



VOLUSIA TPO BOARD HANDOUTS MARCH 26, 2013

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Citizens' Advisory Committee (CAC)

March 19, 2013

Meeting Summary

- Approved the minutes of the February 19, 2013 CAC meeting
- Recommended approval of Resolution 2013-XX approving the Volusia TPO Reapportionment Plan for submittal to FDOT and recommended that all the of the cities/counties seated on the TPO Board be afforded the opportunity to appoint representatives to the TPO's advisory committees (CAC, TCC and BPAC)
- Recommended approval of Resolution 2013-XX reaffirming the Volusia TPO's Policy for establishing and maintaining transportation Priority Projects including changing the wording "or his designee" to "or his/her designee"
- Recommended approval of Resolution 2013-XX reaffirming the Volusia TPO's Policy for the annual allocation of Surface Transportation Program (STP) XU funding and Transportation Alternatives Program (TAP) funding
- Received a presentation on the draft FY 2013/14 to FY 2017/18 Transportation Improvement Program (TIP) and Comparison Report and requested the members review the projects and provide comments to TPO staff
- Received a PowerPoint presentation on Flagler County past, present and future trends and transportation issues
- Received FDOT report and announced that Ms. Claudia Calzaretta, FDOT MPO Liaison for Marion County, will be filling in as liaison for the Volusia TPO until the position can be filled; Mr. Jim Brown has accepted a new position with FDOT
- Received the Volusia County Construction report
- Received TPO staff update on current SunRail activities, Volusia Days in Tallahassee, and announced that the St. John's River to Sea Loop Trail Summit will be on May 24, 2013 in Marineland; additional details will be forthcoming
- Received a sample resolution supporting the planning area boundary adjustment and membership Reapportionment plan to expand the metropolitan planning area boundary and to reapportion the voting membership of the Volusia TPO

- Received a CAC member comment opposing the location of the proposed Spaceport in Merritt Island National Wildlife Refuge
- Received comment from CAC member asking Volusia County to provide a trail map at the trailhead at the new park in Deltona (off Doyle Road)

*****The next meeting of the CAC will be April 16, 2013*****

DRAFT



Technical Coordinating Committee (TCC)

March 19, 2013

Meeting Summary

- Approved the minutes of the February 19, 2013 TCC meeting
- Recommended approval of Resolution 2013-XX approving the Volusia TPO Reapportionment Plan for submittal to FDOT
- Recommended approval of Resolution 2013-XX reaffirming the Volusia TPO's Policy for establishing and maintaining transportation Priority Projects
- Recommended approval of Resolution 2013-XX reaffirming the Volusia TPO's Policy for the annual allocation of Surface Transportation Program (STP) XU funding and Transportation Alternatives Program (TAP) funding
- Discussed the inclusion of a "sub-area analysis" task for the US 1 corridor in the 2040 Long Range Transportation Plan Scope of Services and recommended that the task be included in the scope of services as an optional "alternate" task; the proposals submitted will be required to outline an approach to the task
- Received a presentation on the draft FY 2013/14 to FY 2017/18 Transportation Improvement Program (TIP) and Comparison Report requested the members review the projects, provide comments to TPO staff and submit local projects to be included in the TIP
- Received a presentation on Flagler County past, present and future trends and transportation issues
- Received FDOT report and announced that Ms. Claudia Calzaretta, FDOT MPO Liaison for Marion County, will be filling in as liaison for the Volusia TPO until the position can be filled; Mr. Jim Brown has accepted a new position with FDOT
- Received the Volusia County Construction report and addressed member question regarding recent discussions by the Volusia County Council on the Pioneer Trail Interchange
- Received TPO staff update on recent SunRail activities, Volusia Days in Tallahassee and announced that the St. John's River to Sea Loop Trail Summit will be held on May 24, 2013 in Marineland; additional details will be forthcoming

- Received a sample resolution supporting the planning area boundary adjustment and membership Reapportionment plan to expand the metropolitan planning area boundary and to reapportion the voting membership of the Volusia TPO and directed staff to email the sample resolution to the members
- Received member comment regarding House Bill 1061 and red light running cameras

*****The next meeting of the TCC will be April 16, 2013*****

DRAFT

Charles J. Cino

Attorney and Counselor at Law
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RECEIVED
MAR 04 2013
BY: *PB*

February 28, 2013

Lois Bollenback, Interim Executive Director
Volusia Transportation Planning Organization
2570 W. International Speedway Boulevard
Suite 100
Daytona Beach, Florida 32114-8145

Re: Reapportionment Plan

Dear Ms. Bollenback:

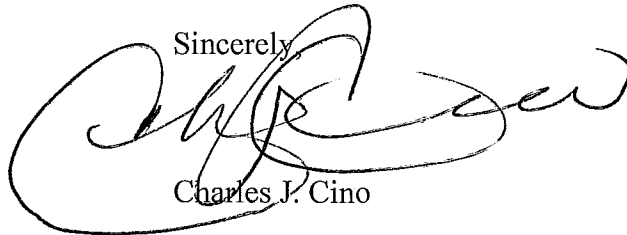
Pursuant to your email concerning Federal law versus Florida law, let me offer the following.

Federal law always supersedes Florida law if there is an inconsistency. However, if Florida law is more restrictive than Federal law, then the more restrictive law applies unless Federal law precludes the use of Florida law in a particular subject. For example, both the Federal and Florida have laws concerning minimum wage. Since Florida law is the more restrictive, i.e. higher, Florida law applies.

Finally, my review of the Florida Statutes and of the Federal Regulations would require the City of Palm Coast as the larger city in the Daytona Beach/Port Orange/Palm Coast urbanized area to approve the reapportionment plan. However, I would defer to the State agency for their opinion since I am sure this issue has come up in other areas of the State and there may be a ruling or decision which involves this question.

If I can be of any further assistance, please feel free to contact my office.

Sincerely,



Charles J. Cino

CJC/lc

[Redacted content]

Please see email below.

From: Toolan, Kathleen
Sent: Friday, March 22, 2013 4:49 PM
To: Arens, Yvonne
Cc: Magee, Robert; Colson, Regina
Subject: MPO Question
Importance: High

Good afternoon, Yvonne. Sorry for the delay in getting back to you. Things are very hectic with Session in progress and I thank you for your patience.

In response to your recent inquiry, I offer the following: In regard to the Volusia TPO, the recent modifications to the planning area and related apportionment matters arising from the census update, i.e., adding members to the MPO that represent new units of general purpose local government resulting from expansion of the metropolitan planning area, do not require a redesignation, but rather a designation by agreement between the Governor and the units of local government that together represent at least 75% of the affected population (including the largest incorporated city) *or in accordance with procedures established by applicable state law*. In this instance, there must be agreement between the Governor and units of general purpose local government representing at least 75% of the population of the urbanized area AND the unit of government that represents the central city or cities within the MPO jurisdiction must be a party to such agreement. Accordingly, both Palm Coast and Deltona must support the plan forwarded to the Governor for approval.

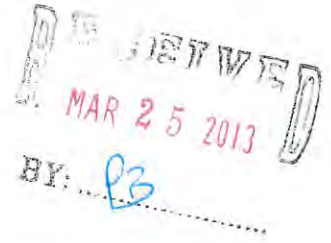
If there is anything further, please let me know.

Kathleen P. Toolan

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The OGC would appreciate FDOT employees completing our Quality Assurance Legal Services Survey by clicking [here](#). Thank you.



March 22, 2013

Dear Lois:

Again, we ask that adoption of the proposed TPO reapportionment plan be withdrawn from the TPO Board agenda scheduled for next week. We are further requesting that the leadership of the TPO Board and the Reapportionment Subcommittee meet with Palm Coast representatives in the



SAVE THE DATE

Friday

May 24, 2013

Please mark your calendar for a regional meeting of the

St. John's River to the Sea Loop Trail

at the Whitney Lab in Marineland, Florida

Additional Information will be provided at a later date.