



# MEETING AGENDA

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

**DATE:** WEDNESDAY, NOVEMBER 30, 2022  
**TIME:** 9:00 A.M.  
**PLACE:** RIVER TO SEA TPO CONFERENCE ROOM  
2570 W. International Speedway Blvd., Suite 100  
Daytona Beach, FL 32114

**NOTE:**  
Microsoft Teams has been  
established for remote participation.  
Masks are requested to be worn by  
those physically present according to  
CDC guidelines

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## River to Sea TPO Board Meeting November 30, 2022 at 9:00 a.m. EST

[Click here to join the meeting](#)

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**Volusia County Council Vice Chair Barbara Girtman, Chairperson Presiding**

- I. CALL TO ORDER / ROLL CALL / DETERMINATION OF A QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. PUBLIC COMMENT/PARTICIPATION *(Public comments may be limited to three (3) minutes at the discretion of the Chairperson)*
- IV. CONSENT AGENDA
  - A. OCTOBER 26, 2022 RIVER TO SEA TPO BOARD MEETING MINUTES *(Contact: Debbie Stewart) (Enclosure, pages 4-12)*
  - B. TREASURER'S REPORT *(Contact: Colleen Nicoulin) (Enclosure, pages 4,13)*

Beverly Beach  
Bunnell  
Daytona Beach  
Daytona Beach Shores

DeBary  
DeLand  
Deltona  
Edgewater

Flagler Beach  
Flagler County  
Holly Hill  
Lake Helen

New Smyrna Beach  
Oak Hill  
Orange City  
Ormond Beach

Palm Coast  
Pierson  
Ponce Inlet  
Port Orange

South Daytona  
Volusia County

**IV. CONSENT AGENDA** *(Continued)*

- C. EXECUTIVE COMMITTEE REPORT** - Report by Volusia County Council Vice Chair Barbara Girtman, TPO Chairperson (Enclosure, pages 4,14)
- D. LEGISLATIVE ISSUES SUBCOMMITTEE REPORT** - Report by Volusia County Council Vice Chair Barbara Girtman, TPO Chairperson (Enclosure, pages 4-15)
- E. TIP SUBCOMMITTEE REPORT** - (Contact: Mr. Bob Storke, TIP Subcommittee Chairperson) (Enclosure, pages 4,16)
- F. BICYCLE/PEDESTRIAN ADVISORY COMMITTEE REPORT** -- Report by Dr. Jason Aufdenberg, BPAC Chairperson (Enclosure, pages 4,17)
- G. CITIZENS ADVISORY COMMITTEE REPORT**-- Report by Ms. Kerry Karl, CAC Chairperson (Enclosure, pages 4, 18)
- H. TECHNICAL COORDINATING COMMITTEE REPORT** -- Report by Mr. Brian Walker, TCC Chairperson (Enclosure, pages 4,19)
- I. RIVER TO SEA TPO BOARD REPORT** -- Report by Volusia County Council Vice Chair Barbara Girtman, TPO Board Chairperson (Enclosure, pages 4,20)
- J. EXECUTIVE DIRECTOR TIMESHEET REVIEW REPORT** -- Report by Volusia County Council Vice Chair Barbara Girtman, TPO Board Chairperson (Enclosure, pages 4, 21)
- K. REVIEW AND APPROVAL OF EXPENDITURE FOR THE DUNLAWTON AVENUE/SWALLOWTAIL DRIVE EB RIGHT TURN LANE FEASIBILITY STUDY (PORT ORANGE) (\$25,465.00)** (Contact: Stephan Harris) (Enclosure, page 4)
- L. REVIEW AND APPROVAL OF EXPENDITURE FOR THE DUNLAWTON AVENUE/TAYLOR ROAD PEDESTRIAN STREETLIGHTING FEASIBILITY STUDY-LIGHTING JUSTIFICATION REPORT (PORT ORANGE) (\$8,170.00)** (Contact: Stephan Harris) (Enclosure, page 4)
- M. CANCELLATION OF THE DECEMBER EXECUTIVE COMMITTEE AND TPO BOARD MEETINGS** (Contact: Debbie Stewart) (Enclosure, page 4)

**V. ACTION ITEMS**

- A. REVIEW AND APPROVAL OF THE RIVER TO SEA TPO EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT** (Contact: Colleen Nicoulin) (Enclosure, pages 22-45)
- B. REVIEW AND APPROVAL OF RESOLUTION 2022-22 RESTATING THE POLICY FOR THE ANNUAL ALLOCATION OF SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAM URBAN ATTRIBUTABLE (SU) FUNDING AND OTHER STATE AND FEDERAL FUNDS IDENTIFIED IN THE 2045 LONG RANGE TRANSPORTATION PLAN (LRTP)** (Contact: Colleen Nicoulin) (pages 46-49)
- C. REVIEW AND APPROVAL OF RESOLUTION 2022-23 RESTATING THE LOCAL MATCH REQUIREMENTS PLACED ON MEMBER LOCAL GOVERNMENTS FOR PROJECTS PRIORITIZED FOR FUNDING BY THE TPO** (Contact: Colleen Nicoulin) (pages 50-53)
- D. REVIEW AND APPROVAL OF RESOLUTION 2022-24 RESTATING THE POLICY FOR ESTABLISHING AND MAINTAINING TRANSPORTATION PRIORITY PROJECTS** (Contact: Colleen Nicoulin) (pages 54-58)
- E. REVIEW AND APPROVAL OF THE PRIORITY PROJECT APPLICATIONS FOR TRAFFIC OPERATIONS/SAFETY AND LOCAL INITIATIVES PROJECTS, TRANSPORTATION PLANNING STUDIES, AND BICYCLE PEDESTRIAN PROJECTS** (Contact: Colleen Nicoulin) (pages 59-76)
- F. REVIEW AND APPROVAL OF 2023 RIVER TO SEA TPO LEGISLATIVE POSITIONS** (Contact: Colleen Nicoulin) (Enclosure, pages 77-83)

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

- A. PRESENTATION AND DISCUSSION OF A PROPOSED AMENDMENT TO THE RIVER TO SEA TPO BYLAWS** (Contact: Colleen Nicoulin) (pages 84-112)
- B. PRESENTATION AND DISCUSSION OF TRANSPORTATION FUNDING** (Contact: Colleen Nicoulin) (Enclosure, page 113)
- C. PRESENTATION AND DISCUSSION OF THE I-95 CORRIDOR OVERVIEW** (Contact: Colleen Nicoulin) (Enclosure, pages 114-120)
- D. PRESENTATION AND DISCUSSION OF AN AMENDMENT TO THE CONNECT 2045 LONG RANGE TRANSPORTATION PLAN (LRTP)** (Contact: Colleen Nicoulin) (Enclosure, pages 121-123)
- E. FDOT REPORT** (Contact: Anna Taylor, FDOT District 5) (Enclosure, pages 124-127)

**VII. EXECUTIVE DIRECTOR'S REPORT** (page 128)

**VIII. RIVER TO SEA TPO BOARD MEMBER COMMENTS**

**IX. RIVER TO SEA TPO CHAIRPERSON COMMENTS**

**X. INFORMATION ITEMS** (Enclosure, pages 128-138)

- Bicycle/ Advisory Committee Attendance Record – 2022
- Citizens Advisory Committee Attendance Record – 2022
- Technical Coordinating Committee Attendance Record– 2022
- October/November 2022 TPO Outreach and Activities
- Upcoming River to Sea TPO Events
- Volusia and Flagler County Construction Reports
- 2023 TPO Board and Committee Meeting Schedule
- Annual TPO Holiday Open House & Toy Driver Flyer

**XI. ADJOURNMENT** (Enclosure, page 128)

**\*The next River to Sea TPO Board meeting will be January 25, 2023\***

**January 2023 Meeting Dates**

Executive Committee, January 4, 2023 @ 9:00 a.m.

Transportation Disadvantaged Local Coordinating Board, January 11, 2023 @ 10:00 a.m.

Bicycle/Pedestrian Advisory Committee, January 11, 2023 @ 2:00 p.m.

Citizens Advisory Committee, January 17, 2023 @ 1:15 p.m.

Technical Coordinating Committee, January 17, 2022 @ 3:00 p.m.

River to Sea TPO Board, January 25, 2023 @ 9:00 a.m.

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

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

The River to Sea TPO does not discriminate in any of its programs or services. To learn more about our commitment to nondiscrimination and diversity, visit our Title VI page at [www.r2ctpo.org](http://www.r2ctpo.org) or contact our Title VI/Nondiscrimination Coordinator, Pamela Blankenship, at 386-226-0422, extension 20416, or [pblankenship@r2ctpo.org](mailto:pblankenship@r2ctpo.org). Persons who require translation services, which are provided at no cost, should contact the River to Sea TPO at (386) 226-0422 or by email at [PBlankenship@r2ctpo.org](mailto:PBlankenship@r2ctpo.org) at least five (5) business days prior to the event.

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**IV. CONSENT AGENDA**

**A. OCTOBER 26, 2022 RIVER TO SEA TPO BOARD MEETING MINUTES**

**B. TREASURER’S REPORT**

Monthly treasurer reports are prepared for review and approval by the River to Sea TPO Board. The October 2022 Treasurer’s Reports are provided for your review.

**C. EXECUTIVE COMMITTEE REPORT**

**D. LEGISLATIVE ISSUES SUBCOMMITTEE REPORT**

**E. TIP SUBCOMMITTEE REPORT**

**F. BICYCLE/PEDESTRIAN ADVISORY COMMITTEE (BPAC) REPORT**

**G. CITIZENS ADVISORY COMMITTEE (CAC) REPORT**

**H. TECHNICAL COORDINATING COMMITTEE (TCC) REPORT**

**I. RIVER TO SEA TPO BOARD SUMMARY REPORT**

**J. EXECUTIVE DIRECTOR TIMESHEET REVIEW REPORT**

**K. REVIEW AND APPROVAL OF EXPENDITURE FOR THE DUNLAWTON AVENUE/SWALLOWTAIL DRIVE EB RIGHT TURN LANE FEASIBILITY STUDY (PORT ORANGE) (\$25,465.00)**

TPO staff is seeking authorization for the expenditure of \$25,465.00 for the Dunlawton Avenue/SwallowTail Drive EB Right Turn Lane Feasibility Study Task Work Order submitted by VHB, Inc.

**L. REVIEW AND APPROVAL OF EXPENDITURE FOR THE DUNLAWTON AVENUE/TAYLOR ROAD PEDESTRIAN STREETLIGHTING FEASIBILITY STUDY-LIGHTING JUSTIFICATION REPORT (PORT ORANGE) (\$8,170.00)**

TPO staff is seeking authorization for the expenditure of \$8,170.00 for the Dunlawton Avenue/Taylor Road Pedestrian Streetlighting Feasibility Study-Lighting Justification Report Task Work Order submitted by VHB, Inc.

**M. CANCELLATION OF THE DECEMBER EXECUTIVE COMMITTEE AND TPO BOARD MEETINGS**

***ACTION REQUESTED:***

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

**OCTOBER 26, 2022 MEETING MINUTES**

**OF THE**

**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION (TPO) BOARD**

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

**TPO Board Members Physically Present:**

Commissioner Stacy Cantu  
Commissioner Chris Cloudman, 1<sup>st</sup> Vice Chairperson  
Commissioner Victor Ramos, 2<sup>nd</sup> Vice Chairperson  
Councilwoman Christine Power  
Commissioner David Sullivan  
Commissioner Roy Johnson  
Vice Mayor Bill Lindlau\*  
Commissioner Rob Littleton  
Vice Mayor Gary Smith\*\*  
Council Member Reed Foley  
Councilman Eric Sander  
Council Chair Jeff Brower  
Council Vice Chair Barbara Girtman, Chairperson  
Council Member Billie Wheeler  
Council Member Danny Robins  
Anna Taylor (non-voting)

**TPO Board Members Virtually Present:**

Commissioner Tina-Marie Schultz\*  
Council Member Richard Bryan\*  
Mayor Karen Chasz  
Commissioner Randy Hartman  
Dr. Jason Aufdenberg (non-voting)

**TPO Board Members Absent**

Commissioner Jeffrey Schuitema\*  
Commissioner James Sherman\*  
Commissioner Rick Basso\*  
Council Member Jeff Allebach  
Mayor Bill Partington (excused)  
Mayor David Alfin (excused)  
Mayor Samuel Bennett\*  
Council Member Heather Post  
Ruben Colón (non-voting)  
Kerry Karl (non-voting)  
Becky Mendez (non-voting)

**\* Non-voting member in the Small City Alliance**

**\*\* Voting member for the Small City Alliance**

**Others Physically Present:**

Colleen Nicoulin  
Stephan Harris  
Claire Hartman  
Joe Forte  
Bobbie King  
Ralf Heseler  
Jay Williams

**Representing:**

Daytona Beach  
DeLand  
Deltona  
Edgewater  
Flagler County Alternate  
Holly Hill  
Oak Hill  
Ormond Beach Alternate  
Ponce Inlet  
Port Orange  
South Daytona  
Volusia County  
Volusia County District 1  
Volusia County, District 2  
Volusia County, District 3  
FDOT

**Representing:**

Bunnell  
Daytona Beach Shores  
DeBary  
New Smyrna Beach  
BPAC Chairperson

**Representing:**

Beverly Beach  
Flagler Beach  
Lake Helen  
Orange City  
Ormond Beach  
Palm Coast  
Pierson  
Volusia County, District 4  
Volusia County School Board  
CAC Chairperson  
TCC Chairperson

**Representing:**

TPO Staff  
TPO Staff  
Ghyabi & Associates  
Holly Hill  
Volusia County  
Votran  
Volusia County

**Others Virtually Present:**

Debbie Stewart, Recording Secretary  
 Pam Blankenship  
 Debbie Dolbow  
 Maryam Ghyabi

**Representing:**

TPO Staff  
 TPO Staff  
 Edgewater  
 Ghyabi Consulting

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

The meeting of the River to Sea Transportation Planning Organization (TPO) Board was called to order at 9:00 a.m. by TPO Chairperson Barbara Girtman. The roll was called and it was determined a quorum was physically present. Due to the COVID-19 virus, the meeting was held in a hybrid format with 14 voting and two non-voting members physically present; and with two voting and three non-voting members attending remotely.

**MOTION:** *A motion was made by Council Member Wheeler to allow TPO Board members attending remotely due to COVID-19 precautions to participate and vote. The motion was seconded by Commissioner Ramos and carried unanimously.*

**II. Pledge of Allegiance**

The Pledge of Allegiance was given.

**III. Public Comment/Participation**

There were no public comments.

**IV. Consent Agenda**

- A. August 24, 2022 River to Sea TPO Board Meeting Minutes**
- B. Treasurer's Reports**
- C. BPAC Project Review Subcommittee Report**
- D. Executive Committee Reports**
- E. Legislative Issues Subcommittee Report**
- F. TIP Subcommittee Report**
- G. Transportation Local Coordinating Board (TDLCB) Report**
- H. Bicycle and Pedestrian Advisory Committee (BPAC) Reports**
- I. Citizens Advisory Committee (CAC) Reports**
- J. Technical Coordinating Committee (TCC) Reports**
- K. River to Sea TPO Board (R2CTPO) Report**
- L. Executive Director Timesheet Review Reports**
- M. Review and Approval of the Flagler County Transit Development Plan (TDP) Letter**

Chairperson Girtman stated Consent Agenda Item N, to change the date of November 23, 2022 TPO Board meeting to November 30, 2022 was inadvertently omitted and asked that the motion include it.

**MOTION:** *A motion was made by Council Member Wheeler to approve the Consent Agenda including changing the November 23, 2022 TPO Board meeting to November 30, 2022. The motion was seconded by Commissioner Cantu and carried unanimously.*

**V. Action Items****A. Review and Approval of Resolution 2022-19 Amending the Connect 2045 Long Range Transportation Improvement Plan (LRTP) (Roll Call Vote Required)**

Ms. Nicoulin stated this LRTP amendment adds funding to a project already in the LRTP; it advances construction funding to the current year band of 2021 to 2025 for the Flagler Central Commerce Parkway Connector from US 1 to SR 100. Funding was received through an appropriation from the Florida Legislature.

**MOTION:** *A motion was made by Council Member Wheeler to approve Resolution 2022-19 amending the Connect 2045 Long Range Transportation Plan (LRTP). The motion was seconded by Commissioner Sullivan and carried unanimously by a roll call vote.*

**B. Review and Approval of Resolution 2022-20 Amending the FY 2022/23 to 2026/27 Transportation Improvement Program (TIP) (Roll Call Vote Required)**

Ms. Nicoulin stated this TIP amendment supports the project that was just amended into the LRTP and is amending the project into the current year of the TIP.

**MOTION:** *A motion was made by Council Member Wheeler to approve Resolution 2022-20 amending the FY 2022/23 to 2026/27 Transportation Improvement Program (TIP). The motion was seconded by Councilman Sander and carried unanimously by a roll call vote.*

**C. Review and Approval of Resolution 2022-21 Amending the FY 2022/23 and 2023/24 Unified Planning Work Program (UPWP) (Roll Call Vote Required)**

Ms. Nicoulin stated this amendment is to add Federal Transit Administration (FTA) grant funds in the amount of \$21,206.86 into the new Unified Planning Work Program (UPWP); when the new UPWP was developed, staff estimated how much money would be left in this grant so the balance needs to be added in.

**MOTION:** *A motion was made by Councilwoman Power to approve Resolution 2022-21 amending the FY 2022/23 and 2023/24 Unified Planning Work Program (UPWP). The motion was seconded by Vice Mayor Lindlau and carried unanimously.*

**D. Motion to Approve Executive Committee's Recommendation to Offer the Permanent River to Sea TPO Executive Director Position to Ms. Colleen Nicoulin and Move Forward with Contract Negotiations**

Chairperson Girtman stated that Ms. Nicoulin has been in the Interim Executive Director role since July 30, 2021; her current interim contract expires on October 31, 2022. She has done a great job even with her hands somewhat tied; we need to help her create the TPO we want for Volusia and Flagler Counties, be thoughtful of how we can help her to help us and identify opportunities as we move forward. She is proud to make the recommendation and support the nomination of Ms. Nicoulin as the River to Sea TPO's permanent Executive Director.

Commissioner Cloudman added that this has been a long process but it has allowed Ms. Nicoulin to grow into the position and she has taken it on 110%; not only here in our chambers but regionally and statewide as well. Her strategic action plan shows a lot of potential for the organization and her.

Council Member Wheeler stated that she is proud that the board came to this conclusion as last year was a turbulent year when she was the TPO's Chairperson. Initially, Ms. Nicoulin took on the interim role not considering being a candidate for the position but she has overcome every hurdle including floods, payroll, being short-staffed, etc.; it was a monumental effort and she overcame them all. Her strategic plan for the future, the relationship she has built with FDOT and the one-on-one communication have been amazing.

Vice Mayor Lindlau agreed and stated Ms. Nicoulin has done a fantastic job as the Interim Executive Director and he looks forward to her becoming the permanent Executive Director.

Ms. Nicoulin stated that her current Interim Executive Director contract expires on October 31, 2022; she requested that the date be extended to November 30, 2022 to allow for contract negotiations per the recommendation of the TPO's legal counsel. She thanked the board members for their support over the last year through all the trials which she believes has made the TPO stronger. She looks forward to the opportunities we have moving forward and continuing to work with board members, FDOT, the local municipalities and other agency partners.

Chairperson Girtman emphasized that the TPO Board needs to be part of Ms. Nicoulin's success with their expertise, guidance and information and free her up to be the Executive Director as she is short-staffed and still doing it all.

***MOTION: A motion was made by County Chair Brower to approve the Executive Committee's recommendation to offer the permanent River to Sea TPO Executive Director position to Ms. Colleen Nicoulin, and extend the interim contract to November 30, 2022 to allow moving forward with contract negotiations. The motion was seconded by Vice Mayor Lindlau and carried unanimously.***

## **VI. Presentations and Discussion Items**

### **A. Presentation and Discussion of the River to Sea TPO's Guiding Resolutions and Project Applications for the Call for Projects**

Ms. Nicoulin stated that each year at this time the process for the annual Call for Projects is reviewed; it opens in early December. She reviewed the process and guiding resolutions including the recommendations for changes that came from the TIP Subcommittee, the CAC and TCC; the TIP Subcommittee will meet again next Friday and action will be taken by the TPO Board next month. She reviewed the three policy resolutions that govern the process. These policy resolutions have been refined over the last few years and work well. There was discussion at the TIP Subcommittee meeting but they did not have a quorum so a consensus was reached that since they work well, they had no recommended changes to these resolutions.

Chairperson Girtman asked if the 40/30/30 funding allocation to projects restricts us from being able to maximize funds if there are not enough projects in any given category.

Ms. Nicoulin replied it has not; she explained that if there is an expensive project in one category, we borrow funds from another category and pay it back the following year. She provided examples of when the TPO has done this. This policy only applies to the SU set-aside funding which is approximately \$5 million each year and it is split between the three categories. The TPO also has Transportation Alternative (TA) funding available which is specific to bicycle/pedestrian and multi-modal type projects. This year the TPO received carbon reduction funding from the Infrastructure Investment and Jobs Act (IIJA) which is for specific types of projects. There are a couple of projects on the priority list that are close to \$8 million so we will be looking at creative ways to fund them. There is state Transportation Regional Incentive Program (TRIP) funding that can become available for certain types of projects. The policies as written provide flexibility to program projects per the priority list; the priority list is a guide. The set-aside funds are for projects submitted by local governments that are on the priority list and does not apply to large, capacity projects; the capacity projects are included in the Long Range Transportation Plan (LRTP) and the TPO works with FDOT and other partners to fund those. The policies have not limited the TPO to fund projects; they do not address the new funding coming; however, new funding typically has to be applied to certain types of projects. The new funding favors bicycle/pedestrian projects but there are some traffic operations projects such as roundabouts that could qualify for the carbon reduction funding.

Ms. Nicoulin reviewed the project applications; there is a set criterion that has been established for bicycle/pedestrian and traffic operations projects; the TIP Subcommittee, CAC and TCC discussed the criterion and they wanted to see additional consideration given for safety projects and concerns; additional points awarded and an additional criterion for safety concerns. The applications include safety criteria but do not ask how the project will mitigate a safety issue if the project is in a high crash location. The suggestion was to strengthen the safety criterion for the traffic operations application. The bicycle/pedestrian application does address safety and awards points for Complete Streets projects. The applications do not address resiliency; the suggestion was to modify one of the criteria and add points for sustainability or resiliency.

Members discussed the proposed changes to the applications, specifically adding criteria and points for resiliency. They discussed resiliency, safety and funding and agreed safety and resiliency criteria should be included in the applications. They also discussed the damage caused by Hurricane Ian and what funding may be coming down to address that; it is important to come together collaboratively for where those dollars need to be invested.



Ms. Nicoulin explained that funding is identified in the Infrastructure Investment and Jobs Act (IIJA) for resiliency but we have to identify projects that can utilize it. Funding identified for the SR 44/Kepler Road roundabout came from this resiliency funding. FDOT is looking at projects currently in the Work Program that can access this funding but the TPO also needs to be ready with a list of projects that are ready to move forward.

County Chair Brower asked if public works departments were concerned about some roads being under water so long that the foundations may be ruined; he asked if FEMA funding is available for that and if so, who applies for it.

Ms. Nicoulin replied the agency that maintains the road would be the applicant; she can look into it for additional information. Another consideration that will be discussed at the TIP Subcommittee is a criterion regarding equity; if a project is negatively impacting certain areas, if we are favoring certain areas, etc. The recommendations from the TIP Subcommittee will be presented at the CAC, TCC and TPO Board next month.

#### **B. Presentation and Discussion of the Draft FY 2021/22 Public Involvement Activities Summary**

Ms. Blankenship gave a PowerPoint presentation of the draft FY 2021/22 Public Involvement Activities Summary. She explained the effects COVID-19 had on the TPO's outreach over the last fiscal year. She reviewed the committee and TPO Board meeting attendance; the goal is 80% attendance but the average was 76%. She reviewed the media, news releases and news articles that mentioned the TPO in FY 2021/22; there were more news articles this year compared to previous years. She explained the various social media platforms the TPO uses including the TPO website, Facebook and Twitter pages. In 2021, the TPO implemented a monthly Constant Contact Newsletter that is sent to an average of 665 individuals, cities, counties, organizations, committee and board members, etc.; it covers a variety of transportation, bicycle/pedestrian, and safety-related topics. Mobility Week is happening this week and the TPO is participating in several ways; a list of events we are participating in was provided in the agenda. Regarding the next steps, the TPO will focus on the 3 "Cs"; communication, collaboration and community. Communication and collaboration with our stakeholders, partners, and the public by increasing the TPO's presence within the community.

Council Member Foley asked what the TPO was doing to increase the number of Facebook and Twitter followers and if any Facebook ads were being used to target specific regions. He suggested having sign-up sheets at events as visibility is something the TPO needs to work on.

Ms. Blankenship replied the TPO has used Facebook ads before but they were targeted to specific projects; we promote events on Facebook and Twitter and provide links in the Constant Contact newsletter.

Members discussed the presentation and ways for the TPO to reach the public and increase awareness about the TPO. It was suggested to contact the municipalities' Public Information Officers to ask them to put information in their newsletters about the TPO.

#### **C. Presentation and Discussion of Draft River to Sea TPO 2023 Legislative Positions**

(Handout)

Ms. Nicoulin stated the Legislative Issues Subcommittee met on October 5, 2022 and discussed last year's positions which focused on three areas; funding, safety and technology. The discussion included strengthening our safety priorities and positions including reducing speed on our roadways and focusing on all distracted driving, not just handheld devices. Also discussed was embracing the Vision Zero concept; over the past five years that the TPO has been required to adopt safety targets, we have adopted a methodology of reducing fatal crashes and serious injuries by 2% in any given year. This year, the discussion has been to adopt Vision Zero and be consistent with FDOT, the majority of MPOs across the state and other agency partners. The TPO plays a role in safety but not the only role; law enforcement, local governments, and the design of infrastructure and facilities also play a role. The TPO adopts its safety targets in February and we will be looking to adopt the Vision Zero concept which is also a requirement for the Safety Action Plan we will develop through grant funding. Regarding, the Legislative Positions, we are going to strengthen the language regarding safety and include more key areas. The subcommittee discussed incorporating resiliency into these positions; they do

discuss sustainability regarding funding but not for our communities and infrastructure. We also need to leverage all the funding opportunities we have and those that will be coming in the future to ensure we have the flexibility to take advantage of those opportunities. FDOT's High Visibility Law Enforcement Program, which is available to certain areas within Volusia County, was also discussed; it is based on high crash locations so municipalities that are in a high crash area are eligible for this program. Staff is working with the state Safety Office to identify those communities and will reach out to them to see if there are any barriers to them accessing the program and how we may be able to help. Fully restoring the budget authority for the Commission for the Transportation Disadvantaged was discussed and will be included in the positions as well. The subcommittee will meet again next Wednesday and the draft recommended changes and updates will be presented for action next month.

Chairperson Girtman stated that she met with Senator Marco Rubio; her concern legislatively has been the restrictive criteria. Many times agencies do not want to access federal funds because of the restrictions; we need to revisit policies based on the current needs as our needs are very different now. We need to take to the legislators any concerns we have that restrict us from maximizing our needs at our local level; what we can take to them to impact a change. She would like to hear from FDOT on how we can utilize those resources, especially regarding Hurricane Ian; if there will be any concessions to receive maximum funding to get road projects done, especially those that were damaged during the storm.

Commissioner Cloudman commented that once the Legislative Positions are finalized, board members that have personal relationships with state legislators should contact them on behalf of the TPO.

Chairperson Girtman added that Mayor Alfin shared that he is the key contact for Representative Renner who will be Speaker of the House; that will be a great relationship we can work to maximize.

Commissioner Cantu commented that most insurance companies provide an app or a monitor for safe driving discounts.

#### **D. Presentation and Discussion of the Votran Mobility On-Demand Project**

Ms. Bobbie King, Volusia County, gave a PowerPoint presentation on Votran service changes and the mobility-on-demand (MOD) project; this was also presented to the Volusia County Council in August. Last year, Votran completed a Comprehensive Operations Analysis (COA) with a consultant that reviewed all Votran routes to see where changes or adjustments were needed in order to be more efficient and cost-effective; Votran staff reviewed their suggested changes very thoroughly and modified the consultant's recommendations to be viable options. She reviewed the service change updates. She reviewed Votran Gold's service and the major upcoming projects' details for mobility-on-demand. There are options for different tiers of the MOD service. She continued the presentation and showed operating assumptions of the MOD service and how Votran will see savings of approximately \$1 million per year for the west side. In concert with the MOD service, they intend to implement software to allow customers to pay online with an app. Votran has applied for a grant for mobile payment and scheduling software; they will also update the onboard technology and dispatch equipment as well with that grant. Future plans include propane paratransit vehicles and electric fixed-route buses as well as an intermodal transfer station in the Orange City/Deltona area.

Members discussed the presentation and provided comments; it was noted that Flagler County Public Transportation is entirely paratransit and customers love it. It was explained that going to propane-fueled buses is not a cost benefit but an environmental benefit. There were concerns regarding reduced service in west Volusia County and that it does not encourage more use of public transportation; it was explained that it is meant to increase ridership as outlying areas can be covered now; places that do not currently have fixed route will have MOD. The new service will be marketed to Votrans' current ridership, on-board the buses, among other ways.

#### **E. FDOT Report**

Ms. Taylor provided the FDOT report and announced they received PROTECT funding as part of the Bipartisan Infrastructure Bill. They want the TPO shows what the priorities are with your priority list; it is important to have a pipeline of projects ready to move forward when funding opportunities become available. She

announced it is Mobility Week and yesterday was “Try Transit Day” to encourage people to ride transit. They have a virtual conference room and activities that are taking place. They have started the Work Program public hearing process and are working with the cities’ staff and the TPO through project intake meetings for projects moving into the new Work Program. The online Work Program public hearing will be December 5 - 9, 2022, with an in-person meeting on December 6, 2022 at the District 5 office. She noted that there has been an average of a 25% project cost increase for FY 2023/27; she asked members to remain flexible if additional funding is needed. She stated Ms. Christine Barone, Operations Engineer for Volusia County, is present today; her team has been doing the hurricane clean-up.

Ms. Barone provided an update on the hurricane clean-up; FDOT has completed the first pass and is working on the plan for a second pass; she asked everyone to please be patient. This week they will start the second pass and are coordinating with their local partners to keep residents posted. Each time they complete a major corridor or state road they will put that information out; after that, it becomes the responsibility of the maintaining agency for any other debris that comes out to the right-of-way. The sand work along SR A1A in Flagler County will continue for a couple more weeks; she announced there will be an event tonight in Flagler Beach to discuss the hurricane clean-up progress.

**VII. Interim Executive Director’s Report**

Ms. Nicoulin stated that once FDOT finalizes the Tentative Work Program and conducts the public hearing, they will give a presentation at the beginning of the new year on projects in our area. She has been reaching out to the local municipalities and meeting with the city managers; the purpose of these meetings is to get an understanding of the issues each of them faces regarding transportation as they are all different. She and Commissioner Cloudman will be attending the MPOAC meeting in Orlando and she will provide a report next month on that. Regarding Mobility Week, the TPO will be participating in Port Orange Family Days on Saturday; the White Cane Awareness event on Friday at the Rehab Center for the Blind; and the annual Love to Ride Challenge. In November, the TPO will participate in a fair for families and the community at Campbell Middle School; the focus will be on bicycle and pedestrian safety. The TPO will also have a table at the VCARD Icebreaker. Ms. Blankenship develops an outreach and activities summary that is provided in the agendas and outlines future events the TPO will be participating in.

**VIII. River to Sea TPO Board Member Comments**

Councilwoman Power stated the debris monitoring crews are having issues with drivers becoming irritated; she encouraged members to get the message out to their constituents to be patient as the debris clean-up will continue for another month. Edgewater has volunteer citizen patrols going with the debris clean-up crews to ensure people are behaving.

Mayor Chasez referred to bicycle/pedestrian safety and stated she ran into an idea on a website that makes suggestions and possibly grants; it is called “asphalt art”. They claim to have studies that show safety improves when crosswalks are filled with artwork that can be locally done; she is considering it for the city of DeBary. She encouraged members to research the idea.

**IX. River to Sea TPO Chairperson Comments**

There were no TPO Chairperson comments.

**X. Information Items**

- Citizens Advisory Committee Attendance Record – 2022
- Technical Coordinating Committee Attendance Report – 2022
- Bicycle/Pedestrian Advisory Committee Attendance Record – 2022
- August/September/October TPO Outreach and Activities
- Upcoming River to Sea TPO Events
- Volusia and Flagler County Construction Reports
- 2023 River to Sea TPO Board and Committee Meeting Schedule

→ TDLCB Resolution 2022-01 Supporting Mobility On-Demand Transit and partnerships between Votran and transportation network companies to provide additional on-demand transportation

**XI. Adjournment**

There being no further business, the River to Sea TPO Board meeting adjourned at 11:08 a.m.

**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

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**VOLUSIA COUNTY COUNCIL VICE CHAIR BARBARA GIRTMAN  
CHAIRPERSON, RIVER TO SEA TPO**

**CERTIFICATE:**

The undersigned, duly qualified and acting Recording Secretary of the River to Sea TPO Board certifies that the foregoing is a true and correct copy of the minutes of the October 26, 2022 regular meeting of the River to Sea Transportation Planning Organization (TPO) Board, approved and duly signed this 30<sup>th</sup> day of November 2022.

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**DEBBIE STEWART, RECORDING SECRETARY  
RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

***\*\* A recording of the October 26, 2022 TPO Board meeting is available upon request.***

**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**  
**MONTHLY TREASURER REPORT FY 22/23**  
**PERIOD ENDING October 31, 2022**

<u>DESCRIPTION</u>	<u>22/23 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	\$ 91,470.00	\$675.36	\$60,482.50	\$30,987.50	66.12%
STATE FUNDS	\$ 32,979.00	12,584.00	12,584.00	20,395.00	38.16%
FEDERAL FUNDS	\$ 2,086,542.00	47,608.23	47,608.23	2,038,933.77	2.28%
<b><u>REVENUES</u></b>	\$ 2,210,991.00	\$60,867.59	\$120,674.73	\$2,090,316.27	5.46%
<b><u>EXPENSES</u></b>					
SALARIES	\$ 609,677.00	\$29,104.09	\$117,122.77	\$492,554.23	19.21%
FRINGE BENEFITS	\$ 239,273.00	10,302.86	46,253.42	193,019.58	19.33%
OFFICE/OPERATING SUPPLIES	\$ 5,000.00	683.90	1,490.65	3,509.35	29.81%
POSTAGE	\$ 3,000.00	386.22	1,414.74	1,585.26	47.16%
OFFICE EXPENSE (Rent, Utilities, & Janitorial, etc)	\$ 130,400.00	10,098.14	40,100.88	90,299.12	30.75%
ADVERTISING	\$ 4,000.00	318.76	491.00	3,509.00	12.28%
PRINTING	\$ 4,000.00	0.00	215.04	3,784.96	5.38%
CONFERENCE, WORKSHOPS & SEMINAR FEES	\$ 6,300.00	270.00	762.03	5,537.97	12.10%
PROFESSIONAL SERVICES FEES	\$ 51,811.00	7,464.79	8,908.23	42,902.77	17.19%
DUES/MEMBERSHIPS	\$ 7,044.00	1,023.00	1,315.00	5,729.00	18.67%
PUBLICATIONS	\$ 1,050.00	187.14	358.74	691.26	34.17%
CAPITAL OUTLAY (AV System Upgrade)	\$ 75,000.00	0.00	0.00	75,000.00	0.00%
COPY MACHINE COSTS	\$ 18,000.00	1,229.11	2,607.58	15,392.42	14.49%
TRAVEL EXPENSE	\$ 12,500.00	197.49	1,677.09	10,822.91	13.42%
OUTREACH AND EDUCATIONAL	\$ 8,000.00	7,639.41	7,662.83	337.17	95.79%
CONSULTANT SERVICES/SPECIAL STUDIES	\$ 841,297.00	22,730.50	27,730.50	813,566.50	3.30%
MEETING EXPENSE	\$ 2,000.00	98.93	357.84	1,642.16	17.89%
LIABILITY, EQUIPMENT & AUTO INSURANCE	\$ 16,937.00	0.00	4,010.75	12,926.25	23.68%
REPAIRS/IMPROVEMENTS	\$ 2,000.00	0.00	0.00	2,000.00	0.00%
NETWORK/WEBPAGE COSTS	\$ 102,340.00	2,658.98	16,543.92	85,796.08	16.17%
CAPITAL OUTLAY (Equipment/Furniture/Computers)	\$ 10,000.00	(632.09)	4,102.50	5,897.50	41.03%
SOFTWARE	\$ 6,962.00	1,453.25	3,377.27	3,584.73	48.51%
TELEPHONE	\$ 2,400.00	198.00	792.00	1,608.00	33.00%
EDUCATION/PROFESSIONAL DEVELOPMENT	\$ 2,000.00	0.00	0.00	2,000.00	0.00%
CONTINGENCY	\$ 50,000.00	0.00	2,171.42	47,828.58	4.34%
<b><u>EXPENSES</u></b>	\$ 2,210,991.00	\$95,412.48	\$289,466.20	\$1,921,524.80	13.09%
<b><u>BALANCE</u></b>	\$ -	(\$34,544.89)	(\$168,791.47)	\$168,791.47	

**33.33% OF YEAR COMPLETE**



**EXECUTIVE COMMITTEE  
MEETING SUMMARY  
NOVEMBER 2, 2022**

***Due to COVID-19 the meeting was held as a hybrid meeting in accordance with AGO 2003-41 with four voting members physically present and one member virtually present***

- Approved a motion allowing members attending virtually to participate and vote
- Discussed transportation funding
- Recommended approval of expenditure for the Dunlawton Avenue/Swallowtail Drive EB right turn lane feasibility study (Port Orange)
- Recommending approval of expenditure for the Dunlawton Avenue/Taylor Road pedestrian street lighting feasibility study (Port Orange)
- Reviewed and approved the October 5, 2022 Executive Committee minutes
- Reviewed and approved the November 30, 2022 TPO Board agenda

**THE NEXT EXECUTIVE COMMITTEE MEETING WILL BE ON  
WEDNESDAY, JANUARY 4, 2023 @ 9:00 A.M.**



**LEGISLATIVE ISSUES SUBCOMMITTEE  
MEETING SUMMARY  
NOVEMBER 2, 2022**

***Remote participation was provided through Microsoft Teams***

- Discussed the 2023 Legislative Positions for the River to Sea TPO which included funding, safety and technology positions
- Reviewed and discussed draft revisions to the 2023 Legislative Positions based on prior Subcommittee and TPO Board discussions to strengthen language pertaining to safety; incorporate resiliency and sustainability; leverage funding opportunities; and fully restore the budget authority for the Commission for the Transportation Disadvantaged (CTD)
- Approved a motion to incorporate changes as discussed into the draft 2023 Legislative Positions
- Discussed the scheduling follow-up meetings with delegates and develop a “rack” card of the 2023 Legislative Positions to provide delegates

***No additional Legislative Issues Subcommittee meetings are scheduled***



**TIP Subcommittee  
Meeting Summary  
November 4, 2022**

***Remote Participation was provided through Microsoft TEAMS; eight voting members were physically present***

- Reviewed and discussed changes to the Traffic Operations, Safety and Local Initiatives Project Implementation Application pertaining to Criteria #2 - Project Readiness, Criteria #3 – Mobility and Operational Benefits, Criteria #4 – Safety Benefits, Criteria # 5 – Transportation Equity and Economic Vitality, and Criteria #6 – Resiliency and Sustainability
- Reviewed and discussed changes to the Traffic Operations, Safety and Local Initiatives Project Feasibility Study Application
- Approved a motion to incorporate the changes as discussed into the project applications





**Bicycle/Pedestrian Advisory Committee (BPAC)**  
**Meeting Summary**  
**November 9, 2022**

- The November 9, 2022 BPAC meeting was cancelled due to Hurricane Nicole

***\*\*The next BPAC meeting will be on Wednesday, January 11, 2023 at 2:00 pm\*\****



**Citizens Advisory Committee (CAC)**  
**Meeting Summary**  
**November 15, 2022**

***Due to COVID-19 the meeting was held as a hybrid meeting in accordance with AGO 2003-41 with ten voting and two non-voting members physically present; and with three voting and one non-voting members virtually present***

- Approved a motion to appoint Mr. Bob Storke as Chairperson for this meeting
- Approved a motion allowing members attending virtually to participate and vote
- Approved the October 18, 2022 CAC minutes
- Reviewed and recommended approval of Resolution 2022-## restating the policy for the allocation of Surface Transportation Block Grant (STBG) Program Urban Attributable funding and other state and federal funds identified in the Connect 2045 Long Range Transportation Plan (LRTP)
- Reviewed and recommended approval of Resolution 2022-## restating the local match requirements placed on member local governments for projects prioritized for funding by the TPO
- Reviewed and recommended approval of Resolution 2022-## restating the policy for establishing and maintaining transportation priority projects
- Reviewed and recommended approval of the priority project applications for traffic operations/safety and local initiatives projects and transportation planning studies
- Approved a motion to cancel the December CAC meeting
- Received a presentation and discussion of transportation funding
- Received a PowerPoint presentation and discussion of the I-95 corridor overview
- Received a presentation and discussion of an amendment to the Connect 2045 Long Range Transportation Plan (LRTP)
- Received the FDOT report; announced SR A1A has re-opened; announced this week is Crash Responder Safety Week; announced the public hearing for the Tentative Five-Year Work Program will be December 5-9, 2022 with an in-person public meeting on December 6, 2022 at the District 5 office in Deland beginning at 5:00 pm
- The Volusia County Construction Report and the Flagler County Construction Report were provided in the agenda
- Received staff comments regarding the TPO's Annual Holiday Open House and Toy Drive on December 7, 2022 from 4:00 pm to 6:00 pm
- Received member comments

***\*\*The next CAC meeting will be on Tuesday, January 17, 2023\*\****

Beverly Beach	DeBary	Flagler Beach	New Smyrna Beach	Palm Coast	South Daytona
Bunnell	DeLand	Flagler County	Oak Hill	Pierson	Volusia County
Daytona Beach	Deltona	Holly Hill	Orange City	Ponce Inlet	
Daytona Beach Shores	Edgewater	Lake Helen	Ormond Beach	Port Orange	



## Technical Coordinating Committee (TCC) Meeting Summary November 15, 2022

***Due to COVID-19 the meeting was held as a hybrid meeting in accordance with AGO 2003-41; with 12 voting members and one non-voting member physically present; and with one voting member virtually present***

- Approved a motion allowing members attending virtually to participate and vote
- Approved the October 18, 2022 TCC minutes
- Reviewed and recommended approval of Resolution 2022-## restating the policy for the allocation of Surface Transportation Block Grant (STBG) Program Urban Attributable funding and other state and federal funds identified in the Connect 2045 Long Range Transportation Plan (LRTP)
- Reviewed and recommended approval of Resolution 2022-## restating the local match requirements placed on member local governments for projects prioritized for funding by the TPO
- Reviewed and recommended approval of Resolution 2022-## restating the policy for establishing and maintaining transportation priority projects
- Reviewed and recommended approval of the priority project applications for traffic operations/safety and local initiatives projects and transportation planning studies
- Approved a motion to cancel the December TCC meeting
- Received a presentation and discussion of transportation funding
- Received a PowerPoint presentation and discussion of the I-95 corridor overview
- Received a presentation and discussion of an amendment to the Connect 2045 Long Range Transportation Plan (LRTP)
- Received the FDOT report; announced SR A1A has re-opened; announced this week is Crash Responder Safety Week; announced the public hearing for the Tentative Five-Year Work Program will be December 5-9, 2022 with an in-person public meeting on December 6, 2022 at the District 5 office in Deland beginning at 5:00 pm
- The Volusia County Construction Report and the Flagler County Construction Report were provided in the agenda
- Received staff comments regarding the TPO's Annual Holiday Open House and Toy Drive on December 7, 2022 from 4:00 pm to 6:00 pm

***\*\*The next TCC meeting will be on Tuesday, January 17, 2023\*\****

Beverly Beach	DeBary	Flagler Beach	New Smyrna Beach	Palm Coast	South Daytona
Bunnell	DeLand	Flagler County	Oak Hill	Pierson	Volusia County
Daytona Beach	Deltona	Holly Hill	Orange City	Ponce Inlet	
Daytona Beach Shores	Edgewater	Lake Helen	Ormond Beach	Port Orange	



## River to Sea TPO Board Meeting Summary October 26, 2022

***Due to COVID-19 the meeting was held as a hybrid meeting in accordance with AGO 2003-41 with 14 voting and two non-voting members physically present; and with two voting and two non-voting members attending remotely***

- Approved a motion allowing members attending virtually to participate and vote
- Approved the Consent Agenda including approval of: August 24, 2022 meeting minutes; Executive Director's timesheet review reports; the Flagler County Transit Development Plan (TDP) Letter; and reschedule the TPO Board meeting from November 23, 2022 to November 30, 2022
- Approved Resolution 2022-19 amending the Connect 2045 Long Range Transportation Plan (LRTP) by roll call vote
- Approved Resolution 2022-20 amending the FY2022/23 to 2026/27 Transportation Improvement Program (TIP) by a roll call vote
- Approved Resolution 2022-21 amending the FY 2022/23 and 2023/24 Unified Planning Work Program (UPWP) by roll call vote
- Approved a motion to offer the permanent River to Sea TPO Executive Director position to Ms. Colleen Nicoulin and move forward with contract negotiations
- Received a presentation and discussion of the River to Sea TPO's guiding resolutions and project applications for the Call for Projects
- Received a PowerPoint presentation and discussion of the FY 2021/22 Public Involvement Activities Summary
- Received a presentation and discussion of the draft River to Sea TPO 2023 Legislative Positions
- Received a PowerPoint presentation of the Votran Mobility on-Demand Project
- Received the FDOT report; announced Mobility Week activities; announced the Tentative Five-Year Work Program public hearing will be held online the week of December 5-9, 2022 with the in-person public hearing on December 6, 2022 at the Deland District 5 office; and provided an update on hurricane response
- Received the Interim Executive Director's report; announced coordination with local governments regarding project programming and priorities; announced Mobility Week and upcoming activities the TPO will be participating in

***The next River to Sea TPO Board meeting will be on Wednesday, November 30, 2022 at 9:00 am***



To: River to Sea TPO Board

From: Volusia County Vice-Chair Barbara Girtman, River to Sea TPO Chairperson

Date: November 2, 2022

RE: River to Sea TPO Chairperson Report of Timesheet Review

In accordance with the River to Sea TPO's Timekeeping and Travel Reimbursement Policy that became effective on November 1, 2019, the following timesheets were provided to the River to Sea TPO Chairperson for review on October 5, 2022.

Timesheets Provided		Timesheets Reviewed Chair Initial
Batch Number	Time Period	
793	September 25, 2022 through October 1, 2022	<i>BG</i>
794	October 2, 2022 through October 8, 2022	<i>BG</i>
795	October 9, 2022 through October 15, 2022	<i>BG</i>
796	October 16, 2022 through October 22, 2022	<i>BG</i>

*BG* No abnormalities noted.

\_\_\_\_\_ Abnormalities were noted and have been resolved.

\_\_\_\_\_ Abnormalities were noted and have **not** been resolved.

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**V. ACTION ITEMS**

**A. REVIEW AND APPROVAL OF THE RIVER TO SEA TPO EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT**

**Background Information:**

At the October 26, 2022 meeting, the TPO Board approved a motion to offer Ms. Colleen Nicoulin the permanent River to Sea TPO Executive Director Position and move forward with contract negotiations, as recommended by the TPO Executive Committee. An Executive Director Employment Agreement has been drafted and is presented for your consideration and approval.

***ACTION REQUESTED:***

***MOTION TO APPROVE THE RIVER TO SEA TPO EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT***



## **EMPLOYMENT AGREEMENT**

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by and between the **RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**, a governmental agency created and operating pursuant to Section 339.175, Florida Statutes, with post office address at 2570 West International Speedway Boulevard, Suite 100, Daytona Beach, FL 32114, hereinafter called "TPO," as party of the first part, and **COLLEEN NICOULIN**, with post office address at 6220 Foxhaven Court, Port Orange, FL 32127, hereinafter called "EXECUTIVE DIRECTOR".

### **WITNESSETH:**

WHEREAS, the TPO wishes to continue the employment of the services of COLLEEN NICOULIN as Executive Director of the TPO, as provided by the TPO Policies and Procedures and Section 339.175(6)(g), Florida Statutes, whereby each Metropolitan Planning Organization ("MPO") shall have an executive or staff director who reports directly to the MPO governing board for all matters regarding the administration and operation of the MPO; and

WHEREAS, the TPO is the MPO for Volusia County and the urbanized area of Flagler County; and

WHEREAS, it is the desire of the governing body of the TPO, hereinafter called the "Governing Board", to provide certain benefits, establish certain conditions of employment, and to set working conditions and requirements of said EXECUTIVE DIRECTOR; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

### **SECTION 1. DUTIES.**

A. The TPO hereby employs the said COLLEEN NICOULIN as Executive Director of said TPO to perform the functions and duties specified by State and Federal law, TPO Policies and Procedures and pertinent policy directives, the duties as described in the Executive Director's job description, and to perform other legally permissible and proper duties and functions as the Governing Board or the Executive Committee shall from time to time assign. The EXECUTIVE DIRECTOR shall be employed to perform work pursuant to this Agreement, as a salaried/full-time employee routinely performing at least forty (40) hours of work, usually Monday through Friday, TPO holidays excluded. It is recognized that the EXECUTIVE DIRECTOR will devote time outside the normal office hours to the performance of her duties for the TPO, and the EXECUTIVE DIRECTOR will be allowed to establish an appropriate work schedule consistent with the professional nature of her employment.

B. The job description of the EXECUTIVE DIRECTOR may be revised from time to time at the discretion of the TPO as determined by its Governing Board. At the request

of the EXECUTIVE DIRECTOR, issues such as compensation may be re-opened for further negotiation by the TPO operating through its Governing Board and the EXECUTIVE DIRECTOR, if the job description is materially amended or amended to add additional job duties.

C. The Governing Board shall be the sole judge of the performance of the EXECUTIVE DIRECTOR; provided, that the Governing Board may from time to time delegate oversight of performance to the TPO Governing Board Chairperson or the TPO's Executive Committee.

D. The EXECUTIVE DIRECTOR shall be responsible for insuring performance of:

1. All of the duties of the Executive Director as set forth in the Executive Director's job description, as amended from time to time. A copy of the job description is attached hereto as **Exhibit "A"**, which exhibit is incorporated herein by this reference; and

2. Direct and supervise the preparation by the TPO staff of the Unified Planning Work Program, Transportation Improvement Plan, Long-Range Transportation Plan, and preparation any other contracts or documents, all as provided in Section 339.175, Florida Statutes, and 23 CFR Part 450, Subpart C, all as amended from time to time. The EXECUTIVE DIRECTOR is authorized to coordinate with and use the services of the TPO General Counsel or other transportation-related planning contractors to assist in this task.

## **SECTION 2. TERM OF EMPLOYMENT.**

A. The term of employment of the EXECUTIVE DIRECTOR under this Employment Agreement shall be for a period of approximately three (3) years commencing December 1, 2022, and terminating November 30, 2025.

B. The EXECUTIVE DIRECTOR agrees to remain in the exclusive employ of the TPO during the term of this Agreement, and neither to accept other employment nor to become employed by any other employer without the express consent of the GOVERNING BOARD until the foregoing termination date, unless the term of this Employment Agreement is earlier terminated as provided in Section 5 or Section 6. However, the EXECUTIVE DIRECTOR may teach educational classes at the secondary or post-secondary levels and accept remuneration from avocations of interest to the EXECUTIVE DIRECTOR. Notwithstanding the foregoing, the EXECUTIVE DIRECTOR acknowledges that her work for the TPO shall be her top priority in the event of work or time conflicts.

**SECTION 3. COMPENSATION.** The TPO agrees to compensate the EXECUTIVE DIRECTOR for her services rendered pursuant hereto with an initial gross base salary of \$140,000.00 per year for each year of this Employment Agreement; provided, however, that any Cost of Living Adjustments (herein: "COLA") approved by the Governing Board for all TPO employees shall also be applied to the Executive Director's base salary, which



upon approval shall become the new base salary of the Executive Director; or as provided for by Section 215.425(3), Florida Statutes, the EXECUTIVE DIRECTOR shall be eligible to receive one-time, lump-sum performance bonuses deemed appropriate by the Governing Board. Payment of the foregoing annual salary shall be made in substantially equal installments on a bi-weekly basis or in the same manner as paid to general employees of the TPO. If the EXECUTIVE DIRECTOR is ever terminated, terminates this Agreement, or is suspended without pay, further payments of wages are terminated or suspended, except as otherwise provided in this Agreement. The foregoing sentence shall survive the termination of this Agreement.

#### **SECTION 4. SUSPENSION.**

A. The Governing Board, or its designee the TPO Executive Committee, reserves the right to suspend the EXECUTIVE DIRECTOR with or without compensation under the conditions of the Personnel Policy of the TPO, as amended from time to time.

B. Notwithstanding the foregoing and in addition thereto, the EXECUTIVE DIRECTOR may be temporarily suspended with or without pay from her employment while the Governing Board, or its designee the TPO Executive Committee, investigates any facts or circumstances which might constitute a basis for a “for cause” termination, for malfeasance, for misfeasance, or for neglect of duty.

C. In the event of any suspension, the TPO shall give the EXECUTIVE DIRECTOR written notice thereof stating in reasonable detail the nature of such facts or circumstances it is investigating.

D. Although a suspension pursuant to sub-sections A. or B. shall take place immediately, the EXECUTIVE DIRECTOR may contest the suspension and has a right to a prompt hearing within a reasonable period of time before the Governing Board, the Executive Committee, or either bodies’ designee.

#### **SECTION 5. TERMINATION.**

A. Termination for Convenience. The TPO, by a majority of the entire Governing Board membership (*i.e.*, 10 affirmative votes) at a properly noticed meeting, may terminate the employment of EXECUTIVE DIRECTOR without cause by directing written notice of termination to EXECUTIVE DIRECTOR by certified U.S. mail, return receipt requested and postage prepaid or by hand delivery to the EXECUTIVE DIRECTOR.

In the event of such termination while the EXECUTIVE DIRECTOR is ready, willing and able to perform the duties of TPO Executive Director, and although the TPO does not need cause for termination as provided in Subsection B. hereof, the TPO shall pay EXECUTIVE DIRECTOR a sum equal to 20 weeks of severance pay (*i.e.*, calculated based on the then current rate of pay divided by 52 weeks times 20 weeks) that the EXECUTIVE DIRECTOR would earn for employment pursuant to this Agreement. Consistent with Section 215.425, Florida Statutes (2022), as used in this Section 5., the

term “severance pay” means the actual or constructive compensation, including salary, benefits, or perquisites, for employment services yet to be rendered which is provided to an employee who has recently been or is about to be terminated. The term does not include compensation for:

1. Earned and accrued annual, compensatory, or administrative leave;
2. Early retirement under provisions established in an actuarially funded pension plan subject to part VII of Chapter 112, Florida Statutes; or
3. Any subsidy for the cost of a group insurance plan available to an employee upon normal or disability retirement that is by policy available to all employees of the unit of government pursuant to the unit’s health insurance plan. This subparagraph may not be construed to limit the ability of the TPO to reduce or eliminate such subsidies.

Payment of the severance pay shall be paid to the EXECUTIVE DIRECTOR after deductions for income tax, social security, and other applicable payments due, if any. This termination or severance pay shall be paid in lump sum within thirty (30) days from the notice of termination.

Upon termination and payment of the severance pay, the TPO shall be relieved of any further liability to the EXECUTIVE DIRECTOR for pay, charges, penalties, damages, compensation or otherwise. Pursuant to Section 215.425(4), Florida Statutes, the EXECUTIVE DIRECTOR may not receive severance pay when the EXECUTIVE DIRECTOR has been fired for misconduct as defined in Section 443.036(29), Florida Statutes, by the TPO.

B. Termination for Cause. In the event the TPO terminates the EXECUTIVE DIRECTOR for cause then the EXECUTIVE DIRECTOR will be given a written copy of the particulars and shall have the right to appear in public before the Governing Board and present evidence and argument concerning said allegations. After such hearing, if a majority of the entire Governing Board (*i.e.*, 10 affirmative votes) finds there is cause to terminate the EXECUTIVE DIRECTOR and terminates the EXECUTIVE DIRECTOR, then the EXECUTIVE DIRECTOR shall not be entitled to severance pay. Said hearing shall be held within sixty (60) days of the notice of termination.

For the purpose of this Section 5. B., the term “for cause” shall include any of the following:

- Malfeasance;
- Misfeasance;
- Neglect of duty;

Conviction for, or admission to having committed the crime of a misdemeanor or a felony. A plea of *nolo contendere* shall for the purposes of this Agreement be construed to be the admission to having committed the crime of a misdemeanor or a felony. A determination by a court of law withholding judgment for the purposes of this Agreement shall be construed to be the conviction of a misdemeanor or a felony;

Unprofessional, unethical, immoral, or fraudulent conduct, if said conduct has a material adverse effect on the TPO's business or reputation;

Engaging in sexual harassment as admitted to by the EXECUTIVE DIRECTOR or as determined by a governmental body or a judicial or administrative forum, after a hearing at which the EXECUTIVE DIRECTOR was given an opportunity to be heard in her defense;

A material failure or refusal by the EXECUTIVE DIRECTOR to comply with the TPO policies and procedures or directives of the TPO Governing Board or Executive Committee, which failure or refusal is not cured by the EXECUTIVE DIRECTOR within thirty (30) days after written notice to her from the TPO Governing Board, or Executive Committee, of such failure or refusal;

The EXECUTIVE DIRECTOR's sanctioning of conduct by any TPO employee under her authority that constitutes a material violation of the TPO Policies and Procedures or directives of the TPO Governing Board, or Executive Committee, that is not reprovved by the EXECUTIVE DIRECTOR in a manner within a reasonable period of time after notice to her by the TPO Governing Board or Executive Committee;

A material failure or refusal by the EXECUTIVE DIRECTOR to faithfully and diligently perform the usual and customary duties of her employment and to adhere to the provisions of this Agreement, which failure or refusal is not cured by the EXECUTIVE DIRECTOR within thirty (30) days after written notice to her from the TPO Governing Board, or Executive Committee, of such failure or refusal;

Misconduct as defined in Section 443.036(29), Florida Statutes. "Misconduct" is defined in Section 443.036(29), as irrespective of whether the misconduct occurs at the workplace or during working hours, includes, but is not limited to, the following, which may not be construed *in pari materia* with each other:

(a) Conduct demonstrating conscious disregard of an employer's interests and found to be a deliberate violation or disregard of the reasonable standards of behavior which the employer expects of his or her employee. Such conduct may include, but is not limited to, willful damage to an employer's property that results in damage of more than \$50, or theft of employer property or property of a customer or invitee of the employer.

(b) Carelessness or negligence to a degree or recurrence that manifests culpability or wrongful intent, or shows an intentional and substantial disregard of the employer's interests or of the employee's duties and obligations to his or her employer.

(c) Chronic absenteeism or tardiness in deliberate violation of a known policy of the employer or one or more unapproved absences following a written reprimand or warning relating to more than one unapproved absence.

(d) A willful and deliberate violation of a standard or regulation of this state by an employee of an employer licensed or certified by this state, which violation would cause the employer to be sanctioned or have its license or certification suspended by this state.

(e) 1. A violation of an employer's rule, unless the claimant can demonstrate that:

a. She did not know, and could not reasonably know, of the rule's requirements;

b. The rule is not lawful or not reasonably related to the job environment and performance; or

c. The rule is not fairly or consistently enforced.

2. Such conduct may include, but is not limited to, committing criminal assault or battery on another employee, or on a customer or invitee of the employer or committing abuse or neglect of a patient, resident, disabled person, elderly person, or child in her or his professional care.

C. Permanent Disability. If the EXECUTIVE DIRECTOR is permanently disabled or is otherwise unable to perform her duties because of sickness, accident, injury, mental incapacity or health for a period of thirty (30) days beyond any accrued annual leave, the TPO shall have the option to terminate this Agreement. The EXECUTIVE DIRECTOR shall be compensated upon termination as provided in Section 5. A. above.

D. This section shall survive the termination of this Agreement.

**SECTION 6. TERMINATION BY EXECUTIVE DIRECTOR.** The EXECUTIVE DIRECTOR may terminate her employment with the TPO by directing *written* notice of termination to the Chairman of the Governing Board by personal, hand delivery or by certified U.S. mail, return receipt requested and postage prepaid. In the event of such termination, the EXECUTIVE DIRECTOR shall not be entitled to receive the severance pay provided for in Section 5. of this Agreement. The EXECUTIVE DIRECTOR agrees to give sixty (60) calendar days notice from the date of dispatch of the afore-mentioned notice prior to termination, unless the Governing Board waives all or part of said time period. If the EXECUTIVE DIRECTOR gives less than sixty (60) calendar days' notice of her intent to terminate her employment, the TPO shall be entitled to retain as liquidated damages any sums that would otherwise be due the EXECUTIVE DIRECTOR as termination compensation or severance pay under Section 10. of this Agreement. This section shall survive the termination of this Agreement.

## **SECTION 7. AUTOMOBILE AND EQUIPMENT**

A. The TPO shall provide the EXECUTIVE DIRECTOR with a laptop computer for business use. Upon termination of this Agreement, the laptop computer shall be returned to the TPO in the same condition as when the computer was issued, normal wear and tear accepted.

B. The EXECUTIVE DIRECTOR shall receive no automobile reimbursement, but the EXECUTIVE DIRECTOR is eligible to receive travel reimbursement for TPO-related business travel subject to applicable Federal, State of Florida, and TPO policy

requirements and provided that funds have been budgeted in the TPO's annual budget document.

**SECTION 8. INSURANCE COVERAGE.** The TPO shall make all life, health and short- and long-term disability insurance coverage which is generally available to the TPO staff available to the EXECUTIVE DIRECTOR upon the same terms and conditions; provided, that the EXECUTIVE DIRECTOR meets all health and insurance screening criteria routinely applied to similarly situated employees.

**SECTION 9. ANNUAL LEAVE.** The EXECUTIVE DIRECTOR shall have the same paid time off (PTO) benefits as are generally available to the TPO's other similarly situated employees as described in the River to Sea TPO Handbook of Employee Policies and Practices, Section 6.R, as amended from time to time by the TPO Governing Board. As of the commencement date of this Agreement, the EXECUTIVE DIRECTOR shall be credited with any available, uncompensated PTO that she has accumulated from her employment with the River to Sea TPO to date. The Governing Board recognizes that the EXECUTIVE DIRECTOR served the TPO for many years and is accepting an executive position. In recognition of this service, the EXECUTIVE DIRECTOR shall be compensated at an annual leave accrual rate equal to an employee with 13 years of service which is currently 9.85 hours per pay period (based on 26 per year).

Once the EXECUTIVE DIRECTOR surpasses 13 years of work with the TPO, on July 5, 2030, (based on hire date of July 5, 2017) annual leave shall be calculated using the formula set forth in Section 6.R of the River to Sea TPO Employee Policies and Practices, as amended or increased from time to time.

**SECTION 10. TERMINATION PAY.**

A. The EXECUTIVE DIRECTOR shall receive, upon termination or resignation, compensation at termination equal to all accrued and unused annual leave time to which the EXECUTIVE DIRECTOR is entitled under the terms of this Agreement, plus any accrued benefits that the EXECUTIVE DIRECTOR would be entitled to under the then existing TPO policies applicable to the TPO's employees.

B. The EXECUTIVE DIRECTOR shall upon termination of her employment at the end of the term of this Agreement (e.g. – November 30, 2025), shall not be entitled to receive any severance pay for termination for convenience of the TPO.

**SECTION 11. BUSINESS EXPENSES.** Subject to Federal and applicable Florida State grant restrictions and provided that funding has been provided in the TPO's annual budget, the TPO shall pay or reimburse the EXECUTIVE DIRECTOR for employment-related expenses including, but not limited to meals, parking, tolls, hotel, and similar types of expenses at transportation-related conferences and meetings, subject to any requirements of TPO pre- or post-expenditure approval, as amended from time to time.

**SECTION 12. PERFORMANCE EVALUATION.** The TPO Executive Committee shall evaluate the job performance of the EXECUTIVE DIRECTOR during the month of August, or as soon thereafter as may be convenient to the Executive Committee or its designee, on an annual basis. Evaluation of the EXECUTIVE DIRECTOR's job performance shall be based upon criteria related to the elements of the EXECUTIVE DIRECTOR's position, which criteria shall be established by the Executive Committee and furnished to the EXECUTIVE DIRECTOR prior to commencement of an evaluation period (*i.e.* – July 1<sup>st</sup> to June 30<sup>th</sup> of the following year). The Executive Committee will present the proposed merit increase, if any, to the TPO Governing Board for its approval or disapproval. A copy of the EXECUTIVE DIRECTOR's job performance evaluation shall be furnished to the EXECUTIVE DIRECTOR.

**SECTION 13. PROFESSIONAL DEVELOPMENT AND CERTIFICATION.**

A. Subject to Federal and applicable Florida State grant restrictions, the EXECUTIVE DIRECTOR shall attend and participate in national, state and local associational conferences; provided, that said conferences are budgeted in the TPO's annual budget document and attendance has been approved by the TPO Chairperson or Executive Committee. The TPO shall pay for the cost of registrations, executive coaching, course fees, books and materials, travel, expenses and subsistence related to training programs, workshops and conferences which serve to continue the professional and educational development of the EXECUTIVE DIRECTOR. Reimbursement for travel and expenses shall be subject to the policy and procedures set forth in the Travel Policy of the TPO.

B. The TPO shall pay for professional membership organizational fees, dues and certifications funded in the discretion of the Governing Board by the annual TPO budget for the EXECUTIVE DIRECTOR. The EXECUTIVE DIRECTOR may hold offices or accept responsibilities in professional organizations, provided, that such responsibilities do not interfere with the EXECUTIVE DIRECTOR'S performance of her required duties.

**SECTION 14. AVAILABILITY OF NEW BENEFITS.** In the event that a new fringe benefit is made available to other similarly situated TPO employees, at the request of the EXECUTIVE DIRECTOR, this Agreement may be re-opened for negotiation of a possible extension of that benefit to the EXECUTIVE DIRECTOR.

**SECTION 15. PENSION PLAN.** The TPO and the EXECUTIVE DIRECTOR agree that the EXECUTIVE DIRECTOR shall continue as a participant in the Florida Retirement System. The TPO shall designate the EXECUTIVE DIRECTOR as a member of the Senior Management Service Class, or its equivalent. The EXECUTIVE DIRECTOR may choose to participate in an alternative Retirement and Pension Plan at the discretion of the EXECUTIVE DIRECTOR *and* the TPO Governing Board.

**SECTION 16. INDEMNIFICATION.** To the extent permitted by Section 111.07, Florida Statutes, the TPO will provide an attorney to defend any civil action arising from a complaint for damages or injury suffered as a result of any act or omission of action of any the EXECUTIVE DIRECTOR for an act or omission arising out of and in the scope of her

employment or function, unless, the EXECUTIVE DIRECTOR acted in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. Defense of such civil action includes, but is not limited to, any civil rights lawsuit seeking relief personally against the EXECUTIVE DIRECTOR for an act or omission under color of state law, custom, or usage, wherein it is alleged that the EXECUTIVE DIRECTOR has deprived another person of rights secured under the Federal Constitution or laws. Any attorney's fees paid from public funds for the EXECUTIVE DIRECTOR who is later found to be personally liable by virtue of acting outside the scope of her employment, or was acting in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety, or property, may be recovered by the TPO in a civil action against the EXECUTIVE DIRECTOR. This section shall survive the termination of this Agreement.

**SECTION 17. NOTICE.** Notices, invoices, communications, and payments, hereunder shall be deemed made if given in any of the following forms:

A. By certified U.S. Mail, return receipt requested, postage prepaid, and addressed to the party to receive such notice, invoice, or communication, as set forth below; or

B. By hand delivery to the office of the party to whom such notice, invoice, or communication is being given. All notices, invoices, or communications shall be addressed to a party at the address given below or such other address as may hereafter be designated by notice in writing.

If to the River to Sea TPO:                      Chairperson  
River to Sea Transportation Planning Organization  
2570 West International Speedway Boulevard  
Suite 100  
Daytona Beach, Florida 32114

If to the EXECUTIVE DIRECTOR:      Colleen Nicoulin  
6220 Foxhaven Court  
Port Orange, Florida 32127

C. A notice or communication, under this Agreement, from one party to another party shall be sufficiently given or delivered if dispatched to the party's individual listed in Section 11.B. by hand delivery, or by U.S. certified mail, postage prepaid, return receipt requested.

D. Notices; Addresses; Time. Either party may unilaterally change its addressee or address, by giving written notice thereof to the other party pursuant to this Section 11., but the change is not effective until the change notice is actually received by the other party.

E. Notice given by certified mail, return receipt requested, properly addressed and with postage fully prepaid, is deemed given when deposited in the United States mails within the continental United States, if the notice is thereafter delivered in due course at the

address to which properly sent. Notice given by overnight courier, service prepaid, properly addressed is deemed given when deposited with the courier within the continental United States, if the notice is thereafter delivered in due course at the address to which properly sent. Notice given by manual delivery is deemed given only when actually received by the recipient.

## **SECTION 18. GENERAL CONTRACTUAL PROVISIONS.**

A. The text of this document shall constitute the entire agreement between the parties. This Agreement shall become effective when signed by the last party to the Agreement.

B. The invalidity or unenforceability of any provision of this Agreement shall in no way affect the validity or enforceability of any other provision. Said invalid or unenforceable word, sentence, or term, shall be stricken from this Agreement, and this Agreement shall be read as if said invalid or unenforceable word, sentence, or term, does not exist.

C. This Agreement shall be construed in accordance with the laws of the State of Florida.

D. This Agreement shall not be read or construed more harshly against either party hereto, because both parties have participated in the wording and negotiation of the terms of this Agreement.

E. Venue and the forum for any legal proceedings on this Agreement shall be in the Circuit Court, 7th Circuit, or the U.S. District Court, Southern District of Florida.

F. The paragraph headings are for reference and convenience only and shall have no effect in any construction of this Agreement.

G. This Agreement supersedes all other agreements, either oral or written, between the parties regarding the subject matter hereof. All rights granted to the EXECUTIVE DIRECTOR under this Agreement are personal, and neither this Agreement nor any of the rights arising hereunder may be transferred or assigned by the EXECUTIVE DIRECTOR, voluntarily or 110 10 involuntarily, without the consent of the TPO. Notwithstanding the foregoing, the TPO may assign any or all of the duties, responsibilities, rights, or privileges in this Agreement, through legal constructs, including Interlocal Agreements to other agencies of its choosing, contingent on compliance with applicable federal and state laws.

**SECTION 19. PUBLIC ENTITY CRIMES.** In accordance with Sections 287.132 and 287.133, Florida Statutes, by entering into this Agreement or performing any Work in furtherance hereof, the EXECUTIVE DIRECTOR certifies that said EXECUTIVE DIRECTOR, the EXECUTIVE DIRECTOR's affiliates, suppliers, and subcontractors who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the thirty-six (36) months immediately preceding the effective date of this Agreement.



**SECTION 20. DISCRIMINATORY VENDOR LIST.** The EXECUTIVE DIRECTOR hereby certifies that it has not been placed on Florida's Department of Management Services' Discriminatory Vendor List as provided under Section 287.134, Florida Statutes.

**SECTION 21. TITLE VI – NONDISCRIMINATION POLICY STATEMENT.** During the performance of this Agreement, the EXECUTIVE DIRECTOR agrees for the EXECUTIVE DIRECTOR, the EXECUTIVE DIRECTOR's assignees and successors in interest states and affirms as follows:

A. Compliance with Regulations. The EXECUTIVE DIRECTOR shall comply with the nondiscrimination regulations applicable to federally assisted programs of the U.S. Department of Transportation ("DOT") set forth at 49 CFR Part 21, as they may be amended from time to time (referred to hereinafter as the "Regulations"). Said Regulations are hereby incorporated into and made a part of this Agreement by reference. As required by 49 CFR 26.13, the EXECUTIVE DIRECTOR is advised that the TPO shall not discriminate on the basis of race, color, national origin, religion, gender, age or disability in the award and performance of any DOT-assisted contract or in the administration of its DBE ("Disadvantage Business Enterprise") program or the requirements of 49 CFR Part 26. The TPO shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts.

B. Nondiscrimination. The EXECUTIVE DIRECTOR, with regard to the work performed during this Agreement, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or familial status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The EXECUTIVE DIRECTOR shall not participate either directly or indirectly in the discrimination prohibited by the Regulations established at 49 CFR 21, as they may be amended from time to time, including employment practices, if this Agreement covers a program set forth in Appendix B of the Regulations.

C. Solicitations for Subcontractors, including Procurements of Materials and Equipment. In all solicitations made by the EXECUTIVE DIRECTOR, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the EXECUTIVE DIRECTOR of the EXECUTIVE DIRECTOR's obligations under this Agreement and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or familial status. 111 11

D. Information and Reports. The EXECUTIVE DIRECTOR shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Florida Department of Transportation ("FDOT"), Federal Highway Administration ("FHWA"), Federal Transit Administration ("FTA"), Federal Aviation Administration ("FAA"), and/or the Federal Motor Carrier Safety Administration ("FMCSA") to be pertinent to ascertain compliance with such Regulations, orders and

instructions. Where any information required of the EXECUTIVE DIRECTOR is in the exclusive possession of another who fails or refuses to furnish this information, the EXECUTIVE DIRECTOR shall so certify to FDOT, FHWA, FTA, FAA, and/or FMCSA as appropriate, and shall set forth what efforts it has made to obtain the information.

E. Sanctions for Noncompliance. In the event of the EXECUTIVE DIRECTOR's noncompliance with the nondiscrimination provisions of this Agreement, FDOT may impose such contract sanctions as it or FHWA, FTA, FAA, and/or FMCSA may determine to be appropriate, including, but not limited to: 1. Withholding of payments to the EXECUTIVE DIRECTOR until the Director complies; and/or 2. Cancellation, termination or suspension of the Agreement, in whole or in part.

F. Incorporation of Provisions. The Director shall include the provisions of paragraphs a. through e. of this Section in every subcontract, including procurements of materials and leases of equipment, the EXECUTIVE DIRECTOR personally enters into as opposed to as an official of the TPO, unless exempted by the Regulations, or directives issued pursuant thereto. This provision does not authorize a subcontract. The EXECUTIVE DIRECTOR shall take such action with respect to any subcontract or procurement as FDOT, FHWA, FTA, FAA, and/or FMCSA may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event the EXECUTIVE DIRECTOR becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the EXECUTIVE DIRECTOR may request FDOT to enter into such litigation to protect the interests of FDOT, and, in addition, the EXECUTIVE DIRECTOR may request the United States to enter into such litigation to protect the interests of the United States.

G. The EXECUTIVE DIRECTOR does hereby represent and certify that it will comply with all the requirements imposed by Title VI of the Civil Rights Acts of 1964 and Title VII of the Civil Rights Act of 1968, as they have been and may be modified from time to time (42 U.S.C. 2000d, et seq. and 3601 et seq.), and all applicable implementing regulations of the U.S.DOT and its agencies.

H. The EXECUTIVE DIRECTOR does hereby represent and certify that the EXECUTIVE DIRECTOR will comply with all the requirements of the Americans with Disabilities Act (42. U.S.C. 12102, et seq.) and all applicable implementing regulations of the U.S.DOT and its agencies.

I. The EXECUTIVE DIRECTOR shall report to the Executive Committee all grievance or complaints pertaining to the EXECUTIVE DIRECTOR's actions and obligations under this Section to the TPO.

## **SECTION 22. CONFLICT OF INTEREST.**

A. The EXECUTIVE DIRECTOR represents that the EXECUTIVE DIRECTOR presently has no interest and shall acquire no interest, either direct or indirect, which would conflict in any manner with the performance or services required hereunder, as provided

for in Section 112.311 et seq., Florida Statutes. The EXECUTIVE DIRECTOR further represents that no person having any such interest shall be employed to assist in the performance of this Agreement.

B. The EXECUTIVE DIRECTOR shall promptly notify the TPO Governing Board's Chair, in writing, by U.S. certified mail, return receipt requested or by hand delivery, of all potential conflicts of interest for any prospective business association, interest, or other circumstance which may influence or appear to influence the EXECUTIVE DIRECTOR's judgment or the quality of services being provided hereunder. Such written notification shall identify the prospective business association, interest, or circumstance, the nature of work that the EXECUTIVE DIRECTOR may undertake and advise the TPO as to whether the association, interest, or circumstance would constitute a conflict of interest if entered into by the EXECUTIVE DIRECTOR. The TPO Board Chair may notify the EXECUTIVE DIRECTOR of its opinion as to whether a conflict exists under the circumstances identified by the EXECUTIVE DIRECTOR. If, in the opinion of the TPO Governing Board Chair or the TPO's Executive Committee, the prospective business association, interest or circumstance would constitute a conflict of interest by the EXECUTIVE DIRECTOR, then the EXECUTIVE DIRECTOR shall immediately act to resolve or remedy the conflict. If the EXECUTIVE DIRECTOR shall fail to do so, the TPO may terminate this Agreement for cause.

C. The EXECUTIVE DIRECTOR shall not enter into any contract, subcontract, or arrangement personal to the EXECUTIVE DIRECTOR in connection with its work with the TPO or any property included or planned to be included in the TPO work, with any officer, agent or employee of the TPO or any business entity of which the officer, agent, or employee or the officer's, agent's or employee's spouse or child is an officer, partner, agent, or proprietor or in which such officer, agent or employee or the officer's, agent's or employee's spouse or child, or any combination of them, has a material interest. "Material Interest" means direct or indirect ownership of one percent (1%) or more of the total assets or capital stock of any business entity.

D. The EXECUTIVE DIRECTOR shall not enter into any contract or arrangement personal to the EXECUTIVE DIRECTOR in connection with the TPO's work, with any person or entity that was represented before the TPO by any person, who at any time during the immediately preceding two (2) years, was an officer, agent, or employee of the TPO.

E. The EXECUTIVE DIRECTOR agrees for itself in the EXECUTIVE DIRECTOR's personal capacity and shall insert in all contracts entered into in connection with the TPO work or any property included or planned to be included in the TPO work, and shall require its contractors to insert in each of their subcontracts, the following provision:

"No member, officer, or employee of the TPO during his tenure or for two (2) years thereafter shall have any interest, direct or indirect, in this Agreement or the proceeds thereof."

**SECTION 23. CONTINGENT FEES.** The EXECUTIVE DIRECTOR warrants that it has not employed or retained any company or person, to solicit or secure this Agreement, and that it has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the EXECUTIVE DIRECTOR, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award or making of this Agreement.

**SECTION 24. MEMBERS OF CONGRESS.** No member or delegate to the Congress of the United States shall be admitted to any share or part of the Agreement or any benefit arising therefrom.

A. The EXECUTIVE DIRECTOR agrees that no federal appropriated funds have been paid or will be paid by or on behalf of the TPO, to any person for influencing or attempting to influence any officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.

B. If any funds other than federal appropriated funds have been paid to the EXECUTIVE DIRECTOR for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Work, the EXECUTIVE DIRECTOR shall complete and submit Standard Form-LLL "Disclosure Form to Report Lobbying," in accordance with its instructions or provide notification to the TPO in any other manner the TPO may allow.

C. The EXECUTIVE DIRECTOR shall include the two (2) above-stated clauses modified to show the particular contractual relationship, in all subcontracts personal to the EXECUTIVE DIRECTOR that it enters into related to the Work.

**SECTION 25. RESTRICTIONS, PROHIBITIONS, CONTROLS, AND LABOR PROVISIONS.**

A. Federal Participation. It is understood and agreed that, in order to permit TPO participation in the expenditure of Federal PL Funds, this Agreement may be subject to the approval of FHWA or FDOT. It is understood and agreed that, in order to permit TPO participation in the expenditure of Federal PL Funds, no supplemental agreement of any nature may be entered into by the parties hereto with regard to the Work to be performed hereunder without the approval of FHWA or as otherwise provided for in this section.

B. Inspection, Review, Approval, and Audit. It is understood and agreed that all rights of the FDOT or FHWA relating to inspection, review, approval, and audit of the work, tracings, plans, specifications, maps, data, and cost records relating to this Agreement

shall also be reserved and held by authorized representatives of the United States of America.

C. Record-keeping and documentation retention. The DOT and the TPO shall prepare and retain all records in accordance with the federal and state requirements, including but not limited to 2 CFR Part 200, 23 CFR Part 420, 49 CFR Part 18, 49 CFR 18.42, and Chapter 119, Florida Statutes, all as amended from time to time.

D. Prohibited Interests. Neither the TPO nor any of its contractors or their subcontractors shall enter into any contract, subcontract, or arrangement in connection with this Agreement, in which a member, officer, or employee of the TPO, either during his or her tenure or for one year thereafter, has any interest, direct or indirect. If any such present or former member, officer, or employee involuntarily acquired or had acquired prior to the beginning of his or her tenure any such interest, and if such interest is immediately disclosed to the TPO and such disclosure is entered in the minutes of the TPO, the TPO may waive the prohibition contained in this paragraph; provided, that any such present member, officer, or employee shall not participate in any action by the TPO or the locality relating to such contract, subcontract, or arrangement.

## **SECTION 26. NO GOVERNMENT OBLIGATION TO THIRD PARTIES.**

A. The EXECUTIVE DIRECTOR agrees, absent express written consent of the Federal Government, that the Federal Government is not a party to this Agreement and shall not be subject to any obligations or liabilities to any third party contractor, or any sub-recipient, or any other party pertaining to any matter resulting from this Employment Agreement or purchase order related thereto. The EXECUTIVE DIRECTOR agrees to include a similar provision in each subcontract (if any) which must be approved by the TPO and which is financed in whole or in part with federal assistance provided by FTA. The foregoing sentence does not authorize a subcontract.

B. Program Fraud and False or Fraudulent Statements. The EXECUTIVE DIRECTOR acknowledges that the provisions of the program Fraud Civil Remedies Act of 1986, as amended, 31 USC §3801, et seq., and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR Part 31, apply to its activities in connection with this Agreement. Upon execution of this Agreement, the EXECUTIVE DIRECTOR certifies and affirms the truthfulness and accuracy of any statement it has made, causes to be made, makes, or may make pertaining to the Agreement or the underlying FTA assisted project for which this Agreement or any Work Order is being performed. In addition to other penalties that may apply, the EXECUTIVE DIRECTOR acknowledges that if he makes a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on it to the extent the Federal Government may deem appropriate. The EXECUTIVE DIRECTOR also acknowledges that if the EXECUTIVE DIRECTOR makes or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government in connection with an urbanized area formula project financed with federal assistance authorized for 49 USC §5307, the Federal Government reserves the right to impose the penalties of 18 USC §1001 and 49 USC §5307(n) (1), to the extent the

Federal Government deems appropriate. The EXECUTIVE DIRECTOR agrees to include the above stated provisions in each subcontract financed in whole or in part with federal assistance provided by the FTA. The EXECUTIVE DIRECTOR shall not modify the above stated provisions except to identify the subcontractor who will be subject to the provision.

C. Federal Changes. The EXECUTIVE DIRECTOR shall at all times comply with all applicable FTA regulations, policies, procedures, and directives, as they may be promulgated or amended from time to time during the term of this Agreement. The EXECUTIVE DIRECTOR's failure to so comply shall constitute a material breach of this Agreement. The EXECUTIVE DIRECTOR agrees to include the above stated provision in each subcontract; provided, that this provision shall not be interpreted to authorize a subcontract.

D. Incorporation of FHWA and FTA Terms. This Agreement shall be deemed to include and does hereby incorporate by reference all standard terms and conditions required by the U.S. DOT, FHWA, and FTA, regardless of whether expressly set forth in this Agreement and include, but are not limited to, all of the duties, obligations, terms and conditions applicable to the work arising from this Agreement as described in FTA Circular 4220.1F, and applicable federal law. Anything to the contrary herein notwithstanding, all FHWA and FTA mandated terms shall be deemed to control in the event of a conflict with any other provisions contained in this Agreement. The EXECUTIVE DIRECTOR shall not perform any act, fail to perform any act, or refuse to comply with any requirement which would cause the TPO to be in violation of its Joint Planning Agreement with FDOT or any FHWA or FTA terms and conditions applicable to this Agreement. The EXECUTIVE DIRECTOR agrees to include the above stated provision in each subcontract financed in whole or in part with FTA assisted funding; provided, that this provision shall not be construed to authorize any subcontract without TPO approval.

E. No Intended Third-Party Beneficiaries. The parties acknowledge that this Agreement is not intended to be a third-party beneficiary contract, either express or implied, and confers no rights on anyone other than the TPO and the EXECUTIVE DIRECTOR, but the Florida Department of Transportation and the U.S. Department of Transportation shall be a beneficiary hereunder.

**SECTION 27. UNAUTHORIZED ALIEN WORKERS.** The TPO will not intentionally award publicly-funded contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a (Section 274a of the Immigration and Nationality Act "INA"). Upon a contractor's employment of unauthorized aliens, the TPO may immediately terminate this Agreement. The EXECUTIVE DIRECTOR hereby affirms and represents to the TPO, that the EXECUTIVE DIRECTOR is not unauthorized alien worker operating in violation of 8 U.S.C. Section 1324a (Section 274a of the Immigration and Nationality Act "INA").

**SECTION 28. CIVIL RIGHTS.** The following requirements apply to this Agreement:

A. Nondiscrimination. In accordance with Title VI of the Civil Rights Act, as amended, 42 USC §2000d, section 303 of the Age Discrimination Act of 1975, as

amended, 42 USC §6102, section 202 of the Americans with Disabilities Act of 1990, as amended, 42 USC §12132, and Federal transit law at 49 USC §5332, as each may be amended from time to time, the EXECUTIVE DIRECTOR agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, the EXECUTIVE DIRECTOR agrees to comply with all applicable federal implementing regulations and any other implementing requirements FTA may issue. The TPO does not discriminate on the basis of race, color, national origin, sex, age, religion, disability and family status. Those with questions or concerns about nondiscrimination, those requiring special assistance under the Americans with Disabilities Act (ADA), or those requiring language assistance (free of charge) should contact the Title VI Coordinator at (386) 226-0422 or staff@r2ctpo.org.

**B. Equal Employment Opportunity:**

(1) Race, Color, Creed, National Origin, Sex. In accordance with Title VII of the Civil Rights Act, as amended, 42 USC §2000e, and Federal transit laws at 49 USC §5332, the EXECUTIVE DIRECTOR agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 CFR Parts 60, et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 USC §2000e note), and with any other applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the project. The EXECUTIVE DIRECTOR agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age.

Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the EXECUTIVE DIRECTOR agrees to comply with any implementing requirements Federal Transit Administration may issue.

(2) Age. In accordance with Section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 USC §623 and federal transit law at 49 USC §5332, the EXECUTIVE DIRECTOR agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the EXECUTIVE DIRECTOR agrees to comply with any implementing requirements FTA may issue.

(3) Disabilities. In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 USC §12112, the EXECUTIVE DIRECTOR agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 CFR Part 1630, pertaining to employment of persons with disabilities. In addition, the

EXECUTIVE DIRECTOR agrees to comply with any implementing requirements FTA may issue.

**SECTION 29. GOVERNMENT-WIDE DEBARMENT AND SUSPENSION.** If this Agreement has a value of \$25,000 or more, this procurement is a covered transaction for purposes of 49 CFR Part 29. As such, the EXECUTIVE DIRECTOR is required to verify that it nor its principals, as defined at 49 CFR 29.995, or affiliates, as defined at 49 CFR 29.905, is excluded or disqualified as defined at 49 CFR 29.940 and 29.945 and does so hereby certify. The EXECUTIVE DIRECTOR agrees to comply with and does hereby assure and certify the compliance of each third-party contractor and sub-recipient at any tier, with 49 CFR 29, Subpart C, while its proposal, offer or bid is pending and throughout the period that any agreement arising out of such offer, proposal or bid is in effect. The EXECUTIVE DIRECTOR further agrees to include a provision requiring such compliance in its subcontracts or any lower tier covered transaction it enters into.

**SECTION 30. CLEAN AIR.** The Clean Air requirements apply to all contracts exceeding \$100,000, including indefinite quantities where the amount is expected to exceed \$100,000 in any year. The EXECUTIVE DIRECTOR agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act, as amended, 42 USC §7401, et seq. The EXECUTIVE DIRECTOR agrees to report each violation to the TPO and agrees that the TPO will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA regional office. The EXECUTIVE DIRECTOR further agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with federal assistance provided by FTA.

**SECTION 31. CLEAN WATER.** If this Agreement is valued at \$100,000 or more, the EXECUTIVE DIRECTOR agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 USC 1251 et seq. The EXECUTIVE DIRECTOR agrees to report each violation to the TPO and agrees that the TPO will, in turn, report each violation as required to assure notification to the FTA and the appropriate EPA regional office. The EXECUTIVE DIRECTOR also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with federal assistance provided by FTA.

**SECTION 32. ENERGY CONSERVATION.** The EXECUTIVE DIRECTOR agrees to comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

**SECTION 33. SEAT BELTS.** The EXECUTIVE DIRECTOR will use and promote on-the-job seat belt use policies and programs for itself and other personnel that operate EXECUTIVE DIRECTOR-owned, rented or personally operated vehicles, to adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers, including policies to ban text messaging, and to address each in every sub-agreement it enters into related to this Agreement. Specifically, the EXECUTIVE DIRECTOR is will to comply with: (a) Executive Order No. 13513, "Federal Leadership on Reducing Text Messaging While Driving," October 1, 2009, 23 U.S.C. § 402 note; (b) U.S. DOT Order



3902.10, "Text Messaging While Driving," December 30, 2009; (c) U.S. DOT provisions pertaining to Distracted Driving as set forth in said orders; and Section 316.614, Florida Statutes, as amended from time to time.

**IN WITNESS WHEREOF**, the parties hereto have executed this agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

RIVER TO SEA TRANSPORTATION  
PLANNING ORGANIZATION, a  
governmental agency created and  
operating pursuant to Section 339.175,  
Florida Statutes

\_\_\_\_\_  
Barbara Girtman, Chairperson

\_\_\_\_\_  
Witness:

EXECUTIVE DIRECTOR:

\_\_\_\_\_  
Colleen Nicoulin

\_\_\_\_\_  
Witness:

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

Weiss Serota Helfman Cole &  
Bierman, P.L.

By: \_\_\_\_\_  
Paul R. Gougelman, Esq.  
TPO General Counsel

## EXHIBIT “A” to EMPLOYMENT AGREEMENT FOR COLLEEN NICOULIN

### RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

**JOB DESCRIPTION:** EXECUTIVE DIRECTOR

**REPORTS TO:** TPO Board

**EXEMPT STATUS:** Exempt (Administrative)

**SALARY RANGE:** \$120,000 – \$160,000 (annually)

**TYPE OF POSITION:** Regular, Full-time

**REVISION:** September 1, 2021

**POSITION GENERAL SUMMARY:** The Executive Director provides leadership, oversight and direction for all operational functions of the River to Sea (“TPO”). The Executive Director coordinates the TPO and collaborates with partner agencies, including the Florida Department of Transportation (“FDOT”), the Florida Metropolitan Planning Organization Advisory Council (“MPOAC”), Central Florida MPO Alliance, the East Central Florida Regional Planning Council, the Federal Highway Administration, Federal Transit Administration, and local agencies such as Volusia County, Flagler County, the Volusia County School Board, the Flagler County School Board, and municipalities located within the jurisdiction of the TPO in Volusia and Flagler Counties. To the extent that the TPO Governing Board determines and that the TPO budget may permit, the Executive Director may also be active in national the National Association of Regional Councils and the Association of Metropolitan Planning Organizations.

This position reports directly to the TPO Governing Board. Between Governing Board meetings, the position reports to the TPO Executive Committee or the TPO Chair. The TPO Executive Director is responsible for providing assistance and professional recommendations on fiscal matters including the preparation of the annual budget, policy considerations, strategic planning, local and regional transportation initiatives and legislative issues and activities. The Executive Director represents the TPO at meetings, conventions, and other forums to promote and explain agency mission and objectives. This position is responsible for ensuring that the River to Sea TPO maintains federal certification and provides leadership and consultation to government agencies, the business community, private organizations, the press and public to explain and resolve complex issues and to coordinate activities related to the transportation system.

The Executive Director is the face of the organization and assists in creating and directing policy decisions which affect transportation in East Central Florida. The Executive Director is based in the TPO headquarters and is allowed to access the building at all times of day and all days of the week. The Executive Director works with minimal supervision and must initiate projects and tasks independently, bringing them to conclusion and presenting the results to the various committees and Governing Board. Self-direction and self-motivation are key personal attributes of this position. The Executive Director also supervises and provides overall direction to all TPO employees. The Executive Director is responsible for final hiring, discipline, suspension, or termination decisions relating to all TPO employees, subject to any rights provide in the TPO By-Laws or personnel procedures.

**ESSENTIAL POSITION FUNCTIONS:**

- Provides direction to ensure the accurate and timely completion and submission of essential planning documents, including the Transportation Improvement Plan (“TIP”), the Unified Planning Work Program (“UPWP”), and the Long Range Transportation Plan (“LRTP”), all in accordance with required deadlines and Florida and federal law and administrative regulations.
- Directs and oversees the development, communication and advancement of program activities through interaction with advisory and other committees, such as the Executive Committee, Transportation Advantaged Local Coordinating Board, the Technical Coordinating Committee (“TCC”), the Citizens Advisory Committee (“CAC”), and the Bicycle/Pedestrian Advisory Committee (“BPAC”), community organizations, planning professionals, elected officials and the public.
- Provides overall staff management for the TPO.
- Directs the organization of meetings and preparation of agendas and supporting materials.
- Provides direction and support for agenda development, determination of required materials and meeting

participation for the TPO Governing Board, Executive Committee, TCC and CAC meetings and other subcommittees and working groups as needed.

- Directs, reviews and develops project scopes of service and requests for proposals and makes work assignments to ensure effective, professional project management for planning studies, data collection efforts and other key activities of the TPO.
- Reviews and interprets official directives, legislation, rules and correspondence to determine possible changes in agency programs, policies, and procedures.
- Serves as the principle policy advisor to the MPOAC on Federal and State transportation planning activities.
- Prepares or directs preparation and release of reports, studies and other publications relating to program trends and accomplishments.
- Provides leadership, counseling and direction to staff and prepares performance evaluations.
- Reviews and evaluates the work effort of agency staff in coordination with the Senior Transportation Planner through conversations, meetings, and reports.
- Oversees the financial activities of the organization with direct support and input from the Accounting Manager including, but not limited to, the completion of an annual budget, UPWP, progress reports for agency grants and execution of grants and agreements.
- Participates in program related training, conferences and special events.
- Supports and promotes TPO activities by responding to public inquiries, attending community functions and representing the organization at various functions including, but not limited to, the MPOAC, the Central Florida MPO Alliance and the Commuter Rail TAC.
- Facilitating the continued evolution of the organization consistent with the vision of the MPOAC Governing Board.
- Monitors and reviews proposed federal and Florida legislation that may affect MPOs, providing comments as needed in writing or verbally; acts as a resource for the Florida Legislature and the local legislative delegation regarding the TPO and transportation planning.
- Maintains a flexible schedule and regular attendance to meet the myriad demands of the TPO Governing Board and Executive Committee.
- Provides other organizational support as required.

#### **MINIMUM REQUIREMENTS:**

Education and Experience:

- B.A., B.S., or similar degree, preferably in public administration, planning, urban studies, business administration, political science, or closely related field; supplemented by seven (7) or more years' experience in the field of planning with a Metropolitan Planning Organization, the U.S. Department of Transportation, a state Department of Transportation, or working with a private sector firm in planning. At least five of those years served in a managerial position. Under limited circumstances, an equivalent combination of education and/or experience may be substituted for the minimum qualifications at the discretion of the TPO. While not required a Master's degree in Planning, Business Administration, Public Administration, Finance, or related field is preferred considered a plus.
- Must have a valid Florida Driver's License and be insurable by an insurance carrier.

#### **KNOWLEDGE, ABILITIES, AND SKILLS:**

- Working knowledge of computer applications including Microsoft Word, Excel, Outlook, Mozilla, PowerPoint, Access, and e-mail;
- Must be fluent in English and speak in a clear, understandable, and distinct manner;
- Functional understanding of traffic modeling programs such as FSUTMS/Cube Voyager and other applications used by the TPO, FDOT, FHWA, or FTA, such as ArcGIS, Crystal Reports, and ADOBE Acrobat;
- Knowledge of FDOT, FHWA, and FTA standards, policies and requirements for agency planning documents;
- Knowledge of Florida's Growth Management legislation and federal and state transportation legislation;
- General public administration including budgeting, personnel policies and file management;
- Knowledge of transportation and land-use issues;
- Experienced in establishing and maintaining effective working relationships among staff, contractors, committees and customers in a manner conducive to full performance and positive morale;

- Experienced in providing effective guidance and oversight to personnel, conflict resolution and organizational leadership to create a cohesive working environment;
- Ability to communicate effectively both orally and in writing;
- Ability to gather, study, and analyze data and other relevant transportation related information;
- Ability to understand, interpret, and apply procedures, principals and laws;
- Ability to direct and work through subordinates to establish policies, set priorities and render decisions in administering or managing all or part of the activities of the agency;
- Ability to mediate, moderate and resolve conflicts;
- Ability to understand complex issues and explain them in “plain speak”;
- Ability to manage and prioritize multiple and complex tasks with time and budget constraints.
- Ability to work with minimal supervision and direction and to initiate projects, and activities without direction.
- Ability to work under pressure/stress with an extreme level of accuracy.
- Ability to serve as a public spokesperson and speak to large groups;
- Ability to write clearly and authoritatively as a subject expert on transportation related matters;
- Ability to make judgments based on experience as well as verifiable facts and figures;
- Ability to develop long range or future projects; and
- Ability to establish and maintain effective working relationships with the Board, outside agencies, organizations, individuals or groups of people with diverse interests.

#### **PHYSICAL REQUIREMENTS AND ENVIRONMENTAL CONDITIONS:**

- Works typically in an office environment though providing support to the TPO will sometimes require attending meetings, which will be in a public meeting environment that may be crowded and sometimes loud.
- Ability to lift and carry 40 pounds as occasionally required.
- Moderate physical activity, supporting community events, sometimes in outdoor environments and requiring prolonged standing.
- The employee is generally sedentary, but may occasionally be required to stand, walk, stoop, kneel, or bend at the waist.
- Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus.
- Specific hearing abilities required by this job include the ability to hear and speak to communicate in person, before groups, and over the telephone.

#### **WORK AUTHORIZATIONS AND SECURITY CLEARANCE:**

- The employee must successfully pass a criminal and credit background.
- The TPO will also verify the identity and employment authorization of individuals hired. Proper completion of Form I-9 is required, which includes the employee providing documents evidencing identity and employment authorization.
- The TPO is a drug-free workplace as provided in Section 440.101 *et seq.*, Florida Statutes. The employee may be subject to drug and alcohol screens, as permitted by law.

#### **OTHER DUTIES:**

The above information is intended to indicate the general nature and level of work performed by the employee in this position. This description is not intended to contain or be interpreted as a comprehensive inventory of all essential and marginal duties and qualifications required of employees assigned to this position. Duties, responsibilities and activities may change at any time with or without notice

*(Reasonable accommodations will be made in accordance with existing Americans with Disabilities Act ("ADA") requirements for otherwise qualified individuals with a disability.)*

Employee: \_\_\_\_\_

River to Sea TPO Chair: \_\_\_\_\_

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**V. ACTION ITEMS**

**B. REVIEW AND APPROVAL OF RESOLUTION 2022-22 RESTATING THE POLICY FOR THE ANNUAL ALLOCATION OF SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAM URBAN ATTRIBUTABLE (SU) FUNDING AND OTHER STATE AND FEDERAL FUNDS IDENTIFIED IN THE 2045 LONG RANGE TRANSPORTATION PLAN (LRTP)**

**Background Information:**

Resolution 2022-22 restates the current policy for the allocation of funding for the Surface Transportation Block Grant (STBG) Program and other state and federal funds identified in the Connect 2045 Long Range Transportation Plan. This resolution provides specific policy as follows:

- Allocates TPO set aside funding
- Defines mixed-projects and allocation of funding based on project category
- Provides for the re-allocation of SU funds in the current fiscal year to other projects on the priority list or to cover project cost increases

There are no recommended changes from the TIP or BPAC Project Review Subcommittees to this resolution. Draft Resolution 2022-22 is provided with this agenda packet for your review.

***ACTION REQUESTED:***

***MOTION TO APPROVE RESOLUTION 2022-22 RESTATING THE POLICY FOR THE ANNUAL ALLOCATION OF SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAM URBAN ATTRIBUTABLE (SU) FUNDING AND OTHER STATE AND FEDERAL FUNDS IDENTIFIED IN THE 2045 LONG RANGE TRANSPORTATION PLAN (LRTP)***

## **RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

### **RESOLUTION 2022-22**

#### **RESOLUTION OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION RESTATING THE POLICY FOR THE ALLOCATION OF SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAM URBAN ATTRIBUTABLE (SU) FUNDING AND OTHER STATE AND FEDERAL FUNDS IDENTIFIED IN THE CONNECT 2045 LONG RANGE TRANSPORTATION PLAN (LRTP)**

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

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

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

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

**WHEREAS**, it is the responsibility of the River to Sea TPO to establish project priorities that are equitable for all areas within the River to Sea TPO's planning boundaries; and

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

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

1. The River to Sea TPO's total Surface Transportation Block Grant (STBG) Program Urban Attributable (SU) funding goals will be made in the following manner: 40% of the total SU funds will be used for Traffic Operations, Safety, and Local Initiatives

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

2. Other state and federal funds identified in the 2045 Long Range Transportation Plan for Local Initiatives will be made available in the following manner: 50% of the funds will be used for Traffic Operations, Safety, and Local Initiatives (traffic operations focused) Project Priorities and 50% will be used for Bicycle/Pedestrian, Transportation Alternatives, Regional Trails, and Local Initiatives (bicycle/pedestrian focused) Project Priorities; and
3. Mixed projects (defined as a project that is not a stand-alone bicycle or pedestrian project) will only be accepted and ranked in both the bicycle/pedestrian focused and the traffic operations focused project categories if the bicycle/pedestrian cost component of the project is greater than 20% of the total project cost. Projects that do not meet this threshold shall be submitted and ranked in the traffic operations focused category only. The project applications shall include the cost breakdown between the bicycle/pedestrian component and the traffic operations component of the project. When programming mixed projects, funding amounts drawn down from each set-aside category (bicycle/pedestrian focused vs. traffic operations focused) shall be consistent with the cost component of that category; and
4. For projects funded in whole or in part with Urban Attributable (SU) funding and/or other state and federal funds obtained through the TPO's Priority Project Process, if the recipient of the funds chooses to display any signs or markers at the project site, said signs or markers shall include language acknowledging the River to Sea TPO, Florida Department of Transportation (FDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and/or other funding partners, as may be applicable, for providing funding for the project. In addition to the language, the sign or marker shall include these agencies' official logos; and  
Additionally, any public pronouncements made by or on behalf of the recipient regarding the project, including press releases, publications, annual reports, video credits, and dedications, shall acknowledge the funding support provided by the TPO, FDOT, FHWA, and FTA; and
5. Any remaining Surface Transportation Block Grant (STBG) Program Urban Attributable (SU) funds in the current fiscal year should first be allocated to eligible projects within the same project category priority list (bicycle/pedestrian focused or traffic operations focused). If no projects are eligible within the same category, the remaining funds may be reallocated for other projects on the priority list or to cover project cost increases consistent with Resolution 2022-##; and
6. The policies set forth in this resolution shall remain in effect unless and until they are repealed or amended by the TPO; and



7. The Chairperson of the River to Sea TPO (or their designee) is hereby authorized and directed to provide a copy of this resolution to the:
  - a. Florida Department of Transportation (FDOT);
  - b. Federal Transit Administration (FTA) (through the Florida Department of Transportation); and
  - c. Federal Highway Administration (FHWA) (through the Florida Department of Transportation).

**DONE AND RESOLVED** at the regular meeting of the River to Sea TPO held on the **30th** day of **November 2022**.

**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

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**VOLUSIA COUNTY COUNCIL VICE CHAIR Barbara Girtman**  
**CHAIRPERSON, RIVER TO SEA TPO**

**CERTIFICATE:**

The undersigned duly qualified and acting Recording Secretary of the River to Sea TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the River to Sea TPO held on November 30, 2022.

**ATTEST:**

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**DEBBIE STEWART, RECORDING SECRETARY**  
**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**V. ACTION ITEMS**

**C. REVIEW AND APPROVAL OF RESOLUTION 2022-23 RESTATING THE LOCAL MATCH REQUIREMENTS PLACED ON MEMBER LOCAL GOVERNMENTS FOR PROJECTS PRIORITIZED FOR FUNDING BY THE TPO**

**Background Information:**

Resolution 2022-23 restates the TPO's policy pertaining to local match requirements placed on member local governments for projects prioritized for funding by the TPO. This resolution provides specific policy as follows:

- Defines local match requirements
- Defines cost overrun vs cost increase
- Requires requests for additional funds that are submitted to the TPO include a statement of hardship and supporting documentation that includes detailed justification of the change in cost
- Provides the Executive Director with authorization to authorize additional funds up to 50% of a project phase cost estimate for justified cost increase
- Cost increases exceeding 50% require TPO Board authorization

There are no recommended changes from the TIP or BPAC Project Review Subcommittees to this resolution. Draft Resolution 2022-23 is provided with this agenda packet for your review.

***ACTION REQUESTED:***

***MOTION TO APPROVE RESOLUTION 2022-23 RESTATING THE LOCAL MATCH REQUIREMENTS PLACED ON MEMBER LOCAL GOVERNMENTS FOR PROJECTS PRIORITIZED FOR FUNDING BY THE TPO***

**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

**RESOLUTION 2022-23**

**RESOLUTION OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION (TPO)  
RESTATING THE LOCAL MATCH REQUIREMENTS PLACED ON MEMBER LOCAL GOVERNMENTS  
FOR PROJECTS PRIORITIZED FOR FUNDING BY THE TPO**

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

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

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

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

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

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

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

This match requirement shall not apply to projects on the State Highway System; and

2. Every governmental entity receiving state and/or federal transportation funds for a project on the TPO's Priority List of Transportation Planning Studies shall provide a local match at a minimum ratio of 10% local funds to 90% state and/or federal funds; and

3. A local match shall not be required for any project on the TPO's Priority Lists of Strategic Intermodal System (SIS) Projects, Regionally-Significant Non-SIS Roadway Projects, or Transit Projects, subject to any other funding program requirements that may apply (e.g., Transportation Regional Incentive Program); and
4. the River to Sea TPO determines that "local match" shall be defined as non-state/non-federal cash match and/or in-kind services of eligible costs that advance the project in question; and
5. notwithstanding the terms prescribed in subparagraph 1 and 2, above, the required local match shall not exceed the ratio required in the current policy of the TPO Board at the time the governmental entity requests funding unless the local government entity commits to a higher local match for the project; and
6. the River to Sea TPO reserves the right to waive or adjust the local match requirements if the TPO Board deems there exists sufficient reason or circumstance; and
7. the River to Sea TPO defines a cost overrun as an increase in the amount of the cost of any programmed project phase due to a change in scope, project limits or project approach that could have reasonably been foreseen or is the result of an incomplete, insufficient or out of date cost estimate; and
8. the River to Sea TPO reaffirms its policy that any cost overruns encountered on a project funded with state and/or federal transportation funds will be the responsibility of the governmental entity identified as the project originator with the following exception: if the project is on the state highway system and the State DOT is the project manager of record then the state shall be responsible for any cost overruns utilizing state dollars; and
9. the River to Sea TPO defines a cost increase as an increase in the cost of any programmed project phase due to unforeseen market changes or a change in requirements and/or standards for projects that have current and complete cost estimates; and
10. Requests for additional state and/or federal funds must be submitted to the TPO and include a statement of hardship or justification by the governmental entity identified as the project sponsor along with supporting documentation that includes detailed justification of the change in cost; and
11. the River to Sea TPO Executive Director may authorize the use of state and/or federal funds to cover some or all of a justified cost increase on any project phase up to and including 50% of the project cost estimate for that phase; and
12. the use of state and/or federal funds to cover cost increases exceeding 50% of the project cost estimate for any phase may be authorized only by the River to Sea TPO Board; and
13. the policies set forth in this resolution shall remain in effect unless and until they are repealed or amended by the TPO; and
14. the Chairperson of the River to Sea TPO (or their designee) is hereby authorized and directed to submit this resolution to the:
  - a. Florida Department of Transportation;
  - b. Federal Transit Administration (through the Florida Department of Transportation);

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

**DONE AND RESOLVED** at the regularly convened meeting of the River to Sea TPO held on the 30th day of November 2022.

**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

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**VOLUSIA COUNTY COUNCIL VICE CHAIR BARBARA GIRTMAN**  
**CHAIRPERSON, RIVER TO SEA TPO**

**CERTIFICATE:**

The undersigned duly qualified and acting Recording Secretary of the River to Sea TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the River to Sea TPO held on November 30, 2022.

**ATTEST:**

---

**DEBBIE STEWART, RECORDING SECRETARY**  
**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**V. ACTION ITEMS**

**D. REVIEW AND APPROVAL OF RESOLUTION 2022-24 RESTATING THE POLICY FOR ESTABLISHING AND MAINTAINING TRANSPORTATION PRIORITY PROJECTS**

**Background Information:**

Resolution 2022-24 restates the policy for establishing and maintaining the transportation project priorities. This resolution provides specific policy as follows:

- Establishes project categories and rankings
- Defines and sets protected projects
- Defines criteria for re-prioritizing or adding projects
- Requires annual project cost updates
- Requires commitment from project sponsors for Transportation Regional Incentive Program (TRIP) eligible projects
- Confirms project prioritization process will support development of Regional Priority Lists

There are no recommended changes from the TIP or BPAC Project Review Subcommittees to this resolution. Draft Resolution 2022-24 is provided with this agenda packet for your review.

***ACTION REQUESTED:***

***MOTION TO APPROVE RESOLUTION 2022-24 RESTATING THE POLICY FOR ESTABLISHING AND MAINTAINING TRANSPORTATION PRIORITY PROJECTS***

## **RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

### **RESOLUTION 2022-24**

#### **RESOLUTION OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION RESTATING THE POLICY FOR ESTABLISHING AND MAINTAINING TRANSPORTATION PRIORITY PROJECTS**

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

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

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

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

**WHEREAS**, it is the responsibility of the River to Sea TPO to establish project priorities for all areas of the TPO's MPA; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the River to Sea TPO that the following policies are established to prioritize transportation projects throughout the TPO's MPA:

1. The project application and evaluation criteria approved by the River to Sea TPO Board shall be used to solicit and evaluate projects for priority ranking in the transportation program categories listed below:
  - a. Florida Strategic Intermodal System (SIS) Projects;
  - b. Regionally Significant, Non-SIS Roadway Projects and Major Bridge Projects;

- c. Traffic Operations, Safety, and Local Initiatives Projects;
  - d. Bicycle/Pedestrian, Transportation Alternatives, Regional Trails, and Local Initiatives Projects;
  - e. Public Transit Projects; and
  - f. Transportation Planning Studies.
- 2. River to Sea TPO projects that were previously ranked and have a Financial Management (FM) number and are in the Florida Department of Transportation Work Program will automatically be prioritized above projects that are not currently in the FDOT Five-Year Work Program;
  - 3. Projects which are ranked one through five on the Prioritized List of Florida Strategic Intermodal System (SIS) Projects are deemed to be protected, and will remain in their current spot or move to the next available higher spot until they are completed and drop out of the Work Program;
  - 4. Projects which are ranked one through five on the Prioritized List of Regionally Significant, Non-SIS Roadway Projects and Major Bridge Projects are deemed to be protected, and will remain in their current spot or move to the next available higher spot until they are completed and drop out of the Work Program;
  - 5. Projects which are ranked one through eight on Tier “B” of the Prioritized List of Traffic Operations, Safety, and Local Initiatives Projects are deemed to be protected, and will be ranked in their current spot or move to the next available higher spot until they are completed and drop out of the Work Program;
  - 6. Projects which are ranked one through three on Tier “B” of the Prioritized List of Bicycle/Pedestrian, Transportation Alternatives, Regional Trails, and Local Initiatives Projects are deemed to be protected, and will be ranked in their current spot or move to the next available higher spot until they are completed and drop out of the Work Program;
  - 7. If, at any time, two or more lists of prioritized projects are merged into a new list, every project that was protected prior to the merger shall retain its protected status, and no new or previously unprotected project shall be deemed to be protected unless and until it advances to the protected rank prescribed for the new, merged list;
  - 8. The River to Sea TPO will only re-prioritize or add projects when the TPO Board determines: a) unusual circumstances support such action, b) the circumstances are not of a recurring nature, c) the circumstances do not result from the actions of the project sponsor, and d) the proposed reprioritization or addition will not be contrary to the public interest;
  - 9. Requests to change the priority or to add a project must include a statement of hardship by the requestor along with supporting documentation that includes



detailed justification of need and an assessment of the impacts to the programming of prioritized projects;

10. It is the responsibility of the River to Sea TPO and FDOT staffs to provide the River to Sea TPO members with current information and data on project status and to assist the members in their efforts to make informed decisions regarding the prioritized projects lists;
11. The River to Sea TPO shall, in its discretion, make all decisions regarding the final prioritized project lists that are annually submitted to FDOT;
12. Once a project has attained protected status, it should be programmed within 3 years. If it has not been programmed during that time due to inactivity on the part of the project sponsor, then the project will be removed from the list of priority projects. The project sponsor may resubmit the project for open ranking on any subsequent call for projects;
13. Per the approved Annual Call for Projects schedule, the project sponsor shall annually submit a letter to the River to Sea TPO affirming their continued support to retain each project on the priority list and provide updated cost estimates for all unfunded phases of each project they sponsor on the Regionally Significant Non-SIS, Tier "A", and Tier "B" project lists. Updated cost estimates for projects or project phases that are currently funded/programmed are considered a request for additional funding and subject to the TPO's cost increase/cost overrun policy. Requests for additional funding shall be submitted to the TPO on the appropriate form. The letter shall also provide support from the project sponsor for any Transportation Regional Incentive Program (TRIP) eligible project(s) which they are ready to advance into the Work Program and TIP and provide a commitment of local matching funds, if required;
14. The River to Sea TPO shall use this project prioritization process to support the development of Regional Priority Lists in the areas of Trails, Transit, Transportation Systems Management and Operations (TSM&O), and Planning Studies;
15. The policies set forth in this resolution shall remain in effect unless and until they are repealed or amended by the TPO; and
16. the Chairperson of the River to Sea TPO, (or their designee) is hereby authorized and directed to provide a copy of this resolution to the:
  - a. Florida Department of Transportation (FDOT);
  - b. Federal Transit Administration (FTA) (through the Florida Department of Transportation); and
  - c. Federal Highway Administration (FHWA) (through the Florida Department of Transportation).

**DONE AND RESOLVED** at the regular meeting of the River to Sea TPO held on the 30th day of November 2022.

**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

\_\_\_\_\_  
**VOLUSIA COUNTY COUNCIL VICE CHAIR Barbara Girtman**  
**CHAIRPERSON, RIVER TO SEA TPO**

**CERTIFICATE:**

The undersigned duly qualified and acting Recording Secretary of the River to Sea TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the River to Sea TPO held on November 30, 2022.

**ATTEST:**

\_\_\_\_\_  
**DEBBIE STEWART, RECORDING SECRETARY**  
**RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**V. ACTION ITEMS**

**E. REVIEW AND APPROVAL OF THE PRIORITY PROJECT APPLICATIONS FOR TRAFFIC OPERATIONS/SAFETY AND LOCAL INITIATIVES PROJECTS, TRANSPORTATION PLANNING STUDIES, AND BICYCLE PEDESTRIAN PROJECTS**

**Background Information:**

Each year, after completion of the project prioritization process, the TPO staff and committees evaluate the process and recommend improvements for the next cycle. The aim is to achieve the best possible outcomes in terms of identifying and promoting transportation-related priorities consistent with the community's goals and objectives as prescribed in the Connect 2045 Long Range Transportation Plan.

Recommended changes to the applications were provided by the BPAC Project Review Subcommittee and the TIP Subcommittee and reviewed by the three advisory committees.

There were no significant recommended changes to the bicycle and pedestrian applications. The Traffic Operations applications include recommendations for changes to the application criteria which include placing more emphasis on the safety criteria, developing criteria specific to resiliency and sustainability, and addressing equity.

The Call for Projects is scheduled to open on December 2, 2022 and close on February 28, 2023.

The draft project applications are provided in the agenda packet for your review. TPO Staff will provide an overview of the recommended changes.

***ACTION REQUESTED:***

***MOTION TO APPROVE THE PRIORITY PROJECT APPLICATIONS FOR TRAFFIC OPERATIONS/SAFETY AND LOCAL INITIATIVES PROJECTS, TRANSPORTATION PLANNING STUDIES, AND BICYCLE PEDESTRIAN PROJECTS***



## 2023 Application for Project Prioritization – **FEASIBILITY STUDY**

### **Bicycle/Pedestrian Projects**

All applications must be uploaded to the TPO file transfer site by 4:00 p.m. (EST) on February 28, 2023

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

Applying Agencies (project sponsor): \_\_\_\_\_ Date: \_\_\_\_\_

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

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

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

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

Does the Applying Agency expect to be certified by FDOT to perform work under the Local Agency Program (LAP) process? ☐ YES ☐ NO

If not, what local government agency will perform the work on behalf of the Applying Agency? \_\_\_\_\_  
[Attach a letter of intent from the agency that will perform the work.]

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

[If not the same as Applying Agency, attach letter of support for the proposed project from the responsible entity. This letter of support must include a statement describing the responsible entity's expectations for maintenance of the proposed improvements, i.e., what the applying agency's responsibility will be.]

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

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

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

**Project Eligibility for Federal Funds** (check the appropriate box):

- ☐ the proposed improvement is located on the Federal-aid system. (Reference the Federal Aid Road Report at <http://www.fdot.gov/statistics/fedaids/>);
- ☐ 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.

## **Project Purpose and Need Statement:**

In the space provided below, describe the purpose and need for this proposed project. It is very important that the Purpose and Need Statement is clear and complete. It will be the principal consideration in ranking the project application for a feasibility study. It must convince the public and decision-makers that the expenditure of funds is necessary and worthwhile and that the priority the project is being given relative to other needed transportation projects is warranted. The Purpose and Need Statement will also help to define the scope for the feasibility study, the consideration of alternatives (if appropriate), and 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 should be identified as ancillary benefits. The purpose should be stated in one or two sentences as the positive outcome that is expected for each criterion. For example, "The purpose is to provide a connection between a park and a school." It should avoid stating a solution as a purpose, such as: "The purpose of the project is to add a sidewalk." 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. The need should be described for each criterion. 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.

Purpose and Need Statements are required for all of the following Priority Criteria:

1. **Proximity to Community Assets:** 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 20 points will be awarded.  
**Purpose and Need (required):** \_\_\_\_\_
2. **Connectivity and Accessibility:** this measure 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. A maximum of 20 points will be awarded.  
**Purpose and Need (required):** \_\_\_\_\_
3. **Safety/Security:** this measure provides additional weight to applications that have included safety as a component of the overall project, increase the comfort level of bicyclists and pedestrians, and includes school locations identified as hazardous walking/biking zones and areas with significant numbers of safety concerns. A maximum of 25 points will be awarded.  
**Purpose and Need (required):** \_\_\_\_\_
4. **Contribution to "Livability" and Sustainability in the Community:** this measure considers factors that have an impact on "livability" and sustainability in the community. A maximum of 10 points will be awarded.  
**Purpose and Need (required):** \_\_\_\_\_
5. **Enhancements to the Transportation System:** this measure considers the demonstrated and defensible relationship to surface transportation. A maximum of 10 points will be awarded.  
**Purpose and Need (required):** \_\_\_\_\_
6. **Public Support/Special Considerations:** describe whether the proposed facility has public support and provide documentation (e.g., letters of support/signed petitions/public comments from community groups, public meeting minutes, homeowners associations, school administrators). Describe any special issues or concerns that are not being addressed by the other criteria. A maximum of 5 points will be awarded.  
**Purpose and Need (required):** \_\_\_\_\_
7. **Local Matching Funds > 10%:** if local matching funds greater than 10% of the estimated project cost are available, describe the local matching fund package in detail. A maximum of 20 points will be awarded.  
**Purpose and Need (required):** \_\_\_\_\_



## 2023 Application for Project Prioritization – **PROJECT IMPLEMENTATION**

### **Bicycle/Pedestrian Projects**

All applications must be uploaded to the TPO file transfer site by 4:00 p.m. (EST) on February 28, 2023

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

Applying Agencies (project sponsor): \_\_\_\_\_ Date: \_\_\_\_\_

[Attach a copy of the completed Feasibility Study, or explain in the space provided below for commentary why a Feasibility Study is not attached.]

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

**Attach a completed copy of FDOT's Project Information Application Form.**

#### **Criteria Summary:**

Priority Criteria	Points
(1) Proximity to Community Assets	20
(2) Connectivity and Accessibility	20
(3) Safety/Security	20
(4) Contribution to "Livability" and Sustainability in the Community	10
(5) Enhancements to the Transportation System	10
(6) Project Readiness	5
(7) Public Support/Special Considerations	5
(8) Local Matching Funds > 10%	20
(9) Value-Added Tie Breaker (if necessary)	variable
<b>Total (excluding Value-Added Tie Breaker)</b>	<b>110</b>

#### **Criterion #1 – Proximity to Community Assets (20 points maximum)**

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 and **Transportation Alternatives Activities** or a one-half (½) mile radius for Sidewalks. A maximum of 20 points will be assessed overall, and individual point assignments will be limited as listed below.

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 and describe in the space provided.

<b>Proximity to Community Assets</b>	<b>Check All that Apply</b>	<b>Max. Points</b>
Residential developments, apartments, community housing	<input type="checkbox"/>	4
Activity centers, town centers, office parks, post office, city hall/government buildings, shopping plaza, malls, retail centers, trade/vocational schools, colleges, universities	<input type="checkbox"/>	4
Parks, trail facilities, recreational facilities	<input type="checkbox"/>	4
Medical/health facilities, nursing homes, assisted living, rehabilitation center	<input type="checkbox"/>	4
School bus stop (K-12)	<input type="checkbox"/>	2
Schools (K-12)	<input type="checkbox"/>	2
<b>Maximum Points Awarded</b>		<b>20</b>

**Criterion #1 Description (required):** \_\_\_\_\_

### **Criterion #2 – Connectivity and Accessibility and Equitability (20 points maximum)**

This measure 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. Does the project enhance mobility or accessibility for disadvantaged groups, including children, the elderly, the poor, those with limited transportation options and the disabled? Does the project enhance mobility, accessibility, and equitability?

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 space provided.

<b>Network Connectivity and Accessibility</b>	<b>Check All that Apply</b>	<b>Max. Points</b>
Project provides equitable 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"/>	5
Project has been identified as “needed” in an adopted document (e.g., comprehensive plan, master plan, arterial study)	<input type="checkbox"/>	5
<b>Maximum Points Awarded</b>		<b>20</b>

**Criterion #2 Description (required):** \_\_\_\_\_

### **Criterion #3 – Safety/Security (20 points maximum)**

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

List and describe whether the proposed facility is located within a “hazardous walk/bike zone” in the River to Sea TPO planning area and provide documentation that illustrates how bicycle or pedestrian safety could be enhanced by the construction of this facility.

For more information, contact Volusia or Flagler County School District Student Transportation Services and refer to Florida Statute 1006.23.

<b>Safety/Security</b>	<b>Check All that Apply</b>	<b>Max. Points</b>
The project is located in an area identified as a hazardous walk/bike zone by Volusia or Flagler County School District Student Transportation Services and within the River to Sea TPO planning area. If applicable, provide documentation.	<input type="checkbox"/>	10
The project removes or reduces potential conflicts (bike/auto, bike/ped, and ped/auto). There is a pattern of bike/ped crashes along the project route. The project eliminates or abates a hazardous, unsafe, or security condition in a school walk zone as documented in a school safety study or other relevant study. The project helps the River to Sea TPO meet or exceed adopted Transportation Safety Targets for Non-Motorized Serious Injuries and Fatalities. If applicable, provide documentation such as photos or video of current situation/site or any supportive statistics or studies.	<input type="checkbox"/>	10
<b>Maximum Points Awarded</b>		<b>20</b>

**Criterion #3 Description (required):** \_\_\_\_\_

#### **Criterion #4 Contribution to “Livability” and Sustainability in the Community (10 points maximum)**

This measure considers 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 and describe in the space provided.

##### **Contribution to “Livability” and Sustainability in the Community (Maximum 10 Points)**

- Project includes traffic calming measures
- Does this project protect wildlife and is it sensitive to the natural ecosystem?
- 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 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 motor 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 the travel experience via walking and biking
- Project improves transportation system resiliency and reliability
- Project reduces (or mitigates) the storm water impacts of surface transportation

**Criterion (4) Describe how this project contributes to the “Liveability” and Sustainability of the Community:**

\_\_\_\_\_



### Criterion #5 Enhancements to the Transportation System (10 points maximum)

This measure 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 and describe in the space provided.

#### Enhancements to the Transportation System (Maximum 10 Points)

- Is the project included in an adopted plan?
- Is the project consistent with the goals of the River to Sea TPO's Complete Streets Policy on Page 5?
- Does local government have Land Development Code requirements to construct sidewalks?
- Does the project relate to surface transportation?
- 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 the project conform to Transit Oriented Development principles?
- Does the project sponsor have a Complete Streets Policy?
- Is the project an extension or phased part of a larger redevelopment effort in the corridor/area?
- Project is located in a "gateway" or entrance corridor as identified in a local government applicant's master plan, or other approved planning document.

**Criterion #5 Describe how this project enhances the Transportation System:**

### Criterion #6 Project "Readiness" (5 Points maximum)

This measure considers the state of project readiness. Describe project readiness in the space provided.

#### Project Readiness (Maximum 5 Points)

- Is there an agreement and strategy for maintenance once the project is completed, identifying the responsible party?
- Is the project completed through the design phase?
- Is right-of-way readily available and documented for the project?

**Criterion #6 Describe the state of Project "Readiness":**

### Criterion #7 – Public Support/Special Considerations (5 points maximum)

Describe whether the proposed facility has public support and provide documentation (e.g., letters of support/signed petitions/public comments from community groups, homeowners associations, school administrators). Describe any special issues or concerns that are not being addressed by the other criteria.

Special Considerations	Check 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 Points Awarded</b>	<input type="checkbox"/>	<b>5</b>

Criterion #7 Description (required): \_\_\_\_\_

#### Criterion #8 – Local Matching Funds > 10% of Total Project Cost (20 points maximum)

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

	Check One	Max. Points
Is the Applicant committing to a local match greater than 10% of the estimated total project cost?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
10.0% < Local Matching Funds < 12.5%	<input type="checkbox"/>	2
12.5% ≤ Local Matching Funds < 15.0%	<input type="checkbox"/>	4
15.0% ≤ Local Matching Funds < 17.5%	<input type="checkbox"/>	6
17.5% ≤ Local Matching Funds < 20.0%	<input type="checkbox"/>	8
20.0% ≤ Local Matching Funds < 22.5%	<input type="checkbox"/>	10
22.5% ≤ Local Matching Funds < 25.0%	<input type="checkbox"/>	12
25.0% ≤ Local Matching Funds < 27.5%	<input type="checkbox"/>	14
27.5% ≤ Local Matching Funds < 30.0%	<input type="checkbox"/>	16
30.0% ≤ Local Matching Funds < 32.5%	<input type="checkbox"/>	18
32.5% ≤ Local Matching Funds	<input type="checkbox"/>	20
Maximum Points Awarded		20

Criterion #8 Description (required): \_\_\_\_\_

#### Criterion #9 – Value-Added Tie Breaker (if necessary) (variable points)

Projects with equal scores after evaluations using the eight 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.

#### River to Sea TPO Complete Streets Policy Goals

- Reduce injuries and fatalities
- Provide transportation options for people of all ages, physical abilities, and income levels
- Improve health by promoting active lifestyles through design to realize long-term health impacts
- Support equitable access to employment opportunities and civic resources
- Support economically healthy/vibrant communities
- Implement resilient and sustainable solutions



## **2023 Priority Process for Bicycle/Pedestrian and B/P Local initiatives Projects**

### Feasibility Studies

1. Local government submits project(s)
2. BPAC reviews and ranks projects for feasibility studies
3. The TPO Board will approve a final ranking of all projects
4. TPO requests a Fee Proposal from consultant to perform a feasibility study
5. TPO schedules a scoping meeting with the consultant, FDOT and local government(s)
6. Consultant provides Fee Proposal to TPO
7. Local government pays the 10% local match for the feasibility study based on the Fee Proposal. TPO pays the majority of the cost for a consultant to perform feasibility studies on the higher ranking projects. (Local governments can bypass the TPO Study if they pay for the feasibility study themselves.)
8. TPO gives the consultant a Notice to Proceed on the feasibility study
9. Draft feasibility study is reviewed and approved by the TPO, FDOT and local government(s)
10. Final feasibility study is completed

### Project Implementation

1. Local government submits project(s) and an official letter agreeing to pay at least 10% of the programmed project implementation cost, and agreeing to pay for any cost overruns
2. BPAC reviews and ranks projects for project implementation
3. The TPO Board will approve a final ranking of all projects
4. TPO coordinates with FDOT to program the project in the next available fiscal year of the FDOT Work Program
5. Construction of top ranked project is approximately 2-4 years



## 2023 Application for Project Prioritization – **FEASIBILITY STUDY**

# Traffic Operations, Safety, and Local Initiatives Projects

All applications must be uploaded to the TPO file transfer site by 4:00 p.m. (EST) on February 28, 2023

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

Applying Agency (project sponsor): \_\_\_\_\_ Date: \_\_\_\_\_

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

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

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

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

Does the Applying Agency expect to be certified by FDOT to perform the work under the Local Agency Program (LAP) process? ☐ Yes ☐ No

If not, what local government agency will perform the work on behalf of the Applying Agency? \_\_\_\_\_  
[Attach a letter of intent from the agency that will perform the work.]

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

[If not the same as Applying Agency, attach a letter of support for the proposed project from the responsible entity. This letter of support must include a statement describing the responsible entity's expectations for maintenance of the proposed improvements, i.e., what the Applying Agency's responsibility will be.]

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

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

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

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

- ☐ the proposed improvement is located on the Federal-aid system. (Reference the Federal Aid Road Report at <http://www.fdot.gov/statistics/fedaid/>);
- ☐ 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.

### 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 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 such as: “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.

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

**Criteria #1 through #4, below, will be used to evaluate and rank each application for Feasibility Study. For Criteria #1, the Applying Agency must indicate the functional classification of the roadway on which the proposed improvement will be located. For Criteria # 2 through #4, the Applying Agency must provide commentary explaining how and to what degree the proposed improvement will address the criteria.**

**Criteria #1 - Location** – Indicate the federal functional classification of the roadway on which the proposed improvement is located. (Reference the Federal Aid Road Report at <http://www.fdot.gov/statistics/fedaids/>). R2CTPO staff will review the application to verify the classification of the roads benefitting from the proposed project. (4 points total)

- ☐ Urban/Rural Principal Arterial
- ☐ Urban/Rural Minor Arterial
- ☐ Urban/Rural Major Collector
- ☐ Urban Minor Collector
- ☐ Rural Minor Collector or Urban/Rural Local Road
- ☐ Not Applicable

**Criteria #2 - Mobility and Operational Benefits** – The proposed project will significantly reduce traffic congestion and/or delays identified in the TPO’s Congestion Management Process/Performance Measures Report or otherwise identified and documented. (4 points total)

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

**Criteria #3 - Safety Benefits** – The project will significantly reduce the number and/or severity of crashes, including pedestrian crashes; it will significantly reduce the number of fatalities and/or serious injuries. (4 points total)

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

**Criteria #4 - Transportation Equity and Economic Vitality** – The proposed project will directly advance or provide opportunities in traditionally underserved communities; it directly supports economic vitality (e.g., supports community development in major development areas, supports business functionality, and/or supports creation or retention of employment opportunities). (4 points total)

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



## 2023 Application for Project Prioritization – **PROJECT IMPLEMENTATION**

# Traffic Operations, Safety, and Local Initiatives Projects

**\*All applications must be uploaded to the TPO file transfer site by 4:00 p.m. (EST) on February 28, 2023\***

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

**Applying Agencies (project sponsor):** \_\_\_\_\_ **Date:** \_\_\_\_\_

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

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

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

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

**Phase(s) requesting to be funded:**

☐ PD&E ☐ Design ☐ Right-of-Way ☐ Construction ☐ Other: \_\_\_\_\_

**Project Support:**

Does the project have support by the submitting agency's council/commission? ☐ Yes ☐ No

(Provide documentation that the project is part of an approved Capital Improvement Program or other plan that has been approved by the agency's council/commission OR a specific resolution or motion supporting the project)

Is the project consistent with the local government Comprehensive Plan? ☐ Yes ☐ No

Is the project supported by the River to Sea TPO Connect 2045 Long Range Transportation Plan? ☐ Yes ☐ No

**Project Administration:**

Will the project be implemented via the FDOT LAP program? ☐ Yes ☐ No

Per LAP program requirements, is the project estimate for each phase greater than \$250,000? ☐ Yes ☐ No

Is the submitting applicant LAP certified or seeking project specific LAP certification? ☐ Yes ☐ No

If the applicant is not seeking LAP certification or does not intend to administer the project through LAP, which local agency is LAP certified and willing to administer the project? \_\_\_\_\_

(Applicant must provide written documentation of an agreement with administering agency or a memorandum of understanding (MOU)).

☐ This project is being submitted as a mixed-use project as defined by Resolution 2023-XX. Mixed-use projects must provide the cost breakdown between the traffic operations component of the project and the bicycle/pedestrian component of the project in the cost estimate.

☐ Attach a copy (or provide a link) of the completed Feasibility Study, or explain in the space provided below for commentary why a Feasibility Study is not necessary.

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

**Criteria #1 – Location (5 points max.) – Based on federal functional classification map**

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.

Indicate the federal functional classification of the roadway on which the proposed improvement is located. (Reference the Federal Aid Road Report at <http://www.fdot.gov/statistics/fedaid/>). R2CTPO staff will review the application to verify the classification of the roads benefitting from the proposed project.

**Select only ONE**

- |  |  |
|--|--|
| <input type="checkbox"/> Non-Federally Functionally Classified Road (1 point) <sup>1</sup> | <input type="checkbox"/> Urban/Rural Major Collector (3 points)    |
| <input type="checkbox"/> Urban/Rural Local Road (1 point) <sup>1</sup>                     | <input type="checkbox"/> Urban/Rural Minor Arterial (4 points)     |
| <input type="checkbox"/> Rural Minor Collector (1 points) <sup>1</sup>                     | <input type="checkbox"/> Urban/Rural Principal Arterial (5 points) |
| <input type="checkbox"/> Urban Minor Collector (2 points)                                  |  |

<sup>1</sup>Project must be safety related

**Criteria #2 – Project Readiness (15 points max.)<sup>2</sup>**

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.

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.

**PE (Design)****Select only ONE**

- ☐ Completed (3 points)
- ☐ Not Required (3 points)
- ☐ Required but Not Completed (0 points)
- ☐ Unknown or TBD (0 points)

**Permitting****Select only ONE**

- ☐ Completed (3 points)
- ☐ Not Required (3 points)
- ☐ Required but Not Completed (0 points)
- ☐ Unknown or TBD (0 points)

**Environmental****Select only ONE**

- ☐ Completed (3 points)
- ☐ Not Required (3 points)
- ☐ Required but Not Completed (0 points)
- ☐ Unknown or TBD (0 points)

**Utility Relocation<sup>3</sup>****Select only ONE**

- ☐ Completed (3 points)
- ☐ Not Required (3 points)
- ☐ Required but Not Completed (0 points)
- ☐ Unknown or TBD (0 points)

**Right-of-Way Acquisition****Select only ONE**

- ☐ Completed (3 points)
- ☐ Not Required (3 points)
- ☐ Required but Not Completed (0 points)
- ☐ Unknown or TBD (0 points)

<sup>2</sup> When Federal funding will be used to fund a project, 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.

<sup>3</sup> Includes all underground and overhead utilities, including, but not limited to private gas utility, fiber optic communication cable, public/private water or sewer utility, telephone, power or cable tv utility.

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



### Criteria #3 – Mobility and Operational Benefits (25 points max.)

This criterion looks at the extent of traffic operational benefits that will be derived from a proposed project. The number of points allocated will reflect the degree of benefit that is expected.

In the space provided below for commentary, describe the operational benefits of the proposed project, and specify and explain if this project is considered regional in nature. When putting your application together please include a copy of any approved signal warrant or street lighting studies.

**Describe the mobility and operational benefits of the proposed project, and specify and explain if this project is considered regional in nature. Enough detail must be provided so that the reviewer can assess the following criteria:**

Existing volume to capacity ratio (i.e., existing congestion severity) [Must be documented.]

**Select only ONE**

- ☐ less than 0.75 (0 points)
- ☐ 0.75 to 0.99 (3 points)
- ☐ 1.00 to 1.25 (4 points)
- ☐ greater than 1.25 and/or identified as congested in TPO's CMP/Performance Measures Report (5 points)

Mobility Enhancements (i.e., level of increased mobility and/or travel time reliability that a project will provide)

**Select ALL that Apply**

- ☐ None (0 points)
- ☐ Bicycle, Pedestrian, ADA, or Transit (1-5 points)
- ☐ Access Management, ITS, Critical Bridge, Intersection Improvement, or Traffic Signal Retiming<sup>4</sup> (1-10 points)

Approved signal warrant (new signals only), left turn phase warrant, left turn lane warrant, street light warrant, widening justification<sup>5</sup>, an FDOT approved roundabout geometric and operational analysis<sup>6</sup>, or access management or ITS improvements<sup>7</sup>

**Select only ONE**

- ☐ No (0 points)
- ☐ Yes (1-5 points)

<sup>4</sup> Attach Traffic Signal Timing Study.

<sup>5</sup> Attach Warrant Study to application; otherwise R2CTPO staff will assume that a Warrant Study justifying the improvement has not been completed.

<sup>6</sup> Attach FDOT Step 3 Roundabout Summary Report.

<sup>7</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.



#### Criteria #4 – Safety Benefits (25 points max.)

This criterion looks at the degree of safety benefits that will be derived from a proposed project. The number of points allocated will reflect whether the proposed project will mitigate for an identified safety issue/concern and the degree of benefit that is expected.

In the space provided below for commentary, describe the safety benefits expected from the proposed project, and explain how the proposed project will mitigate for the safety issue and help the River to Sea TPO meet or exceed adopted Transportation Safety Targets for Serious Injuries and Fatalities. TPO staff will work with the appropriate agencies to determine the intersection and corridor crash rates, if needed.

**Describe the safety issue being addressed and provide specific detail on how the proposed safety strategy or counter-measure would mitigate for the documented safety issue/concern. Enough detail must be provided so that the reviewer can assess the following criteria:** \_\_\_\_\_

##### Select ALL that Apply

- ☐ The specific project location is on FDOT's High Crash List; The River to Sea TPO's Congestion Management Process Report top 25 crash frequency and severity list for vehicles, motorcycles, bicycles, or pedestrians; or has otherwise been identified as having an overrepresentation of severe crashes? (Provide supporting documentation (e.g., intersection crashes per million entering vehicles, corridor crashes per million vehicle miles <sup>8</sup>, Community Traffic Safety Team report, etc.) (0-5 points)
- ☐ The proposed project addresses a safety issue that falls within one or more of the twelve Emphasis Areas identified in the latest adopted Florida Strategic Highway Safety Plan (i.e., lane departures, intersections, pedestrians and bicyclists, aging road users, motorcyclists and motor scooter riders, teen drivers, impaired driving, occupant protection, speeding and aggressive driving, distracted driving) or does contribute to the ability of emergency response vehicles to effectively respond to an incident. (0-10 points)
- ☐ The proposed project represents a strategy that is professionally recognized in the AASHTO Highway Safety Manual or identified by FHWA as a Proven Safety Countermeasure (<https://highways.dot.gov/safety/proven-safety-countermeasures>) as being effective in reducing the frequency and/or severity of traffic accidents. (0-10 points)

<sup>8</sup> Applying Agency must use the following crash rate calculation formulas: Corridor Crash Rate = (Number of Crashes x 1,000,000) / (AADT x 365 days/year x Number Years x Segment Length); Intersection Crash Rate = (Number of Crashes x 1,000,000) / (AADT x 365 x Number of Years).

### Criteria #5 Transportation Equity and Economic Vitality (10 points max.)

This criterion looks at whether the proposed project advances or provides opportunities in traditionally underserved communities (transportation disadvantaged census tracts - <https://www.transportation.gov/grants/dot-navigator/federal-tools-determine-disadvantaged-community-status>) and/or the degree to which the project supports economic vitality.

**Describe how the proposed project advances or provides opportunities in traditionally underserved communities and/or the degree to which the project supports economic vitality. Enough detail must be provided so that the reviewer can assess the following criteria:** \_\_\_\_\_

**Select ALL that Apply**

- ☐ The proposed project directly advances or provides opportunities in traditionally underserved communities (improving access to employment, education, community services, or health care services) (0-5 points)
- ☐ The proposed project directly supports economic vitality (e.g., supports community development in major development areas, supports business functionality, supports freight movement, and/or supports creation or retention of employment opportunities) (0-5 points)

### Criteria #6 – Resiliency and Sustainability (20 points max.)

This criterion looks at the resiliency and sustainability aspects of the proposed project.

**Describe the resiliency and sustainability aspects of the proposed project. Enough detail must be provided so that the reviewer can assess the following criteria:** \_\_\_\_\_

**Select ALL that Apply**

- ☐ **Sea Level Rise/Storm Water Management (0-4 points)**  
The proposed project improves facilities that have been identified as vulnerable to sea level rise or provides an improvement to address storm water management and/or drainage.
- ☐ **Carbon Footprint/Emissions (0-4 points)**  
The proposed project includes carbon reduction strategies that may include reducing single occupant trips, facilitating the use of vehicles or modes of travel that result in lower emissions, providing for alternate modes of transportation, reducing congestion and idling through congestion management strategies, etc.
- ☐ **Environmental (0-4 points)**  
The proposed project includes strategies that minimize impacts to the environment, including preserving specimen and historic trees, wetlands, and protected species habitats.
- ☐ **Hurricane Evacuation (0-8 points)**  
The proposed project improves a designated evacuation route including, but not limited to, converting traffic signal to mast arm or other operational improvements<sup>9</sup>

<sup>9</sup> The term “other operational improvements” includes any improvement that will likely result in a significant: a) increase in evacuating traffic capacity or b) reduction in the probable occurrence or severity of evacuating traffic delay and/or disruption from signal failure, lane blockage, etc.

**Criterion #7 – Local Matching Funds > 10% of Total Project Cost (10 points max.) – Bonus Points**

Please specify the committed local match percentage \_\_\_\_\_ *(Match must be in whole or half percent increments)*

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

**Select only ONE**

- ☐ Local Matching Funds are equal to 10.0% (0 points)
- ☐ Local Matching Funds are greater than or equal to 10.5% but less than 12.5% (1 point)
- ☐ Local Matching Funds are greater than or equal to 12.5% but less than 15.0% (2 points)
- ☐ Local Matching Funds are greater than or equal to 15.0% but less than 17.5% (3 points)
- ☐ Local Matching Funds are greater than or equal to 17.5% but less than 20.0% (4 points)
- ☐ Local Matching Funds are greater than or equal to 20.0% but less than 22.5% (5 points)
- ☐ Local Matching Funds are greater than or equal to 22.5% but less than 25.0% (6 points)
- ☐ Local Matching Funds are greater than or equal to 25.0% but less than 27.5% (7 points)
- ☐ Local Matching Funds are greater than or equal to 27.5% but less than 30.0% (8 points)
- ☐ Local Matching Funds are greater than or equal to 30.0% but less than 32.5% (9 points)
- ☐ Local Matching Funds are greater than or equal to 32.5% (10 points)



## 2023 Application for Project Prioritization Transportation Planning Studies

**\*All applications must be uploaded to the TPO file transfer site by 4:00 p.m. (EST) on February 28, 2023\***

**Study Title:** \_\_\_\_\_

**Requesting Agency:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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

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

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

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

**Study Description:** \_\_\_\_\_

**Study Area** (include study area length and termini, if appropriate, and attach location map): \_\_\_\_\_

**Estimated Study Cost:** \_\_\_\_\_

### **Purpose and Need for the Transportation Planning Study:**

In the space provided below, describe the Purpose and Need for this proposed study and explain how the study is expected to address each ranking criterion that may apply. It is very important that your Purpose and Need statement is clear and complete and specifies whether the study is local or regional in nature. It will be the principal consideration in ranking your study proposal. It must convince the public and decision-makers that the expenditure of funds is necessary and worthwhile and that the priority the study is being given relative to other needed transportation planning studies is warranted. The Purpose and Need will also help to define the study scope, the consideration of alternatives (if appropriate), and ultimate study findings and recommendations.

**Purpose and Need Statement:** \_\_\_\_\_

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**V. ACTION ITEMS**

**F. REVIEW AND APPROVAL OF 2023 RIVER TO SEA TPO LEGISLATIVE POSITIONS**

**Background Information:**

Each year, the TPO develops a set of legislative positions to be used in informing legislators of issues important to the River to Sea TPO. The Legislative Issues Subcommittee met on October 5, 2022 and again on November 2, 2022 to discuss the draft 2023 Legislative Positions.

The proposed changes are presented in the draft 2023 Legislative Positions. These changes focus on including language that pertains to:

- adding language pertaining to resiliency;
- leveraging funding opportunities;
- distracted driving and safety;
- designing for appropriate speeds; and
- requesting the budget authority for the Commission for the Transportation Disadvantaged (CTD) to be fully restored

TPO Staff will provide an overview of the proposed changes.

***ACTION REQUESTED:***

***MOTION TO APPROVE THE 2023 RIVER TO SEA TPO LEGISLATIVE POSITIONS***



# 2023 Legislative Positions

DRAFT

*Adopted by River to Sea TPO Board 11-30-2022*



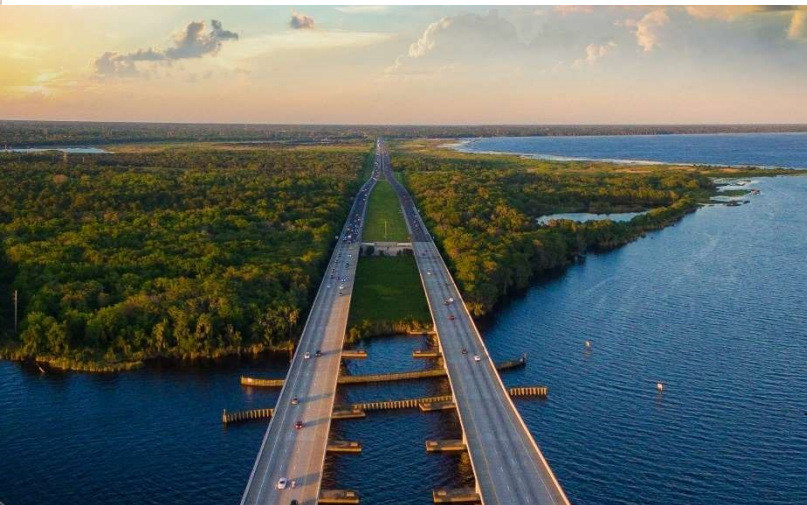
***River to Sea TPO Chairperson:  
Barbara Girtman, Volusia County Council Vice Chair***

**Contact: Colleen Nicoulin, Executive Director**

**Telephone: (386) 226-0422**

**E-mail: [CNicoulin@r2ctpo.org](mailto:CNicoulin@r2ctpo.org)**

**Website: [www.r2ctpo.org](http://www.r2ctpo.org)**



“On behalf of the River to Sea Transportation Planning Organization, I want to thank you for the work you do serving the State of Florida and as a representative of our planning area. As growth and development continues to increase throughout the state, we recognize the importance of an efficient and resilient transportation system that supports Florida’s economy and provides safe modes of travel for all residents and visitors alike. We look forward to working with you to tackle challenging transportation issues and to provide the support you may need during the 2023 Legislative Session.”

*River to Sea TPO Chairperson, Barbara Girtman*

## 2023 Legislative Positions

*Adopted by River to Sea TPO Board 11-30-2022*

- **Increase transportation investment through dedicated, flexible and sustainable funding**
- **Improve transportation safety by discouraging distracted driving, designing for appropriate speeds & improving pedestrian and bicycling safety**
- **Increase the efficiency and resiliency of transportation systems by maximizing the deployment of advanced transportation technologies**

Thank you for considering the legislative positions established by the River to Sea TPO. As these positions were developed, consideration was given to the positions established by organizations throughout the state of Florida including the Florida Association of Counties (FAC), the Florida League of Cities (FLC), Florida Public Transit Association (FPTA) and the Metropolitan Planning Organization Advisory Council (MPOAC). We value our relationship with these organizations and appreciate the support and leadership they provide.

*River to Sea TPO Legislative Issues Subcommittee*

## Transportation Priority -- Funding

The River to Sea TPO supports legislation that increases transportation investment through dedicated, flexible and sustainable funding.

### Background

Transportation revenue is collected to support the preservation and development of a safe, efficient and resilient transportation system that supports economic development, freight mobility, tourism, bicycle and pedestrian safety, accessibility and public transit among others. Actions supported by the River to Sea TPO to preserve these programs include:

- **Analyze Potential New Revenue Sources Needed to Preserve the Transportation System**

While we recognize the benefits of autonomous vehicles (AV) and alternative fuel vehicles (AFV) in improving transportation efficiency, safety, and air quality, we also understand the potential impacts on fuel sales throughout the state of Florida. The River to Sea TPO supports the analysis of additional revenue sources such as vehicle registration fees, electric charging station surcharges and mileage-based fees to determine whether implementation ensures equity among all road users contributing to the maintenance and preservation of the existing system.

- **Develop a resilient network of transportation infrastructure**

Resiliency reflects the ability to anticipate, prepare for, and respond to changing conditions, and recover rapidly after disruptive events such as flooding, hurricane damage, sea level rise, wildfire, or major traffic incidents. It is important for the transportation system to be resilient in the face of these disruptions to ensure reliable movement of people and goods. The River to Sea TPO continues to support funding to address the effects of climate change on transportation infrastructure and evacuation routes.

- **Establishing flexible and predictable funding for transit projects**

Current state law limits the amount of funding that can be made available from the State Transportation Trust Fund (STTF) for transit projects for both capital and operating expenses. These limitations, which are not in place for roadway funding, make transit funding from the STTF less predictable for the purposes of planning and project implementation and artificially limits the ability of TPOs to implement priority transit projects.

- **Stabilize Funding Levels for the Transportation Regional Incentive Program (TRIP)**

TRIP funding promotes regional transportation planning and project development and has been used to fund important infrastructure improvements. The River to Sea TPO supports stable and consistent funding through TRIP to promote regional planning and project development.

- **Allow Strategic Intermodal System (SIS) and State Transportation Trust Fund (STTF) Dollars to be Used on Local Road Improvements that are Needed to Support the SIS or State Facility**

State law limits the allocation of SIS funds and STTF funds to use on those systems. However, there are occasions where the most effective solution to managing congestion on an SIS or state facility is to improve local arterial, collector and distributor roads. The River to Sea TPO supports increasing flexibility of SIS and STTF funds to be used “off-system” when improvements on supporting roads enhance freight, safety, emergency management, travel time reliability and congestion on the SIS or state road system.

### Benefit

Efficient and resilient transportation systems are necessary to support a strong economy. Inadequate funding to support capital projects as well as operations and maintenance will lead to increased congestion and degradation of vital infrastructure. Increased traffic congestion has negative economic and environmental impacts.



## Transportation Priority -- Safety

The River to Sea TPO supports legislation that improves transportation safety.

### Background

These items are intended to support Vision Zero safety initiatives in the State of Florida as well as the national emphasis on transportation safety improvements outlined in the Bipartisan Infrastructure Law (BIL)

- **Improve Pedestrian and Bicycle Safety**

Florida consistently ranks at or near the top of the nation in pedestrian and bicycle injuries and fatalities. Increasing safety and reducing these rates requires education, engineering and law enforcement efforts. The River to Sea TPO supports:

- enhanced funding for educational programs that show positive results;
- strengthening existing pedestrian and bicycle safety laws;
- increasing performance driven funding for projects that address unsafe conditions;
- the installation of pedestrian crossing traffic control devices (beacons) in areas with documented safety concerns;
- Engineering and redesign of roadways for appropriate speeds; and
- local participation in FDOT's High Enforcement Visibility Program

The 2022 Dangerous by Design report listed the Deltona-Daytona Beach-Ormond Beach Metropolitan Area, which encompasses both Volusia and Flagler County, as the most dangerous metropolitan area in the nation for pedestrians. Florida DOT is using the Alert Today, Alive Tomorrow program along with changes in design standards and their Vision Zero campaign to drive down pedestrian fatalities and injuries throughout the state.

The River to Sea TPO supports FDOT's Target Zero initiative to reduce the number of transportation related serious injuries and fatalities across Florida to ZERO, by focusing on influencing change in dangerous driver behaviors before serious and fatal crashes occur and aligning resources and establishing actions for all safety partners to take evolutionary steps to improve how Florida connects, interacts, plans, designs, operates, and maintains its transportation system.

- **Expand Regulations on Distracted Driving**

Recent crash analyses completed by the River to Sea TPO shows that crashes resulting from distracted driving occur at a higher rate than other crash types. The River to Sea TPO supports legislation that would continue to improve roadway safety by expanding regulation on distracted driving.

### Benefit

Transportation safety is critical for residents and for the thousands of visitors who choose to vacation here. Changes in Florida law along with other crash reduction efforts improve quality of life and support economic development.

## Transportation Priority -- Advancing Technology

**The River to Sea TPO supports legislation that increases the efficiency and resiliency of transportation systems by maximizing the deployment of advanced transportation technologies.**

### Background

Transportation technologies are advancing in ways that will transform the industry and, potentially, how people and goods will move in and between our metropolitan areas. Transportation Network Companies (TNC's) such as Uber and Lyft, automated and connected vehicles, advanced transit systems, advanced traffic signals, and drone delivery as well as technologies not yet developed, provide tremendous opportunities to improve the efficiency and safety of travel.

The River to Sea TPO supports and encourages the Florida legislature to continue establishing state laws and funding mechanisms to support the development and implementation of these technological advances. Potential actions include:

- Increased infrastructure funding for projects that advance Automated, Connected, Electric and Shared (ACES) technologies.
- Increased funding and technical assistance to support the planning and implementation of Smart Cities, automated vehicle pilot projects and other technology innovations.
- Establishing laws that address the malicious and intentional interference of the proper functioning of transportation vehicles and systems.
- Continued promotion of interoperable and multi-modal smartcard technology that is compatible, universal and accessible for use by all other smartcard technology systems.
- Legislative support and funding for the regulation and infrastructure modifications needed to safely and effectively manage the expansion of micro-mobility devices.
- Requiring public Electric Vehicle Support Equipment (EVSE) to be open to all users regardless of membership to a specific charging network

### Benefit

Advanced technologies in transportation will transform our communities and our economies. These technologies have the potential to dramatically improve safety and efficiency of our existing transportation infrastructure. They also offer improvements in air quality, mobility for transportation disadvantaged people, and quality of life advantages. Cities and states that are proactive in the deployment of transportation technology will be better positioned for success and economic stability in the future.

## Additional Positions

### The River to Sea TPO also supports legislation that:

- Fully restores the budget authority for the Commission for the Transportation Disadvantage (CTD).
- Protects the State Transportation Trust Fund (STTF) and the Transportation Disadvantaged Trust Fund from efforts to reduce or divert funds.
- Offers incentives for employers that reduce peak-hour demand by allowing off-peak commuting and telecommuting options to employees.
- Increases MPO/TPO involvement in growth management, mobility planning and visioning activities to promote a stronger linkage between land-use, transportation and economic development.
- Increases the percentage of the state transportation capacity program allocated to non-SIS highways and transit programs in order to improve mobility on regional and metropolitan area transportation facilities.
- Requires TPO concurrence for public-private partnership agreements related to the lease or sale of transportation facilities that are publicly owned and operated within metropolitan areas and any subsequent modifications to such agreements.
- Provides mandatory funding for driver education programs in high schools.
- Changes the Consultants' Competitive Negotiation Act (CCNA) to allow agencies to introduce a "best-value" option that considers cost as a factor when selecting a firm.
- Indexes local option fuel taxes to keep pace with inflation.

### The River to Sea TPO will monitor legislation that:

- Authorizes counties to form a regional transportation finance authority for the purpose of financing, constructing, maintaining and operating transportation projects that are consistent with MPO plans.
- Proposes to establish Tax Increment Financing (TIF) districts associated with expressway or passenger rail corridors for the purposes of financing the debt issued to pay for the project.
- Promotes the continued development and expansion of bus and rail transit as well as efforts to accommodate the growing demand for alternative mobility vehicles (low-speed vehicles, electric vehicles and golf carts).
- Imposes restrictions on Metropolitan Planning Organization (MPO) governing board membership, voting, and/or terms of service.

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**VI. PRESENTATION AND DISCUSSION ITEMS**

**A. PRESENTATION AND DISCUSSION OF A PROPOSED AMENDMENT TO THE RIVER TO SEA TPO BYLAWS**

**Background Information:**

The River to Sea TPO Bylaws, approved on June 25, 2014 and amended on January 27, 2021, do not contain a process to fill officer vacancies that occur during the year. Following the election results earlier this month, two of the three TPO Officer positions for the current fiscal year will be vacant. In order to establish a process to fill these vacancies, an amendment to the TPO Bylaws is proposed. Per the amendment procedures of the TPO Bylaws, changes to the bylaws are to be provided as a draft for review by the TPO Board during a regularly scheduled meeting and then at a subsequent meeting for adoption. A marked-up version of the bylaws is included in the agenda packet with the proposed changes are shown in strike through and underline format on pages 8 and 10 of the document.

TPO staff will provide an overview of the recommended changes to the River to Sea TPO Bylaws.

***ACTION REQUESTED:***

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

## **RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION**

### **PREAMBLE**

The River to Sea Transportation Planning Organization (TPO) requires the involvement of policy makers, technical staff and citizens to address various facets of the transportation planning process. The following document sets forth the bylaws, policies and procedures that shall serve to guide the proper functioning of the urban transportation planning process for the River to Sea TPO (formerly known as the Volusia TPO) which is the designated Metropolitan Planning Organization for all of Volusia County and a portion of Flagler County. These provisions govern the TPO Board and standing committees to fulfill requirements of the Federal Highway Act of 1962, as amended, and subsequent laws setting forth requirements for transportation planning for all modes of travel and to ensure the accomplishment of the planning activities within a cooperative framework that is both comprehensive and continuous.

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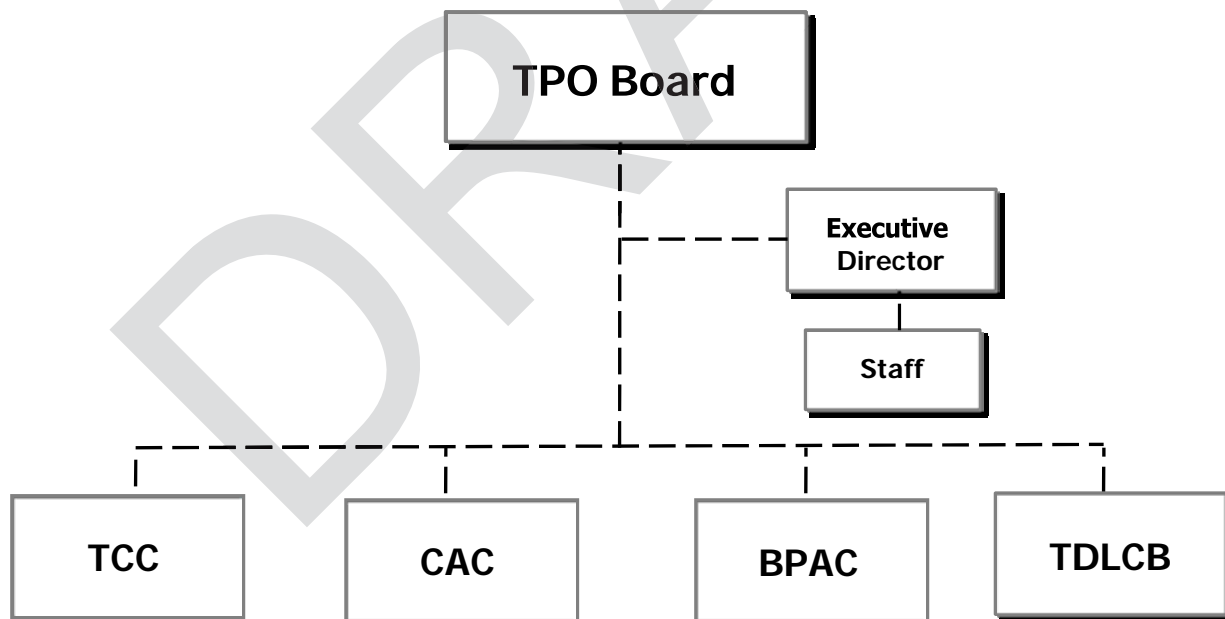
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## SECTION 1.0: THE ORGANIZATION

The River to Sea TPO (hereafter referred to as the TPO) is created under the provisions of 23 U.S.C. Section 134 and designated by the Governor of Florida, under Section 339.175 of the Florida Statutes, to develop transportation plans and programs for the designated Metropolitan Planning Area (MPA). The current MPA includes all of Volusia County and the developed areas of eastern Flagler County, including Flagler and Beverly Beaches and portions of the cities of Bunnell and Palm Coast. The membership of the TPO, as outlined in Section 339.175 F.S., is determined by agreement between the Governor and the units of general purpose local governments within the MPA. Membership is intended to ensure equitable representation of the populations served by the organization as well as input by major transportation service providers such as airports and mass transit. Various agencies are also represented including the Florida Department of Transportation (FDOT). Members of the TPO operate through the establishment of interlocal agreements.

### SECTION 1.1: ORGANIZATIONAL STRUCTURE AND MANAGEMENT

The River to Sea TPO is comprised of a policy-setting board, a Technical Coordinating Committee (TCC), a Citizens Advisory Committee (CAC), a Bicycle and Pedestrian Advisory Committee (BPAC) and a Transportation Disadvantaged Local Coordinating Board (TDLCB). Participation on these committees is generally voluntary. The TPO is supported by a small staff of planning professionals led by an Executive Director. The overall organizational structure is outlined below.



## **River to Sea Transportation Planning Organization (R2CTPO) Bylaws**

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The following is a general outline of the role of each:

### **TPO Board**

This is the policy body of the organization, composed of the elected officials of the general purpose local government entities and appointed officials of the providers of transportation in the designated metropolitan planning area.

### **Technical Coordinating Committee (TCC)**

Each unit of local government appoints a person from their respective organization to assist in the decision-making process. Members are appointed based on the experience and technical ability needed to carry out the transportation planning activities of the TPO. TCC members work with TPO staff to develop and review plans and documents and act in an advisory capacity, making recommendations to the TPO Board.

### **Citizens Advisory Committee (CAC)**

A citizen representative is appointed by each TPO Board member from their respective jurisdiction to assist in the decision-making process. Members are not required to have a background in transportation but rather are appointed to represent the general citizenry and provide input to the transportation planning activities of the TPO. CAC members work with TPO staff to develop and review plans and documents and act in an advisory capacity, making recommendations to the TPO Board.

### **Bicycle and Pedestrian Advisory Committee (BPAC)**

Members of the BPAC are appointed by each board member from their respective jurisdiction to assist in the decision-making process for matters pertaining to bicycle and pedestrian planning and safety. Members are not required to have a background in transportation but rather are appointed to represent the general citizenry and provide input to the transportation planning activities of the TPO. BPAC members work with TPO staff to develop and review plans and documents and act in an advisory capacity, making recommendations to the TPO Board.

### **Transportation Disadvantaged Local Coordinating Board (TDLCB)**

The voting membership of the TDLCB is established by Florida Statute to ensure representation of agencies serving transportation-disadvantaged populations. Appointments are approved by the TPO Board. The TDLCB identifies local service needs and provides information, advice and direction to the Community Transportation Coordinator (CTC) on the coordination of services to be provided to the transportation-disadvantaged.

### **TPO Staff**

TPO staff provide planning and administrative support to the TPO Board and committees. The TPO staff consists of an executive director, a group of transportation planning professionals, a financial officer and administrative personnel. The staff coordinates meetings and planning activities, prepares planning documents and materials, conducts public outreach and provides for the general functions of the organization in compliance with state and federal laws.



## SECTION 2.0: TPO BOARD

### SECTION 2.1: MEMBERSHIP APPOINTMENT, QUALIFICATION AND TERMS OF OFFICE

- A. The voting members of the TPO Board shall be elected officials that serve at the pleasure and discretion of the member local governments. Membership shall terminate upon the member leaving his/her elective or appointive office for any reason or by a majority vote of the total membership of the county or city governing body represented by the member. Vacancies shall be filled by the original appointing body.
- B. A qualified member of the TPO Board may designate in writing to the chairperson of the TPO an alternate who may exercise full membership powers in the absence of the TPO member. Said alternate must be a locally elected official capable of representing the interests of the unit of government represented by the absent member of the TPO, and may be appointed to serve for only that meeting for which he or she is designated, or for a longer duration, but not to exceed the term of the appointed member.
- C. Non-voting members of the TPO include a representative from the Volusia County School Board, the Flagler County School Board, the Chairperson of the Technical Coordinating Committee, the Chairperson of the Citizens Advisory Committee and the Chairperson of the Bicycle and Pedestrian Advisory Committee. Non-voting members may not be a TPO officer or member of the TPO Executive Committee. Non-voting members may serve on TPO subcommittees as appointed by the TPO Chairperson and will cast votes for recommendations regardless of voting rotation on the full board.
- D. The FDOT District 5 Secretary, or his/her designee, shall serve as a non-voting advisor to the TPO Board.
- E. The following narrative describes the methodology used to determine the voting structure for the TPO:
  - 1. There shall be nineteen (19) voting members on the TPO Board. This is the maximum number of voting members currently allowed under Section 339.175 of the Florida Statutes. The voting members of the TPO Board are:

#### County Representation

County representation includes six (6) seats with a weighted vote equal to 1/3 of the full board. These seats are distributed as follows:

Volusia County	5
Flagler County	1
Total Seats	6

#### Municipal Representation

The twelve (12) largest cities by population will be provided one voting seat and each seat will carry a weighted vote equal to the proportion of the population contained within their respective municipality and within the MPA.

**Large Cities** (in order of population size):

<u>City</u>	<u># Seats</u>
Deltona	1
Palm Coast	1
Daytona Beach	1
Port Orange	1
Ormond Beach	1
DeLand	1
New Smyrna Beach	1
Edgewater	1
DeBary	1
South Daytona	1
Holly Hill	1
<u>Orange City</u>	<u>1</u>
Total Seats	12

The remaining small cities included in the planning area will be grouped together and provided with one voting seat that will be weighted based on the cumulative population of the small cities.

**Small City Alliance** (in order of population size):

<u>City</u>	
Flagler Beach	
Daytona Beach Shores	
Ponce Inlet	
Lake Helen	
Bunnell	
Oak Hill	
Pierson	
<u>Beverly Beach</u>	
Total Seats	1

2. The vote of each member shall be weighted in the following manner:
  - 33.3% of the total vote shall be allocated among the six (6) county representatives and weighted based on population served
  - 66.7% of the total vote shall be divided among the twelve (12) large cities and the Small City Alliance and weighted based on population served
3. Population percentages shall be determined initially using the decennial census figures and updated every five (5) years using population estimates from the University of Florida's Bureau of Economic and Business Research (BEBR). A member may request an update during the interim period if major changes are documented (i.e. annexation)

4. With respect to the Small City Alliance, the following policies shall apply:
- Only one representative of the group will be permitted to vote at the TPO Board meeting.
  - Voting representation will rotate on a semi-annual basis (to occur in October and April) in the order outlined in Section 2.1 E-1. To ensure continuous representation, a voting member may continue to serve until a replacement has been appointed.
  - A member, or member city, may choose to waive their turn in the rotation by submitting notice in writing to the Chairperson of the TPO.
  - Each of the jurisdictions will appoint a representative who may participate in board meetings as a non-voting member.
  - If the voting city representative of one group is absent from the meeting, then the city representative from the next city in line who is participating in the meeting at the meeting shall be provided a vote on behalf of the group. If that member is not participating in the meeting, then the vote will be assigned to the next member in the rotation.
  - Small City Alliance members may participate fully in subcommittees of the TPO Board regardless of voting status and each will be able to appoint member representatives to the TCC, CAC and BPAC.
  - Small City Alliance members may be appointed to a position as an officer of the TPO Board. They will serve in the full capacity of the position; however, the voting rotation will remain in effect.
  - If the Small City Alliance would like to hold coordination meetings to review and discuss the TPO agendas prior to the monthly TPO Board meetings, the TPO staff shall make all appropriate arrangements to ensure that these meetings are held, including providing proper notice of said meetings to the press and public.

## **SECTION 2.2: OFFICERS AND DUTIES**

- A. The Chairperson shall have the authority to appoint members to committees and subcommittees of the TPO Board and for the appointment of representation on the MPO Advisory Council (one member and one alternate) and the Central Florida MPO Alliance (three members and one alternate) except where the membership of said committees is specifically delineated in these Bylaws.

- B. The Chairperson shall appoint a minimum of five (5) TPO Board members to a nominating committee in April of each year for the purpose recommending to the TPO Board a slate of officers to include the Chair, 1<sup>st</sup> Vice Chair/Treasurer and 2<sup>nd</sup> Vice Chair/Secretary. Nominations for these positions shall be presented by the committee at the May board meeting for confirmation by the board members. The Chairperson will make all reasonable efforts to appoint members to the Nominating Committee that represent the diverse interests of the board, including the varying sizes and geographical locations of the local governments represented.
- C. Officers shall be elected by a majority of the members participating at the organizational meeting and shall serve a term of one year, starting in July of each year.
- D. The Chairperson shall preside at all meetings and in the event of his/her absence or at his/her direction, the 1<sup>st</sup> Vice Chair/Treasurer shall assume the powers and duties of the chairperson. In the event that neither the Chair, nor the 1<sup>st</sup> Vice Chair is participating, then the 2<sup>nd</sup> Vice Chair will preside over the meeting. If the 2<sup>nd</sup> Vice Chair is not participating at the meeting, then the immediate past Chair will preside over the meeting.
- ~~D~~E. In the event of a vacancy in the office of Chairperson, 1<sup>st</sup> Vice Chair/Treasurer, or 2<sup>nd</sup> Vice Chair/Secretary, the vacancy may be filled by the majority vote of the members participating in an official meeting of the Board. The individual so elected shall fill the remainder of the unexpired term of the vacant office. If a vacancy is filled by a current officer, then the Board shall also vote to fill the office vacated by the current officer (i.e. if the 1<sup>st</sup> Vice Chair/Treasurer is elected to fill a vacant Chairperson office, the vacated 1<sup>st</sup> Vice Chair/Treasurer office must then be filled).
- ~~E~~F. The 1<sup>st</sup> Vice Chair/Treasurer shall be the Chairperson of the TPO's Budget Committee and shall be responsible for reviewing and recommending the upcoming fiscal year budget, commenting on the annual audit and for making periodic reports on the current status of the TPO's operating budget.
- ~~F~~G. The 2<sup>nd</sup> Vice Chair/Secretary shall be the Chairperson of the TPO's Bylaws Subcommittee.

### SECTION 2.3: MEETINGS

- A. Monthly meetings of the TPO shall be held on a regularly scheduled day, time and place as approved by the River to Sea TPO Board. Regular meeting dates and times may be changed by action of the TPO Board to accommodate desirable changes due to holidays and/or other reasons.
- B. Members desiring items to be placed on the agendas must present those items to the TPO staff by the Thursday prior to the regularly scheduled Executive Committee meeting. This will ensure that those items have been thoroughly discussed and approved by this committee prior to being placed on the TPO Board agenda. If there are items to go in the agenda packet for informational purposes only, members may provide staff with the appropriate number of copies on, or before, the Thursday before the Executive Committee meeting.
- C. Special and/or emergency meetings may be called by the Chairperson or by written request of two or more members delivered to an officer. At least two (2) business days

notice must be provided to the members, alternates and the public for special meetings.

- D. A minimum of ten (10) voting members on the TPO Board must be participating to constitute a quorum for the transaction of business. Unless the physical presence of a quorum at the meeting location is not required as set forth in Section 3.2 of these Bylaws, a quorum is required to be physically present at the meeting location. See Section 3.1 of these Bylaws. Generally, as discussed in Section 3.1 Once a quorum has been determined, items on the agenda may be voted on. The action of a majority of the members participating during the time of a vote, based on the weighted vote outlined in Section 2.1 E. of these bylaws, shall be considered an act of the TPO Board. If, at any point during the meeting attendance drops to less than ten (10) voting members, no further actions will be taken by the board; however, presentations and other business may continue.
- E. The 2<sup>nd</sup> Vice Chair/Secretary will monitor the completion of meeting minutes, notices and agendas for future meetings and will address concerns with the Executive Director as needed. The Executive Director shall furnish a Recording Secretary for all TPO meetings. The director will be responsible for the preparation, duplication and distribution of all supporting materials necessary for TPO meetings.
- F. Notices and tentative agendas shall be sent to members and alternates at least five (5) working days prior to the regular meeting dates.
- G. Requests for agenda changes must be received by the Chairperson at least three (3) working days prior to the regular meetings or one (1) working day prior to special meetings.
- H. Meetings will be open to the public and press and time will be allocated for public comment. Public comment will generally be limited to three (3) minutes and may be expanded at the discretion of the Chairperson.
- I. All items approved by the TPO that will affect the Bylaws shall be automatically included within the Bylaws.
- J. If the Bylaws do not address a particular issue that comes before the board, and if the statute that the TPO is operating under does not cover said item, then *Robert's Rules of Order* shall take precedence.

#### **SECTION 2.4: RESPONSIBILITIES AND FUNCTIONS OF THE TPO**

- A. The TPO is charged with the overall responsibility for preparation, approval and implementation of the urban transportation planning and programming process for the Metropolitan Planning Area served by the TPO and all plans and programs that are developed through the process including:
  - 1. Develop goals and objectives and approve the strategic direction for the transportation planning process
  - 2. Review and adopt changes in transportation planning concepts
  - 3. Review and approve the Unified Planning Work Program (UPWP)
  - 4. Review and adopt the Transportation Improvement Program (TIP) including project

priorities

5. Review and adopt the Long Range Transportation Plan (LRTP) and its revisions
6. Ensure the efficient and effective use of the Federal Highway Administration (FHWA) Section 112 and the Federal Transit Administration (FTA) Section 5305 planning funds
7. Serve as liaison representatives between various governmental units in the study area to obtain optimum cooperation of all governmental units in implementing various elements of the plan
8. Ensure citizen participation in the transportation planning process through a proactive policy that includes approval of a public participation plan
9. Hire, terminate, evaluate the performance of, and set direction for the Executive Director
10. Review and approve the annual operating budget for the organization and approve the personnel policies and procedures established in the River to Sea TPO Employee Handbook

## SECTION 2.5: STANDING COMMITTEES

- A. The TPO shall have the following five (5) standing committees: the Executive Committee, the Technical Coordinating Committee (TCC), the Citizens Advisory Committee (CAC), the Bicycle and Pedestrian Advisory Committee (BPAC) and the Transportation Disadvantaged Local Coordinating Board (TDLCB). These committees shall each meet on a regular basis and perform the functions identified below.

1. **Executive Committee:** An Executive Committee consisting of the Chairperson, immediate Past Chairperson, 1<sup>st</sup> Vice Chairperson/Treasurer, 2<sup>nd</sup> Vice Chairperson/Secretary and three (3) TPO Board members appointed by the TPO Chairperson to serve a one-year term, is hereby created and empowered to meet separately to establish the TPO Board agenda. In the event the immediate Past Chairperson is no longer a member of the TPO Board, the Chairperson may appoint a 4<sup>th</sup> Board Member to serve on the Executive Committee. Vacancies of the officers shall be filled as set forth in Section 2.2 of these Bylaws. Unless the physical presence of a quorum at the meeting location is not required as set forth in Section 3.2 of these Bylaws, a quorum is required to be physically present at the meeting location. See Section 3.1 of these Bylaws. The Chairperson will make all reasonable efforts to appoint members to the Executive Committee who represent the diverse interests of the board including the varying sizes and geographical locations of local governments represented. The Executive Committee shall also have limited budget authority to move funds from task to task within the adopted Unified Planning Work Program and adopted budget, and to authorize the execution of contracts for services delineated within the adopted UPWP and/or items approved within the adopted budget. In addition, the Executive Committee shall have the authority to take ministerial or

administrative actions on behalf of the TPO in the ordinary course of business of the TPO. The Executive Committee shall meet no less than ten (10) times per calendar year (meetings will not be scheduled for the months of July and December unless a special meeting is called). For those months in which an Executive Committee meeting is scheduled, at the beginning of each year, the newly appointed committee shall set the date and time it will meet for that year. On an annual basis, the Executive Committee shall be responsible for the evaluation of the Executive Director and shall make a recommendation to the TPO regarding the Executive Director's performance and contract.

- 2. Technical Coordinating Committee:** The TCC is responsible for coordinating transportation planning and programming; for review of all transportation studies, reports, and plans and/or programs; and for making recommendations to the TPO that are pertinent to the subject document. Section 5 outlines specific policies relating to the TCC.
- 3. Citizens Advisory Committee:** The CAC is responsible for providing citizen input to the TPO concerning transportation planning and programming; for review of all transportation studies, reports, and plans and/or programs; and for making recommendations to the TPO that are pertinent to the subject document. Section 6 outlines specific policies relating to the CAC.
- 4. Bicycle and Pedestrian Advisory Committee:** The BPAC is responsible for reviewing plans, policies and procedures as they relate to bicycle and pedestrian issues in the TPO planning area. In addition, the BPAC is responsible for the review and ranking of bicycle and pedestrian project applications submitted on an annual basis. Section 7 outlines specific policies relating to the BPAC.
- 5. Transportation Disadvantaged Local Coordinating Board:** The primary purpose of the TDLCB is to assist the designated Official Planning Agency in identifying local service needs and providing information, advice and direction to the Community Transportation Coordinator (CTC) on the coordination of services to be provided to the transportation-disadvantaged pursuant to Chapter 427.0157, Florida Statutes. With support from TPO staff, the TDLCB works closely with the CTC and is not considered an advisory committee to the TPO Board. The TDLCB is required to update their bylaws annually as part of the planning grant agreement; therefore, the Bylaws of the TDLCB are maintained separately and reviewed by the TPO board as required.

## **SECTION 2.6: SUBCOMMITTEES**

- A. Subcommittees shall be designated by the TPO Board as necessary to investigate and report on specific subject areas of interest to the TPO or to address administrative and/or legislative issues. These may include, but are not limited to:



- Highways
- Mass Transit
- Transportation needs of "transportation-disadvantaged" groups
- Reapportionment
- Bylaws
- Nominating Committee
- Legislative Issues
- Budget

Unless the physical presence of a quorum at the meeting location is not required as set forth in Section 3.2 of these Bylaws, a quorum is required to be physically present at the meeting location. See Section 3.1 of these Bylaws.

- B. Unless established in other sections of these Bylaws, the Chairperson of the TPO Board will designate the subcommittee chair. When a subcommittee is convened, the first action of the subcommittee shall be to outline the scope of activities of the subcommittee and the expected duration of the group. If necessary, a budget will be established. A report will be provided to the TPO Board at the following meeting seeking approval of the activities recommended. A summary report of each meeting will be made available to the TPO Board as part of the monthly board agenda.



### **SECTION 3.0: GENERAL POLICIES OF THE TPO**

The following general policies in Sections 3.0 through 3.2 shall apply to the TPO Governing Board and all committees and participants of the TPO. As used herein, the term “CMT” means communications media technology which includes telephone, Zoom, GoToMeeting, or similar type of platform.

- A. The adoption and/or acceptance of reports, studies, plans and programs must be by resolution of the TPO Board after review and recommendation by the TCC, CAC and/or BPAC.
- B. Only published data and/or reports may be released, either to individuals or agencies. Unpublished data and/or reports require specific approval by the TPO Executive Committee. Requests for information and/or data made to participating jurisdictions and/or agencies, prepared by these agencies, shall be released according to the policies of the agency generating or collecting the data originally.
- C. Amendment or termination of these Bylaws. Recommended changes in the Bylaws shall require a two-thirds (2/3) majority of the weighted vote of the members participating at any board meeting. Revisions will be provided as a draft for review by the full board during a regularly scheduled meeting and then at a subsequent meeting for adoption.
- D. All committees shall maintain a broad perspective covering the range of all modes of transportation and associated facilities in all recommended planning work programs so that proper study and evaluation of transportation needs shall result in a multi-modal transportation system plan, balanced with respect to areawide needs and properly related to area wide comprehensive plan goals and objectives.

#### **SECTION 3.1 ATTENDANCE AT AND PARTICIPATION IN A MEETING BY MEMBERS WITH AN “EXTRAORDINARY CIRCUMSTANCE” CAUSING THE INABILITY TO PHYSICALLY ATTEND THE MEETING.**

- A. Member(s) of the TPO Governing Board, any TPO committee, or any TPO sub-committee, may attend a meeting, on the which the Member serves, remotely using CMT, if there is a quorum of the Governing Body, or committee, physically present at the meeting site; provided, that the Member(s) is subject to an “extraordinary circumstance” that justifies the remote attendance. Authority: Attorney General Opinion (AGO) 2003-41.
- B. If a Member of the Governing Board, or a committee, decides to attend by CMT, the Board or committee on which the Member serves shall first determine whether the Member’s reason for virtual or remote attendance at the meeting constitutes an “extraordinary circumstance” justifying the Member’s remote attendance using CMT. Said determination is reserved to the good judgment of the Board or committee. The Member’s attendance using CMT may not be counted towards establishing the existence of a quorum being physically present at the meeting location. Authority: AGO 2003-41.

#### **SECTION 3.2: VIRTUAL MEETINGS WITHOUT A QUORUM BEING PHYSICALLY PRESENT AT THE MEETING LOCATION**

- A. Applicability. In the event that an emergency prevents a member or multiple members from physically attending a board or committee meeting, the following powers and procedures are established.
- B. Virtual Meetings Without the Physical Presence of a Quorum.
  - 1. If the TPO Governing Board, or any of its committees, is permitted by law, executive order issued pursuant to Chapter 252, Florida Statutes, or similar action to conduct a meeting with a quorum of the Governing Board or TPO committee established virtually and without a quorum of the members being physically present at the meeting site, the TPO may conduct these meetings utilizing CMT.
  - 2. Public notice of these meetings shall be provided consistent with the TPO's Public Participation Plan, state law, and any applicable emergency declaration. The notice shall include instructions to the public describing how the public meeting may be accessed using CMT and shall name locations, if any, where CMT shall be available for use by the public.
  - 3. The public meeting shall provide the opportunity for public comment, and all comments, evidence, testimony, or written submissions, shall be afforded equal consideration. The notice of the public meeting shall include instructions regarding how members of the public may submit written documents, written comments, or written questions before the meeting or verbal comments or questions to be presented during the public meeting.

Authority: AGO 2020-03.

### **SECTION 3.3 EMERGENCY APPROVALS**

- A. At such time as the TPO is operating under a State of Emergency, or in the event that the TPO is not able to conduct a board meeting consistent with these Bylaws or using CMT and the TPO is required to take an immediate action, the TPO Chair (or Vice-Chair in the absence of the Chair) after consultation with the TPO Executive Director and the TPO General Counsel, is authorized to:
  - 1. Execute the appropriate documents or amend a program document to maintain consistency with state or federal programs, or amend program or project funding, if the time constraint is such that action at the next scheduled meeting of the TPO Governing Board would significantly delay progress on a project previously supported by the TPO; and
  - 2. Approve the revision and submission of the UPWP and amendments to the existing TIP; provided that the process for seeking approval of these actions shall follow all applicable procedures when the State of Emergency is suspended; and submit information, reports, grant applications or documents on behalf of the River to Sea TPO that are deemed essential by the FHWA, FTA, and/or the FDOT.
  - 3. Submit copies of this by-law and the executed agreement to the:
    - a. Florida Department of Transportation; and

- b. Federal Transit Administration (through the FDOT); and
- c. Federal Highway Administration (through the FDOT).

B. Any documents approved or amended under this emergency authority shall be presented to the TPO Governing Board at its next Board meeting for report, endorsement, ratification, or modification; provided, that the action taken using the emergency authority is able to be modified. The TPO will also provide opportunity for public review and comment at that time in a manner consistent with the Public Participation Plan.

Authority: River to Sea TPO Res. NO. 2020-05 (March 25, 2020)

DRAFT

#### **SECTION 4.0: TPO EXECUTIVE DIRECTOR AND AGENCY STAFF**

- A. The Executive Director shall be selected and appointed by TPO Board and shall serve at their discretion.
- B. The Executive Director, under the general policy direction of the TPO Board and within its adopted guidelines, has the authority to perform the highest level managerial and administrative functions related to the TPO including, but not limited to, the following:
  - 1. Implementing the mission of the TPO
  - 2. Providing leadership in planning and promoting and integrated, intermodal surface transportation system
  - 3. Working with the TPO and its committees to develop strategies, goals, objectives and plans related to transportation and related land use issues
  - 4. Developing positive working relationships with member local governments, community organizations and business leaders and building consensus among stakeholders
  - 5. Procuring funding and developing funding sources
  - 6. Evaluating plans and strategies which promote the goals and objectives of the TPO
  - 7. Overseeing the managerial and administrative functions of the TPO by providing direction to staff
- C. TPO staff shall be composed of various level planners, a Chief Financial Officer, and other specialists and administrative support staff as needed. The Executive Director is responsible for hiring and supervising staff.

## **SECTION 5.0: TECHNICAL COORDINATING COMMITTEE (TCC)**

- A. The TCC shall consist of transportation planners, professional engineers, those technical personnel made available by the units of local government participating in the TPO as well as transportation service providers. The purpose shall be to seek input on planning proposals and to provide comment with respect to various segments of the population in regard to their transportation needs.
- B. The TCC may include, but not be limited to, the following members:  
Total number of voting members (34):
  - 1. One (1) traffic engineer/transportation planner from Volusia County and one (1) from Flagler County
  - 2. One (1) representative from the Volusia County School Board and one (1) from the Flagler County School Board
  - 3. One (1) representative from each of the municipalities represented on the TPO Board (for a total of 20)
  - 4. Aviation representatives from the municipal airports within the planning area and from the Daytona Beach International Airport (for a total of 5)
  - 5. A representative from the Ponce Deleon Inlet (1)
  - 6. One (1) representative from Votran and one (1) representative from Flagler County Transit
  - 7. One (1) representative of the Volusia County Emergency Management Division and one (1) representative from the Flagler County Emergency Management System
- C. Non-voting advisors may also include: a representative of the Florida Department of Environmental Protection (DEP), a representative of Federal Highway Administration (FHWA) and/or other specialists as identified such as a planning and research engineer or a modeling specialist.
- D. The Director of Planning and Public Transportation, Florida Department of Transportation (FDOT) District 5, or representative thereof, will serve as a non-voting advisor.
- E. River to Sea TPO staff will provide support for the meeting.

## **SECTION 5.1: MEMBERSHIP APPOINTMENT, QUALIFICATION AND TERMS OF OFFICE**

- A. Each member shall be designated in writing by the governing body of said governmental unit. Each member may be represented by an alternate designated in writing by the governing body of said governmental unit. Alternates may vote only in the absence of the member on a one vote per member basis.

- B. Municipalities and agencies, in selecting their representatives, shall name only those technically qualified persons employed by a government or governmental agency for the purpose of planning, traffic engineering, or civil engineering with a responsibility to that government or governmental agency for the control, development or improvement of the transportation system.
- C. Each representative is expected to demonstrate his/her interest in the TCC's activities through attendance of the regularly scheduled monthly meetings, except for reasons of an unavoidable nature. In cases of unavoidable nature, each representative should ensure one of his/her alternates attends. No more than three (3) consecutive absences will be allowed by the representative or alternate. Should a member have three (3) consecutive absences, a letter will be sent to the jurisdiction which designated the member and to the appropriate board member informing them of the attendance record.
- D. Members and alternates shall serve terms of indefinite length at the pleasure of their respective governmental bodies or agencies.

#### **SECTION 5.2: OFFICERS AND DUTIES**

- A. Annually, nominations from the floor will be provided by those committee members participating at the regularly scheduled meeting in June for the purpose of electing the Chairperson and Vice Chairperson.
- B. Officers shall be elected by a majority of the members participating at the June meeting and shall serve a term of one year, starting on July 1<sup>st</sup> of each year.
- C. TCC officers cannot serve more than two (2) consecutive terms for the same office. Officers may include non-voting members, but at no time may a TPO staff advisor chair the TCC.
- D. The Chairperson shall preside at all meetings, and in the event of his/her absence or at his/her direction, the Vice Chairperson shall assume the powers and duties of the Chairperson. In addition, the Chairperson shall serve on the River to Sea TPO Board as a non-voting member and attend the regular monthly TPO Board meetings in order to represent the discussions and actions of the TCC.

#### **SECTION 5.3: MEETINGS**

- A. Monthly meetings of the TCC shall be held on a regularly scheduled day, time and place approved by the TCC membership. Regular meeting dates and times may be changed by action of the TCC to accommodate holidays and/or other activities that may interrupt a scheduled meeting.
- B. Special and/or emergency meetings may be called by the Chairperson or by initiative of two or more members petitioning the Chairperson. At least two (2) business days' notice must be provided to the members and alternates for special or emergency meetings.

- C. Except as provided in Section 3.2 of these Bylaws, a minimum of eleven (11) voting members of the TCC must be physically present at the meeting location to constitute a quorum for the transaction of business. Once a quorum has been determined at the start of the meeting, items on the agenda may be voted on. The action of a simple majority of the members participating during the time of a vote shall be considered an act of the TCC. If at any point during the meeting attendance drops to less than eleven (11) voting members physically present at the meeting site, no further actions will be taken by the committee; however, presentations and other business may continue.
- D. The agenda for the TCC includes presentations and actions required to support recommendations for the TPO Board as set by the Executive Committee. TPO staff and presenters will provide timely input/materials for the TCC agenda.
- E. The River to Sea TPO staff is responsible for the minutes of the meetings and for all notices and agendas for future meetings. The TPO shall furnish a Recording Secretary for all TCC meetings.
- F. Notices and tentative agendas shall be sent to members and alternates five (5) working days prior to the regular meeting dates.
- G. Request for agenda changes must be received by the Chairperson or TPO staff at least three (3) working days prior to the regular meetings or one (1) working day prior to special meetings.
- H. Meetings will be open to the public and press, and time will be allocated for public comment. Public comment will generally be limited to three (3) minutes but may be expanded at the discretion of the Chairperson.
- I. Meetings of the TCC shall follow *Robert's Rules of Order* unless otherwise outlined in these Bylaws.

#### **SECTION 5.4: RESPONSIBILITIES AND FUNCTIONS OF THE TCC**

- A. The TCC is responsible for coordinating transportation planning and programming; for review of all transportation studies, reports, and plans and/or programs; and for making recommendations to the TPO that are pertinent to the subject document. The TCC shall assist the TPO by providing technical resources as requested.
- B. TCC recommendations to the TPO Board shall be based upon the technical sufficiency, accuracy and completeness of studies and plans and/or programs.
- C. The TCC shall make priority recommendations to the TPO and/or other agencies responsible for plan and program implementation based upon the needs as determined by technical studies.
- D. The TCC members are expected to provide a summary report to the elected official who appointed them; TPO staff will provide the report to the TCC members.
- E. The TCC shall serve for the completion of all required transportation studies, plans, development and programming recommendations required under the public laws pertaining to all modes of transportation and transportation support facilities.

- F. The TCC shall serve as an advisory committee to any and all duly constituted areawide transportation authorities and/or boards, as well as areawide planning boards or councils for physical development, health, social or comprehensive planning upon direct request of such authorities, boards or councils.
- G. The TCC shall, when feasible and desirable, utilize any means that may be suggested or devised to provide for citizen participation in addition to the CAC in the transportation planning process.

## **SECTION 5.5: SUBCOMMITTEES**

- A. Subcommittees shall be designated by the TCC as necessary to investigate and report on specific subject areas of interest to the TCC. Subcommittees may also be designated as necessary to deal with administrative and legislative procedures relating to the TCC. These may include, but are not limited to:

- Airports
- Highways
- Mass Transit
- Transportation needs of "transportation-disadvantaged" groups
- Directions for future growth (local comprehensive plan reviews)
- Nominating Committee
- Freight

Unless the physical presence of a quorum at the meeting location is not required as set forth in Section 3.2 of these Bylaws, a quorum is required to be physically present at the meeting location. See Section 3.1 of these Bylaws.

- B. When a subcommittee is convened, the first action of the committee shall be to establish the Chairperson and Vice Chairperson, outline the scope of activities of the subcommittee, the expected duration of the group and frequency of meetings if known. A summary report of each meeting will be made available.



## **SECTION 6.0: CITIZENS ADVISORY COMMITTEE (CAC)**

- A. The citizens of the metropolitan planning area shall be involved in the transportation planning process by the establishment of a citizens advisory group. The purpose shall be to seek input on planning proposals and to provide comment with respect to various segments of the population in regard to their transportation needs. It shall be the function of the CAC to:
  - 1. Assist the River to Sea TPO in the formulation of goals and objectives for shaping the urban environment
  - 2. Conduct public information programs
  - 3. Provide effective citizen review of the preliminary findings and recommendations of transportation planning studies throughout the planning area
  - 4. Assist in other functions as deemed desirable by the River to Sea TPO Board
- B. The CAC shall be comprised of thirty (30) voting representatives. Each elected official serving on the TPO Board, including the non-voting members of the Small City Alliance, shall appoint in writing one (1) representative to serve on the committee. Also serving as a voting member shall be one (1) representative from the Volusia County School Board, one (1) representative from Flagler County School Board, one (1) representative from Votran and one (1) representative from Flagler County Transit acting as the Community Transportation Coordinators (CTC).
- C. The non-voting advisors to the CAC shall consist of a representative of Volusia County Traffic Engineering and a representative of Flagler County Traffic Engineering or Planning.
- D. A FDOT District 5 staff member shall serve as a non-voting advisor to the CAC.
- E. River to Sea TPO staff will provide support for the meeting.

## **SECTION 6.1: MEMBER APPOINTMENT, QUALIFICATION AND TERMS OF OFFICE**

- A. Voting members of the CAC must be residents of the area in which they are appointed to represent and shall not be elected officials or staff paid to attend meetings.
- B. One alternate may be appointed for each CAC position. Alternates must be appointed by the TPO Board member, in writing, and may participate in the meeting and vote only in the absence of the primary member.
- C. Voting members and their alternates shall serve at the pleasure of their respective TPO Board member for a period of time to be determined by the River to Sea TPO Board member that is being represented. To ensure continuous representation, a voting member of the CAC may continue to serve beyond the term of the appointing board member until a replacement has been appointed.
- D. Any vacancies in membership shall be filled in the same manner as the initial appointment.

- E. Each member is expected to demonstrate his/her interest in the CAC's activities through participation in the scheduled meetings except for reasons of an unavoidable nature. In cases of unavoidable nature, each representative should ensure his/her alternate attends. No more than three (3) consecutive absences will be allowed by the representative or alternate. Should a member have three (3) consecutive absences, excused or unexcused, and/or three (3) meetings, unexcused in a calendar year, a letter will be sent to the board member that designated the CAC member informing them of the attendance record.
- F. Municipalities and agencies, in selecting their non-voting representatives, shall name only those technically qualified persons employed by a government or governmental agency.
- G. An alternate may be named, approved and confirmed for each non-voting advisor, provided the recommended alternate meets the technical qualifications set forth in the preceding items.

## **SECTION 6.2: OFFICERS AND DUTIES**

- A. Annually, nominations from the floor will be provided by those committee members present at the regularly scheduled meeting in June for the purpose of electing the Chairperson and Vice Chairperson.
- B. Officers shall be elected by a majority of the members present at the June meeting and shall serve a term of one year, starting on July 1<sup>st</sup> of each year.
- C. CAC officers cannot serve more than two (2) consecutive terms for the same office. At no time, may a non-voting staff support advisor serve as an officer for the CAC.
- D. The Chairperson shall preside at all meetings, and in the event of his/her absence or at his/her direction, the Vice Chairperson shall assume the powers and duties of the Chairperson. In addition, the Chairperson shall serve on the River to Sea TPO Board as a non-voting member and attend the regular monthly TPO Board meetings in order to represent the discussions and actions of the CAC.

## **SECTION 6.3: MEETINGS**

- A. Monthly meetings of the CAC shall be held on a regularly scheduled day, time and place approved by the CAC membership. Regular meeting dates and times may be changed by action of the CAC to accommodate holidays and/or other activities that may interrupt a scheduled meeting.
- B. Special and/or emergency meetings may be called by the Chairperson or by initiative of two or more members of the CAC petitioning the Chairperson. At least two (2) business days' notice must be provided to the members and alternates for special or emergency meetings.
- C. Except as provided in Section 3.2 of these Bylaws, a minimum of nine (9) voting members of the CAC must be physically present at the meeting location to constitute a quorum for the transaction of business. Once a quorum has been determined at the start of the meeting, items on the agenda may be voted on. The action of a simple majority of the members participating during the time of a vote shall be considered an act of the CAC.

If at any point during the meeting attendance drops to less than nine (9) voting members physically present at the meeting location, no further actions will be taken by the committee; however, presentations and other business may continue.

- D. The agenda for the CAC includes presentations and actions required to support recommendations for the TPO Board as set by the Executive Committee and transportation-related items of interest identified by members. TPO staff and presenters will provide timely input/materials for the CAC agenda.
- E. Each member is expected to participate at all meetings. It is the responsibility of each member to contact the River to Sea TPO staff one day prior to a scheduled meeting informing them of their expected absence.
- F. The River to Sea TPO staff is responsible for the minutes of the meetings and for all notices and agendas for future meetings. The TPO shall furnish a Recording Secretary for all CAC meetings.
- G. Notices and tentative agendas shall be sent to members five (5) working days prior to regular meeting dates.
- H. Requests for agenda changes must be received by the Chairperson or TPO staff at least three (3) working days prior to the regular meetings or one (1) working day prior to special meetings.
- I. Meetings will be open to the public and press, and time will be allocated for public comment. Public comment will generally be limited to three (3) minutes but may be expanded at the discretion of the Chairperson.
- J. Meetings of the CAC shall follow *Robert's Rules of Order* unless otherwise outlined in these Bylaws.

#### **SECTION 6.4: RESPONSIBILITIES AND FUNCTIONS OF THE CAC**

- A. The CAC, composed of citizens from the planning area who represent the various segments of the populace, should actively represent all segments of the general public and their concern in the transportation planning process.
- B. The CAC shall be charged with the responsibility for providing citizen input and recommendations to the TPO concerning transportation planning and programming; for review of all transportation studies, reports, and plans and/or programs; and for making recommendations to the River to Sea TPO that are pertinent to the subject document.
- C. Subcommittees, task forces and working groups shall be designated by the CAC as necessary to investigate and report on specific subject areas of interest to the CAC.
- D. Members of the CAC shall provide a monthly written summary report of each CAC meeting to his/her city/county representative in a timely fashion. The written report will be provided by TPO staff.

- E. Members of the CAC shall not express their individual and/or personal views as those of the CAC, unless the CAC has, through a majority vote of those members voting at a meeting, expressed such opinions.

#### **SECTION 6.5: SUBCOMMITTEES**

- A. Subcommittees shall be designated by the CAC as necessary to investigate and report on specific subject areas of interest to the CAC. Subcommittees may also be designated as necessary to deal with administrative and legislative procedures relating to the CAC. These may include, but are not limited to:

- Airports
- Highways
- Mass Transit
- Transportation needs of "transportation disadvantaged" groups
- Directions for future growth (local comprehensive plan reviews)
- Nominating Committee
- Freight

Unless the physical presence of a quorum at the meeting location is not required as set forth in Section 3.2 of these Bylaws, a quorum is required to be physically present at the meeting location. See Section 3.1 of these Bylaws.

- B. When a subcommittee is convened, the first action of the subcommittee shall be to establish the Chairperson and Vice Chairperson, outline the scope of activities of the subcommittee, the expected duration of the group and frequency of meetings. A summary report of each meeting will be made available.

## **SECTION 7.0: BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC)**

- A. The adopted mission describes the function of the BPAC to:

***“Create and implement a regional plan for the continuing enhancement and expansion of the bicycle and pedestrian network. We will support activities that encourage and provide for a safe and balanced transportation system that promotes connectivity, mobility, health and an improved quality of life.”***

- B. The BPAC shall consist of twenty-six (26) voting members made up of private citizens. Every elected official serving on the TPO Board, including the non-voting members of the Small City Alliance shall appoint in writing one (1) representative to serve on the committee.
- C. Non-voting advisors shall consist of municipal representatives, transportation planners, professional engineers and those technical personnel made available by the various municipalities. These positions will include: one (1) person from a large city, one (1) person from small city, one (1) person from Volusia County government and one (1) person from Flagler County government. Non-voting advisors will also include: one (1) person from the Volusia County School Board, one (1) person from the Flagler County School Board, one (1) person from Votran and one (1) person from Flagler County Transit.
- D. A FDOT District 5 staff member shall serve as a non-voting advisor to the BPAC.
- E. River to Sea TPO staff will provide support for the meeting.

## **SECTION 7.1: MEMBERSHIP APPOINTMENT, QUALIFICATION AND TERMS OF OFFICE**

- A. Voting members of the BPAC must be residents of the area in which they are appointed to represent and they shall not be elected officials or paid staff.
- B. One alternate may be appointed for each BPAC position. Alternates must be appointed by the TPO Board member, in writing, and may participate in the meeting and vote only in the absence of the primary member.
- C. Voting members and their alternates shall serve at the pleasure of their respective TPO Board member for a period of time to be determined by the River to Sea TPO Board member that is being represented. To ensure continuous representation, a voting member of the BPAC may continue to serve beyond the term of the appointing board member until a replacement has been appointed.
- D. Any vacancies in membership shall be filled in the same manner as the initial appointment.
- E. Each BPAC representative is expected to demonstrate his/her interest in the BPAC's activities through participation in the scheduled meetings except for reasons of an unavoidable nature. In cases of unavoidable nature, each representative should ensure his/her alternate attends. No more than three (3) consecutive absences will be allowed by the representative or alternate. Should a member have three (3) consecutive absences, excused or unexcused, and/or three (3) meetings, unexcused in a calendar year, a letter will be sent to the board member that designated the BPAC member informing them of the violation.

- F. Municipalities and agencies, in selecting their non-voting representatives, shall name only those technically-qualified persons employed by a government or governmental agency.
- G. An alternate may be named, approved and confirmed for each non-voting member, provided the recommended alternate meets the technical qualifications set forth in the preceding items.

## **SECTION 7.2 OFFICERS AND DUTIES**

- A. Annually, nominations from the floor will be provided by those committee members participating at the regularly scheduled meeting in June for the purpose of electing the Chairperson and Vice Chairperson.
- B. Officers shall be elected by a majority of the members participating at the June meeting and shall serve a term of one year, starting on July 1<sup>st</sup> of each year.
- C. BPAC officers cannot serve more than two consecutive terms for the same office. At no time may a non-voting staff support advisor chair the BPAC.
- D. The Chair shall preside at all meetings and, in the event of his/her absence or at his/her direction, the Vice Chair shall assume the powers and duties of the Chair. In addition, the Chairperson shall serve on the River to Sea TPO Board as a non-voting member and attend the regular monthly TPO Board meetings in order to represent the discussions and actions of the BPAC.

## **SECTION 7.3 MEETINGS**

- A. Monthly meetings of the BPAC shall be held on a regularly scheduled day, time and place approved by the BPAC membership. Regular meeting dates and times may be changed by action of the BPAC to accommodate holidays and/or other activities that may interrupt a scheduled meeting.
- B. Special and/or emergency meetings may be called by the Chairperson or by initiative of two or more members of the BPAC petitioning the Chairperson. At least two (2) business days' notice must be provided to the members and alternates for special or emergency meetings.
- C. Except as provided in Section 3.2 of these Bylaws, a minimum of nine (9) voting members of the BPAC must be physically present at the meeting location to constitute a quorum for the transaction of business. Once a quorum has been determined at the start of the meeting, items on the agenda may be voted on. The action of a simple majority of the members participating during the time of a vote shall be considered an act of the BPAC. If at any point during the meeting attendance drops to less than nine (9) voting members physically present at the meeting location, no further actions will be taken by the committee; however, presentations and other business may continue.
- D. The agenda for the BPAC includes presentations and actions required to support recommendations for the TPO Board as set by the Executive Committee and transportation-related items of interest identified by members. TPO staff and presenters will provide timely input/materials for the BPAC agenda.
- E. The River to Sea TPO staff is responsible for the minutes of the meetings and for all notices

and agendas for future meetings. The TPO shall furnish a Recording Secretary for all BPAC meetings.

- F. Notices and tentative agendas shall be sent to members and alternates five (5) working days prior to the regular meeting dates.
- G. Requests for agenda changes must be received by the Chairperson or TPO staff at least three (3) working days prior to the regular meetings or one (1) working day prior to special meetings.
- H. Meetings will be open to the public and press and time will be allocated for public comment. Public comment will generally be limited to three (3) minutes but may be expanded at the discretion of the Chairperson.
- I. Meetings of the BPAC shall follow *Robert's Rules of Order* unless otherwise outlined in these Bylaws.

#### **SECTION 7.4 RESPONSIBILITIES AND FUNCTIONS OF THE BPAC**

- A. The BPAC is responsible for reviewing plans, policies and procedures as they relate to bicycle and pedestrian issues in the River to Sea TPO planning area and for making recommendations to the TPO Board that are pertinent to these subjects.
- B. BPAC recommendations to the TPO Board shall be based upon the technical sufficiency, accuracy and completeness of studies and plans and/or programs.
- C. The BPAC shall make priority recommendations to the TPO Board and/or other agencies responsible for plan and program implementation based upon the needs as determined by technical studies.
- D. The BPAC shall serve as an advisory committee regarding bicycle and pedestrian matters to any and all duly constituted areawide transportation authorities and/or boards, as well as areawide planning boards or councils for physical development, health, social or comprehensive planning upon direct request of such authorities, boards or councils.
- E. The BPAC shall, when feasible and desirable to do so, utilize any means that may be suggested or devised to provide for citizen participation in the planning process for bicycle and pedestrian issues.

## **SECTION 7.5: SUBCOMMITTEES**

- A. Subcommittees shall be designated by the BPAC as necessary to investigate and report on specific subject areas of interest to the BPAC. Subcommittees may also be designated as necessary to deal with administrative and legislative procedures relating to the BPAC. These may include, but are not limited to:

- Highways
- Mass Transit
- Transportation needs of "transportation-disadvantaged" groups
- Project Review Committee
- Nominating Committee

Unless the physical presence of a quorum at the meeting location is not required as set forth in Section 3.2 of these Bylaws, a quorum is required to be physically present at the meeting location. See Section 3.1 of these Bylaws.

- B. When a subcommittee is convened, the first action of the committee shall be to establish the Chairperson and Vice Chairperson, outline the scope of activities of the subcommittee, the expected duration of the group and frequency of meetings if known. A summary report of each meeting will be made available.



**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**VI. PRESENTATIONS AND DISCUSSION ITEMS**

**B. PRESENTATION AND DISCUSSION OF TRANSPORTATION FUNDING**

**Background Information:**

Financial resources are required at the federal, state and local level in order to develop and maintain a viable transportation system. The funding of transportation programs, however, is increasingly under pressure. River to Sea TPO staff will provide an overview of transportation funding available through the TPO, including new opportunities through the Bipartisan Infrastructure Law (BIL) (also known as the Infrastructure Investments and Jobs Act (IIJA)).

***ACTION REQUESTED:***

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

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**VI. PRESENTATIONS AND DISCUSSION ITEMS**

**C. PRESENTATION AND DISCUSSION OF THE I-95 CORRIDOR OVERVIEW**

**Background Information:**

The Florida Department of Transportation (FDOT) will provide a presentation on the significance of the I-95 corridor as it relates to tourism, connecting people throughout the state, the movement of goods and how the facility serves as a key state evacuation route. Recent and proposed improvements, including the ongoing efforts at the interchanges of US 1 and LPGA Blvd, construction of additional lanes, and new interchanges will be discussed, as well as the future of I-95 related to resiliency, technology enhancements and meeting community needs.

***ACTION REQUESTED:***

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



November 2022

# I-95 Overview



## Agenda

- 01 | Corridor Significance
- 02 | Past Projects
- 03 | Current Efforts
- 04 | Future Plans



## Corridor Significance



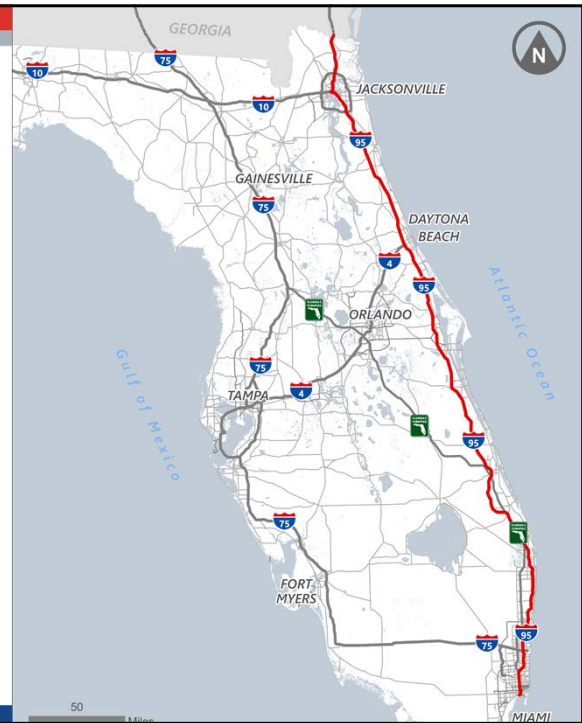
Connects 110 million people



Serves 40% of the country's GDP



Evacuation route



## District Five Segments



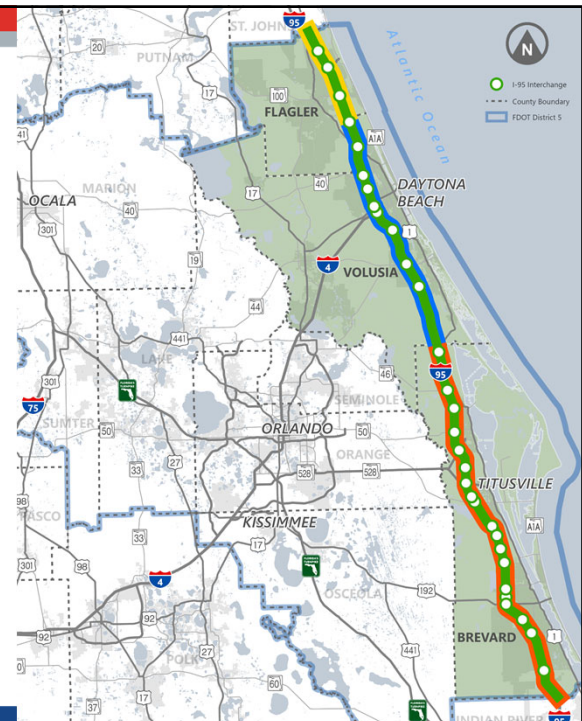
72.7 Miles  
19 Interchanges

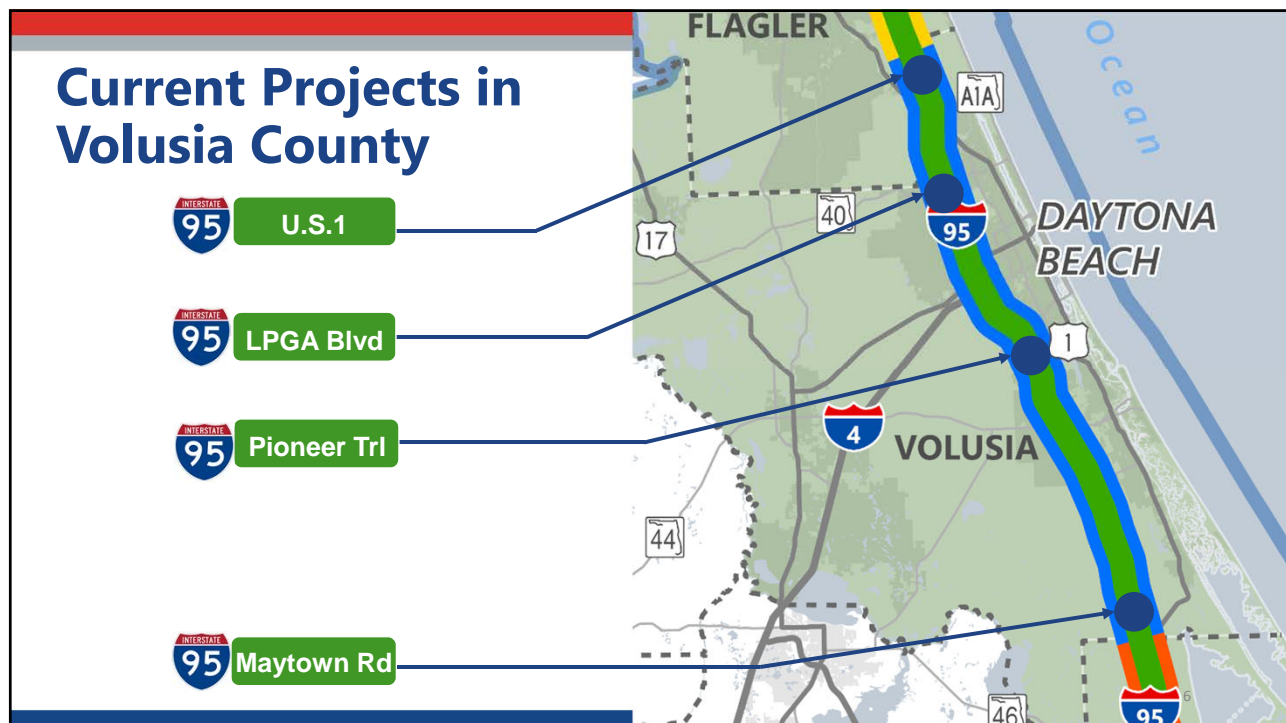
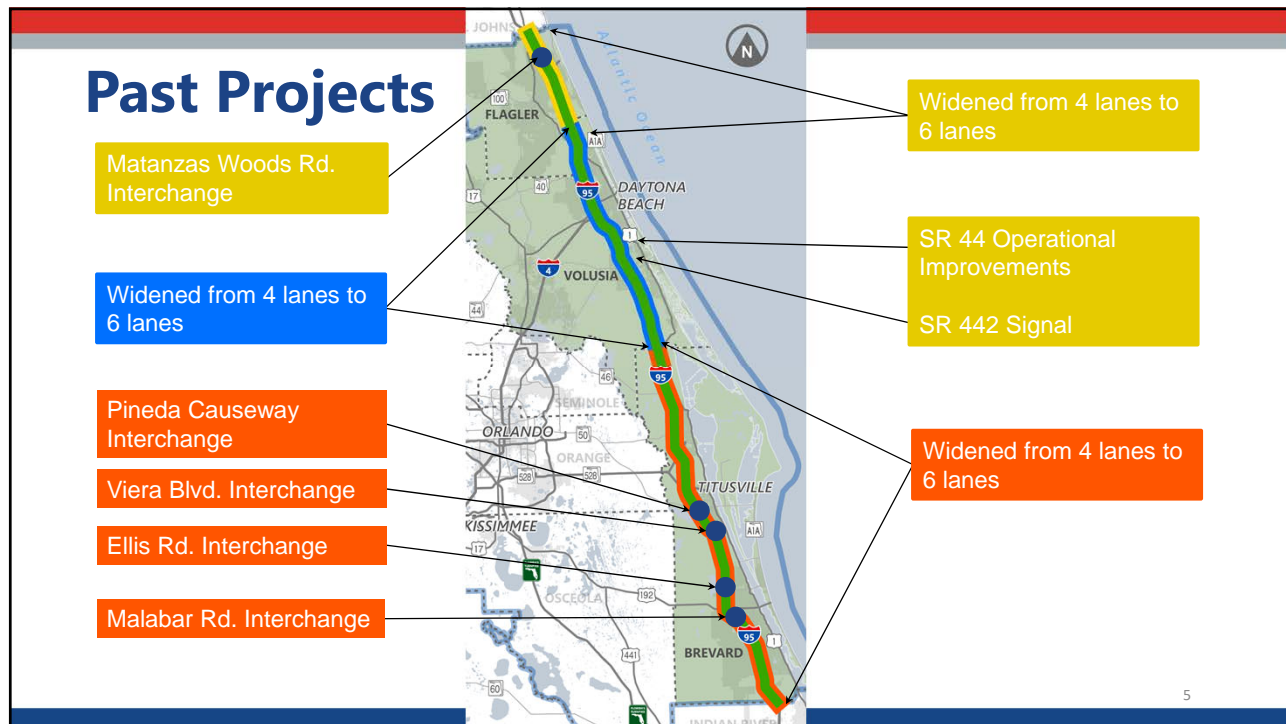


45.7 Miles  
8 Interchanges

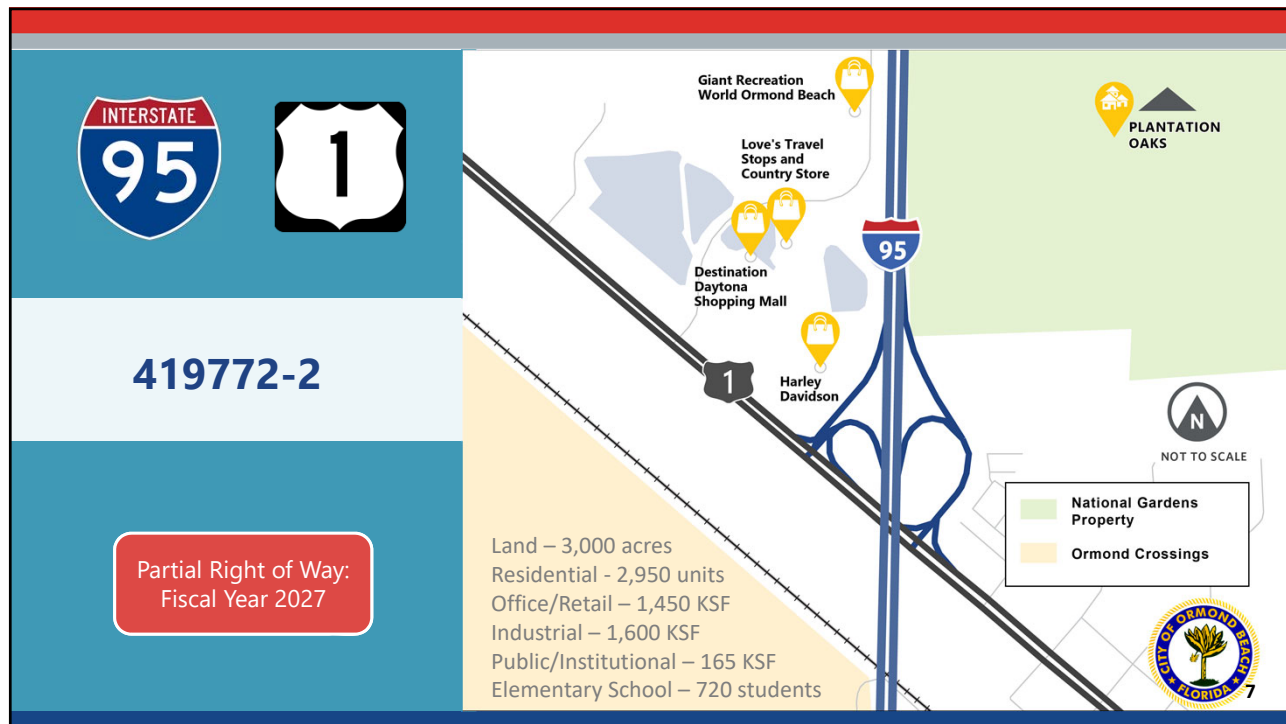


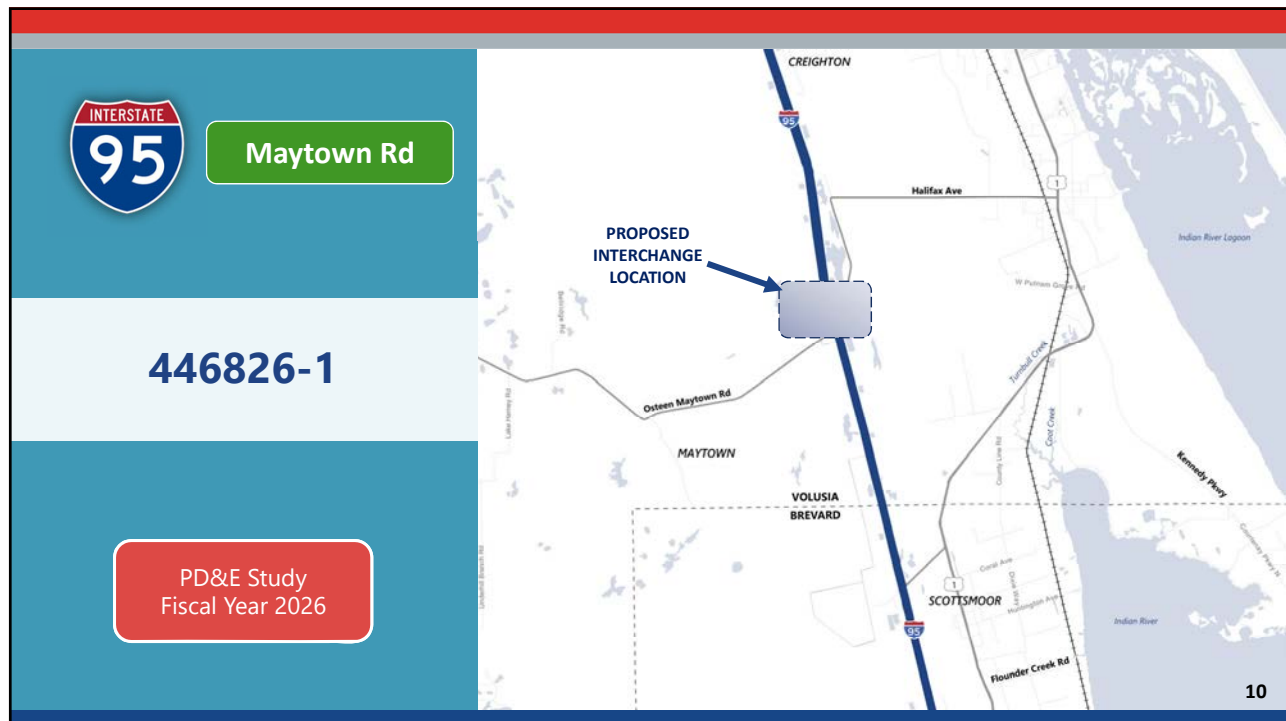
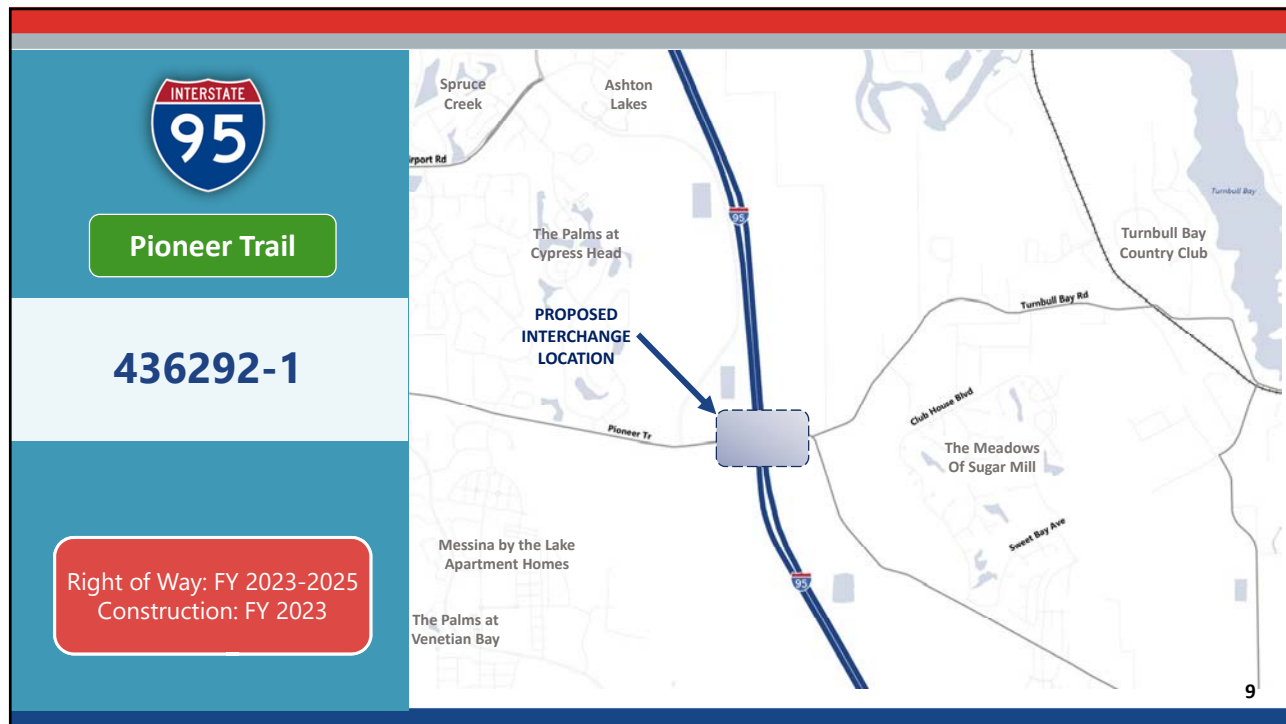
18.7 Miles  
4 Interchanges











## Future Plans



### Strategic Plan



Mobility



Safety



Resiliency



Technology



Community Engagement

11

### Kellie Smith

*PLEMO Administrator*

*FDOT District Five*

*(386) 943-5427*



### Steven Buck, P.E.

*Project Development Administrator*

*FDOT District Five*

*(386) 943-5171*





**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**VI. PRESENTATIONS AND DISCUSSION ITEMS**

**D. PRESENTATION AND DISCUSSION OF AN AMENDMENT TO THE CONNECT 2045 LONG RANGE TRANSPORTATION PLAN (LRTP)**

**Background Information:**

The Florida Department of Transportation (FDOT) is requesting an amendment to the Connect 2045 Long Range Transportation Plan (LRTP) to reflect updated funding for the following project:

- **Pioneer Trail Interchange (FM# 436292-1)** – This project received federal stimulus funds (ARPA) for fiscal year (FY) 2023 for design-build. The Connect 2045 LRTP Cost Feasible Plan must be updated to reflect this funding and timeframe.

The specific details for the amendment are contained in the FDOT request letter (included in the agenda packet). TPO staff will review the changes associated with the proposed amendment and discuss the process, schedule and public outreach component of the proposed amendment.

***ACTION REQUESTED:***

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



*Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.  
SECRETARY

November 7, 2022

River to Sea Transportation Planning Organization  
ATTN: Ms. Colleen Nicoulin, Interim Executive Director  
2570 West International Speedway Boulevard, Suite 100  
Daytona Beach, FL 32114-8145

Dear Ms. Nicoulin:

**RE: Request to Amend Adopted 2045 Long Range Transportation Plan (LRTP)**

The Florida Department of Transportation (FDOT) requests River to Sea TPO make amendments to the Adopted 2045 LRTP.

Project #436292-1 requires a formal amendment to the 2045 LRTP to receive approval from Office of Environmental Management for improvements to the interchange of I-95 at Pioneer Trail. This project received federal stimulus funds (ARPA) for state Fiscal Year (FY) 2023 and has been programmed using the design-build delivery method. The project and its information must be consistent in both the LRTP and the Transportation Improvement Program (TIP). Due to these significant changes with the project a formal amendment to the LRTP is required so funds for the project can be authorized and production can continue to move forward.

Please use the following project information to amend the LRTP:

FM#	Project Description	Project Limits	Length	Phase	Fund Source	Amount	Time Band
436292-1	I-95 Interchange at Pioneer Trail	N/A	2.0 miles	PE ROW DSB	Federal Stimulus (ARPA)	\$135,571,282	2021-2025

As always, feel free to contact the Liaison Group at [D5-MPOLiaisons@dot.state.fl.us](mailto:D5-MPOLiaisons@dot.state.fl.us) if you would like to discuss further.

Sincerely,

*Anna Taylor*

Anna Taylor  
Government Liaison Administrator  
FDOT District Five

c: Kellie Smith, FDOT  
Katherine Alexander-Corbin, FDOT  
Kathy Enot, FDOT  
Heather Chasez, FDOT  
FDOT D5 MPO Liaisons  
FDOT D5 Work Program

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**VI. PRESENTATIONS AND DISCUSSION ITEMS**

**E. FDOT REPORT**

**Background Information:**

Ms. Anna Taylor, Florida Department of Transportation (FDOT) will be present to answer questions regarding projects on the FDOT Construction Status Report.

The Construction Status Report is provided for your information.

***ACTION REQUESTED:***

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



## *Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

719 South Woodland Boulevard  
DeLand, Florida 32720-6834

JARED W. PERDUE, P.E.  
SECRETARY

### **Volusia and Flagler Counties Project Status Update as of October 31, 2022**

The following is a brief status update on major FDOT road construction projects in Volusia and Flagler Counties as of the October cutoff. The next cutoff date is November 30, 2022. Information is also available on [www.cflroads.com](http://www.cflroads.com). For questions, please contact Marquise McMiller at 386-943-5150 or via email at [marquise.mcmiller@dot.state.fl.us](mailto:marquise.mcmiller@dot.state.fl.us).

#### **VOLUSIA COUNTY**

##### **Current Projects:**

##### **442906-1 Beville Road (S.R. 400) from Williamson Blvd to east of Forest Lake Blvd**

- Contract: E50B4
- Project Start: October 2022
- Estimated Completion: Summer 2023
- Update: Contractor is preparing to start paving operations in early to mid-November.

##### **438982-1 U.S. 1 (Ridgewood Ave) Intersection Improvements at 6th St, 8th St, Walker St, and Flomich St**

- Contract: T5740
- Project Start: August 2022
- Estimated Completion: Summer 2023
- Update: Contractor is working on directional boring.

##### **447140-1 S.R. 40 (Granada Blvd) Bridge Fender Repairs, Bridge #790132**

- Contract: E58A5
- Project Start: August 2022
- Estimated Completion: Late Fall 2022
- Update: Contractor is working on bridge fender system repairs.

##### **448889-1 North Causeway Bridge (S.R. 44) over Indian River Submarine Cable Replacement, Bridge #790172**

- Contract: E59A3
- Project Start: May 2022
- Estimated Completion: Late Fall 2022
- Update: Contractor is preparing to start bridge fender system work.

*Improve Safety, Enhance Mobility, Inspire Innovation*  
[www.fdot.gov](http://www.fdot.gov)

**443433-1 International Speedway Boulevard (U.S. 92/S.R. 600) Resurfacing from North Alabama Avenue to east of North Kepler Road (C.R. 4101)**

- Contract: E57A1
- Project Start: March 2022
- Estimated Completion: Spring 2023
- Update: Contractor is working on median shoulder widening.

**443815-1 SR 40 Milling & Resurfacing from east of Rodeo Road to Bayberry Drive**

- Contract: T5733
- Project Start: March 2022
- Estimated Completion: Early 2023
- Update: Contractor is working on milling and sod.

**443813-1 & 447134-1 U.S. 1 (S.R. 5) Milling & Resurfacing from the Brevard County Line to South Street**

- Contract: T5727
- Project Start: March 2022
- Estimated Completion: Early 2023
- Update: Contractor is working on bridge epoxy overlay and paving operations.

**441682-1 Concrete Slab Replacement on U.S. 92 (S.R. 600), U.S. 1 (S.R. 5), U.S. 17-92 (S.R. 15), and S.R. 44**

- Contract: E5X08
- Project Start: March 2022
- Estimated Completion: Late 2022
- Update: Contractor is working on concrete slab replacement on International Speedway Boulevard (U.S. 92/S.R. 600) in Daytona and Deland.

**441132-1 S.R. 442 (Indian River Blvd) Resurfacing from I-95 to U.S. 1**

- Contract: E57A4
- Project Start: February 2022
- Estimated Completion: Early 2023
- Update: Contractor is working on paving operations and concrete sidewalk.

**434411-1 I-4 (S.R. 400) Resurfacing from west of C.R. 4139 to east of S.R. 44**

- Contract: T5719
- Project Start: November 2021
- Estimated Completion: Late 2022
- Update: Contractor is resurfacing the travel lanes with friction course asphalt.

**429556-1 S.R. 44 Over the St. John's River Bridge Replacement**

- Contract: T5706
- Project Start: July 2020
- Estimated Completion: Late 2023
- Update: Contractor is completing retaining wall work and surcharge work in preparation for beam placement for the new bridge.

**MEETING SUMMARY  
TPO BOARD  
NOVEMBER 30, 2022**

**VII. INTERIM EXECUTIVE DIRECTOR'S REPORT**

**VIII. RIVER TO SEA TPO BOARD MEMBER COMMENTS**

**IX. RIVER TO SEA TPO CHAIRPERSON COMMENTS**

**X. INFORMATION ITEMS**

- Bicycle/Pedestrian Advisory Committee Attendance Record – 2022
- Citizens Advisory Committee Attendance Record – 2022
- Technical Coordinating Committee Attendance Record – 2022
- October/November TPO Outreach and Activities
- Upcoming River to Sea TPO Events
- Volusia and Flagler Counties Construction Reports
- 2023 River to Sea TPO Board and Committee Meeting Schedule
- Annual TPO Holiday Open House & Toy Driver Flyer

**XI. ADJOURNMENT**

**\*The next River to Sea TPO Board meeting will be January 25, 2023**



## BPAC Attendance Record 2022

Name	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Notes
Holly Ryan/Doug Hall	x v	exc	exc	exc	x p	x p		exc	x v	x p	C		Daytona Beach (appt. 3/12) (alt. appt. 02/14)
Terry Lodge	x p	x p	x p	x p	x p	x p		x p	x p	x p	A		DeBary (appt 8/2020)
Ted Wendler Vice Chairperson	abs	x p	x p		x p	x p		x p	exc	x p	N		DeLand (appt. 05/11)
Luis Leal	x p	x p	x v	x v	x p	x v		x p	x p	x p	C		Deltona (appt 11/2021)
Paul Eik	x p	exc	exc	x p	x p	exc		x p	x p	exc	E		Flagler Beach (appt. 7/14) (alt appt 9/18)
Larry Coletti/Andy Dodzik	x p	x p	x p	x p	x v	x p		x p	x p	x p	L		Flagler County (appt 2/16)(re-appt 3/22)
Thomas Ryan	x p	x v	abs	abs	x v	x v		x p	exc	x p	L		Holly Hill (appt 9/19) (alt appt 5/2021)
Patrick McCallister		x v	abs	x v	x v	x v		exc	x v	x v	E		Lake Helen (appt 2/22)
Nic Mostert	x p	exc	x p	x p	x p	exc		x p	x p	x p	D		New Smyrna Beach (appt. 03/15)
Bob Storke	x p	x p	x p	x p	x p	x p		x p	x p	x p			Orange City (appt. 12/07)
Gayle Belin	x p	x p	x p	x p	x p	x p		exc	x p	x p	C		Ormond Beach (appt. 01/15 - 07/16)
Danielle Anderson/Andrew Dodzik	x p	x p	exc	x p	exc	x p		x p	x p	x p	A		Palm Coast (Appt. 02/16) (Alt appt 9/19)
Mark Oebbecke/Nancy Epps	x p	x p xv	x p xv	x p xv	x p	x p xv		x p	x p xv	x p	N		Ponce Inlet (Appt 12/2020) (alt appt 8/2021)
Christy Gillis	exc	x p	x v	exc	x v	exc		x v	exc	exc	C		South Daytona (appt. 01/16)
Roy Walters/Jason Aufdenberg Chairperson	xv xp	xv xp	x p	xp xp	x p	xp xp		xp xv	x v	xp xp	E		Volusia County At-Large (appt. 03/05) (alt. appt 07/12)
Maggie Ardito/Emery Jeffreys		x v	x v	x p	x p	xv xp		xv xp	xv xp	x p	L		Volusia County D-1 (appt. 2/22) (alt 5/22)
Tim Grigsby	x v	exc	x p	x v	x v	x p		x v	x v	exc	L		Volusia County D-4 (appt 4/2021)
Chris Daun	x p	x p	x p	x v	exc	exc		x v	exc	exc	E		Volusia County Chair (appt 3/2021)
Adam Mengel (non-voting)	abs	abs	abs	abs	abs	abs		abs	abs	abs	D		Flagler County (appt. 8/15/2021)
Gwen Perney (non-voting)	x v	x v	x v	x v	x v	x v		x v	x v	x v			Large City - Port Orange
John Cotton/Edie Biro (non-voting)	x v	x v	x v	x p	x v	exc		x v	exc	x v	C		Votran (appt. 07/13)(alt. appt. 02/16)
Jay Williams/Meghan Lindsey	x p	abs	x p	exc	x p	abs		x p	x p	abs	A		Volusia County (09/2022) (alt appt 8/22)
Rob Brinson (non-voting)	abs	abs	abs	abs	abs	abs		abs	abs	abs	N		Volusia County School Board (appt. 01/16)
Stephanie Moss (non-voting)	x p	x v	exc	x v	x v	exc		x p	exc	x v	C		FDOT (appt 11/19)
PHYSICAL QUORUM	Y	Y	Y	Y	Y	Y		Y	Y	Y	NA		

### Vacancies

Beverly Beach  
 Bunnell  
 Daytona Beach Shores  
 Edgewater  
 Flagler County School Board  
 Flagler County Transit  
 Oak Hill  
 Pierson  
 Port Orange  
 Volusia County D-2  
 Volusia County D-3  
 Volusia County D-5

### LEGEND

x = present  
 p = present physically  
 v = present virtually  
 abs = absent (unexcused)  
 exc = excused

## CAC Attendance Record 2022

Name	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Notes
Shawn Collins/Emily Nice	x v	x p	x p	x p	x v	x p		xp xv	xp xv	x v	xp xv		Daytona Beach (appt 6/2021) (alt appt 6/2021)
Janet Deyette	x p	x p	exc	x p	x p	x p		x p	exc	x p	x p		Deltona (appt. 11/10)
Erika Benfield	abs	abs	x v	x v	x v	exc		abs	x v	abs	exc		DeBary (appt 11/2020)
Kerry Karl (FY 2021/22 Chairperson)	x p	x p	exc	x p	x p	x p		x p	x p	exc	exc		DeLand (appt 3/2021)
Bliss Jamison/Rebecca Crews									exc	exc	x p		Edgewater (appt 9/2022) (alt appt 9/2022)
Ed Fendley	x p	exc	x p	x p	x p	x p		x v	x v	exc	x v		Flagler Beach (appt 3/2021) (alt appt 10/2021)
Greg Feldman/Rick Belhumeur						x p		x p	x p	x p	exc/exc		Flagler County (appt 6/22) (alt appt 6/22)
Heidi Petito	abs	abs	abs	abs	abs	abs		abs	abs	abs	abs		Flagler County Transit (appt 9/14)
Gilles Blais	x p	x p	x p	x p	x p	x p		x p	x p	x p	x p		Holly Hill (appt. 11/07) (Reap. 02/13)
Rick Basso/Linda Provost	abs	abs	abs	abs	abs	abs		abs	abs	abs	abs		Lake Helen (appt 6/19) (alt 0)
Bob Storke	x p	x p	x p	x p	x p	x v		x p	x p	x p	x p		Orange City (appt. 1/08)
Fred Heyne	x p	x p	x p	x p	x p	x p		x p	x p	x p	x p		Ormond Beach (appt 12/21)
Alan Peterson	x v	x p	x p	x p	x p	x p		x p	x p	x p	x p		Palm Coast (appt. 03/15)
Susan Elliott/Paul Martel	x p	exc	xv xp	x p	x p	x p		x p	xv xp	exc	exc/xp		Pierson (appt. 3/06)
Joe Villanella	x p	x p	x p	x p	x p	exc		x p	x v	x p	exc		Ponce Inlet (appt)
Jack Delaney	x p	abs	abs	exc	x p	x p		exc	abs	exc	exc		South Daytona (appt. 04/16)
Bobby Ball	x p	x p	x v	x p	x v	x p		x v	x v	x p	x v		Port Orange (appt. 12/02)
Dave Castagnacci (FY 2021/22 Vice Chair)	x p	x p	x p	x p	x p	x p		exc	exc	x p	exc		Volusia County Chair (appt 05/19)
Elizabeth Alicia Lendian	x p	exc	abs	exc	x p	abs		x p	x p	exc	x p		Volusia County At-Large (appt. 05/13)
Patricia Lipovsky	abs	exc	exc	abs	exc	exc		exc	abs	x v	abs		Volusia County D-2 (appt 4/17)
Edie Biro/John Cotton	x p	x p	x p	x p	x p	x p		x p	x p	x p	x p		Votran (appt. 02/16) (alt. appt. 07/13)
Faith Alkhatib ( <i>non-voting</i> )	abs	abs	abs	abs	abs	abs		abs	abs	abs	abs		Flagler County Traffic Engineering (appt 9/14)
Sean Castello ( <i>non-voting</i> )	x p	xp xp	x p	x p	x p	x p		x p	x p	exc	x p		Volusia County Traffic Engineering (appt 10/11) (alt 5/21)
Anna Taylor/Rakinya Hinson ( <i>non-voting</i> )	x p	x p	x p	x p	x p	x p		x p	x p	x p	x p		FDOT District 5 (appt 10/2020)
PHYSICAL QUORUM	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y		

### Vacancies

Bunnell  
 Beverly Beach  
 Daytona Beach Shores  
 Edgewater  
 Flagler County School Board  
 New Smyrna Beach  
 Oak Hill  
 Volusia County School Board  
 Volusia County D-1  
 Volusia County D-3

### Legend

x = present  
 p = present physically  
 v = present virtually  
 abs = absent (unexcused)  
 exc = excused

## TCC Attendance Record 2022

Name	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Notes
Marcus DePasquale								x v	x p	x v	x v		Bunnell (appt 7/28)
Andrew Holmes/Brian Woodworth	x p	x p	x p	x p	x p	x p		xp xv	xp xv	x p	x p		Daytona Beach (11/18) (alt 6/2021)
Noel Eaton									x p	x p	exc		Daytona Beach Shores (appt. 9/2022)
Mike Holmes/Belinda Williams Collins	x p	abs	abs	x p	x p	abs		abs	x v	abs	x p		DeLand (appt. 09/98)(alt 4/2020)
Ron Paradise/Nashla Merced	x v	abs	x v	x v	x v	x p		x v	x v	abs	abs		Deltona (appt. 11/09) (alt apt 8/21)
Steven Bapp/Joseph Barker (alt)	x p	x p	x p	exc	x p	abs		x p	x p	x p	x p		DeBary (appt 7/22) (alt 11/2020)
Darren Lear/Bonnie Brown	x p	x p	x v	x p	x p	x p		x p	x v	x p	x p		Edgewater (appt. 10/99)(alt appt 10/19)
Caryn Miller					exc	x p		x p	x v	x p	exc		Flagler Beach (appt 5/2022)
Faith Alkhatib/Adam Mengel	abs	abs	abs	abs	abs	abs		abs	abs	abs	abs		Flagler County Traffic Engineering (appt 9/14)
Brian Walker (2020/21 Vice Chairperson)	x p	x p	x p	x p	x p	x p		x p	x p	x p	x p		Holly Hill (appt 10/17)(alt appt 10/19)
Lee Evett	abs	abs	abs	abs	abs	abs		abs	abs	abs	abs		Lake Helen (appt 3/2021)
Derek Burr/Kyle Fegley	x p	x p	x p	x v	exc	x p		x p	x p	x p	exc		New Smyrna Beach (appt 3/22) (alt appt. 3/22)
Shawn Finley	x p	x p	exc	x p	exc	x v		x p	x p	exc	exc		Ormond Beach (appt. 12/17)
Becky Mendez (2020/21 Chairperson)	x p	x p	x p	x p	x p	x v		x p	x p	x p	exc		Orange City (appt. 08/15)
Jose Papa/Carl Cote	x p	x v	x p	x p	x p	x v		x p	exc	x v	x p		Palm Coast (appt 7/14) (alt appt 1/2021)
Mark Karet	x v	x p	x p	x p	x v	abs		x p	x p	x v	x p		Pierson (appt. 09/16)
Mike Disher/Adam Mendenhall	x v	x p	x p	x p	x p	x p		x p	xp xp	x p	x p		Ponce Inlet (appt. 03/2021) (alt appt 4/22)
Tim Burman/Margaret Tomlinson/Penelope Cruz	x p	x p	exc	x p	x p	x p		x p	exc	x p	x p		Port Orange (appt. 10/13 )(alt appt 4/19) (alt 10/22)
Steve Danskine/Becky Witte	x p	exc	exc	x p	x p	x p		x p	x p	exc	x p		South Daytona (10/22) (alt 8/22)
Sean Castello	x p	xp xp	x p	x p	x p	x p		x p	x p	x p	x p		Volusia Co Traffic Engineering (appt. 4/2012) (alt 5/21)
Ralf Heseler/Edie Biro	x p	x p	x p	x p	x p	x p		x p	x p	x p	x p		Votran (appt. 11/2020) (alt. appt. 11/2020)
Anna Taylor/Rakinya Hinson (non-voting)	x p	x p	x p	x p	x p	x p		x p	x p	x p	x p		FDOT (appt 10/20) alt (11/21)
PHYSICAL QUORUM	Y	Y	N	Y	Y	Y		Y	Y	Y	Y		

### Vacancies

Beverly Beach  
 Daytona Beach International Airport  
 Flagler County Transit  
 Flagler County Aviation  
 Flagler County Emergency Management  
 Flagler County School Board  
 Oak Hill  
 Volusia County School Board  
 Volusia County Emergency Mgmt

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 exc = excused





# River to Sea TPO Outreach & Activities

[www.R2CTPO.org](http://www.R2CTPO.org)

October/November 2022

## Mobility Week Recap

During October 21-28, 2022, the Florida Department of Transportation (FDOT), along with its partners, including the River to Sea TPO, celebrated Mobility Week. The TPO participated in White Cane Awareness Day on October 28 and Port Orange Family Days on October 29. TPO staff, along with FDOT staff worked together to have a table at White Cane Awareness Day which provided safety information for pedestrians as well as safety items. For Port Orange Family Days, the TPO, with the help of FDOT staff fit 267 bicycle helmets for adults and children along with providing bicycle and pedestrian safety information and bicycle lights, first aid kits and lighted arm bands among other items.



**Love to Ride Challenge:** This is a fun, free, statewide challenge designed to get more people riding their bikes. The challenge kicked off on October 21 and runs through November 30. It's not too late to join:

- Register under the River to Sea TPO group (not the workplace) at: [https://www.lovetoride.net/florida/groups/3186\\_132](https://www.lovetoride.net/florida/groups/3186_132)







# River to Sea TPO Outreach & Activities

[www.R2CTPO.org](http://www.R2CTPO.org)

October/November 2022

## November Events & Activities:

- **17: VCARD Icebreaker:** Daytona Autograph Collection at OneDaytona, 5:30 p.m.  
(<https://responsibledevelopment.com/event-detail/vcard-icebreaker-2022.html>)
- **17: FACT Fair:** Campbell Middle School, Daytona Beach, 5:30-7:00 pm
- **21-30: Love to Ride Florida Challenge:**  
([LovetoRide.net/Florida](http://LovetoRide.net/Florida))



**SAVE THE DATE:**

**Annual TPO Holiday**

**Open House & Toy Drive**

**When:** Wednesday, December 7, 2022 4:00-6:00 p.m.

**Where:** River to Sea TPO Conference Room

**RSVP:** Pam @ [Pblankenship@r2ctpo.org](mailto:Pblankenship@r2ctpo.org)



**Follow Us!**



## Ongoing Projects, Studies, & Activities

- Develop Non-motorized Traffic Count Program
- Regional Resiliency Action Plan Implementation
- Connect 2045 Long Range Transportation Plan Amendment
- Annual FY 2021/22 TPO Audit
- TPO Review of Annual Priority Project Process
- Development of 2023 TPO Legislative Priorities
- Anastasia Dr Shared Use Path Feasibility Study (FS) (South Daytona)
- DeLand West Greenway FS
- Jackson Street Sidewalk FS (Port Orange)
- Dunlawton Ave Eastbound Right Turn Lane @ South Swallowtail Dr FS (Port Orange)
- Dunlawton Ave/Taylor Road Pedestrian Streetlighting FS (Port Orange)
- Votran's Annual Evaluation

**HAPPY**  
*Thanksgiving*





## Upcoming River to Sea TPO Outreach Events

### **October 21-November 30**

#### **Love to Ride Challenge (Cycling Challenge)**

Join the River to Sea TPO Group at [www.lovetoride.net/florida/groups/3186](http://www.lovetoride.net/florida/groups/3186)

### **October – November**

#### **FDOT Mobility Week Virtual Conference Center**

The River to Sea TPO will have a virtual table in the Mobility Week virtual conference center to showcase our different plans, studies, and initiatives

### **November**

#### **2022 Bike Lane Design Contest**

Wadsworth Elementary, Palm Coast & McInnis Elementary, DeLeon Springs

Students participate in the bike lane coloring contest and the school/FDOT selects the winning designs; FDOT will install the winning design in the bike lane(s) closest to the school entrance

### **Thursday, November 17**

#### **FACT (Families and Community Together) Fair**

5:30 pm – 7:00 pm

Campbell Middle School

Daytona Beach

The River to Sea TPO will have a table at this event

### **Thursday, November 17**

#### **VCARD Icebreaker**

5:30 pm – 8:30 pm

The Plaza Resort

600 N. Atlantic Avenue

Daytona Beach

The River to Sea TPO will have a table at this event

### **Wednesday, December 7**

#### **TPO Annual Holiday Open House & Toy Drive**

4:00 pm – 6:00 pm

River to Sea TPO Conference Room

2570 W. International Speedway Blvd. Suite 100

Daytona Beach

\*Please bring a new, unwrapped gift for an infant, child, or teen to benefit the Department of Children & Families

# Volusia County Construction Report – September 2022\*

## Completed within the last 6 months:

- 1) ECRRT – Segment 4A (Guise Rd. to Gobblers Lodge)
- 2) Spring to Spring Trail – Segment 3B (Rob Sullivan Park to Dirksen Dr)
- 3) Sugar Mill Road curve reconstruction and turn lanes
- 4) Williamson Blvd. (LPGA to Strickland Range)
- 5) Tenth St 4-lane widening (Myrtle to US 1)
- 6) Orange Camp Rd. 4-lane widening (MLK Blvd. to I-4)

## Under Construction or Advertised for Construction:

- 1) Howland Blvd 4-lane widening (Providence Blvd to Elkcam Blvd) – Under Construction
- 2) Williamson Blvd. and Strickland Range Rd. Improvements – Construction contract executed
- 3) Old New York paved shoulders (Shell to S-44) – Under Construction
- 4) Trail Connection from Marine Discovery Center to River to Sea Loop – Under Construction
- 5) City Island Seawall Repair – Under Construction
- 6) Graves Ave Turn lanes (Veterans Memorial Parkway to Kentucky) – Construction Contract Executed
- 7) Blue Lake Extension from Victoria Park to SR-472 – Advertised for Construction Bids
- 8)

## Design Projects:

- 1) Spring to Spring Trail - Segment 3C (Trail along Don Smith Blvd) – Design Ongoing
- 2) Turnbull Bay Road paved shoulders – ROW Acquisition Ongoing
- 3) Beresford Ave Extension (Blue Lake to MLK) – Design Ongoing
- 4) Beresford Ave Extension (MLK to SR-44) – Planning and Coordination Ongoing
- 5) Spring to Spring Trail (Lake Beresford to Old New York) – Design Ongoing
- 6) Spring to Spring Trail (Old New York to SR-44) – Design Ongoing
- 7) Spring to Spring Trail (SR-44 to Grand Avenue) – Design Ongoing
- 8) Amelia Ave (Voorhis to Ohio) – Design Ongoing
- 9) Williamson Blvd. (Strickland Range to Hand Ave) – Design Ongoing
- 10) Jacobs Road Sidewalk – Design Ongoing
- 11) Study of LPGA Widening from Tymber Creek to I-95 – Study by FDOT underway
- 12) Old Mission Road from W. Park to Josephine – Design Ongoing
- 13) Old Elections Parking Lot Replacement – Design Ongoing
- 14) Veterans Memorial Plaza – Design Ongoing
- 15) Pioneer Trail and Sugar Mill Intersection Improvements – Design Ongoing
- 16) Taylor Branch Rd. widening (Dunlawton to Clyde Morris) – Feasibility Study Completed
- 17) Pioneer Trail and Tomoka Farms Rd. Roundabout – Design Ongoing / ROW Acquisition Started
- 18) LPGA Blvd. and Clyde Morris Blvd. Intersection Improvements – Design Ongoing
- 19) Williamson Blvd. Access Management Improvements (Airport to Taylor) – Design Ongoing
- 20) Doyle Rd. Twisted Oak to Lush Lane – paved shoulders – Design Ongoing
- 21) Orange Camp Rd. from US-17/92 to MLK – widening study – negotiating scope of work
- 22) Veterans Memorial Parkway from Graves to SR-472 feasibility study – Study Ongoing
- 23) Williamson from I-95 to Beville Rd. – widening study – negotiating scope of work
- 24) Dunn Ave Extension from LPGA Blvd to I-95 – Evaluation Design RSQ
- 25) Pioneer Trail and Williams / Colony Park – Study Ongoing
- 26) Dirksen from US-17/92 to I-4 – widening study – negotiating scope of work

\*Changes/Updates since last report are underlined.

Note: Dates are subject to change due to normal project development issues.

**FLAGLER COUNTY CONSTRUCTION REPORT**  
**As of October 2022**

<b><u>Construction and Near Construction Phase</u></b>	<b>Status</b>
1 Design of 3.7 miles A1A Shore Protection (FDOT)	Easement acquisition phase
2 Dune Restoration - City of Flagler Beach (ACOE)	Easement acquisition phase
3 Hurricane Dorian-Dune Restoration (FEMA)	Design Ongoing
4 Beach Management Study	Study ongoing
5 Graham Swamp Multi-Use Trail & Pedestrian Bridge from Lehigh Trail to SR 100	Construction ongoing
6 Malacompra Road Resurfacing - from A1A to Roadway end at Atlantic Coast Beach	Construction ongoing
7 Marineland Acres Road Improvement	Construction ongoing
8 Old Haw Creek from County Road 304 to SR 11	Design Complete; awaiting funding
9 Water Oak Road from County Road 2006 to Mahogany Blvd.	Construction ongoing
10 CR 90 from Hickory St to CR 75 Improvements	Design complete; Procurement Phase ongoing
11 Apache Dr from Osceola Ave to 1st Ave	Construction NTP to be issued
12 Commerce Parkway	Awaiting permit, construction grant agreement, finalize ILA

<b><u>Design Phase</u></b>	<b>Status</b>
1 CR 304 Replacement of 4 Bridges	Design Complete
2 East Daytona North Paving Phase II (Various Roadways)	Design ongoing
3 Hargrove CR 1421 from Otis Stone Hunter CR 1422 to US 1	Design complete; closeout in progress
4 Otis Stone from County Road 13 to US 1	Design complete; closeout in progress
5 Rehabilitation and Resurfacing of Armand Beach Drive (Various Roadways)	Design ongoing
6 Rehabilitation and Resurfacing of Seascap	Design ongoing
7 Rima Ridge Resurfacing (Rodeo, Bareback Trl, Pinto Ln, Relay Rd, Oakridge Rd, Bridle Path Ln, Cone Rd, Shadow Ln, Sunny Rd	Design complete
8 East Daytona North Paving Phase I (Various Roadways)	Design phase to begin
9 Stormwater Master Planning	Study ongoing; MS4 Permit Application NOI submitted



## 2023 Meeting Schedule of the River to Sea TPO Board and Committees

	River to Sea TPO Board	Executive Committee	Technical Coordinating Committee (TCC)	Citizens Advisory Committee (CAC)	Bicycle/Pedestrian Advisory Committee (BPAC)	Trans. Disadvantaged Local Coordinating Board (TDLCB)
<b>2023</b>	4 <sup>th</sup> Wed. @9:00 a.m.	1 <sup>st</sup> Wed. @ 9:00 a.m.	3 <sup>rd</sup> Tues. @ 3:00 p.m.	3 <sup>rd</sup> Tues. @ 1:15 p.m.	2 <sup>nd</sup> Wed. @ 2:00 p.m.	2 <sup>nd</sup> Wed. the first month of every quarter @ 10:00 a.m. **
January	January 25, 2023	January 4, 2023	January 17, 2023	January 17, 2023	January 11, 2023	January 11, 2023
February	February 22, 2023	February 1, 2023	February 21, 2023	February 21, 2023	February 8, 2023	
March	March 22, 2023	March 1, 2023	March 21, 2023	March 21, 2023	March 8, 2023	
April	April 26, 2023	April 5, 2023	April 18, 2023	April 18, 2023	April 12, 2023	April 12, 2023
May	May 24, 2023	May 3, 2023	May 16, 2023	May 16, 2023	May 10, 2023	
June	June 28, 2023	June 7, 2023	June 20, 2023	June 20, 2023	June 14, 2023	
July	July 26, 2023*	July 5, 2023*	July 18, 2022*	July 18, 2022*	July 12, 2023*	July 12, 2023
August	August 23, 2023	August 2, 2023	August 15, 2023	August 15, 2023	August 9, 2023	
September	September 27, 2023	September 6, 2023	September 19, 2023	September 19, 2023	September 13, 2023	
October	October 25, 2023	October 4, 2023	October 17, 2023	October 17, 2023	October 11, 2023	October 11, 2023
November	November 22, 2023	November 1, 2023	November 21, 2023	November 21, 2023	November 8, 2023	
December	December 27, 2023*	December 6, 2023*	December 19, 2023*	December 19, 2023*	December 13, 2023*	

\* These meetings are typically cancelled

\*\* TDLCB Meetings are at Votran



# ANNUAL TPO HOLIDAY OPEN HOUSE & TOY DRIVE

🎀 WEDNESDAY, DECEMBER 7, 2022 🎀

4:00 P.M. - 6:00 P.M.

Don't forget to bring a new, unwrapped gift for  
an infant, child, or teen to benefit the  
Department of Children and Families

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LIGHT REFRESHMENTS WILL BE SERVED

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**RIVER TO SEA TPO CONFERENCE ROOM**

2570 W. INTERNATIONAL SPEEDWAY BLVD.

SUITE 100

DAYTONA BEACH, FL 32114

**RSVP to**  
**PBLANKENSHIP@R2CTPO.ORG**

