feasibility Study.

Applications will be ranked based on the information supplied in the application.

Incomplete applications will not be accepted.

**Project Qualification:**

Except for certain improvements identified in 23 U.S.C. §133<sup>1</sup>, projects located on roads functionally classified as local or rural minor collectors may not be funded with Federal XU funds unless such roads are on a Federal-aid highway system on January 1, 1991.

Only applications for Traffic Operations, ITS and Safety Projects will be considered. These projects are relatively low-cost enhancements to improve the operational safety and efficiency of the existing traffic circulation system. They are quick responses to implement low-cost improvements. They are typically narrow in scope and focus on improvements to traffic operations and modifications to traffic control devices. The following list of projects is representative of qualifying projects; however, it is not exhaustive:

1. left and/or right turn lanes, improved signage or signalization,
2. targeted traffic enforcement,
3. limitation or prohibition of driveways, turning movements, trucks and on-street parking,
4. modification of median openings,
5. replacement of standard intersections with traffic circles or roundabouts,
6. incident response plans,
7. extension of turn lanes,
8. realignment of a road,
9. intelligent transportation systems (ITS),
10. provision of traffic calming roadway designs or devices, and

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<sup>1</sup> These exceptions include, carpool projects, fringe and corridor parking facilities and programs, bicycle transportation and pedestrian walkways, modification of public sidewalks to comply with the Americans with Disabilities Act, highway and transit safety infrastructure improvements and programs, hazard eliminations, projects to mitigate hazards caused by wildlife, and railway-highway grade crossings.

Showing changes recommended by TIP Subcommittee on 1-13-12 in red type.

11. installation of street lighting.

**Local Match Requirement:**

VTPO Resolution 2011-03 requires a local match of ten (10) percent of the total amount of XU funds programmed for each project. For this purpose, local match is defined as non-federal cash match and/or in-kind services that advance the project. This resolution also reaffirms the VTPO's policy that the applicant (project originator) shall be responsible for any cost overruns encountered on a project funded with XU funds unless the project is on the state highway system, in which case, the State DOT shall be responsible for any cost overruns.

**Electronic and "Hard Copy" Submittal Requirement:**

1. Applications and supporting documentation shall be submitted as digital media in Portable Document Format (PDF), compatible with MS Windows and Adobe Acrobat Version 9.3 or earlier.
2. Electronic documents may be submitted through our FTP site, as an attachment to email, on a CD or DVD.
3. The application and all supporting documentation shall be included in one electronic PDF file.
4. All document pages shall be oriented so that the top of the page is always at the top of the computer monitor.
5. Page size shall be either 8-1/2" by 11" (letter) or 11" by 17" (tabloid).
6. PDF documents produced by scanning paper documents are inherently inferior to those produced directly from an electronic source. Documents which are only available in paper format should be scanned at a resolution which ensures the pages are legible on both a computer screen and a printed page. We recommend scanning at a minimum 300 dpi to balance legibility and file size.
7. If you are unable to produce an electronic document as prescribed here, please call us to discuss other options.
8. In addition to the digital submittal, we require one (1) complete paper copy of the application and all supporting documents. This must be identical to the digital submittal.

VTPO staff will provide assistance in completing an application to any member local government that requests it.

Volusia TPO  
201 ~~2011~~ Priority Application for  
**XU Traffic Operations/ITS/Safety Projects**

Project Title: \_\_\_\_\_

Applicant (project sponsor): \_\_\_\_\_

Contact Person: \_\_\_\_\_ Job Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

E-mail: \_\_\_\_\_

Governmental entity with maintenance responsibility for roadway facility on which proposed project is located:

*[If not the same as Applicant, attach a letter of support for proposed project from the responsible entity.]*

**[Letter of support must include a statement describing the responsible entity's expectations for maintenance of the proposed improvements, i.e., what the applicant's responsibility will be.]**

Is the Applicant LAP certified to administer the proposed project?     Yes     No

If the Applicant is not LAP certified, explain how you intend to comply with the Local Agency Program (LAP) requirements: \_\_\_\_\_

Priority of this proposed project relative to other applications submitted by the Applicant: \_\_\_\_\_

Project Description: \_\_\_\_\_

Project Location (include project length and termini, if appropriate, and attach location map): \_\_\_\_\_

Project Eligibility for XU Funds (check the appropriate box):

- the proposed improvement is located on the Federal-aid system;
- the proposed improvement is **not** located on the Federal-aid system, but qualifies as a type of improvement identified in 23 U.S.C. §133 that is not restricted to the Federal-aid system.

The Applicant is requesting (check only one):     Feasibility Study     Project Implementation

*[If requesting a Feasibility Study, the Applicant will be required to submit a new application for Project Implementation after the Feasibility Study has been completed. If requesting Project Implementation, attach a copy of the completed Feasibility Study, or explain in the space provided below for commentary why a Feasibility Study is not necessary.]*

Commentary: \_\_\_\_\_

**Project Purpose and Need Statement:**

In the space provided below, describe the Purpose and Need for this proposed project. It is very important that your Purpose and Need statement is clear and complete. It will be the principal consideration in ranking your application for a Feasibility Study. It must convince the public and decision-makers that the expenditure of funds is necessary and

**Showing changes recommended by TIP Subcommittee on 1-13-12 in red type.**

worthwhile and that the priority the project is being given relative to other needed transportation projects is warranted. The project Purpose and Need will also help to define the scope for the Feasibility Study, the consideration of alternatives (if appropriate), and ultimate project design.

The Purpose is analogous to the problem. It should focus on particular issues regarding the transportation system (e.g., mobility and/or safety). Other important issues to be addressed by the project such as livability and the environment should be identified as ancillary benefits. The Purpose should be stated in one or two sentences as the positive outcome that is expected. For example, the purpose is to reduce intersection delays or to reduce rear end collisions. It should avoid stating a solution as a purpose as in - the purpose of the project is to add an exclusive left turn lane. It should be stated broadly enough so that no valid solutions will be dismissed prematurely.

The Need should establish the evidence that the problem exists, or will exist if anticipated conditions are realized. It should support the assertion made in the Purpose statement. For example, if the Purpose statement is based on safety improvements, the Need statement should support the assertion that there is or will be a safety problem to be corrected. When applying for a Feasibility Study, you should support your Need statement with the best available evidence. However, you will not be expected to undertake new studies.

Commentary: \_\_\_\_\_

**\*\*\* STOP HERE IF YOU ARE APPLYING FOR A FEASIBILITY STUDY. COMPLETE THE FOLLOWING SECTIONS ONLY IF YOU ARE APPLYING FOR PROJECT IMPLEMENTATION. \*\*\***

**Criteria #1 – Location (5 points max.)**

This criterion looks at the classification of the roads that will benefit from a proposed project. This criterion gives more points to projects that provide a benefit on roads that are classified at a higher level. If a project benefits more than one road, the road that has the highest classification will be used to allocate points.

VTPO staff will review the application to determine the classification of the roads benefitting from the proposed project.

Project located on a ...		Max. Points
Non-Federal Functionally Classified Road	Select only one	<input type="checkbox"/>
Local Road (Federal Functional Classification)		<input type="checkbox"/>
Rural Minor Collector (Federal Functional Classification)		<input type="checkbox"/>
Urban Minor Collector Road (Federal Functional Classification)		<input type="checkbox"/>
Major Collector Road (Federal Functional Classification)		<input type="checkbox"/>
Minor Arterial Road (Federal Functional Classification)		<input type="checkbox"/>
Principal Arterial Road (Federal Functional Classification)		<input type="checkbox"/>
<b>Subtotal</b>		<b>5</b>

Commentary: \_\_\_\_\_

**Criteria #2 – Project Readiness (15 points max.)**

This criterion looks at the amount of work required to develop the project and get it ready for construction. The closer a project is to the construction phase, the more points it is eligible for.

Showing changes recommended by TIP Subcommittee on 1-13-12 in red type.

Check the appropriate boxes to indicate which phases of work have already been completed or will not be required. For each phase that will not be required, explain why in the space provided for commentary. Include with this application a copy of any relevant studies, warrants, designs, and/or permits. If this is an application for Project Implementation, you must attach a copy of the project scope and cost estimate.

Phasing Already Completed or Not Required <sup>1</sup>		Completed	Not Required	Required But Not Completed (no points)	Unknown or TBD (no points)	Max. Points
Feasibility Study/Conceptual Design/Cost Estimate	Check only one in each row	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3
PE (Design)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3
Environmental		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3
Right-of-Way Acquisition		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3
Permitting		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3
<b>Subtotal</b>						<b>15</b>

<sup>1</sup> Since XU funding is Federal funding, all activities or work, including that which is done in advance of applying for Federal funds, must comply with all applicable Federal statutes, rules and regulations.

**Commentary:** \_\_\_\_\_

**Criteria #3 – Mobility and Operational Benefits (30 points max.)**

This criterion looks at the extent of traffic operational benefits that will be derived from a proposed project. In the space provides below for commentary, describe the operational benefits of the proposed project. When putting your application together please include a copy of any approved signal warrant or street lighting studies.

Mobility and Operational Benefits		Maximum Points	
Existing volume to capacity ratio <b>[Must be documented.]</b> (i.e., existing congestion severity)	Select only one	< 0.75	<input type="checkbox"/> 0
		0.75 to 0.99	<input type="checkbox"/> 3
		1.00 to 1.25	<input type="checkbox"/> 4
		>1.25	<input type="checkbox"/> 5
Mobility Enhancements (i.e., level of increased mobility that a project will provide)	Select all that apply	- None	<input type="checkbox"/> 0
		- Bike, Ped. or Transit	<input type="checkbox"/> 5
		- Access Mgmt, ITS, Critical Bridge, Intersection Improvement, or Traffic Signal Retiming <sup>1</sup>	<input type="checkbox"/> 10
Approved signal warrant (new signals only), left turn phase warrant, left turn lane warrant, street light warrant or widening justification <sup>2</sup> , access management or ITS improvements <sup>3</sup>	Select only one	No	<input type="checkbox"/> 0
		Yes	<input type="checkbox"/> 5
Hurricane evacuation or secondary evacuation route upgrade of <b>including, but not limited to, converting</b> critical traffic signal to mast <b>arm or other operational improvements.</b>	Select only one	No	<input type="checkbox"/> 0
		Yes	<input type="checkbox"/> 5
<b>Subtotal</b>			<b>30</b>

<sup>1</sup> Attach Traffic Signal Timing Study.

<sup>2</sup> Attach Warrant Study to application; otherwise VTPO staff will assume that a Warrant Study justifying the improvement has not been completed.

<sup>3</sup> Access management and ITS improvements include, but are not limited to, addition of non-traversable median greater than 50% project length, addition of curb/gutter at intersection or greater than 50% project length, closure of minor intersections or crossovers, reduction of the number of access points (driveways or driveway widths), elimination of existing at-grade RR crossing, elimination of existing on-street parking, provision of traffic signal preemption for emergency vehicles, connection of three or more traffic signals, and new connection of traffic signal system to computerized signal control.

**Commentary:** \_\_\_\_\_

**Criteria #4 – Safety Benefits (20 points max.)**

This criterion looks at the extent of safety benefits that will be derived from a proposed project. The distinction between the categories of benefits will be coordinated with the Community Traffic Safety Teams (CTST).

In the space provides below for commentary, describe the safety benefits expected from the proposed project, and explain how the proposed project will help to achieve those benefits. VTPO staff will work with the appropriate agencies to determine the intersection and corridor crash rates.

Safety Benefits <sup>1</sup>			Max. Points
On Florida DOT's High Crash List?	Select all that apply	<input type="checkbox"/>	4
Intersection Crash Rate $\geq$ 2 per million entering vehicles [VTPO shall specify methodology for calculating crash rates.]		<input type="checkbox"/>	4
Corridor Crash Rate $\geq$ 2 per vehicle million miles		<input type="checkbox"/>	4
Street lights needed (Nighttime to Daytime Crash Rate $\geq$ 2) [VTPO shall specify methodology for calculating crash rates.]		<input type="checkbox"/>	4
Provides pedestrian safety features (e.g., RR crossing or intersection crossing)		<input type="checkbox"/>	4
<b>Subtotal</b>			<b>20</b>

<sup>1</sup> If an application scores very high in this criterion, the VTPO may submit application to either the East or West Volusia CTST for Safety Fund consideration.

**Commentary:** \_\_\_\_\_

**Criteria #5 – Comprehensive Plan and Economic Development (10 points max.)**

This criterion looks at the degree to which the proposed project will contribute to the satisfaction of one or more of the local government's adopted comprehensive plan goals or objectives, and the degree to which it supports economic development. Points should be awarded in proportion to how well the project will show direct, significant and continuing positive influence. Temporary effects related to project construction, such as the employment of construction workers, will not be considered.

Comprehensive Plan Compliance and Economic Development			Max. Points
Directly contributes to the satisfaction of one or more goals/objectives in the adopted comprehensive plan	Select all that apply	<input type="checkbox"/>	5
Directly supports economic development (e.g., supports community development in major development areas, supports business functionality, and/or supports creation or retention of employment opportunities)		<input type="checkbox"/>	5
<b>Subtotal</b>			<b>10</b>

**Commentary:** \_\_\_\_\_

**Criteria #6 – Infrastructure Impacts (20 points max.)**

This criterion looks at impacts to adjoining public or private infrastructure, which may be in the way of the project. The less existing infrastructure is impacted the more points a project will score.

In the space provided below for commentary, describe the infrastructure impacts that will occur as a result of constructing the proposed project. When completing your application, please consider the drainage issues that may be involved (see notes below for a more detailed explanation).

Infrastructure Impacts			Max. Points
Major Drainage Impact – relocating or installing new curb inlets or other extensive drainage work is required, or drainage impact has not yet been determined	Select only <sup>1</sup>	<input type="checkbox"/>	0
Minor Drainage Impact – extending pipes, reconfiguring swales or other minor work is required		<input type="checkbox"/>	2
No Drainage Impact – no drainage work required		<input type="checkbox"/>	4
Relocation of private gas utility or fiber optic communication cable is not required <sup>2</sup>	Select all that apply	<input type="checkbox"/>	3
Relocation of public/private water or sewer utility is not required <sup>2</sup>		<input type="checkbox"/>	3
Relocation of telephone, power, cable TV utilities is not required <sup>3</sup>		<input type="checkbox"/>	3
No specimen or historic trees ≥ 18” diameter will be removed or destroyed		<input type="checkbox"/>	3
No new railroad crossing or alteration of existing crossing is required		<input type="checkbox"/>	4
<b>Subtotal</b>			<b>20</b>

<sup>1</sup> ADA pedestrian crossings at intersections may impact drainage significantly. Attached Traffic Study should address drainage impacts.

<sup>2</sup> Typically, these are underground utilities that can only be determined by a complete set of plans. Attach plans showing no impacts; otherwise, assumption is in urban area utilities will be affected.

<sup>3</sup> Typically, above ground utilities are not affected except for widening and turn lane projects.

**Commentary:** \_\_\_\_\_

Volusia TPO  
2012 ~~2011~~ Priority Application for  
**Transportation Enhancement Projects**

---

**OVERVIEW:**

This is not a grant program. Applicants should expect to pay for the work and be reimbursed from their award. Items eligible for reimbursement include, project planning and feasibility studies, environmental analysis or preliminary design, preliminary engineering, land acquisition, and construction costs.

**The following are the only activities related to surface transportation that can be funded with enhancement funds<sup>1</sup>:**

- a) Provision of facilities for pedestrians and bicycles.
- b) The provision of safety and educational activities for pedestrians and bicyclists.
- c) Acquisition of scenic easements and scenic or historic sites.
- d) Scenic or historic highway programs, (including the provision of tourist and welcome center facilities).
- e) Landscaping and other scenic beautification.
- f) Historic preservation.
- g) Rehabilitation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals).
- h) Preservation of abandoned railway corridors (including the conversion and use thereof for pedestrian or bicycle trails).
- i) Control and removal of outdoor advertising.
- j) Archaeological planning and research.
- k) Environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.
- l) Establishment of Transportation museums.

All construction and pre-construction work phases will be administered by the Florida Department of Transportation (FDOT) or other Local Agency Program (LAP) certified local government. Reimbursements are distributed only to a LAP certified agency responsible for completing the tasks. FDOT assigns a LAP Design and LAP Construction Liaison for each project. Federal law requires that each project be administered under the rules and procedures governing federally funded transportation projects. Certified Local Agencies comply with all applicable Federal statutes, rules and regulations. (FDOT WEB site reference:

<http://www.dot.state.fl.us/projectmanagementoffice/lap> )

**No more than \$1 million in Transportation Enhancement (TE) funds will be awarded to any single project in any single application cycle, and no more than \$3 million dollars in enhancement funds is to be awarded toward the completion of any single project. *Waivers/exceptions may be granted by the VTPO Board.***

All projects must be consistent with local comprehensive plans, including future land use and transportation elements, required under Section 9J-5 of the Florida Administrative Code. Enhancement dollars are to be allocated with the caveat that all projects meet ADA standards.

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<sup>1</sup> Only these activities are included within the meaning of the term “transportation enhancement activity” pursuant to 23 U.S.C. 101(a)(35).

## GENERAL REQUIREMENTS

### **Each application shall include the following information:**

- a) A project map that clearly identifies the location & termini of the project and proximity of the project to Community Assets (as described in the criteria). Each map should be no larger than 11"x17". In addition, all maps must include a scale (in subdivisions of a mile), north arrow, title and legend.
- b) Right-of-way (ROW) information as available. (*i.e. deeds, easements, donations, recordable documents*)
- c) Project cost estimates. (*i.e. FDOT's Long Range Estimates (LRE)*)
- d) Documentation of commitment to provide matching funds (if applicable).
- e) Each applicant must provide a statement ensuring that the project is consistent with local comprehensive plans, including future land use and transportation elements, required under Section 9J-5 of the Florida Administrative Code.
- f) **A completed FDOT Transportation Enhancement Project Funding Application.**

### **Applications shall be submitted electronically as prescribed below:**

- a) The application and all supporting documentation shall be included in one Portable Document Format (PDF) file, compatible with MS Windows and Adobe Acrobat Version 9.3 or earlier.
- b) The file may be submitted through our FTP site, as an attachment to email, on a CD or DVD.
- c) All document pages shall be oriented so that the top of the page is always at the top of the computer monitor.
- d) Page size shall be either 8-1/2" by 11" (letter) or 11" by 17" (tabloid).
- e) PDF documents produced by scanning paper documents are inherently inferior to those produced directly from an electronic source. Documents which are only available in paper format should be scanned at a resolution which ensures the pages are legible on both a computer screen and a printed page. We recommend scanning at a minimum 300 dpi to balance legibility and file size.
- f) If you are unable to produce an electronic document as prescribed here, please call us to discuss other options.

### **Incomplete applications will not be accepted. Applications will be ranked based on the information supplied in the application.**

**All applications must be received by the VTPO by 5:00 PM (noon) on Friday, April 13, 2011. Applicant's are strongly advised to request verification that your applications have been received.**

## Initial Project Screening

Any project submitted by a local government for consideration needs to meet the following screening criteria:

- a) Project must demonstrate a clear and definitive link to transportation.
- b) Projects submitted with individual components or phase must be physically or functionally related. For example multiple sidewalk segments, non-contiguous segments must reasonably serve a common purpose.
- c) The applicant must have authorization from responsible jurisdiction to submit for project funding. (For example, a city that submits a project for landscaping on a State road must have authorization from the State). For multi-jurisdictional portions each respective agency must co-sponsor the project or provide a formal letter of agree

**Showing changes recommended by TIP Subcommittee on 1-13-12 in red type.**

- d) All work must be done by pre-certified vendors and contractors of FDOT or the LAP sponsor. Projects or project phases completed by these firms are also required to meet federal guidelines. Provide documentation on how sponsor will address this criterion.
- e) Except for bicycle transportation projects and pedestrian walkways, TE projects may not be undertaken on roads functionally classified as local or rural minor collectors, unless such roads are on the adopted Federal-Aid highway system or permission is secured from the United States Secretary of Transportation. However, TE projects are allowed on any other classification of roadway or on locations not on the roadway system provided that such land is publicly owned, or over which public access has been granted through an easement or other conveyance extending over the foreseeable useful life of the completed project.
- f) **If this is a Shared-Use Path project is it at least 10 feet wide? [The TIP Subcommittee discussed whether this should be increased from 10 ft. to 12 ft. as was done by the BPAC for XU-funded bicycle and pedestrian projects. However, no action was taken.]**
  - If yes, the project is eligible.
  - If no, if this project is at least 5 feet wide then it may be eligible to be submitted as a sidewalk project.
- g) If this is a Sidewalk project is it at least 5 feet wide?
  - If yes, the project is eligible.
  - If no, the project application is not acceptable.

201 ~~2011~~ Volusia TPO  
 Priority Application for  
**Transportation Enhancement Projects**

**Scoring Criteria Summary**

Priority Criteria	Maximum Points
(1) Contribution to "Livability" and Sustainability in the Community	25
(2) Enhancements to the Transportation System	25
(3) Demand/Accessibility	15
(4) Safety/Security	15
(5) Project Readiness	10
(6) Matching Funds Provided	10
<b>Total</b>	<b>100</b>

**Project Title:** \_\_\_\_\_

**Applicant (project sponsor):** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_ **Job Title:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Governmental entity with maintenance responsibility for roadway facility on which proposed project is located (if different from Applicant):** \_\_\_\_\_

*[Attach letter from responsible entity expressing support for proposed project.]*

**[Letter of support must include a statement describing the responsible entity's expectations for maintenance of the proposed improvements, i.e., what the applicant's responsibility will be.]**

**Is the Applicant certified to administer the proposed project through LAP?**       Yes       No

**If Applicant is not LAP certified to administer the proposed project, name a qualified Project Administrator who will manage the proposed project:** \_\_\_\_\_

*[Attach letter from Project Administrator agreeing to serve in that capacity.]*

**Priority of this proposed project relative to other applications submitted by the Applicant:** \_\_\_\_\_

**Project Description:** \_\_\_\_\_

**Project Location** (include project length and termini, if appropriate, and attach location map): \_\_\_\_\_

**Project Purpose and Need:** \_\_\_\_\_

**Showing changes recommended by TIP Subcommittee on 1-13-12 in red type.**

**(1) Contribution to “Livability” and Sustainability in the Community (maximum 25 points)**

Describe how the project positively impacts the “Livability” and Sustainability in the community that is being served by that facility. Depict assets on a project area map in relation to a one-half mile buffer around the project.

**Contribution to “Livability” and Sustainability in the Community (Maximum 25 Points)**

- Project includes traffic calming measures.
- Project is located in “gateway” or entrance corridor as identified in a local government of applicant’s master plan, or other approved planning document.
- Project removes barriers and/or bottlenecks for bicycle and/or pedestrian movements.
- Project includes features which improve the comfort, safety, security, enjoyment or well-being for bicyclists, pedestrians, and/or transit users.
- Project improves transfer between transportation modes.
- Project achieves a significant reduction of non-renewable energy usage.
- Project supports infill and redevelopment consistent with transit-oriented design principals and strategies are in place making it reasonably certain that such infill and redevelopment will occur.
- Project supports a comprehensive travel demand management strategy that will likely significantly advance one or more of the following objectives: 1) reduce average trip length, 2) reduce single occupancy vehicle trips, 3) increase transit and non-motorized trips, 4) reduce motorized vehicle parking, reduce personal injury and property damage resulting from vehicle crashes
- Project significantly enhances “walkability” and “bikeability”. The following are key indicators of walkability and bikeability:
  - Are there safe walking spaces? (smooth, unobstructed, separated from traffic, crossings with appropriate signs and signals)
  - Are there places to bicycle safely? (on the road, sharing the road with motor vehicles or an off road path or trail)
  - Can pedestrians and bicyclists see and detect traffic (oncoming vehicles) day and night?
  - Are the surfaces adequate for walking or bike riding? (free of cracked or broken concrete/pavement, slippery when wet, debris)
  - Is there enough time to cross streets and intersections?
  - Is there access to well designed sidewalks and crossings?
  - Are there signs and markings designating routes? (including crosswalk markings, way finding and detour signs)
  - Are there continuous facilities? (sidewalks and trails free from gaps, obstructions and abrupt changes in direction or width)
  - Is driver behavior conducive to safe walking or biking? (yielding to pedestrians in crosswalks, maintaining at least 3’ passing distance from bicyclists)

Criterion (1) Describe how this project contributes to the “Liveability” and Sustainability of the Community: \_\_\_\_\_

## **(2) Enhancements to the Transportation System (maximum 25 points)**

This criterion considers the demonstrated and defensible relationship to surface transportation.

Describe how this project fits into the local and regional transportation system. Depict this on the map where applicable.

### **Enhancements to the Transportation System (Maximum 25 Points)**

- Is the project included in an adopted plan?
- Does local government have Land Development Code requirements to construct sidewalks?
- Does the project relate to surface transportation? Some factors that can help establish this relationship include:
  - Is the project near a highway or a pedestrian/bicycle corridor?
  - Does the project enhance the aesthetic, cultural, or historic aspects of the travel experience?
  - Does it serve a current or past transportation purpose?
- Does the project improve mobility between two or more different land use types located within 1/2 mile of each other, including residential and employment, retail or recreational areas?
- Does the project benefit transit riders by improving connectivity to existing or programmed pathways or transit facilities? Does it conform to TOD principals?
- Is the project an extension or phased part of a larger beautification/redevelopment effort in corridor/area?

Criterion (2) Describe how this project enhances the Transportation System: \_\_\_\_\_

## **(3) Demand/Accessibility (Maximum 15 points)**

Describe indications of existing demand (e.g., photographs of worn pathways that demonstrate ground wear from use) and the degree to which the project will satisfy that demand. Describe expressions of community support and include supporting documentation (e.g., letters of support or petitions from community groups, homeowners associations, school administrators, etc.) Describe how the project improves accessibility to activity centers, town centers, office parks, post office, city hall/government buildings, shopping centers, employment centers, trail facilities, recreational and cultural facilities, schools and other points of concentrated activity.

### **Demand/Accessibility (Maximum 15 Points)**

- Is there a documented obvious indication of demand?
- Is documentation of public support for the project provided?
- Does the project enhance mobility or community development for disadvantaged groups, including children, the elderly, the poor, those with limited transportation options and the disabled? Documentation that will help determine a score include school access routes, proximity to public housing or public facilities that can currently only be accessed by roadways.

Criterion (3) Describe how this project satisfies Demand and improves Accessibility: \_\_\_\_\_

## **(4) Safety/Security (Maximum 15 Points)**

In the space provided below, describe how and to what extent the proposed facility would enhance safety conditions for motorized travelers, non-motorized travelers, or the community. Provide documentation that illustrates how it does.

### **Safety/Security (Maximum 15 Points)**

- How does the project address a hazardous, unsafe or security condition/issue?
- How does the project remove or reduce potential conflicts (bicyclist/automobile and pedestrian/automobile)?

**Showing changes recommended by TIP Subcommittee on 1-13-12 in red type.**

**Criterion (4) Describe how this project promotes Safety and/or Security:** \_\_\_\_\_

**(5) Project "Readiness" (Maximum 10 Points)**

Describe.

**Project Readiness (Maximum 10 Points)**

- Is there an agreement and strategy for maintenance once the project is completed, identifying the responsible party?
- Project has been completed through design. Only construction dollars are being sought.
- Is right-of-way readily available and documented for the project?

**Criterion (5) Description (if needed):** \_\_\_\_\_

**(6) Matching Funds (Maximum 10 Points)**

Matching funds are not required, but will be viewed as an expression of the Applicant's dedication and commitment to the project. Therefore, points may be awarded in proportion to the size of the match. Applicants and/or project sponsors should demonstrate the availability of the match for project. In lieu of a cash match, Applicant/project sponsor match may include other valuable services such as planning, engineering, design, construction or environmental activities approved by the U.S. Department of Transportation and right-of-way donations by private parties. Applicants must demonstrate the feasibility of such in-kind arrangements in their applications. Applicants must specify the amount, origin and availability of matching funds.

Check the appropriate box and describe.

**Matching Funds Provided (Maximum 10 Points)**

Check all that apply:

Will the applicant be providing matching funds for the project?	<input type="checkbox"/>
Is there an agreement and strategy for such funds by the responsible party for which dollars are being sought?	<input type="checkbox"/>

**Criterion (6) Description (if needed):** \_\_\_\_\_

**Applicants should consult the FDOT Document "Eligibility Criteria and Implementation. Guidelines for Transportation Enhancement Projects".**

This document is revised annually and is available from FDOT or the VTPO Enhancements Coordinator. It can also be accessed on line at:

<http://www.dot.state.fl.us/emo/enhance/enhance.shtm>

# VOLUSIA TRANSPORTATION PLANNING ORGANIZATION

## RESOLUTION 2012-05

### RESOLUTION OF THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION AMENDING THE FY 2011/12 TO FY 2015/16 TRANSPORTATION IMPROVEMENT PROGRAM

---

**WHEREAS**, the Volusia Transportation Planning Organization (TPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for Volusia County and the cities of Beverly Beach and Flagler Beach in Flagler County; and

**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**, 23 C.F.R. 450.104 provides that the Volusia TPO shall annually endorse, and amend as appropriate, the plans and programs required, among which is the Transportation Improvement Program (TIP); and

**WHEREAS**, the Volusia TPO's adopted TIP is required to be consistent with the Florida Department of Transportation's (FDOT's) adopted Five-Year Work Program; and

**WHEREAS**, the Volusia TPO finds it necessary and appropriate to amend its TIP to include a new project which provides for the development of socioeconomic data to be used for updating the Long Range Transportation Plan.

**NOW, THEREFORE, BE IT RESOLVED**, by the Volusia TPO that the:

1. Volusia TPO's FY 2011/12 – FY 2015/16 TIP is hereby amended by adding a new project, FM 4321301, which provides for the development of socioeconomic data to be used for updating the Long Range Transportation Plan. Said project is more fully described in "Attachment A", attached hereto and made a part of this resolution; and
2. Chairperson of the Volusia TPO (or her designee) is hereby authorized and directed to submit the FY 2011/12 – FY 2015/16 TIP as hereby amended to the:
  - a. Florida Department of Transportation;
  - b. Federal Transit Administration (FTA) (through the Florida Department of Transportation);

- c. Federal Highway Administration (FHWA) (through the Florida Department of Transportation); and
- d. Florida Department of Economic Opportunity.

**DONE AND RESOLVED** at the regular meeting of the Volusia TPO held on the **28<sup>th</sup>** day of **February, 2012**.

**VOLUSIA TRANSPORTATION PLANNING ORGANIZATION**

---

**City of DeLand, Mayor Pro -Tem Leigh Matusick  
Chairperson, Volusia TPO**

**CERTIFICATE:**

The undersigned duly qualified and acting Recording Secretary of the Volusia TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the Volusia TPO held on February 28, 2012.

**ATTEST:**

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**Pamela C. Blankenship, Recording Secretary**

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# **ATTACHMENT “A”**

## **Resolution 2012-05**

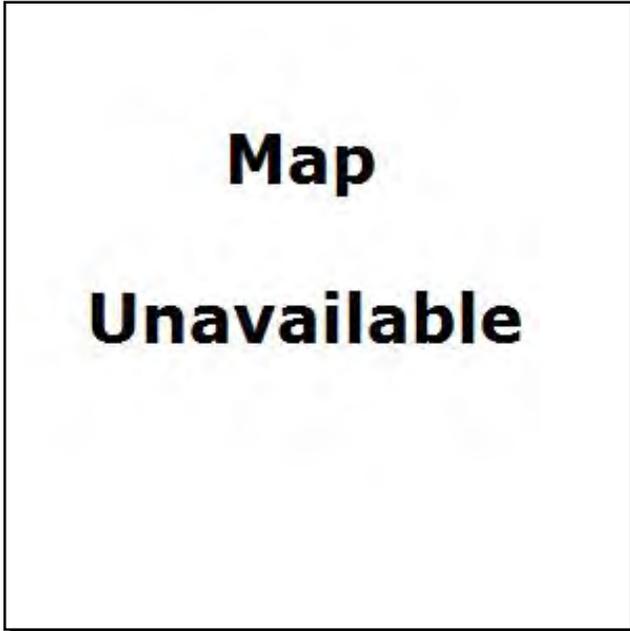
**Amending the  
FY 2011/12 to FY 2015/16  
Transportation Improvement Program (TIP)**

**February 28, 2012**



**4321301**

**SE Data Development for LRTP**



**Work Summary:** PLANNING MODELS/DATA UPDATE

**From:**

**To:**

**Trans System:** NON-SYSTEM SPECIFIC **Jurisdiction:** Volusia TPO

Phase	Fund Source	2011/12	2012/13	2013/14	2014/15	2015/16	Total
PLN	XU (SU)	30,000	0	0	0	0	<b>30,000</b>
<b>Total</b>		<b>30,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>30,000</b>

**Project Description:** Develop socioeconomic data (zdata1 and zdata2) for update of the VTPO's 2035 Long Range Transportation Plan.

# VOLUSIA TRANSPORTATION PLANNING ORGANIZATION

## RESOLUTION 2012-06

### RESOLUTION OF THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE JOINT PLANNING AGREEMENT WITH FDOT DISTRICT 5 TO DEVELOP SOCIO-ECONOMIC DATA FOR THE DISTRICT-WIDE TRANSPORTATION MODEL

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**WHEREAS**, the Volusia Transportation Planning Organization (TPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for Volusia County and the cities of Beverly Beach and Flagler Beach in Flagler County; and

**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 State of Florida Department of Transportation and the Volusia TPO desire to develop the base-line socio-economic data for the district-wide transportation model; and

**WHEREAS**, the State of Florida Department of Transportation has already entered into a contract with Data Transfer Systems (DTS); and

**WHEREAS**, the State of Florida Department of Transportation follows the federal guidelines for the developing and issuing of Requests for Proposals; and

**WHEREAS**, the Volusia TPO desires to “piggy-back” onto this contract in an effort to meet current deadlines and timelines for the update to the district-wide model.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of the Volusia Transportation Planning Organization that Mr. Karl D. Welzenbach, Executive Director, is hereby authorized to make, execute and deliver to the State of Florida Department of Transportation the Joint Planning Agreement for the aforementioned project, FPN 432130-1 “SE Data Development for LRTP”.

Volusia TPO  
Resolution 2012-06  
Page 2

**DONE AND RESOLVED** at the regular meeting of the Volusia Transportation Planning Organization on the 28<sup>th</sup> day of February, 2012.

**VOLUSIA TRANSPORTATION PLANNING ORGANIZATION**

---

**City of DeLand, Mayor Pro-Tem Leigh Matusick  
Chairperson, Volusia TPO**

**CERTIFICATE:**

The undersigned duly qualified and acting Recording Secretary of the Volusia TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the Volusia TPO held on February 28, 2012.

**ATTEST:**

---

**Pamela C. Blankenship, Recording Secretary**

## MEETING SUMMARY

FEBRUARY 28, 2012

### VI. ACTION ITEMS

#### A) REVIEW AND ADOPTION OF VOLUSIA TPO'S TITLE VI PROGRAM AND LIMITED ENGLISH PROFICIENCY ACCESS PLAN

##### **Background Information:**

The purpose of the Volusia TPO's Title VI Program is to establish and implement procedures that comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 (ADA), as well as other related federal and state statutes and regulations. These procedures are necessary to conform to Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) regulations, as well to Florida Department of Transportation (FDOT) guidelines. The TPO's Title VI program defines what Title VI is, includes a written process on how to file a Title VI complaint should one arise, and describes the complaint investigation process.

The Limited English Proficiency Plan has been developed to address the TPO's responsibilities as recipients of federal financial assistance as they relate to the needs of individuals with limited English language skills. The goal of the Volusia Transportation Planning Organization (TPO) Limited English Proficiency (LEP) Access Plan is to ensure that the Volusia TPO recognizes the needs of limited English proficient (LEP) members of the community and implements a plan to communicate effectively and ensure reasonable access to our processes, information and decision-making.

The draft Volusia TPO's Title VI Program and Limited English Proficiency Access Plan are provided for your review and adoption.

##### ***ACTION REQUESTED:***

***MOTION TO ADOPT THE VOLUSIA TPO'S TITLE VI PROGRAM AND LIMITED ENGLISH PROFICIENCY ACCESS PLAN***

## **VOLUSIA TRANSPORTATION PLANNING ORGANIZATION**

### **TITLE VI POLICY STATEMENT AND DISCRIMINATION COMPLAINT PROCEDURES**

The Volusia Transportation Planning Organization (TPO) values diversity and both welcomes and actively seeks input from all interested parties, regardless of cultural identity, background or income level. Moreover, the Volusia TPO does not tolerate discrimination in any of its programs, services or activities. The Volusia TPO will not exclude participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status. The Volusia TPO will actively work to ensure inclusion of everyone in our community so that Volusia TPO programs, services and activities represent the diversity we enjoy.

The purpose of the Volusia TPO Title VI program is to establish and implement procedures that comply with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 (ADA), as well as other related federal and state statutes and regulations. These procedures have been adopted to conform to Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) regulations, as well to Florida Department of Transportation (FDOT) guidelines.

#### **COMPLAINT PROCEDURE**

##### **Filing of Title VI Complaints of Discrimination**

Any person who feels that he/she has been subjected to race, color, or national origin discrimination under Title VI of the Civil Rights Act of 1964, or other forms of discrimination based upon sex, age, disability, religion, family or income status discrimination under related nondiscrimination laws and regulations may file a complaint with the TPO.

A complaint must be filed within one hundred eighty (180) days after the date of the alleged discrimination, unless the time for filing is extended by the FTA, FHWA or other federal authorities.

If possible, complaints should be in writing, signed by the complainant or his/her representative(s), and must include the complainant(s) name, address and telephone number, along with a description of the alleged discrimination and the date of the occurrence. Allegations of discrimination received via facsimile or e-mail will be acknowledged and processed. Allegations

Draft Title VI Procedures  
February 28, 2012

received by telephone will be documented in writing and provided to the complainant(s) for review before processing. If complainant is hearing or speech impaired, call the Florida Relay Service (FRS) by dialing 711 or 1-800-955-8771 (TTY) or email the Title VI Coordinator for assistance.

Complaints should be submitted to:

Volusia Transportation Planning Organization  
ATTN: Pamela Blankenship, Title VI Coordinator  
2570 W. International Speedway Boulevard, Suite 100  
Daytona Beach, FL 32114  
386.226.0422, ext. 21  
386.226.0428 Fax  
pblankenship@volusiatpo.org

**Complaint Investigation**

Upon receipt of a signed complaint, the Volusia TPO Title VI Coordinator will, within five (5) working days, provide the complainant or his/her representative with a written acknowledgement of the complaint.

The Title VI Coordinator will take reasonable steps to resolve the matter and respond to the complaint within thirty (30) days. The TPO's Title VI Coordinator has 'easy access' to the TPO Executive Director and is not required to obtain management or other approval to discuss discrimination with the Executive Director.

Should the Volusia TPO be unable to satisfactorily resolve the complaint, the Title VI Coordinator shall forward the complaint, along with a record of its disposition, to the Florida Department of Transportation (FDOT) District Five Title VI Coordinator for further processing.

**Retaliation**

Retaliation is prohibited under Title VI of the Civil Rights Act of 1964 and related federal and state nondiscrimination authorities. It is the policy of the Volusia TPO that persons filing a complaint of discrimination should have the right to do so without interference, intimidation, coercion or fear of reprisal. Anyone who feels he/she has been subjected to retaliation should report such incident to the Title VI Coordinator.

## **ADA/504 STATEMENT**

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in the transportation planning process.

The Volusia TPO will make every effort to ensure that its facilities, programs, services and activities are accessible to those with disabilities. The Volusia TPO will make every effort to ensure that its advisory committees and public involvement activities include representation by the disabled community and disability service groups.

The Volusia TPO encourages the public to report any facility, program, service or activity that appears inaccessible to the disabled. Furthermore, the Volusia TPO will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access Volusia TPO facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the Volusia TPO asks that requests be made at least five (5) calendar days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to the:

Volusia Transportation Planning Organization  
ATTN: Pamela Blankenship, Title VI Coordinator  
2570 W. International Speedway Boulevard, Suite 100  
Daytona Beach, FL 32114  
386.226.0422, ext. 21  
386.226.0428 Fax  
pblankenship@volusiatpo.org

### **Public Involvement:**

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the TPO must have the input of its public. The TPO spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. The TPO offers a number of volunteer roles for those wishing to become more involved in the planning process. The TPO also holds a number of transportation meetings, workshops and other events designed to gather public input on

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planning activities. Further, the TPO attends and participates in other community events to promote its services and improve its name recognition in the public. Finally, the TPO is constantly seeking ways of measuring the effectiveness of its public involvement.

For more information on the TPO's public involvement and measures of effectiveness, the public may view the TPO Public Involvement Plan (PIP), available both on its website and at the TPO office. Persons wishing to request special presentations by the TPO, volunteer in any of its activities or offer suggestions for improvement of TPO public involvement may contact:

Volusia Transportation Planning Organization  
ATTN: Pamela Blankenship, Title VI Coordinator  
2570 W. International Speedway Boulevard, Suite 100  
Daytona Beach, FL 32114  
386.226.0422 ext. 21  
386.226.0428 Fax  
pblankenship@volusiatpo.org

### **Data Collection**

FHWA regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of or those affected by TPO programs, services and activities. The TPO accomplishes this through the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys, and other methods. From time to time, the TPO may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the TPO with improving its targeted outreach and measures of effectiveness. Self-identification of personal data to the TPO will always be voluntary and anonymous. Moreover, the TPO will not release or otherwise use this data in any manner inconsistent with the federal regulations.

### **Assurances**

Each year, the TPO must certify to FHWA and FDOT that its programs, services and activities are being conducted in a nondiscriminatory manner. These certifications are termed 'assurances' and serve two important purposes. First, they document the TPO's commitment to nondiscrimination and equitable service to its community. Second, they serve as a legally enforceable agreement by which the TPO may be held liable for breach. The public may view the annual assurance on the TPO website or by visiting the TPO offices.

Volusia Transportation Planning Organization  
**Title VI / Nondiscrimination Program**  
**Complaint of Discrimination**

Complainant(s) Name:	Complainant(s) Address:
Complainant(s) Phone Number:	E-mail Address:

Complainant's Representative's Name, Address, Phone Number and Relationship (e.g. friend, attorney, parent, etc.):

Name and Address of Agency, Institution, or Department Whom You Allege Discriminated Against You:

Names of the Individual(s) Whom You Allege Discriminated Against You (If Known):

Discrimination Because of:	<input type="checkbox"/> Race                    .. <input type="checkbox"/> Color                    .. <input type="checkbox"/> National Origin <input type="checkbox"/> Sex                            .. <input type="checkbox"/> Age                            .. <input type="checkbox"/> Handicap/Disability <input type="checkbox"/> Income Status            .. <input type="checkbox"/> Retaliation <input type="checkbox"/> Other	Date of Alleged Discrimination:
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Please list the name(s) and phone number(s) of any person, if known, that the Volusia Transportation Planning Organization could contact for additional information to support or clarify your allegation(s).

Please explain as clearly as possible **how**, **why**, **when** and **where** you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional pages may be attached if needed.

Complainant(s) or Complainant(s) Representative(s) Signature:	Date of Signature:
---	--------------------

**Título VI / Programa Antidiscriminatorio**

**Querrela de Discriminación**

Nombre del querellante:	Dirección:
Número de teléfono:	Dirección de correo electrónico:

Nombre, dirección, teléfono y relación (ej. amigo, abogado, pariente, etc.) del Representante del querellante:

Nombre y dirección de la Agencia, Institución, o Departamento que usted alega discrimino en su contra:

Nombre(s) del Individuo(s) Quien(es) Usted Alega Discrimino Contra Usted Si lo(s) Conoce:

Razón de la discriminación:	<input type="checkbox"/> Raza <input type="checkbox"/> Color <input type="checkbox"/> Origen Nacional <input type="checkbox"/> Incapacidad/Impedimento Físico <input type="checkbox"/> Edad <input type="checkbox"/> Sexo <input type="checkbox"/> Represalia <input type="checkbox"/> Status de Ingreso <input type="checkbox"/> Otro	Fecha de la alegada discriminación:
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Favor de indicar el nombre (s) y número(s) de teléfono(s) de alguna persona(s) que el Volusia Organización de Planificación Transporte puede comunicarse para información adicional que clarifique o respalde su alegación o alegaciones.

Favor de explicar tan claro como sea posible, **como, porque, cuando y donde** usted cree que fue discriminado. Incluya suficiente información acerca de los antecedentes según le sea posible, de los alegados actos de discrimen. Puede añadir paginas adicionales, si es necesario.

Firma del Querellante(s) o su Representante:	Fecha:
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# Volusia Transportation Planning Organization

## Limited English Proficiency Access Plan

### I. Introduction

Title VI of the Civil Rights Act of 1964 prohibits recipients of federal financial assistance from discriminating against or otherwise excluding individuals on the basis of race, color, or national origin in any of their activities. It has been recognized that one form of discrimination occurs through an inability to communicate due to a limited proficiency in the English language. This limitation is often the result of an individual's national origin. Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English well.

To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the Volusia TPO's programs, services or activities.
2. The frequency with which LEP individuals come in contact with these programs, services or activities.
3. The nature and importance of the program, service, or activity to people's lives.
4. The resources available and the overall cost to the Volusia TPO.

The goal of the *Volusia Transportation Planning Organization (TPO) Limited English Proficiency (LEP) Access Plan* is to ensure that the Volusia TPO recognizes the needs of limited English proficient (LEP) members of the community and implements a plan to communicate effectively and ensure reasonable access to our processes, information and decision-making.

### **Background**

On August 11, 2000, the President issued Executive Order 13166, entitled "Improving Access to Services by Persons with Limited English Proficiency," 65 FR 50121 (August 16, 2000). On the same day, the Assistant Attorney General for Civil Rights at the U.S. Department of Justice (DOJ) issued a Policy Guidance Document, entitled "Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons With Limited English Proficiency" (*hereinafter referred to as "DOJ LEP Guidance"*), reprinted at 65 FR 50123 (August 16, 2000). In addition, the U.S. Department of Transportation (USDOT) issued a policy Guidance Document, titled "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons," reprinted at 70 FR 74087, dated December 14, 2005.

Executive Order 13166 requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to limited English

proficiency, cannot fully and equally participate in or benefit from those programs and activities. The DOJ LEP Guidance, in turn, advises each federal department or agency to "take reasonable steps to ensure 'meaningful' access [to LEP individuals] to the information and services they provide." [DOJ LEP Guidance, 65 FR at 50124]. The DOJ LEP Guidance goes on to provide that:

*[W]hat constitutes reasonable steps to ensure meaningful access will be contingent on a number of factors. Among the factors to be considered is the number or proportion of LEP persons in the eligible service population, the frequency with which LEP individuals come in contact with the program, the importance of the service provided by the program, and the resources available to the [agency].*

The DOJ LEP Guidance explains that the identification of "reasonable steps" to provide oral and written services in languages other than English is to be determined on a case-by-case basis through a balancing of all four factors. The DOJ LEP and USDOT Guidance focus principally on the obligation of federal departments and agencies extending federal financial assistance to clarify the long-standing legal obligation on the part of recipients of such assistance to address the language needs of their otherwise-eligible LEP beneficiaries. Executive Order 13166 applies this same obligation to programs and activities undertaken directly by a federal department or agency. Section 2 of the Executive Order directs each federal department or agency "to prepare a plan to improve access to . . . federally conducted programs and activities by eligible LEP persons . . . consistent with the standards set forth in the LEP Guidance . . ."

## II. Volusia TPO Factor Analysis

To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors. The following sections address each of these with respect to the Volusia TPO planning area.

### **Factor 1: Review of LEP Populations**

Understanding the needs of the community begins with identifying the number of Limited English Proficiency (LEP) persons eligible to be served, likely to be served or likely to be encountered by the Volusia TPO through its programs, services or activities. In an effort to determine potential LEP needs in the Volusia TPO planning area, staff reviewed data available through the U.S. Census Bureau American Fact Finder for the period of 2006 through 2011. Data collected for Volusia County indicated that 4.6% of households speak English "less than very well". A further breakdown of the data showed that 3.0% speak Spanish as the primary language. Other languages spoken in households that speak English "less than very well" include Indo-European (0.9%), Asian and Pacific Islander (0.4%) and Other (0.2%) (see Table 1). This information led staff to review the Spanish speaking LEP group to identify whether this population was concentrated into specific communities.

**Table 1: The Top Languages Spoken at Home in Volusia County**

Table 1: The Top Five Languages Spoken at Home in Volusia County (US Census Bureau’s 2006-2010 American Community Survey)						
Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons	LEP Persons who speak Spanish	LEP Persons who speak Indo-European Languages	LEP Persons who speak Asian and Pacific Islander Languages	LEP Persons who speak Other Languages
496,053	21,576	4.6%	3.0%	0.9%	0.4%	0.2%

After reviewing a breakdown of Volusia County Spanish LEP populations by city, (2006 – 2010 American Community Survey Five-Year Estimates), it became clear that much of the data was not statistically significant when viewed on a local level. However, the data did appear to indicate a slight concentration of Spanish speaking LEP persons in the city of Deltona (8.6%) and the town of Pierson (12.8%). Because the Volusia TPO realizes that statistical data can be outdated or inaccurate, TPO staff worked with the local public transit provider, Votran, to confirm estimates of LEP populations. Under the Title VI program, Spanish was reported to be the prevalent LEP language and the geographic locations of those populations were consistent with TPO analysis.

**Factor 2: Assessing Frequency of Contact with LEP Persons**

The results of the census data indicate that Spanish is the most prevalent language spoken by the LEP population in the area covered by the Volusia TPO. To date, the TPO has not received any requests for translation or interpretation of its programs, services or activities into Spanish or any other language. The TPO also translated and distributed a Spanish language version of a transportation survey during the development of its 2035 Long Range Transportation Plan (LRTP), and none were returned to the TPO. The TPO has not had any LEP attendees at public events. One exception, however, is the annual participation in the Univision Telefutera Fair, which is attended predominantly by Spanish speaking people. Informal estimates are that more than half of the encounters at this event are LEP.

**Factor 3: Assessing the Importance of TPO Programs**

All of the Volusia TPO programs are important; however, those related to safety, public transit, right-of-way, the environment, nondiscrimination and public involvement are among the most important. The TPO must ensure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be involved in the transportation planning process to be consistent with the goal of the Federal Environmental Justice Program and Policy.

**Factor 4: Determining Available Resources**

When planning any activity, it is imperative that an organization assess the resources available to conduct the activity in a way that is meaningful and balances those efforts with the overall cost to the organization. Given the size of the Spanish LEP population in the Volusia TPO area and current financial

constraints, full language translations of plan documents are not considered warranted or cost feasible at this time. However, the Volusia TPO is fortunate to house within its jurisdiction a number of institutions of higher education and military facilities, both of which have extensive language services. In addition, the TPO maintains cordial relationships with a number of faith-based and community organizations that offer competent language services at no cost to the TPO. The TPO will continually evaluate its programs, services and activities to ensure that persons who may be LEP are always provided with meaningful access.

The analyses of these four factors suggest that, although the costs for providing access are reasonable, the need is limited and extensive LEP services are not required at this time. Nevertheless, the Volusia TPO believes that Spanish language assistance is necessary for certain activities in order to provide broad access by members of the public.

### **III. Language Access Implementation Plan and Procedures**

A limited English proficiency plan helps management and staff members understand their roles and responsibilities with respect to overcoming language barriers for LEP individuals. It is a management roadmap that outlines how the agency defines tasks, assigns responsibility and allocates the resources necessary to come into or maintain compliance with language access requirements. It describes how the agency will meet the service delivery standards delineated in the policy directives, provide notice of language assistance services, provide staff training and conduct ongoing monitoring and evaluation. The following sections outline the activities to be taken by the Volusia TPO to comply with LEP needs.

#### **Administer LEP services by:**

1. Assign a staff member to oversee the LEP program; this includes the development and implementation of this plan and annually examining the LEP plan to ensure that it remains reflective of the community's needs.
2. Document the number and type of contacts by LEP persons and activities and events requiring LEP assistance.
3. Ensure Volusia TPO staff is familiar with the requirements and resources for LEP persons.

#### **Provide verbal translation as follows:**

1. The Census Bureau's "I Speak" language cards will be available at the TPOs reception desk and staff will be able to identify language needs in order to match them with available services.
2. Maintain a list of support contacts who competently speak Spanish and who are willing to provide translation and/or interpretation services. The resource list will be distributed to TPO staff.
3. Develop agreements with local agencies, colleges/universities and community partners to provide oral and written LEP services with reasonable notification.

4. Identify events and activities that may require a translator to ensure meaningful access by LEP persons.

**Provide written translation as follows:**

1. Provide meeting notifications in English and Spanish, where appropriate.
2. State in outreach documents that language services are available free of charge in a language LEP persons can understand.
3. Provide Spanish language outreach materials from other organizations including federal, state and local transportation agencies when possible.
4. Identify documents that will be provided in Spanish language format.

**LEP Services Required**

Given the four-factor analysis, the Volusia TPO has identified the following documents for translation into Spanish language format:

- The 2035 Long Range Transportation Plan (LRTP) Summary Report
- The Walk and Ride Bicycle & Pedestrian Safety Video
- Spanish language format will be made available on the TPO website

The TPO has also identified the following events and activities requiring a Spanish language translator:

- Univision Telefutura
- Public outreach events in Northwest Volusia

For questions or concerns regarding the Volusia TPOs commitment to nondiscrimination or to request LEP services, contact Pamela Blankenship, Title VI Coordinator, at (386) 226-0422 ext. 21 or by e-mail [PBlankenship@volusiatpo.org](mailto:PBlankenship@volusiatpo.org).

## MEETING SUMMARY

FEBRUARY 28, 2012

### VI. ACTION ITEMS

- B) REVIEW AND APPROVAL OF RESOLUTION 2012-07 SUPPORTING FLORIDA HOUSE OF REPRESENTATIVES BILL 405 AND FLORIDA SENATE BILL 1192 REGARDING PERSONS WITH DISABILITIES**

#### **Background Information:**

The two bills mentioned above would promote greater pedestrian safety especially for the blind and physically handicapped. The bills would require state law enforcement officials to supplement their current data collection efforts regarding pedestrian accidents and fatalities to include whether or not the individual involved was physically handicapped or transportation disadvantaged. In addition, the bills would require drivers' license tests to include expanded language and questions regarding the rights of the physically handicapped and transportation disadvantaged as they pertain to existing traffic laws and also require that law enforcement officials received supplemental training on these same rights.

Florida House Bill 405 and Senate Bill 1192 along with the Analysis and Fiscal Impact Statement of Senate Bill 1192 are provided with this agenda packet for reference purposes.

#### ***ACTION REQUESTED:***

***MOTION TO APPROVE RESOLUTION 2012-07 SUPPORTING FLORIDA HOUSE OF REPRESENTATIVES BILL 405 AND FLORIDA SENATE BILL 1192 REGARDING PERSONS WITH DISABILITIES***

**VOLUSIA TRANSPORTATION PLANNING ORGANIZATION**

**RESOLUTION 2012-07**

**RESOLUTION OF THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION SUPPORTING  
FLORIDA HOUSE OF REPRESENTATIVES BILL 405 AND RELATED FLORIDA SENATE BILL 1192  
REGARDING PERSONS WITH DISABILITIES**

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**WHEREAS**, the Volusia Transportation Planning Organization (VTPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process, including transportation disadvantaged planning as authorized by section 427.0159, Florida Statutes and Rule 41-2, Florida Administrative Code, for Volusia County and the cities of Beverly Beach and Flagler Beach in Flagler County; and

**WHEREAS**, the Volusia TPO is an active proponent of safety with regards to traffic, cyclists, pedestrians, and particularly the safety of those individuals that are mobility challenged such as the legally blind and individuals that are mobility impaired; and

**WHEREAS**, the Volusia TPO has, in the past and currently, funded and participated in educational programs for local law enforcement agencies regarding Florida Statutes and their application to pedestrian safety; and

**WHEREAS**, Florida House Bill 405 and Senate Bill 1192 would require law enforcement agencies in the State of Florida to report crimes affecting persons with disabilities, legally blind persons and persons who are mobility impaired including incidents of crashes involving legally blind persons and crashes involving mobility-impaired persons; and

**WHEREAS**, Florida House Bill 405 and Senate Bill 1192 would also require certain traffic law education programs to include the study of traffic laws to assist legally blind and mobility impaired persons and for driver education programs to include the same; and

**WHEREAS**, the Volusia TPO supports including the study of F.S. 316.1301 and traffic laws to assist legally blind and mobility-impaired persons in the curricula of every basic skills course required in order for law enforcement officers to obtain initial certification.

**NOW THEREFORE, BE IT RESOLVED** by the Volusia Transportation Planning Organization (VTPO) that the:

1. Volusia TPO supports Florida House of Representatives Bill 405 – Persons with Disabilities;

2. Volusia TPO supports Florida Senate Bill 1192 – Persons with Disabilities; and
3. the Chairperson of the TPO, or her designee, is hereby authorized and directed to transmit this resolution to the:
  - a. Governor, State of Florida;
  - b. Secretary of Transportation, United States
  - c. Secretary of Transportation, State of Florida;
  - d. Commissioner of Florida Department of Law Enforcement;
  - e. Director of Department of Highway Safety and Motor Vehicles;
  - f. Secretary of FDOT District 5;
  - g. East Central Florida Regional Planning Council;
  - h. Volusia and Flagler Legislative Delegation;
  - i. Members of the Central Florida MPO Alliance; and
  - j. Members of the TPO Board.

**DONE AND RESOLVED** at the regular meeting of the Volusia TPO on the **28th** day of **February, 2012.**

**VOLUSIA TRANSPORTATION PLANNING ORGANIZATION**

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**City of DeLand, Mayor Pro-Tem Leigh Matusick  
Chairperson, Volusia TPO**

**CERTIFICATE**

The undersigned duly qualified and acting Recording Secretary of the Volusia TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the Volusia TPO held on February 28, 2012.

**ATTEST:**

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**Pamela C. Blankenship, Recording Secretary**

1 A bill to be entitled  
 2 An act relating to persons with disabilities;  
 3 requiring law enforcement agencies to report certain  
 4 criminal activity and enforcement of certain laws to  
 5 the Department of Law Enforcement and the Department  
 6 of Highway Safety and Motor Vehicles; amending s.  
 7 322.12, F.S.; providing requirements for examination  
 8 questions pertaining to traffic laws relating to  
 9 legally blind and mobility impaired persons; amending  
 10 s. 322.095, F.S.; requiring certain traffic law  
 11 education programs to include the study of traffic  
 12 laws to assist legally blind and mobility impaired  
 13 persons; amending s. 943.17, F.S.; requiring the basic  
 14 skills course required in order for law enforcement  
 15 officers to obtain certification to include the study  
 16 of traffic laws to assist legally blind and mobility  
 17 impaired persons; amending s. 1003.48, F.S.; requiring  
 18 driver education programs to include study of traffic  
 19 laws to assist legally blind and mobility impaired  
 20 persons; providing an effective date.

21  
 22 Be It Enacted by the Legislature of the State of Florida:

23  
 24 Section 1. Law enforcement reports.—Each month, each law  
 25 enforcement agency in the state shall report crimes affecting  
 26 persons with disabilities, legally blind persons, and persons  
 27 who are mobility impaired to the Department of Law Enforcement  
 28 and report its enforcement of s. 316.1301, Florida Statutes, and

29 traffic laws to assist legally blind and mobility impaired  
 30 persons to the Department of Highway Safety and Motor Vehicles.  
 31 The report to the Department of Highway Safety and Motor  
 32 Vehicles shall include incidents of crashes involving legally  
 33 blind persons and crashes involving mobility impaired persons.  
 34 The Department of Law Enforcement and the Department of Highway  
 35 Safety and Motor Vehicles shall each provide procedures for the  
 36 collection and maintenance of the reports in the same manner as  
 37 other criminal activity and enforcement reports are collected  
 38 and maintained by that department.

39 Section 2. Subsection (6) is added to section 322.12,  
 40 Florida Statutes, to read:

41 322.12 Examination of applicants.—

42 (6) Each examination given for a Class E driver license or  
 43 a commercial driver license under this section must include one  
 44 question testing the applicant's knowledge of s. 316.1301 and  
 45 traffic laws to assist legally blind and mobility impaired  
 46 persons. In developing questions under this subsection, the  
 47 department shall emphasize pedestrian right of way when a driver  
 48 is making a right turn at an intersection.

49 Section 3. Subsection (1) of section 322.095, Florida  
 50 Statutes, is amended to read:

51 322.095 Traffic law and substance abuse education program  
 52 for driver ~~driver's~~ license applicants.—

53 (1) The Department of Highway Safety and Motor Vehicles  
 54 must approve traffic law and substance abuse education courses  
 55 that must be completed by applicants for a Florida driver  
 56 ~~driver's~~ license. The curricula for the courses must provide

57 | instruction on the physiological and psychological consequences  
 58 | of the abuse of alcohol and other drugs, the societal and  
 59 | economic costs of alcohol and drug abuse, the effects of alcohol  
 60 | and drug abuse on the driver of a motor vehicle, and the laws of  
 61 | this state relating to the operation of a motor vehicle. The  
 62 | curricula must also include the study of s. 316.1301 and traffic  
 63 | laws to assist legally blind and mobility impaired persons. All  
 64 | instructors teaching the courses shall be certified by the  
 65 | department.

66 | Section 4. Subsection (5) of section 943.17, Florida  
 67 | Statutes, is amended to read:

68 | 943.17 Basic recruit, advanced, and career development  
 69 | training programs; participation; cost; evaluation.—The  
 70 | commission shall, by rule, design, implement, maintain,  
 71 | evaluate, and revise entry requirements and job-related  
 72 | curricula and performance standards for basic recruit, advanced,  
 73 | and career development training programs and courses. The rules  
 74 | shall include, but are not limited to, a methodology to assess  
 75 | relevance of the subject matter to the job, student performance,  
 76 | and instructor competency.

77 | (5) The commission, in consultation with the Florida  
 78 | Violent Crime and Drug Control Council, shall establish  
 79 | standards for basic and advanced training programs for law  
 80 | enforcement officers in the subjects of investigating and  
 81 | preventing violent crime. The curricula of every basic skills  
 82 | course required in order for law enforcement officers to obtain  
 83 | initial certification must include the study of s. 316.1301 and  
 84 | traffic laws to assist legally blind and mobility impaired

HB 405

CORRECTED COPY

2012

85 | persons. After January 1, 1995, every basic skills course  
 86 | required in order for law enforcement officers to obtain initial  
 87 | certification must include training on violent crime prevention  
 88 | and investigations.

89 | Section 5. Subsection (1) of section 1003.48, Florida  
 90 | Statutes, is amended to read:

91 | 1003.48 Instruction in operation of motor vehicles.—

92 | (1) A course of study and instruction in the safe and  
 93 | lawful operation of a motor vehicle shall be made available by  
 94 | each district school board to students in the secondary schools  
 95 | in the state. As used in this section, the term "motor vehicle"  
 96 | shall have the same meaning as in s. 320.01(1)(a) and shall  
 97 | include motorcycles and mopeds. Instruction in motorcycle or  
 98 | moped operation may be limited to classroom instruction. The  
 99 | curricula of every course must include the study of s. 316.1301  
 100 | and traffic laws to assist legally blind and mobility impaired  
 101 | persons. The course shall not be made a part of, or a substitute  
 102 | for, any of the minimum requirements for graduation.

103 | Section 6. This act shall take effect July 1, 2012.

By Senator Lynn

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A bill to be entitled  
 An act relating to persons with disabilities;  
 requiring law enforcement agencies to report certain  
 criminal activity and enforcement of certain laws to  
 the Department of Law Enforcement and the Department  
 of Highway Safety and Motor Vehicles; amending s.  
 322.12, F.S.; providing requirements for examination  
 questions pertaining to traffic laws relating to  
 legally blind and mobility impaired persons; amending  
 s. 322.095, F.S.; requiring certain traffic law  
 education programs to include the study of traffic  
 laws to assist legally blind and mobility impaired  
 persons; amending s. 943.17, F.S.; requiring the basic  
 skills course required in order for law enforcement  
 officers to obtain certification to include the study  
 of traffic laws to assist legally blind and mobility  
 impaired persons; amending s. 1003.48, F.S.; requiring  
 driver education programs to include study of traffic  
 laws to assist legally blind and mobility impaired  
 persons; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Law enforcement reports.—Each month, each law enforcement agency in the state shall report crimes affecting persons with disabilities, legally blind persons, and persons who are mobility impaired to the Department of Law Enforcement and report its enforcement of s. 316.1301, Florida Statutes, and traffic laws to assist legally blind and mobility impaired

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30 persons to the Department of Highway Safety and Motor Vehicles.  
31 The report to the Department of Highway Safety and Motor  
32 Vehicles shall include incidents of crashes involving legally  
33 blind persons and crashes involving mobility impaired persons.  
34 The Department of Law Enforcement and the Department of Highway  
35 Safety and Motor Vehicles shall each provide procedures for the  
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44 question testing the applicant's knowledge of s. 316.1301 and  
45 traffic laws to assist legally blind and mobility impaired  
46 persons. In developing questions under this subsection, the  
47 department shall emphasize pedestrian right of way when a driver  
48 is making a right turn at an intersection.

49 Section 3. Subsection (1) of section 322.095, Florida  
50 Statutes, is amended to read:

51 322.095 Traffic law and substance abuse education program  
52 for driver ~~driver's~~ license applicants.—

53 (1) The Department of Highway Safety and Motor Vehicles  
54 must approve traffic law and substance abuse education courses  
55 that must be completed by applicants for a Florida driver  
56 ~~driver's~~ license. The curricula for the courses must provide  
57 instruction on the physiological and psychological consequences  
58 of the abuse of alcohol and other drugs, the societal and

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59 economic costs of alcohol and drug abuse, the effects of alcohol  
60 and drug abuse on the driver of a motor vehicle, and the laws of  
61 this state relating to the operation of a motor vehicle. The  
62 curricula must also include the study of s. 316.1301 and traffic  
63 laws to assist legally blind and mobility impaired persons. All  
64 instructors teaching the courses shall be certified by the  
65 department.

66 Section 4. Subsection (5) of section 943.17, Florida  
67 Statutes, is amended to read:

68 943.17 Basic recruit, advanced, and career development  
69 training programs; participation; cost; evaluation.—The  
70 commission shall, by rule, design, implement, maintain,  
71 evaluate, and revise entry requirements and job-related  
72 curricula and performance standards for basic recruit, advanced,  
73 and career development training programs and courses. The rules  
74 shall include, but are not limited to, a methodology to assess  
75 relevance of the subject matter to the job, student performance,  
76 and instructor competency.

77 (5) The commission, in consultation with the Florida  
78 Violent Crime and Drug Control Council, shall establish  
79 standards for basic and advanced training programs for law  
80 enforcement officers in the subjects of investigating and  
81 preventing violent crime. The curricula of every basic skills  
82 course required in order for law enforcement officers to obtain  
83 initial certification must include the study of s. 316.1301 and  
84 traffic laws to assist legally blind and mobility impaired  
85 persons. After January 1, 1995, every basic skills course  
86 required in order for law enforcement officers to obtain initial  
87 certification must include training on violent crime prevention

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88 and investigations.

89 Section 5. Subsection (1) of section 1003.48, Florida  
90 Statutes, is amended to read:

91 1003.48 Instruction in operation of motor vehicles.—

92 (1) A course of study and instruction in the safe and  
93 lawful operation of a motor vehicle shall be made available by  
94 each district school board to students in the secondary schools  
95 in the state. As used in this section, the term "motor vehicle"  
96 shall have the same meaning as in s. 320.01(1)(a) and shall  
97 include motorcycles and mopeds. Instruction in motorcycle or  
98 moped operation may be limited to classroom instruction. The  
99 curricula of every course must include the study of s. 316.1301  
100 and traffic laws to assist legally blind and mobility impaired  
101 persons. The course shall not be made a part of, or a substitute  
102 for, any of the minimum requirements for graduation.

103 Section 6. This act shall take effect July 1, 2012.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Transportation Committee

BILL: SB 1192

INTRODUCER: Senator Lynn

SUBJECT: Persons with Disabilities

DATE: January 23, 2012      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Looke	Buford	TR	<b>Pre-meeting</b>
2.	_____	_____	CJ	_____
3.	_____	_____	BC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This bill creates a new unnumbered section of the Florida Statutes which requires law enforcement agencies to report crimes affecting persons with disabilities, legally blind persons, and persons who are mobility impaired to the Florida Department of Law Enforcement (FDLE); and to report violations of s. 316.1301, F.S., entitled “traffic regulations to assist blind persons”, any other violations of traffic laws to assist legally blind persons and mobility impaired persons, and incidents of crashes involving such persons to the Department of Highway Safety and Motor Vehicles (DHSMV). FDLE and DHSMV are authorized to provide procedures to collect and maintain such reports in the same manner as other similar reports are collected.

This bill amends s. 322.12, F.S., so that driver license exams for Class E and commercial licenses must include one question testing the applicants knowledge of s. 316.1301, F.S, as well as other traffic laws to assist legally blind persons and mobility impaired persons, with particular emphasis given to pedestrian right of way when a driver is making a right turn at an intersection.

This bill amends s. 322.095, F.S., in order to add the study of s. 316.1301, F.S, as well as other traffic laws to assist legally blind persons and mobility impaired persons, to the course curricula for traffic law and substance abuse education courses.

This bill amends s. 943.17, F.S., to add the study of s. 316.1301, F.S, as well as other traffic laws to assist legally blind persons and mobility impaired persons, to the curricula of every basic skills course required for law enforcement officers to obtain initial certification.

This bill amends s. 1003.48, F.S., in order to add the mandatory study of s. 316.1301, F.S, as well as other traffic laws to assist legally blind persons and mobility impaired persons, to the course curricula of driver education programs available in secondary schools in the state.

## II. Present Situation:

### Law Enforcement Reporting:

#### FDLE

Currently, the FDLE collects data on crimes across the state through its uniform crime report (UCR) program. The current program, which was implemented for the first full year of crime reporting in 1989<sup>1</sup>, collects data according to the following hierarchy of types of crime<sup>2</sup>:

- Murder and Non-Negligent Manslaughter
- Sex Offenses
- Robbery
- Aggravated Assault
- Aggravated Stalking
- Burglary/Breaking and Entering
- Larceny/Theft
- Motor Vehicle Theft
- Simple Assault
- Arson

Between 1989 and 1995, the UCR system relied on monthly reports from the various law enforcement agencies around the state. However, since 1996, the system has moved to a semi-annual or annual reporting system.<sup>3</sup> Currently, no crime data is collected by FDLE relating to crimes against persons with disabilities, legally blind persons, and persons who are mobility impaired.<sup>4</sup>

#### DHSMV

Currently, in accordance with s. 316.066, F.S., all accidents must be recorded through the use of either a long form report or a short form report. The long form report is used to record accidents which involve death, personal injury, damage to a vehicle or property, or DUI. The short form is used to report all other types of accidents. Long form reports must be submitted to DHSMV within ten days completing the investigation. Short form reports are maintained by the agency for which the officer works.

<sup>1</sup> “Understanding Florida’s UCR Data”, The Florida Department of Law Enforcement, last viewed on 1/23/2012, <http://www.fdle.state.fl.us/Content/getdoc/685508bc-ce34-4423-b867-827ed0dc6fac/datahistory.aspx>

<sup>2</sup> “Uniform Crime Reports Guide Manual”, The Florida Department of Law Enforcement, 2008, last viewed on 1/23/2012, [http://www.fdle.state.fl.us/Content/getdoc/7fad02e4-96bd-46d9-82fc-4a5c46f0be22/datahistory\\_ucrmanual-1-.aspx](http://www.fdle.state.fl.us/Content/getdoc/7fad02e4-96bd-46d9-82fc-4a5c46f0be22/datahistory_ucrmanual-1-.aspx), p. 8.

<sup>3</sup> See note 1.

<sup>4</sup> “SENATE BILL #1192 Relating to Persons With Disabilities” analysis, the Florida Department of Law Enforcement, Jan 13, 2012, on file with the Transportation Committee.

Currently, DHSMV keeps a database of all uniform traffic citations (UTCs) which are issued statewide and also collects records of citation and disposition information which it receives from the county clerks of court.<sup>5</sup> DHSMV does not note the number of traffic citations involving disabled persons, legally blind persons, or mobility impaired persons.

#### **Driver License Examinations:**

Currently, the Florida Driver's Handbook, 2012, contains section 5.16.3 entitled "Persons Who are Blind" which includes advice as to how to recognize a blind pedestrian and which also states that "[d]rivers must always yield the right-of-way to persons who are blind. When a pedestrian is crossing a street or highway guided by a dog or carrying a white cane (or a white cane with a red tip), vehicles must come to a complete stop." Also, the Florida Driver's Handbook, 2012, contains section 5.16.4, entitled "Mobility-Impaired Persons", which states that "[d]rivers must yield the right-of-way to mobility-impaired persons and pedestrians utilizing the assistance of a guide dog or service animal. When a pedestrian is crossing a public street or highway and the pedestrian is using a walker, a crutch, or an orthopedic cane or wheelchair, **vehicles must come to a complete stop.**"

Currently, Driver's License exams are formulated by pulling random questions from a large pool of questions. Questions about mobility impaired persons or blind pedestrians may be, but are not guaranteed to be, tested on current driver's license examinations.

#### **Traffic Law and Substance Abuse Education Courses:**

Currently, s. 322.095, F.S., requires that the curricula for the courses developed under that section "must provide instruction on the physiological and psychological consequences of the abuse of alcohol and other drugs, the societal and economic costs of alcohol and drug abuse, the effects of alcohol and drug abuse on the driver of a motor vehicle, and the laws of this State relating to the operation of a motor vehicle." There is not presently any requirement to include s. 316.1301, F.S., or the traffic laws to assist legally blind and mobility impaired persons in the curricula under s. 322.095, F.S.

#### **Law Enforcement Basic Skills Course Curricula:**

According to FDLE, "the study of traffic laws to assist the blind is specifically covered throughout the law enforcement basic recruit training curriculum. The curriculum addresses types of blindness and their definitions, and additionally directs the basic recruit student to make special accommodations for suspects, victims and witnesses who are visually impaired. Law enforcement basic recruit trainees are provided similar guidance with regard to traffic regulations to assist the blind."<sup>6</sup>

<sup>5</sup> "2010 Florida Uniform Traffic Citation Statistics Report" cover letter, Department of Highway Safety and Motor Vehicles, last viewed on 1/23/2012, <http://www.flhsmv.gov/reports/2010UTCStats/UTCCoverLetter.pdf>

<sup>6</sup> "SENATE BILL #1192 Relating to Persons With Disabilities" analysis, the Florida Department of Law Enforcement, Jan 13, 2012, on file with the Transportation Committee.

The following is excerpted from the 2010 law enforcement basic recruit textbook:

## **Chapter 4—Human Issues**

According to the ADA, an individual with a disability is a person who has a physical or mental impairment that substantially limits a major life activity, has a record of such impairment, or is regarded as having such an impairment (IN006.1.I.6.). An **impairment** is defined as any mental or physiological condition that impedes the completion of daily tasks using traditional methods. Examples of impairments are blindness, severe breathing limitation, deafness, inability to use arms or legs, paranoia, or schizophrenia.

**IN006.1.J.3.** Define blindness and partially sighted.

### **Vision Impairments**

Vision impairment refers to a loss or partial loss of vision. There are several types and degrees of visual impairments. People who have visual impairments, such as blindness or partial sight, meet the ADA definition of disability.

The types of vision impairments that an officer will encounter most often are blindness and partial sight. **Blindness** is a functional loss of vision. This definition applies both to people who cannot see at all (are unable to distinguish light from dark) and people who have some vision in one or both eyes. In fact, 80 to 90 percent of people who are blind or visually impaired have some vision. **Partial sight** is a visual impairment in which, after correction, objects still look dim or out of focus. People with partial sight may not see color well or at all or may lack peripheral vision, but they can still see and even read with magnifiers or other aids. (IN006.1.J.3.)

An officer should make special accommodations for suspects, victims, and witnesses who are visually impaired. When people cannot see, they may be afraid. The officer should reassure a crime victim that the assailant is no longer present. A person with a visual impairment who is arrested must be given large-print versions of any written documents that require the suspect's signature or have the documents read to him or her. A witness with a visual impairment may provide useful and reliable nonvisual observations. People deprived of one sense often develop their four other senses to make up for the loss. Their nonvisual observations may assist with investigations. (IN006.2.D.)

## **Chapter 5: Patrol 1**

### **IN006.1.J.4. Identify traffic regulations to assist the blind.**

An officer's job when directing traffic is to maintain safety for drivers and pedestrians. Officers should be especially aware of pedestrians who are totally or partially blind, guided by a dog, or carrying a white cane or a white cane tipped in red. F.S. § 316.1301 states:

Whenever a pedestrian is crossing, or attempting to cross, a public street or highway, guided by a dog guide or carrying in a raised or extended position a cane or walking stick

which is white in color or white tipped with red, the driver of every vehicle approaching the intersection or place where the pedestrian is attempting to cross shall bring his or her vehicle to a full stop before arriving at such intersection or place of crossing and, before proceeding, shall take such precautions as may be necessary to avoid injuring such pedestrian. A person who is convicted of a violation of this subsection is guilty of a moving violation.

While a white tipped cane or guide dog are clues of a pedestrian's partial or total blindness, all pedestrians should be afforded the same rights when crossing a public street or highway. Officers should also be aware that it is unlawful for any person not partially or totally blind or otherwise incapacitated to carry a white cane in a raised or extended way. Any person convicted of such a violation is guilty of a misdemeanor of the second degree. (IN006.1.J.4.)<sup>7</sup>

### **Driver's Education Courses in Secondary Schools:**

Currently, the district school board determines the manner in which the curricula for courses is developed pursuant to s. 1003.48, F.S. As such, the curricula may vary between districts and there is no set requirement to study s. 316.1301, F.S., or traffic laws to assist legally blind and mobility impaired persons.

### **III. Effect of Proposed Changes:**

**Section 1** of this bill creates a new unnumbered section of the Florida Statutes which requires law enforcement agencies to report crimes affecting persons with disabilities, legally blind persons, and persons who are mobility impaired to the Florida Department of Law Enforcement (FDLE); and to report violations of s. 316.1301, F.S., entitled "traffic regulations to assist blind persons," any other violations of traffic laws to assist legally blind persons and mobility impaired persons, and incidents of crashes involving such persons to the Department of Highway Safety and Motor Vehicles (DHSMV). FDLE and DHSMV are authorized to provide procedures to collect and maintain such reports in the same manner as other similar reports are collected.

**Section 2** of this bill amends s. 322.12, F.S., so that driver license exams for Class E and commercial licenses must include one question testing the applicants knowledge of s. 316.1301, F.S, and other traffic laws to assist legally blind persons and mobility impaired persons, with particular emphasis given to pedestrian right of way when a driver is making a right turn at an intersection.

**Section 3** of this bill amends s. 322.095, F.S., in order to add the study of s. 316.1301, F.S, as well as other traffic laws to assist legally blind persons and mobility impaired persons, to the course curricula for traffic law and substance abuse education courses.

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<sup>7</sup> For complete descriptions, go to [http://www.fdle.state.fl.us/Content/getdoc/8c0fb0b7-3ef5-4cf2-ab9e-6627bb0f2037/FLBRC-LEV1-2011-07-\(1\).aspx](http://www.fdle.state.fl.us/Content/getdoc/8c0fb0b7-3ef5-4cf2-ab9e-6627bb0f2037/FLBRC-LEV1-2011-07-(1).aspx)

**Section 4** of this bill amends s. 943.17, F.S., to add the study of s. 316.1301, F.S, as well as other traffic laws to assist legally blind persons and mobility impaired persons, to the curricula of every basic skills course required for law enforcement officers to obtain initial certification.

**Section 5** of this bill amends s. 1003.48, F.S., in order to add the mandatory study of s. 316.1301, F.S, as well as other traffic laws to assist legally blind persons and mobility impaired persons, to the course curricula of driver education programs available in secondary schools in the state.

**Section 6** of this bill creates an effective date of July 1, 2012.

**Other Potential Implications:**

FDLE requests the effective date be moved to January 1, 2013 in order to begin collection in line with current UCR submission guidelines.<sup>8</sup>

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

**Section 3:** There are 22 organizations that provide courses amended by this bill and which will likely experience a direct, but indeterminate fiscal impact due to the need to expand the curricula to meet the bill requirements.

C. Government Sector Impact:

**FDLE:** “There is no cost associated with including these provisions in the law enforcement basic recruit training [section 4] because the existing curriculum already

<sup>8</sup> “SENATE BILL #1192 Relating to Persons With Disabilities” analysis, the Florida Department of Law Enforcement, Jan 13, 2012, on file with the Transportation Committee.

addresses the issue. Also, FDLE would require 512 hours of contract programming (\$38,400) and equipment in the amount of \$2,000 to complete this project” (section 1).<sup>9</sup>

**DHSMV:** The provisions of section 1 will likely cause an indeterminate fiscal impact on DHSMV. The provisions of section 2 may cause an indeterminate fiscal impact on DHSMV which will likely be minor because, according to DHSMV, “[t]he modifications to include the question would be simple.”<sup>10</sup>

**Local Law Enforcement Agencies:** The provisions of section 1 will likely cause an indeterminate but significant fiscal impact on local law enforcement agencies due to having to rework their current reporting systems.

**School Districts:** The provisions of section 5 may cause an indeterminate fiscal impact on local school districts; however, it will likely be minimal.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

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<sup>9</sup> “SENATE BILL #1192 Relating to Persons With Disabilities” analysis, the Florida Department of Law Enforcement, Jan 13, 2012, on file with the Transportation Committee.

<sup>10</sup> Florida Department of Highway Safety and Motor Vehicles, *Agency Bill Analysis, SB 1974* (on file with the Senate Transportation Committee)

## MEETING SUMMARY

FEBRUARY 28, 2012

### VII. PRESENTATIONS, STATUS REPORTS, AND DISCUSSION ITEMS

#### A) PRESENTATION ON DRAFT FY 2012/13 – 2013/14 UNIFIED PLANNING WORK PROGRAM (UPWP)

##### **Background Information:**

Every two years, the Volusia TPO is required to develop and submit a Unified Planning Work Program (UPWP) to both the state and federal government. This document discusses the role of the TPO, its planning efforts and any special studies that are to be undertaken in that two-year span. The UPWP provides detailed information on how and where the planning funds which the TPO receives from FHWA and FTA will be spent.

The document was developed by TPO staff with input provided by the UPWP Subcommittee and is being presented for review and comment. A summary of the tasks included in the proposed UPWP document is included with this agenda. A more detailed draft of the UPWP is available on the TPO's website at <http://www.volusiatpo.org/resources/planning-documents/>. A final document will be presented in March for adoption.

***ACTION REQUESTED:***

***NO ACTION REQUIRED UNLESS OTHERWISE DIRECTED BY THE TPO BOARD***

## FY 2012/13 – 2013/14 Unified Planning Work Program (UPWP)

### *DRAFT Program Summary*

Activities begin July 1, 2012 and extend through June 30, 2014

UPWP Section/Task	Funding Year 1 & 2	General Description
<b>1.0 Administration &amp; Program Development</b>		
<b>1.01 General Administration &amp; Program Support</b>	\$364,232 / \$352,964	Organizational Management & Development, Financial Administration, Board Retreat, Reports, Publications & Printing, Meeting Support and Agenda Development, Administrative Staff, Training.
<b>1.02 Information Technology Systems &amp; Website Support</b>	\$62,503 / \$34,308	Information Technology/Management Information Systems Support, Web Hosting Site Updates (includes consultant fees and TPO staff support), Equipment Purchase & Replacement.
<b>1.03 Public Involvement</b>	\$29,146 / \$10,723	Public Involvement Plan, Miscellaneous Outreach Activities and Public Relations, Press Releases & Public Notice, Limited English Proficiency Plan & Title VI.
<b>2.0 FDOT Support &amp; Planning</b>		
<b>2.01 FDOT Support &amp; Planning</b>	\$172,885 / \$152,974	FDOT funding that provides VTPO support activities.
<b>3.0 Planning Projects &amp; Programs</b>		
<b>3.01 UPWP (&amp; Amendment)</b>	\$19,131 / \$41,214	Updates to the existing UPWP after Reapportionment, Developing the next 2-year UPWP, Miscellaneous updates as needed.
<b>3.02 TIP (&amp; Amendment)</b>	\$50,743 / \$53,295	Updates to the existing TIP after Reapportionment, Annual development of the TIP & call for projects, Miscellaneous updates.

<b>3.03 Transportation Data Information Management</b>	\$52,948/ \$54,807	Maintaining the Project Tracking Database, Developing a Data Resource Portal on the VTPO Web-site, Traffic & Safety Data Coordination, Model Data Management, Miscellaneous
<b>3.04 Corridor Improvement Programs &amp; Studies</b>	\$275,572 / \$267,412	Project management for CIP studies (includes consultant fees and TPO Project Management). Support provided for studies such as ISB Coalition, various PD&E's, Project Design, etc. Support transitioning communities with developing sustainability plans, mobility plans, transit supportive development, transit corridors, comprehensive plan changes and funding options (includes consultant fees and VTPO staff time).
<b>3.05 State / Regional Planning &amp; Coordination</b>	\$20,179 / \$20,857	Participation & support for the Central Florida MPO Alliance, Grants Coordination & Support, MPOAC & FDOT Quarterly Meetings, etc.
<b>3.06 Technical Assistance to Small Communities</b>	\$25,145 / \$29,328	Project Development and Engineering Assistance to enable small cities full access to the TPO process and funding opportunities (includes consultant fees and TPO Project Management)
<b>3.07 ITS/Traffic Ops/Safety Project Feasibility Studies (LAP)</b>	\$99,340 / \$90,965	Funding for the completion of Feasibility Projects under the ITS/Traffic Op.'s/Safety Priority List (includes consultant fees and TPO Project Management)
<b>3.08 Community Transportation Survey</b>	\$35,346 / \$35,538	Coordinate the development of a community transportation survey (includes consultant fees and TPO Project Management).
<b>3.09 2040 LRTP (LAP)</b>	\$412,725 / \$42,515	Data collection, financial forecasting, modeling, public outreach, environmental justice, congestion management, freight & safety, alternatives development, meetings and project coordination (includes consultant fees and TPO Project Management).
<b>3.10 General Planning Studies &amp; Initiatives</b>	\$20,311 / \$23,201	Includes miscellaneous transportation planning opportunities that are in development (ATMS / ITS Architecture, Model Input data collection/micro-surveys, post-reapportionment needs, etc.).

## 4.0 Bicycle, Pedestrian & Safety Programs

<b>4.01 Community Safety Programs</b>	\$21,579 / \$22,351	Various safety program initiatives, helmet fittings, community traffic safety team support, etc.
<b>4.02 Bike-Pedestrian Planning &amp; Implementation</b>	\$47,189 / \$48,499	Miscellaneous program support, BPAC meetings, development of bike map and bicycle and pedestrian plan.
<b>4.03 Bike-Pedestrian Feasibility Studies (LAP)</b>	\$99,527 / \$90,965	Funding for the completion of Feasibility Projects under the ITS/Traffic Op.'s/Safety Priority List (includes consultant fees and TPO Project Management).
<b>4.04 Pedestrian Safety Enforcement Program</b>	\$7,596 / \$7,868	Law enforcement education effort (grant funded).
<b>4.05 Master Planning Assistance to Small Communities</b>	\$7,596 / \$7,868	TPO staff support to small communities to develop bicycle and pedestrian plans within their communities.
<b>4.06 Safety Village</b>	\$8,253 / \$10,909	Coordinate activities, develop concept and partnerships and explore funding opportunities for a Safety Village.

## 5.0 Transit & Transportation Disadvantaged Programs

<b>5.01 Transit Planning &amp; TD Program</b>	\$79,414 / \$81,923	VTPO public transportation planning support to Votran and Transportation Disadvantaged program support activities. Data reporting, TDLCB support, GIS support, oversight of the CTC.
<b>5.02 Flex Route Service</b>	\$25,730 / \$0	Review and analysis of Flex Route service.
<b>5.03 Transit Planning Support - Continuing Contract</b>	\$23,542 / \$3,669	General Planning Consultant services.

## 6.0 Reapportionment

**6.01 Reapportionment Activities**

\$82,868 / \$42,219

Census Data, Coordination Meetings, Negotiation , ICAR, Various Legal Documentation, 2035 LRTP Amendment, New Member Orientation , Community Relations, Update Literature

DRAFT

## MEETING SUMMARY

FEBRUARY 28, 2012

### VII. PRESENTATIONS, STATUS REPORTS AND DISCUSSION ITEMS

#### B) PRESENTATION ON THE PEDESTRIAN SAFETY ENFORCEMENT AT CROSSWALKS PROGRAM

##### **Background Information:**

Dr. Malenfant and Dr. Van Houten, the two senior researchers at the Center for Education and Research in Safety (CERS), have been providing pedestrian and bicycle safety enforcement workshops for more than 20 years. They have recently developed a research-based, comprehensive, low-cost police enforcement campaign that is easy to implement. It is designed to produce robust increases in drivers yielding to pedestrians at crosswalks while generating interested agency buy-in, positive media and community support. The Volusia TPO is working with CERS to provide Pedestrian Safety Police Enforcement Workshops to the cities of Daytona Beach Shores, DeLand, Flagler Beach and Holly Hill.

***ACTION REQUESTED:***

***NO ACTION REQUIRED UNLESS OTHERWISE DIRECTED BY THE TPO BOARD***

## MEETING SUMMARY

FEBRUARY 28, 2012

### VII. PRESENTATIONS, STATUS REPORTS AND DISCUSSION ITEMS

#### C) STATUS UPDATE/PRESENTATION ON US 1 CORRIDOR IMPROVEMENT PROGRAM

##### **Background Information:**

The Corridor Improvement Program (CIP) is Task 5.08 in the Volusia TPO's adopted Unified Planning Work Program (UPWP). Under this task, the TPO is pursuing coordinated efforts to help improve the safety and operational efficiency of corridors for all users of the transportation system.

The Phase I Assessment of the US 1/SR 5 corridor includes the collection and review of pertinent studies, plans and analyses that have been completed to-date. This includes, but is not limited to PD&E's, crash data, master plans, transportation concurrency exception areas (TCEA's), comprehensive plans, transportation studies, community redevelopment area (CRA) plans, overlay districts, and the Transit Development Plan (TDP). The US 1/SR 5 corridor review and assessment activities are being conducted concurrently in the following sections:

- Section 1: US 1/SR 5 Rose Bay north to I-95 in Ormond Beach
- Section 2: US 1/SR 5 Rose Bay south to the Brevard County line

This assessment is being undertaken with an eye towards identifying conflicts and commonalities between the identified plans and studies.

Kittelson & Associates, Inc. is the consultant that is conducting this study and they will be providing the committees and TPO Board with an update on the status of this assessment.

***ACTION REQUESTED:***

***NO ACTION REQUIRED UNLESS OTHERWISE DIRECTED BY THE TPO BOARD***

**MEETING SUMMARY**

**FEBRUARY 28, 2012**

**VII. PRESENTATIONS, STATUS REPORTS AND DISCUSSION ITEMS**

**) ) PRESENTATION ON THE MAJOR UPDATE OF THE TRANSPORTATION DISADVANTAGED SERVICE PLAN (TDSP) 2012-2017**

**Background Information:**

The Transportation Disadvantaged Service Plan (TDSP) is a cooperative effort between the Volusia TPO and Votran who is Volusia County's Community Transportation Coordinator (CTC). The TDSP must be developed and maintained for each service area as recognized by the TD Commission. This Service Plan requires annual updates and covers a five-year period. The development and submission of the Service Plan and the annual updates are the responsibility of the CTC, the Planning Agency, and the Local Coordinating Board. The planning agency is responsible for ensuring that the TDSP is completed, approved and signed by the TDLCB.

A draft of the TDSP document is available at: <http://www.votran.org/TDSP.pdf>

Staff will be providing a brief presentation on this TDSP major update.

***ACTION REQUESTED:***

***NO ACTION REQUIRED UNLESS OTHERWISE DIRECTED BY THE TPO BOARD***

## MEETING SUMMARY

FEBRUARY 28, 2012

### VII. PRESENTATIONS, STATUS REPORTS AND DISCUSSION ITEMS

#### E) PRESENTATION ON THE 2012 VOLUSIA COUNTY BICYCLING MAP FOR THE EXPERIENCED CYCLIST

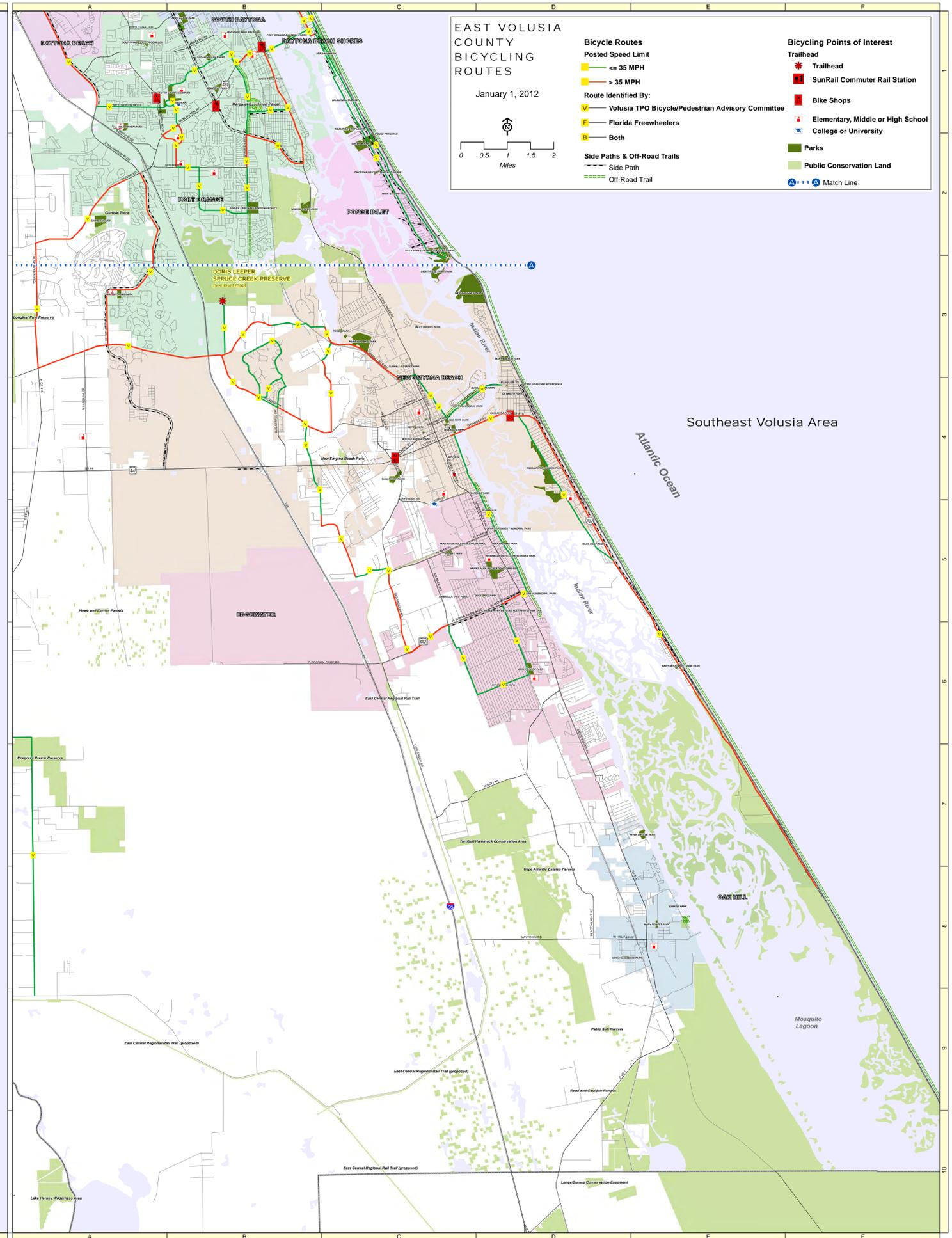
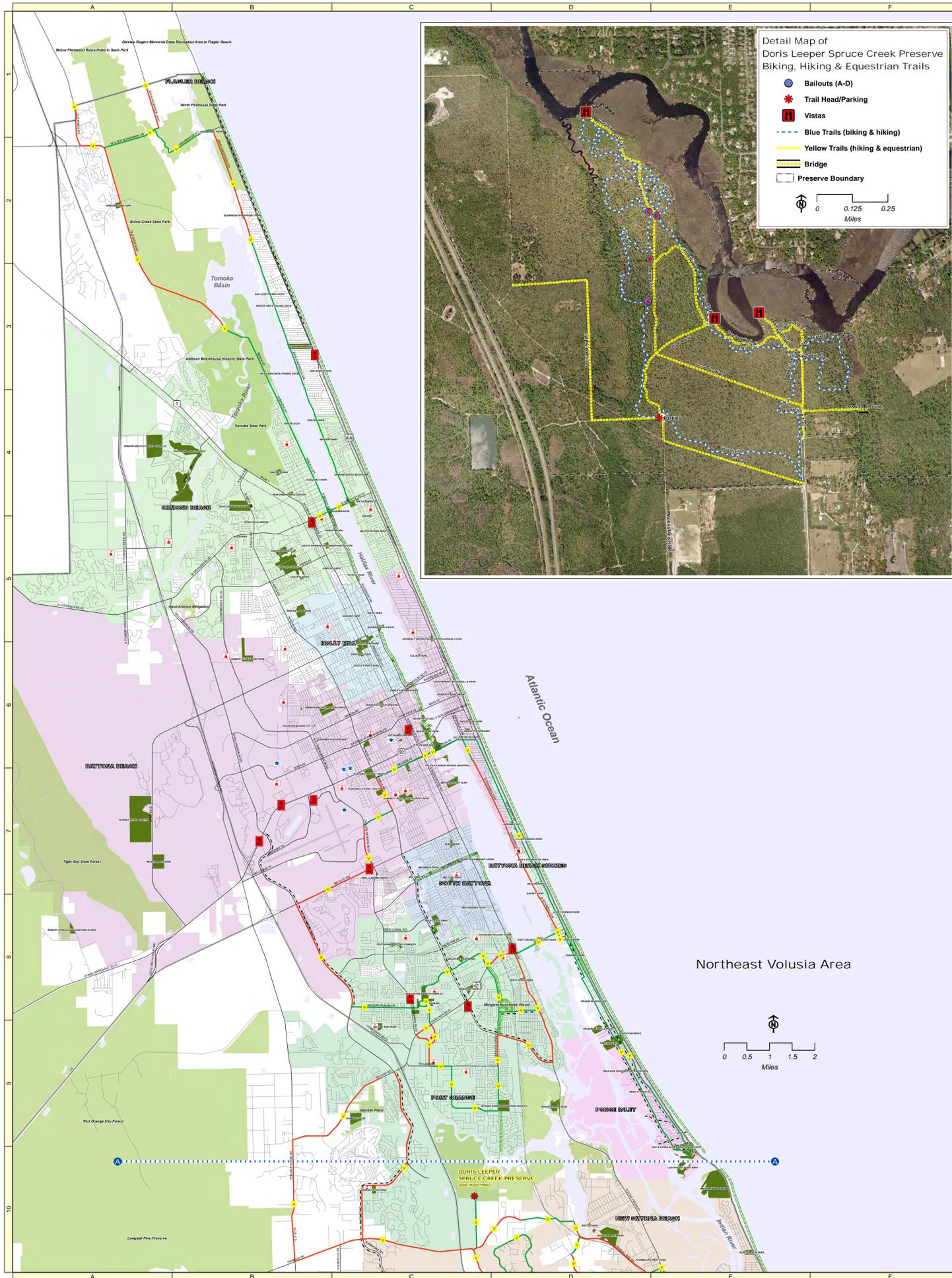
##### **Background Information:**

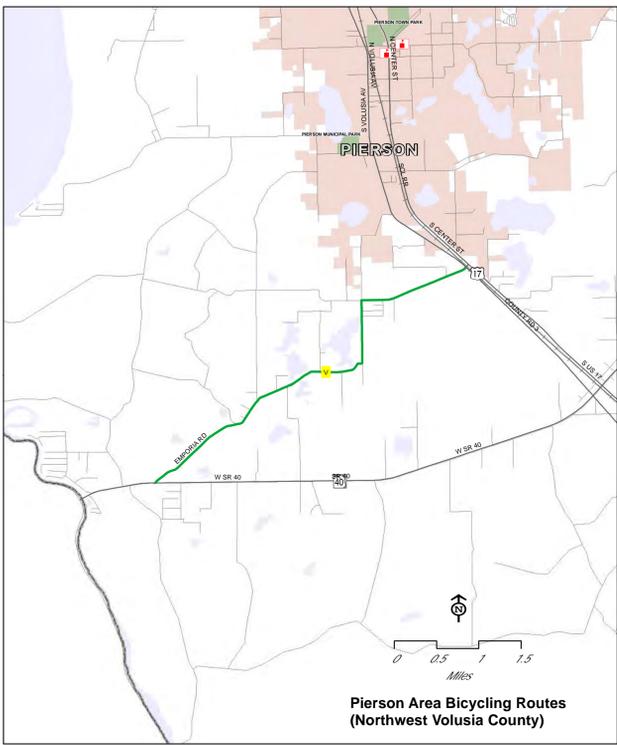
The Volusia County Bicycling Map for the Experienced Cyclist is a portable, countywide, graphic representation of bicycle facilities and suggested bicycle routes. The map is intended for use as a navigation tool by experienced bicyclists and the public. This is the first revision of the bicycle map was originally published in 2009.

The draft bicycling maps are included with the agenda for your information and are also available on the TPO's website at: <http://www.volusiatpo.org/bicycle-pedestrian-program/maps/>.

***ACTION REQUESTED:***

***NO ACTION REQUIRED UNLESS OTHERWISE DIRECTED BY THE TPO BOARD***





**A MESSAGE FROM THE  
BICYCLE & PEDESTRIAN ADVISORY COMMITTEE (BPAC)  
CHAIRPERSON**

The BPAC is proud to present the second "Volusia County Bicycling Map", a resource that will help enable bicyclists to explore the natural beauty of Volusia County and provide for the safe and efficient movement of vehicles.

The mission of the Volusia TPO's Bicycle and Pedestrian Advisory Committee (BPAC) is to "create and implement a regional plan for the continuing enhancement and expansion of the bicycle and pedestrian network. We support activities that encourage and provide for a safe and balanced transportation system that promotes connectivity, mobility, health and an improved quality of life." The Volusia County Bicycling Map advances this mission, as well as our goal to identify and map existing and proposed facilities throughout the County.

Thousands of residents and visitors enjoy riding their bicycles in our communities. The abundance of sunshine and pleasant weather as well as a growing system of multi-use trails and bicycle lanes and exciting destinations provide opportunities for bicyclists to travel for health, recreation and transportation.

Sincerely,  
*A.J. Davies*  
A.J. Davies, Chairperson  
Bicycle & Pedestrian Advisory Committee, 2010 - 2012

**STATEMENT OF PURPOSE**

The Volusia County Bicycling Map for the Experienced Cyclist is a portable, countywide, graphic representation of bicycle facilities and suggested bicycle routes. The map is intended for use as a reference locator by experienced bicyclists and the general public. Bicyclists assume the risks of their own safety when using the roadways and/or bicycle facilities indicated on this map. Please refer to the accompanying disclaimer for additional usage information.

**WEBSITE INFORMATION**

Bike Florida, Inc.  
[www.bikeflorida.org](http://www.bikeflorida.org)

Doris Leeper Spruce Creek Preserve and Recreation Area  
[www.volusia.com/spruce](http://www.volusia.com/spruce)

Florida Bicycle Association, Inc.  
[www.floridabicycle.org](http://www.floridabicycle.org)

Florida Department of Transportation Bicycle-Bicycle Program  
[www.dot.state.fl.us/safetyped\\_bikeped\\_bike.htm](http://www.dot.state.fl.us/safetyped_bikeped_bike.htm)

Florida Pedestrian & Bicycling Safety Resource Center  
[www.floridapebsec.org](http://www.floridapebsec.org)

Rehlink (FPOF Director & Regional Commuter Assistance Program)  
[www.rehlink.com/commute](http://www.rehlink.com/commute)

SunRail Commuter Rail Transit System  
[www.sunrail.com](http://www.sunrail.com)

Volusia County Parks, Recreation & Culture  
[www.volusia.com/parks](http://www.volusia.com/parks)

Volusia County Trails Program  
[www.volusia.org/trails](http://www.volusia.org/trails)

Volusia County Transit System - Votran  
[www.votran.org](http://www.votran.org)

**2011 FLORIDA STATUTES**

316.2065 Bicycle regulations.—

(1) Every person propelling a vehicle by human power has all of the rights and all of the duties applicable to the driver of any other vehicle under this chapter, except as to special regulations in this chapter, and except as to provisions of this chapter which by their nature can have no application.

(2) A person operating a bicycle may not ride other than upon or astride a permanent and regular seat attached thereto.

(3)(a) A bicycle may not be used to carry more persons at one time than the number for which it is designed or equipped, except that an adult rider may carry a child securely attached to his or her person in a backpack or sling.

(b) Except as provided in paragraph (a), a bicycle rider must carry any passenger who is a child under 4 years of age, or who weighs 40 pounds or less, in a seat or carrier that is designed to carry a child of that age or size and that secures and protects the child from the moving parts of the bicycle.

(c) A bicycle rider may not allow a passenger to remain in a child seat or carrier on a bicycle when the rider is not in immediate control of the bicycle.

(d) A bicycle rider or passenger who is under 16 years of age must wear a bicycle helmet that is properly fitted and is fastened securely upon the passenger's head by a strap and that meets the standards of the American National Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards of the Snell Memorial Foundation (1984 Standard for Protective Headgear for Use in Bicycling), or any other nationally recognized standards for bicycle helmets adopted by the department. As used in this subsection, the term "passenger" includes a child who is riding in a trailer or semitrailer attached to a bicycle.

(e) Law enforcement officers and school crossing guards may issue a bicycle safety brochure and a verbal warning to a bicycle rider or passenger who violates this subsection. A bicycle rider or passenger who violates this subsection may be issued a citation by a law enforcement officer and assessed a fine for a pedestrian violation, as provided in s. 318.18. The court shall dismiss the charge against a bicycle rider or passenger for a first violation of paragraph (d) upon proof of purchase of a bicycle helmet that complies with this subsection.

(4) No person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle may attach the same or himself or herself to any vehicle upon a roadway. This subsection does not prohibit attaching a bicycle trailer or bicycle semitrailer to a bicycle if that trailer or semitrailer is commercially available and has been designed for such attachment.

(5)(a) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride in the lane marked for bicycle use, or, if no lane is marked for bicycle use, as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

- When overtaking and passing another bicycle or vehicle proceeding in the same direction.
- When preparing for a left turn at an intersection or at a private road or driveway.
- When reasonably necessary to avoid any condition, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, or substandard-width lane, that makes it unsafe to continue along the right-hand curb or edge. For the purposes of this subsection, a "substandard-width lane" is a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.

(b) Any person operating a bicycle upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.

(6) Persons riding bicycles upon a roadway may not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast may not impede traffic when traveling at less than the normal speed of traffic at the time and place and under the conditions then existing and shall ride within a single lane.

(7) Any person operating a bicycle shall keep at least one hand upon the handlebars.

(8) Every bicycle in use between sunset and sunrise shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the

front and a lamp and reflector on the rear each exhibiting a red light visible from a distance of 600 feet to the rear. A bicycle or its rider may be equipped with lights or reflectors in addition to those required by this section.

(9) No parent of any minor child and no guardian of any minor ward may authorize or knowingly permit any such minor child or ward to violate any of the provisions of this section.

(10) A person propelling a vehicle by human power upon and along a sidewalk, or across a roadway upon and along a crosswalk, has all the rights and duties applicable to a pedestrian under the same circumstances.

(11) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

(12) No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, may go upon any roadway except while crossing a street on a crosswalk; and, when so crossing, such person shall be granted all rights and shall be subject to all of the duties applicable to pedestrians.

(13) This section shall not apply upon any street while set aside as a play street authorized herein or as designated by state, county, or municipal authority.

(14) Every bicycle shall be equipped with a brake which will enable its rider to stop the bicycle within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement.

(15) A person engaged in the business of selling bicycles at retail shall not sell any bicycle unless the bicycle has an identifying number permanently stamped or cast on its frame.

(16)(a) A person may not knowingly rent or lease any bicycle to be ridden by a child who is under the age of 16 years unless:

- The child possesses a bicycle helmet; or
- The lessor provides a bicycle helmet for the child to wear.

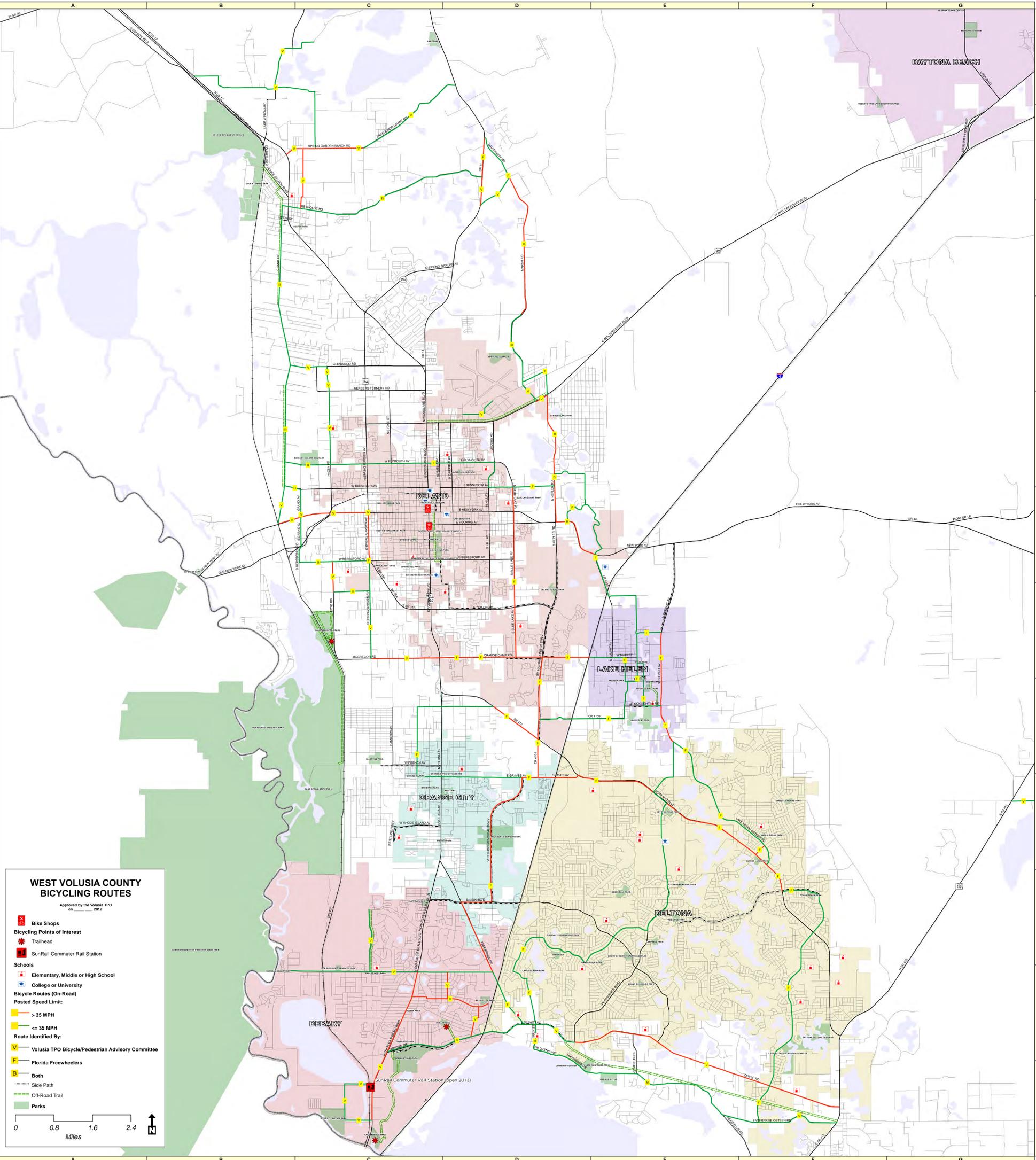
(b) A violation of this subsection is a nonmoving violation, punishable as provided in s. 318.18.

(17) The court may waive, reduce, or suspend payment of any fine imposed under subsection (3) or subsection (16) and may impose any other conditions on the waiver, reduction, or suspension. If the court finds that a person does not have sufficient funds to pay the fine, the court may require the performance of a specified number of hours of community service or attendance at a safety seminar.

(18) Notwithstanding s. 318.21, all proceeds collected pursuant to s. 318.18 for violations under paragraphs (3)(c) and (16)(b) shall be deposited into the State Transportation Trust Fund.

(19) The failure of a person to wear a bicycle helmet or the failure of a parent or guardian to prevent a child from riding a bicycle without a bicycle helmet may not be considered evidence of negligence or contributory negligence.

(20) Except as otherwise provided in this section, a violation of this section is a noncriminal traffic infraction, punishable as a pedestrian violation as provided in chapter 318. A law enforcement officer may issue traffic citations for a violation of subsection (3) or subsection (16) only if the violation occurs on a bicycle path or road, as defined in s. 314.43. However, a law enforcement officer may not issue citations to persons on private property, except any part thereof which is open to the use of the public for purposes of vehicular traffic.



## MEETING SUMMARY

FEBRUARY 28, 2012

### VII. PRESENTATIONS, STATUS REPORTS, AND DISCUSSION ITEMS

#### F) FDOT REPORTS

##### **Background Information:**

Mr. Steve Friedel, FDOT, will be present to answer questions regarding projects on the FDOT Project Status Report, Construction Report, and Push-Button Report.

The FDOT Project Status Report, Construction Report and Push-Button Report are included in the agenda packet for your review.

***ACTION REQUESTED:***

***NO ACTION REQUIRED UNLESS OTHERWISE DIRECTED BY THE TPO BOARD***

## Volusia County

### Construction in Progress

1. **US 92** - Resurface 12.6 miles from Kepler Road to the end of concrete pavement (FM No. 4220241/2) and convert flashing beacon to full signal at West Parkway intersection (FM No. 423864). Superior Construction Company Southeast was awarded the \$13,651,579 contract January 19. Work began March 21.
2. **SR 40 & SR 430**- Mast arm replacements at various intersections along SR 40 and SR 430 including: SR 430 and Grandview Ave, SR 430 and Wild Olive Ave, SR 430 and N. Oleander Ave, SR 430 and N. Peninsula Dr, SR 430 and Halifax Ave, SR 40 and Beach St, SR 40 and John Anderson Dr, SR 40 and Halifax Dr (FM No. 428926). Traffic Control Devices was awarded the \$817,450 design-build contract March 18. Work began April 4.

### Near Future Construction

1. **SR 5A (Nova Road)** - Convert intersection with US 1 to a standard "T" intersection and construct dual left turn lanes from Nova Road to northbound US 1 in Ormond Beach (FM No. 425665). The estimated cost is \$300,000 with construction scheduled to begin May 2012.

### Other Projects Pending

1. **Interstate 4** - Six-laning the 12.2 miles from SR 44 to I-95 (FM No. 408464). The estimated cost is \$181 million.
2. **Interstate 95** – Design for widening to six lanes of 27.4 miles from the Brevard Co. line to I-4 is in progress, with right of way to be purchased through FY 11/12 (FM No. 4068694/6). Resurfacing from the Brevard County line 6.7 miles to the north is funded in FY 13/14 at an estimated cost of \$7.7 million (FM No. 428945).
3. **Interstate 95** - Operational improvements and interchange modifications from south of I-4 to north of US 92 (FM No. 2427152). Design is in progress, with right of way acquisition funded through FY 12/13). This section is to be resurfaced in FY 13/14 at an estimated cost of \$4.7 million (FM No. 428855).
4. **SR 415** – Four-laning 3.3 miles from SR 46 in Seminole County to just Reed Ellis Road (FM No. 4073553). Bids are to be received in FY 11/12. The estimated cost is \$40 million.
5. **SR 415** – Four-laning five miles from Reed Ellis Road to just north of Acorn Lake Road (FM No. 4073554). Bids are to be received in April. The estimated cost is \$23.5 million.
6. **US 92** - Construct a second eastbound left turn lane and extend the westbound left turn lane at

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Nova Road (FM No. 422683). Bids are to be received in FY 12/13. The estimated cost is \$790,000.

7. **US 17** - Design is in progress for the widening the 6.4 miles from Deleon Springs Blvd to SR 40 in Barberville (FM No. 410251). Right of way is to be purchased in FY 14/15. Estimated Cost is \$12.5 million.
8. **US 17/92** - A \$190,000 grant to the City of Debarry in FY 11/12 will pay for installation of an emergency traffic signal at the Columba Road intersection (FM No. 430216).
9. **US 1** - Median modifications along the 2.1 miles from north of Falcon Avenue to north of Lamont Street (FM No. 426889). Bids are to be received in FY 12/13. The estimated cost is \$730,000.
10. **US 1** - Resurface 1.2 miles from north of Hernandez Avenue to north of Nova Road (FM No. 428689). Bids are to be received in FY 13/14. The estimated cost is \$900,000.
11. **US 1** - Resurface 2.6 miles from south of Harbor Rd to Fleming Ave (FM No. 428688). Bids are to be received in FY 11/12 for Design and FY 13/14 for Construction. The estimated project cost is \$2.5 million.
12. **SR 40** – Design and Environmental Mitigation for widening to four lanes along the 13.6 miles from US 17 to Cone Road is funded in FY 11/12 & 13/14 (FM No. 240836 & 240837). The estimated cost is \$11.9 million.
13. **SR 40** - Resurface 1/3 miles from Washington Avenue to east of Beach Street (FM No. 4220302). Bids are to be received in FY 12/13. The estimated cost is \$610,000.
14. **SR 40** - Resurface 4.7 miles from Tymber Creek Road to east of Perrott Street (FM No. 424904). Bids are to be received in FY 13/14. The estimated cost is \$5 million.
15. **SR 44** - Resurface 6.9 miles from SR 415 to Jungle Road/Hidden Pines (FM No. 427267). Bids are to be received in FY 12/13. The estimated cost is \$7 million.
16. **US 92** - A \$3 million grant to the City of Daytona Beach is to pay part of the cost of widening to six lanes from the I-4 eastbound ramp to Tomoka Farms Road (FM No. 422627).
17. **ECF Regional Trail** - \$10 million in grants to Volusia County between FY 11/12 and FY 15/16 will pay for design and construction of this trail project and pedestrian bridges (FM No. 415434-3/5/6).
18. **SR 421** - Resurface 2.1 miles from east of I-95 to Nova Road (FM No. 427279). Bids are to be received in FY 13/14. The estimated cost is \$3.5 million.
19. **SR 421** - Construct eastbound and northbound right turn lanes at Spruce Creek Road intersections (FM No. 430177). A \$1.1 million grant in FY 11/12 to Port Orange is to pay for this project.
20. **SR 421** - \$132,000 in grants to the city of Port Orange through FY 11/12 will pay part of the cost of design and construction of an eastbound right turn lane at Village Trail (FM No. 427632).

February 20, 2012

21. **Big Tree Road/Magnolia Avenue School Crossing** - A \$375,000 grant to the city of South Daytona in FY 11/12 will pay for construction of a school crossing and intersection improvements (FM No. 427633).
22. **CR A-1-A Sidewalk** - An \$862,000 grant to the city of Daytona Beach Shores in FY 10/11 will pay for construction of a sidewalk from Dunlawton Avenue to Marcelle Avenue (FM No. 427635).
23. **Riverside Drive Sidewalk** - \$110,000 in grants to Volusia County through FY 11/12 will pay for design and construction of this sidewalk along the east side of Riverside Drive in Holly Hill (FM No. 425192).
24. **Greynolds Street Sidewalk** - \$82,000 in grants to the City of Deltona through FY 11/12 will pay for design and construction of a sidewalk from Kimberly Dr. to Florida Dr. (FM No. 425820).
25. **Orange Avenue Sidewalk/Trail** - \$61,000 in grants to Daytona Beach through FY 10/11 are to pay half the cost of design and construction of a sidewalk/trail from Tarragona Way to Nova Road (FM No. 424054).
26. **30<sup>th</sup> Street (Edgewater)** - \$460,000 in grants to the city of Edgewater through FY 11/12 will pay part of the cost of design and construction of a sidewalk from Silver Palm Drive to India Palm Drive (FM No. 427627).
27. **Orange Avenue (CR 4050) Bridge Replacement** - A \$48 million grant in FY 14/15 will pay for a Volusia County project to replace this drawbridge with a high bridge (FM No. 242172).
28. **Turnbull Bay Road Bridge** - \$4.1 million in grants to Volusia County through FY 12/13 are to pay for replacement of the bridge over Turnbull Creek (FM No. 430040).
29. **Willow Run Blvd.** - \$100,000 in grants to the city of Port Orange through FY 11/12 is to pay part of the cost of right turn lanes at Clyde Morris Blvd. (FM No. 427621).
30. **Herbert Street Sidewalk**- \$22,000 in grants to the city of Port Orange in FY 11/12 for the construction of a sidewalk from Golden Gate Circle to Nova Rd. (FM No. 430228)
31. **Naranja Road Sidewalk** - A \$190,000 grant to the City of Debarry in FY 12/13 will pay for construction of a sidewalk from Valencia Road to Highbanks Road (FM No. 428976).
32. **New Smyrna Beach Trail** - \$876,000 in grants to the City of New Smyrna Beach through FY 12/13 will pay part of the cost of design and construction of a trail from Sugar Mill Drive to Turnbull Creek (FM No. 430078).
33. **Ridge Blvd. Bike Path** - A \$625,000 grant to the City of South Daytona through FY 12/13 will pay for part of the cost of design and construction of a bike path from Pope Avenue to South Palmetto Avenue (FM No. 430028).
34. **South Spruce Creek Road Sidewalk** - \$275,000 in grants to the City of Port Orange through FY 14/15 will pay part of the cost of design and construction of a sidewalk from Central Park Blvd. to Taylor Road (FM No. 430079).

# CONSTRUCTION STATUS REPORT

## VOLUSIA

<b>Contract #</b>	E5P57	<b>Work Begin</b>	08-26-2010
<b>County</b>	VOLUSIA	<b>Present Amount</b>	\$ 77,805.79
<b>Contractor</b>	P & S PAVING, INC.	<b>Days Used as of Last Approved Estimate</b>	77
<b>Project Manager</b>	CN513PT   Phillips, Terry (386)943-5770	<b>Cost Perf. Measure</b>	100.00%
<b>Project Admin.</b>	CN513PT   Phillips, Terry (386)943-5770	<b>Time Perf. Measure</b>	125.00%
<b>SM Contract Type</b>	MC   Maint Contract	<b>Adj. Est. Completion</b>	10-12-2010

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
425684-1-72-17	Yes	-	-	6060 ROUTINE MAINTENANCE	MISC PROJECTS D/W	-

<b>Contract #</b>	E5P42-R0	<b>Work Begin</b>	08-26-2010
<b>County</b>	VOLUSIA	<b>Present Amount</b>	\$ 1,115,500.00
<b>Contractor</b>	P & S PAVING, INC.	<b>Days Used as of Last Approved Estimate</b>	474
<b>Project Manager</b>	MT591JR   Read, James	<b>Cost Perf. Measure</b>	44.44%
<b>Project Admin.</b>	MT591JR   Read, James	<b>Time Perf. Measure</b>	44.38%
<b>SM Contract Type</b>	MC   Maint Contract	<b>Adj. Est. Completion</b>	08-25-2013

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
425455-2-72-01	Yes	-	-	6060 ROUTINE MAINTENANCE	SIDEWALK/CONCRETE REPAIRS; PERFORMANCE VARIOUS LOCATIONS	-

<b>Contract #</b>	E5P33-R0	<b>Work Begin</b>	05-18-2011
<b>County</b>	VOLUSIA	<b>Present Amount</b>	\$ 1,707,148.28
<b>Contractor</b>	USA SERVICES OF FLORIDA, INC.	<b>Days Used as of Last Approved Estimate</b>	214
<b>Project Manager</b>	MT591JR   Read, James	<b>Cost Perf. Measure</b>	22.45%
<b>Project Admin.</b>	MT591JR   Read, James	<b>Time Perf. Measure</b>	19.53%
<b>SM Contract Type</b>	MC   Maint Contract	<b>Adj. Est. Completion</b>	05-18-2014

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
428003-1-72-01	Yes	-	-	6060 ROUTINE MAINTENANCE	VOLUSIA PERFORMANCE AESTHETICS	-

<b>Contract #</b>	E5Q01	<b>Work Begin</b>	08-25-2011
<b>County</b>	VOLUSIA	<b>Present Amount</b>	\$ 2,209,436.80
<b>Contractor</b>	INSITUFORM TECHNOLOGIES INC.	<b>Days Used as of Last Approved Estimate</b>	119
<b>Project Manager</b>	CN513AF   Fisher, Alan (386)943-5767	<b>Cost Perf. Measure</b>	44.85%
<b>Project Admin.</b>	CN513AF   Fisher, Alan (386)943-5767	<b>Time Perf. Measure</b>	44.73%
<b>SM Contract Type</b>	MC   Maint Contract	<b>Adj. Est. Completion</b>	05-22-2012

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
427986-1-72-02	Yes	-	-	6060 ROUTINE MAINTENANCE	DRAINAGE MAINTENANCE AND REPAIR	-

# CONSTRUCTION STATUS REPORT

## VOLUSIA

<b>Contract #</b>	E5P32	<b>Work Begin</b>	09-13-2010
<b>County</b>	VOLUSIA	<b>Present Amount</b>	\$ 299,999.00
<b>Contractor</b>	ARAZOZA BROTHERS CORPORATION	<b>Days Used as of Last Approved Estimate</b>	139
<b>Project Manager</b>	MT591JR   Read, James	<b>Cost Perf. Measure</b>	100.00%
<b>Project Admin.</b>	MT591JR   Read, James	<b>Time Perf. Measure</b>	141.00%
<b>SM Contract Type</b>	MC   Maint Contract	<b>Adj. Est. Completion</b>	12-30-2010

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
425636-2-72-01	Yes	-	-	6060 ROUTINE MAINTENANCE	GROUND COVER REHAB I4 VOLUSIA COUNTY	-

<b>Contract #</b>	T5351	<b>Work Begin</b>	03-21-2011
<b>County</b>	VOLUSIA	<b>Present Amount</b>	\$ 13,548,813.46
<b>Contractor</b>	SUPERIOR CONSTRUCTION COMPANY SOUTHEAST, LLC	<b>Days Used as of Last Approved Estimate</b>	267
<b>Project Manager</b>	CN513PT   Phillips, Terry (386)943-5770	<b>Cost Perf. Measure</b>	35.04%
<b>Project Admin.</b>	CN513PT   Phillips, Terry (386)943-5770	<b>Time Perf. Measure</b>	34.56%
<b>SM Contract Type</b>	CC   Const Contract	<b>Adj. Est. Completion</b>	03-09-2013

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
422024-1-52-01	No	SR 600 FROM SR15 TO SR 5	4224061C	0227 RIGID PAVEMENT REHABILITATION	SR 600 US 92 FROM KEPLER RD TO 0.514 M I EAST OF CLARK BAY RD	FULL OVERSIGHT (NON-NHS)
422024-2-52-01	Yes	SR 600 FROM SR15 TO SR 5	4224060C	0227 RIGID PAVEMENT REHABILITATION	SR 600 US 92 FROM E OF CLARK BAY RD TO END RIGID PAVEMENT	FULL OVERSIGHT (NON-NHS)
423864-1-52-01	No	SR 600 FROM SR15 TO SR 5	4011060P	0716 TRAFFIC SIGNALS	SR 600 (US 92) AT WEST PARKWAY	FULL OVERSIGHT (NON-NHS)

<b>Contract #</b>	E5N98	<b>Work Begin</b>	04-04-2011
<b>County</b>	VOLUSIA	<b>Present Amount</b>	\$ 850,563.48
<b>Contractor</b>	TRAFFIC CONTROL DEVICES, INC.	<b>Days Used as of Last Approved Estimate</b>	224
<b>Project Manager</b>	CN513NC   Nolen, Chris 386(943-7565)	<b>Cost Perf. Measure</b>	12.58%
<b>Project Admin.</b>	CN513NC   Nolen, Chris 386(943-7565)	<b>Time Perf. Measure</b>	61.75%
<b>SM Contract Type</b>	CDBL   Const Design Build - Low Bid	<b>Adj. Est. Completion</b>	05-12-2012

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
428926-1-52-01	Yes	SR430;A1A TO N BEACH		SIGNAL UPDATE	SR 430 & SR 10 MAST ARM REPLACEMENTS MULTIPLE LOCATIONS	-

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# CONSTRUCTION STATUS REPORT

## VOLUSIA

<b>Contract #</b>	E5Q22	<b>Work Begin</b>	11-02-2011
<b>County</b>	VOLUSIA	<b>Present Amount</b>	\$ 51,000.00
<b>Contractor</b>	MASCI GENERAL CONTRACTORS, INC	<b>Days Used as of Last Approved Estimate</b>	-
<b>Project Manager</b>	CN513GD   Grube, Dwight (386)943-5768	<b>Cost Perf. Measure</b>	-
<b>Project Admin.</b>	CN513GD   Grube, Dwight (386)943-5768	<b>Time Perf. Measure</b>	41.11%
<b>SM Contract Type</b>	MC   Maint Contract	<b>Adj. Est. Completion</b>	01-27-2012

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
417368-1-72-02	Yes	-	-	6060 ROUTINE MAINTENANCE	NOVA CANAL RESTORATION & MAINTENANCE	-

<b>Contract #</b>	E5Q13	<b>Work Begin</b>	12-01-2011
<b>County</b>	VOLUSIA	<b>Present Amount</b>	\$ 441,887.60
<b>Contractor</b>	OGLESBY CONSTRUCTION, INC.	<b>Days Used as of Last Approved Estimate</b>	-
<b>Project Manager</b>	CN513AF   Fisher, Alan (386)943-5767	<b>Cost Perf. Measure</b>	-
<b>Project Admin.</b>	CN513AF   Fisher, Alan (386)943-5767	<b>Time Perf. Measure</b>	21.00%
<b>SM Contract Type</b>	MC   Maint Con	<b>Adj. Est. Completion</b>	02-09-2012

Finproj	Lead	St. Rd. #	FAP	Work Mix	Contract Location	Federal Project Oversight
427833-1-72-02	Yes	-	-	6060 ROUTINE MAINTENANCE	PAVEMENT MARKINGS	-

**PUSHBUTTON PROJECT LIST  
VOLUSIA COUNTY  
February 2012**

<b>SECTION</b>	<b>MP</b>	<b>PROJECT DESCRIPTION</b>	<b>PROJECT TYPE</b>	<b>STATUS</b>	<b>WORK ORDER DATE</b>	<b>EST. CONST. COMPLETE</b>
79060	1.405	US 92, Jacobs Rd	Modify Pedestrian Features	In Design	NA	NA
79100	26.206	SR 40, Interchange Blvd	Modify Full Median Opening to a WB Directional Opening	Design Complete-Public Notification	NA	NA
79060	9.117	US 92, FDOA Division of Forestry driveway	Close Full Median 985' West of Driveway. Construct Full Median Opening and EB Left Turn Lane at the Driveway Entrance	In Design	NA	NA
79080	5.922	A1A, Silver Beach	Mast Arm Replacement	Under Construction	10/25/11	3/27/12
79180	6.284	A1A, Revillo Blvd to Braddock Ave	Pedestrian Island	In Design		
79181		SR 472, Driveway 1000' West of CR 4101	U-Turn apron on the south side of SR 472	In Design		

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## MEETING SUMMARY

FEBRUARY 28, 2012

### VIII. EXECUTIVE DIRECTOR'S REPORT

- Sunrail Update
- Update on Federal Legislation

### IX. VOLUSIA TPO MEMBER COMMENTS

### X. INFORMATION ITEMS

- Citizens' Advisory Committee Attendance Record – 2012
- Technical Coordinating Committee Attendance Report – 2012
- Bicycle/Pedestrian Advisory Committee Attendance Record – 2012
- Volusia County Council Proclamation of Walk/Bike to School Day

### XI. ADJOURNMENT

**Please note that the next TPO Board meeting will be March 27, 2011**

# CAC Attendance Record 2011

## Citizens' Advisory Committee (CAC)

Name	17-Jan	21-Feb	20-Mar	17-Apr	15-May	19-Jun	17-Jul	21-Aug	18-Sep	16-Oct	20-Nov	18-Dec	Notes									
Donald Smart	x												Daytona Beach (appt. 1/06)									
John Schmitz	x												Daytona Beach Shores (appt. 07/11)									
Richard Gailey	x												DeBary (appt. 6/10)									
Frank Kinsley (Vice Chairman)	abs.												DeLand (appt. 3/10)									
Janet Deyette	x												Deltona (appt. 11/10)									
Bliss Jamison	x												Edgewater (appt. 1/11)									
Gilles Blais	x												Holly Hill (appt. 11/07)									
Jacob Sachs	abs.												New Smyrna Beach (appt. 03/11)									
Bob Storke	x												Orange City (appt. 1/08)									
Peter Hauser	x												Ormond Beach (appt. 5/04)									
Susan Elliott	x												Pierson (appt. 3/06)									
Bobby Ball	x												Port Orange (appt. 12/02)									
Lary Galphin	x												Volusia County (appt. 4/07)									
Nadine Collard	exc.												Volusia County (appt. 9/09)									
Dan D'Antonio (Chairman)	x												Volusia County (appt. 4/09)									
Tomm Friend	exc.												Volusia County (appt. 8/07)									
Judy Craig	x												Volusia County District 1 (appt. 5/11)									
Heather Blanck	abs.												Votran (appt. 1/07)									
Steve Friedel (non-voting)	x												FDOT (appt. 10/10)									
Melissa Booker (non-voting)	x												Volusia Co Traffic Eng. (appt 10/11)									
Karl Welzenbach (non-voting)	x												Volusia TPO									
<b><u>Vacancies</u></b>																						
Volusia County District 1																						
Volusia County At-Large																						
Lake Helen																						
Oak Hill																						
Beverly Beach																						
Flagler Beach																						
Ponce Inlet																						
South Daytona																						
<b>QUORUM</b>	<b>Y</b>																					

# TCC Attendance Record 2012

## Technical Coordinating Committee (TCC)

Name	17-Jan	21-Feb	15-Mar	17-Apr	15-May	26-Jun	17-Jul	21-Aug	18-Sep	16-Oct	20-Nov	18-Dec	Notes									
Fred Ferrell	x												Daytona Beach (appt. 11/08)									
Pedro Leon	x												Daytona Beach Airport (appt. 0 (07/11)									
Stewart Cruz	exc												Daytona Beach Shores (appt. 10/04)									
Mike Holmes	x												DeLand (appt. 09/98)									
Ron Paradise (Chairman)	x												Deltona (appt. 11/09)									
Rebecca Hammock	x												DeBary (appt. 06/10)									
Darren Lear (Vice Chairman)	x												Edgewater (appt. 10/99)									
Chad Lingenfelter	x												Flagler Beach (appt. 8/11)									
Tom Harowski	x												Holly Hill (appt. 01/11)									
Gail Henrikson	x												New Smyrna Beach (appt. 12/07)									
Don Findell	x												Lake Helen (appt. 10/97)									
Ric Goss	x												Ormond Beach (appt. 11/07)									
Jim Kerr	x												Orange City (appt. 06/00)									
Jim Smith	abs.												Pierson (appt. 05/09)									
Clay Ervin	x												Ponce Inlet (appt. 8/11)									
Bill McCord	x												Port Orange (appt. 11/08 )									
John Dillard	x												South Daytona (appt. 12/03)									
Jon Cheney	x												Volusia County Traffic Engineering (appt. 04/99)									
Marian Ridgeway	x												Volusia County School Board(appt. 11/98)									
Heather Blanck	x												Votran (appt. 01/07)									
Larry LaHue	exc												V.C. Emergency Management (appt. 01/04)									
Steve Friedel	x												FDOT (appt. 10/10)									
<b><u>NON-VOTING</u></b>																						
Karl Welzenbach	x												Volusia TPO									
<b><u>Vacancies</u></b>																						
Oak Hill																						
Beverly Beach																						
<b>QUORUM</b>																						





**WHEREAS**, despite ongoing efforts to better protect our children, child pedestrian injury remains the second leading cause of unintentional injury-related death among children ages 5 to 14 in the United States; and

**WHEREAS**, environmental modifications, when made in conjunction with enforcement of traffic laws and increased penalties for traffic violations, are proven to reduce traffic-related pedestrian death and injury; and

**WHEREAS**, the Volusia County Sheriff's Office, in partnership with Volusia County Schools, continues to promote public awareness regarding safe pedestrian safety habits; and

**WHEREAS**, in recognition of Walk/Bike to School Day, children, parents, educators and community leaders are joining with Communities Putting Prevention to Work, the Health Planning Council of Northeast Florida, Ride for Safe Routes, and Safe Routes to School to walk or bike to school and evaluate pedestrian safety in our community; and

**WHEREAS**, Communities Putting Prevention to Work and the Health Planning Council of Northeast Florida have planned pedestrian safety activities and school-based events to educate children and families about the importance of pedestrian safety and to bring awareness about the need for safe, bike-friendly roads; **NOW, THEREFORE**,

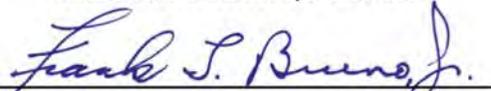
**WE, THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA**, do hereby proclaim February 15, 2012, as:

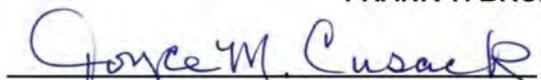
**“WALK / BIKE TO SCHOOL DAY”**

in Volusia County and encourage all residents to support pedestrian and cyclist safety and safeguard for our most precious asset – our children.

**Dated this 15th day of February, A.D. 2012**

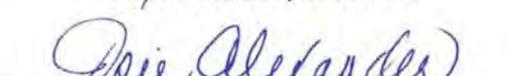
COUNTY COUNCIL  
VOLUSIA COUNTY, FLORIDA

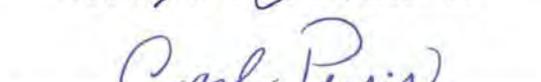
  
FRANK T. BRUNO JR., County Chair

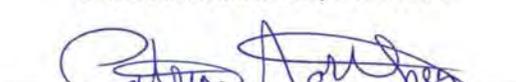
  
JOYCE M. CUSACK, At-Large, Vice Chair

  
ANDY KELLY, District 1

  
JOSHUA J. WAGNER, District 2

  
JOIE ALEXANDER, District 3

  
CARL G. PERSIS, District 4

  
PATRICIA NORTHEY, District 5