

**VOLUSIA TRANSPORTATION PLANNING ORGANIZATION**

**RESOLUTION 2011-03 (As amended)**

**RESOLUTION DELINEATING THE LOCAL MATCH REQUIREMENTS PLACED ON MEMBER LOCAL GOVERNMENTS UTILIZING THE TPO'S URBAN ATTRIBUTABLE (XU) FUNDS**

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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 Volusia Transportation Planning Organization (TPO) is the duly designated and constituted body responsible for carrying out the transportation planning process for the Urbanized Area including Volusia County, and Flagler Beach and Beverly Beach in Flagler County; and

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

**WHEREAS**, as a result of the aforementioned designation the Volusia TPO annually receives Urban Attributable (XU) funds; and

**WHEREAS**, the Volusia TPO maintains full authority over the programming and distribution of the XU funds; and

**WHEREAS**, the Volusia TPO desires to provide, whenever possible, financial assistance to member local governments to allow them to pursue projects and programs; and

**WHEREAS**, the Volusia TPO wants to leverage its annual appropriation of XU funds and ensure a measure of local commitment to project programming requests,

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

- 1) the Volusia TPO places a requirement of a local match commitment on its member local governments that are requesting XU funds; and
- 2) the Volusia TPO determines that, effective January 25, 2011, a match of 10% of the total amount of XU funds programmed for each project utilizing XU funds shall be required of the local government requesting the funds; and
- 3) the Volusia TPO determines that "local match" shall be defined as non-federal cash match and/or in-kind services that advance the project in question; and
- 4) the Volusia TPO also reaffirms its policy that any cost overruns encountered on a project funded with XU funds will be the responsibility of the member local government 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

- 5) the required percentage of local match shall not exceed the percentage identified in the current policy of the TPO board at the time the local government commits to its amount of local match for the project; and
- 6) the Volusia TPO reserves the right to waive or adjust the local match requirement if the TPO Board deems there exists sufficient reason or circumstance; and
- 7) the Chairman of the Volusia TPO (or his/her designee) is hereby authorized and directed to submit this resolution to the:
  - a. State and Regional Clearinghouse Offices;
  - b. Florida Department of Transportation;
  - c. Federal Transit Administration (through the Florida Department of Transportation);
  - d. Federal Highway Administration (through the Florida Department of Transportation);
  - e. East Central Florida Regional Planning Council;
  - f. Federal Aviation Administration;
  - g. Environmental Protection Agency; and
  - h. Division of Resource Planning & Management, Department of Community Affairs; and
  - i. Councils, Commissions, and Managers of the TPO Member Local Governments

**DONE AND RESOLVED** at the regularly convened meeting of the Volusia TPO held on the 25<sup>th</sup> day of January 2011.

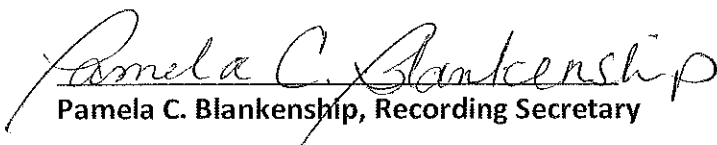
**VOLUSIA TRANSPORTATION PLANNING ORGANIZATION**

  
Flagler Beach Commissioner Ron Vath  
Chairman, Volusia TPO

**CERTIFICATE**

The undersigned duly qualified and acting Recording Secretary of the Volusia TPO certified that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the Volusia TPO held on January 25, 2011.

**ATTEST:**

  
Pamela C. Blankenship, Recording Secretary