

**PINELLAS COUNTY METROPOLITAN PLANNING ORGANIZATION
MINUTES – MEETING OF SEPTEMBER 10, 2014**

The Pinellas County Metropolitan Planning Organization, created by the State of Florida in accordance with Title 23 United States Code, Section 134 and Chapter 339.175 Florida Statutes, met in regular session on Wednesday, September 10, 2014 in the chambers of the Pinellas County Commission, 315 Court Street, Clearwater, Florida.

MEMBERS PRESENT

- Karen Seel – *Chairman* – Board of County Commissioners
- Harriet Crozier – *Secretary* – Commissioner, City of Largo
- John Morroni – *Treasurer* – Board of County Commissioners
- Sandra Bradbury – Mayor, City of Pinellas Park
- David Eggers – Mayor, City of Dunedin
- Doreen Hock-DiPolito – Vice Mayor, Councilmember, City of Clearwater
- Jim Kennedy – Councilman, City of St. Petersburg
- Cookie Kennedy – Commissioner, City of Indian Rocks Beach, representing the beach communities of Belleair Beach, Belleair Shore, Indian Rocks Beach, Indian Shores, Madeira Beach, North Redington Beach, Treasure Island, Redington Beach, Redington Shores, St. Pete Beach
- Wengay Newton – Councilman, City of St. Petersburg
- Kevin Piccarreto – Commissioner, Town of Belleair, representing the in land communities of Belleair, Belleair Bluffs, Gulfport, Kenneth City, Seminole, South Pasadena
- Ken Welch – Board of County Commissioners
- Ming Gao, non-voting advisory – (representing the Secretary, Florida Department of Transportation District 7)

MEMBERS ABSENT

- David Archie – *Vice Chairman* – Mayor, City of Tarpon Springs representing Tarpon Springs/Oldsmar/Safety Harbor
- Julie Bujalski – Commissioner, City of Dunedin, representing PSTA

OTHERS PRESENT

- Sarah Ward – MPO Interim Executive Director
- Al Bartolotta – Pinellas County MPO
- David Sadowsky – County Attorney's Office
- Chelsea Hardy – County Attorney's Office
- Brian Beaty – Florida Department of Transportation (FDOT)
- David Skelunas – Florida Department of Transportation (FDOT)
- Bob Bray – City of Pinellas Park
- Paul Bertels – City of Clearwater
- Evan Mory – City of St. Petersburg
- Tom Whalen – City of St. Petersburg
- Chris Fellerhoff – Sprinkle Consulting
- Vivian Peters – Citizen
- Bob Henion – CAC Member
- Bill Jonson – City of Clearwater
- Brad Miller – Pinellas Suncoast Transit Authority (PSTA)
- Damien Miller – Tindale-Oliver and Associates
- Jared Schneider – Tindale-Oliver and Associates
- Brent Hall – County Dept of Environment and Infrastructure
- Robert Davis – County Dept of Environment and Infrastructure
- Chelsea Favero – Pinellas County MPO
- Sarah Perch – Pinellas County MPO
- Carolyn Kuntz – MPO Recorder

I. **CALL TO ORDER**

Chairman Karen Seel called the meeting to order at 1:09 p.m.

II. **INVOCATION AND PLEDGE**

Mayor Eggers performed the invocation and led the Pledge of Allegiance.

III. **SEATING OF THE NEW BOARD AND RECOGNITION OF MPO MEMBERS**

Chairman Seel explained this is now a unified board where the board members will be wearing two hats: sitting as the MPO and sitting as the PPC. She acknowledged the seating of the new MPO Board members and everyone on the dais introduced themselves. Chairman Seel welcomed everyone.

IV. **JOINT MPO AND PPC EXECUTIVE COMMITTEE MEETING REPORT**

• **Election of Officers**

Chairman Seel reported the Joint MPO and PPC Executive Committee met earlier that morning and developed a slate of officers for the MPO Board to serve until December 31, 2014, as follows:

- Chairman – Karen Seel
- Vice Chairman – David Archie
- Secretary – Harriet Crozier
- Treasurer – John Morroni

Regarding the issue of signing the MPO checks, Chairman Seel indicated that Commissioner Crozier had been serving as the MPO's Treasurer and has authority to sign the MPO checks. The MPO discussed several options that would authorize Commissioner Crozier to continue to sign the MPO checks through December 31, 2014.

Dave Sadowsky, MPO attorney, came forward and responded, by State Statute, the MPO is not required to have a Treasurer; therefore, the MPO could delegate the authority to sign the MPO checks to Commissioner Crozier.

Commissioner Cookie Kennedy moved, Vice Mayor Hock-DiPolito seconded, and motion carried to approve the slate of officers as indicated above (Vote 11-0).

Councilman Newton moved, Commissioner Morroni seconded, and motion carried to delegate the authority of signing the MPO checks on behalf of the MPO to Commissioner Crozier (Vote 11-0).

Chairman Seel provided a summary of the Joint MPO and PPC Executive Committee meeting that was held earlier that morning, noting they reviewed the Executive Committee's responsibilities, discussed one Director Vs two Directors, and developed the agenda for the MPO and PPC Planning Meeting to be held on September 29 at 9:30 a.m. The Executive Committee recommended continuing with two Directors, with Sarah Ward as the MPO Director and Mike Crawford as the PPC Director. The Executive Committee and Vice Mayor Hock-DiPolito would like to meet with the City Mangers Consortium since they had some concerns with two Directors. The intent would be to further discuss the directors at the January MPO meeting. The Executive Committee discussed contracts for both Sarah and Mike and recommended equal salaries, car allowances based on travel, and equal benefits, with Sarah's contract coming to the MPO Board for approval. The MPO's operating procedures will be developed and will come to the MPO for approval. It was felt the language for the responsibilities of the Executive Committee in the PPC's operating procedures was adequate. She reviewed the items that will be on the agenda for the MPO and PPC Planning meeting.

V. CITIZENS TO BE HEARD

There were no citizens who came forward to speak.

VI. AWARDS/PRESENTATIONS (CTC and Volunteer of the Year Awards)

The MPO recognized Jane Walker and Michael Raposa (who could not be in attendance) as recipients of the Community for Transportation Disadvantaged Volunteer of the Year award. In addition, the MPO recognized PSTA for receiving the award for urban Community Transportation Coordinator of the Year, with Ross Silvers accepting on behalf of the PSTA.

VII. COPYRIGHT CLAIM REGARDING USE OF PHOTOGRAPHIC IMAGE (This item was taken up after Item VIII)

Dave Sadowsky, MPO attorney, explained that an image was utilized by MPO staff in the 2035 Long Range Transportation Plan Summary Report. The image was copied from “Google” images and was an unauthorized use of a copyright image. The MPO received a letter from the claimant’s attorney requesting the MPO cease and desist use of the image and removal of the digital image in question from the online version of the report and the cessation of the distribution of any hard copies. The second requested action was for payment in the amount of \$1,490 in damages for the alleged copyright infringement. MPO staff has complied with the first request. Payment is based on actual statutory damages; however, the MPO didn’t profit from use of the image nor did the photographer lose revenue from the MPO’s use of the image. Mr. Sadowsky stated that, although “no intent” is not a defense, it can be used to mitigate damages. Mr. Sadowsky and Chelsea Hardy have discussed this issue with the photographer’s attorney and, based upon approval by the attorney’s client, they have agreed to settle for a lesser amount of \$400. MPO staff has reviewed the settlement and it is recommended the MPO approve the \$400 payment to settle the copyright infringement claim.

Upon query by Councilman Jim Kennedy, Ms. Ward responded that a policy was drafted and distributed to the MPO staff regarding the use of images from the web. She added there was nothing on the image that alerted staff that it was a copyrighted image.

Mr. Sadowsky added that the County and Visitors Convention Bureau both have a library of images that are not copyrighted that can be utilized.

Following discussion, ***Councilman Jim Kennedy moved, Commissioner Welch seconded, and motion carried to approve the \$400 settlement (Vote 11-0).***

VIII. CONSENT AGENDA

- A. Approval of Minutes – Meeting of July 9, 2014**
- B. Approval of Invoice**
 - 1. Tindale-Oliver and Associates**
 - 2. PPC for MPO Share of Copier**
 - 3. TBARTA – CCC Services**
- C. Approval for Amendments to Agreement**
 - 1. New Freedom – Neighborly Care Network**
 - 2. JARC – Hillsborough County Department of Health and Social Services**
- D. Approval of Supplemental Agreement With FDOT for Surface Transportation Program (STP) Funds**
- E. Approval of Selection of Audit Firm and Authorize Negotiation of Contract**
- F. Approval of Level of Service Report**
- G. Approval of Amendments to the Unified Planning Work Program (UPWP)**
- H. Approval of Technical Coordinating Committee Appointment**

Commissioner Welch moved, Commissioner Cookie Kennedy seconded, and motion carried to approve the Consent Agenda (Vote 11-0).

IX. PUBLIC HEARING ITEMS

A. Proposed Amendments to the FY 2014/15 Transportation Improvement Program

Ms. Ward noted the TIP amendment form was included in the members' folders.

Brian Beaty, FDOT, reviewed the TIP amendment for a safety and operational improvement project that will add dual left-turn lanes on C.R. 690/22nd Avenue North from 22nd Street North to 19th Street North. This project was identified from a 22nd Avenue Corridor Study performed in 2003. The project cost is \$1.899 million and funding is from the Highway Safety Funds, with construction scheduled in the current FY.

Upon query, Mr. Beaty responded this amendment will not affect other projects. Commissioner Welch had a question about the proximity of the project. Mr. Beaty responded he would provide that information. Based upon query by Councilman Newton, Mr. Beaty responded the project didn't require right-of-way acquisition. The project involves restriping the through lanes and the reduction of lane widths will be adequate to provide the necessary improvements.

Ms. Ward noted the amendment concerns a change to the project description to clarify the project is on 22nd Avenue and not on I-275.

Upon call for public comment, no one came forward; therefore, the public hearing was closed.

Councilman Jim Kennedy moved, Commissioner Cookie Kennedy seconded, and motion carried to approve the TIP amendment by roll call vote (Vote 11-0).

B. Transportation Improvement Program Priority Lists

Ms. Ward indicated this is the annual approval of the Transportation Improvement Program (TIP) Priority Lists that the MPO is required to transmit to FDOT. FDOT uses the priority lists to determine projects for the 5th year of the new Tentative Work Program. The MPO reviews the Tentative Work Program at their December meeting.

Mr. Bartolotta reviewed a PowerPoint presentation regarding the regional priorities for major transportation initiatives and trailways, the Transportation Alternatives (TA) Program, Surface Transportation Program (STP), and Congestion Management Process (CMP). The regional priorities have been reviewed by the Tampa Bay Transportation Management Area (TMA) Leadership Group and recommended for approval. The TA Priority List includes 41 projects that were prioritized in 2007 and 2010 based on established criteria and the current list includes proposed modifications for the removal of 1 project, 13 replacements/location changes or phasing adjustment, and 3 new projects. The STP Priority List primarily consists of road capacity projects scheduled for construction that will allow congestion management projects that have been identified through prior studies to be added to the STP Priority List.

Regarding the TA Priority List, Ms. Ward indicated this is the first year the Pinellas MPO is required to work with the Pasco and Hillsborough MPOs to submit a single TA Priority List to FDOT. In addition, the Pinellas MPO has a local TA Priority List and staff took the top priority projects from the local list to be included in the regional list. The TA Priority List was reviewed by the TMA Leadership Group and staff indicated they would continue to work with the list over the next year and that staff will be

developing criteria to be used at the regional level. At the TMA Leadership Group meeting, FDOT indicated that the amount identified by county is a target amount and could be adjusted as FDOT works with the program.

Based upon comment, Mr. Bartolotta clarified that there are two pots of funding for the regional TA Priority Lists and that the MPOs agreed to use their local process to include projects on the Tampa bay TMA TA Priority List and that the “anywhere” funds should be used towards regional multi-use trail priorities.

Mayor Bradbury asked about changing the name from Progress Energy Trail to Duke Energy Trail. Mr. Bartolotta responded that staff will work with the Bicycle Pedestrian Advisory Committee on the name change. Ms. Ward noted they have been waiting on the agreement between Pinellas County and Duke Energy before proceeding with changing the name. Chairman Seel indicated there is one last issue that is being worked out with Duke Energy.

Ms. Ward continued with the presentation, reviewing the STP Priority List that includes some of the major corridors and includes congestion and management projects as identified from previous studies; however, some of the projects will require further study. The CMP Priority List includes non-state roads so that they may be eligible for federal funds. In response to questions about remaining interchange projects on U.S. 19, Ms. Ward added that other highway projects will be added to the STP Priority List pending the adoption of the MPO’s Long Range Transportation Plan since these projects must be in the Cost Feasible Plan.

****Vice Mayor Hock-DiPolito left at 2:02 and returned at 2:06 p.m.****

Commissioner Welch questioned 22nd Avenue South. Ms. Ward responded that item will be discussed as part of the next item.

Upon call for public comment, no one came forward; therefore, the public hearing was closed.

Following discussion, ***Councilman Newton moved, Commissioner Crozier seconded, and motion carried to approve the Tampa Bay TMA Transportation Alternatives Priority List (Vote 11-0).***

Councilman Newton moved, Mayor Bradbury seconded, and motion carried to approve the TA, STP, and CMP Priority Lists by roll call vote (Vote 11-0).

C. Draft 2040 Cost Feasible Long Range Transportation Improvement Program Priority Lists

Demian Miller, Tindale-Oliver and Associates, reviewed a PowerPoint presentation that included the Long Range Transportation Plan schedule, projected population and employment growth, project identification and land use coordination, the draft Cost Feasible Plan – revenue summary, management and operations, trail and bike facilities, the Transit Plan that includes the projects from the Greenlight Plan, planned roadway projects, project prioritization criteria, committed roadway projects by 2019, and the remaining projects to be completed by 2040. Unfunded projects were also highlighted.

****During the presentation, Chairman Seel left at 2:10 p.m.; Commissioner Welch left at 2:11 and returned at 2:12 p.m.; Councilman Newton left at 2:12 and returned at 2:15 p.m.****

Ms. Ward added that the Cost Feasible Plan includes funding of interchanges on U.S. 19 to Nebraska Avenue.

Mr. Bartolotta acknowledged Brent Hall, Department of Environment and Infrastructure, was in attendance and could answer questions regarding county projects. Mr. Bartolotta continued with the Cost Feasible Roadway Projects for the County, noting the process to prioritize the county facilities since there isn't enough revenue to fund all the needed improvements. He showed some graphics that highlighted some of the constraints the County deals with regarding road improvements. Right-of-way is a major factor why the costs are so high for the county road improvements. Several of the roads need improvements to bring them up to urban corridor standards, including drainage, curb, and bike lanes. MPO staff will continue to work with the County staff on refinement of the road projects.

Chairman Seel returned at 2:17 p.m.

Commissioner Welch stated his concerns with the improvements for 22nd Avenue South being delayed until 2030 since that project was originally to be improved in 2000 and was to be funded using the second "Penny for Pinellas" at a cost of approximately \$9 to \$10 million. He questioned the \$44 million cost for the road improvements. Mr. Bartolotta responded the present day cost for 22nd Avenue South is \$22 million but, for the year of expenditure, the cost is \$44 million. Mr. Bartolotta stated he would like an assessment done on the county road projects and then workshop with the Board of County Commissioners (BCC) once the assessment is complete. This would allow them to look at the projects in more detail and set priorities.

Commissioner Cookie Kennedy stated a citizen contacted her about the condition of the southern segment of 71st Street between 38th and 54th Avenues North since there are no sidewalks or bike lanes and is dangerous for children walking in that area. Ms. Ward responded that design has been done on that segment but construction isn't until fiscal years 2026 to 2030 at a cost of \$15 million. Ms. Ward noted this is a major transit corridor and has heavy pedestrian traffic.

Chairman Seel indicated that the Citizens Advisory Committee (CAC) had taken action to recommend that Belcher Road between NE Coachman Road and Druid Road be given a higher priority. Chairman Seel added that Belcher Road was included in the original "Penny for Pinellas" projects and that intersection improvements were included in the 2nd "Penny" funding. She agreed that this is a high crash intersection and that the MPO should support the CAC recommendation.

Following discussion, ***Vice Mayor Hock-DiPolito moved and Commissioner Cookie Kennedy seconded a motion to support the CAC recommendation to make Belcher Road a higher priority.***

Commissioner Morroni asked that consideration of 22nd Avenue South be included in the motion. He noted the importance of having some of these projects started that are included in the "Penny" funding.

Chairman Seel requested Al Bartolotta to agenda discussion of these projects with the County Commissioners as soon as possible and then come back to the MPO to discuss the "Penny" projects.

Mr. Miller continued with his presentation highlighting the funded and unfunded State, County, and municipal projects. He noted the bridge projects that are included in the

Plan, as well as those projects identified for operation and management improvement. He provided a review of the costs and revenues, including a breakdown of the “Penny” funding for roadway projects, bridge projects, trails/bike lanes/sidewalks/intersections/signalization projects, and resurfacing projects. He indicated the requested action is to open the public comment period and then the MPO will take action to adopt the Plan at their December meeting.

Upon call for public comment, no one came forward; therefore, the public hearing was closed.

Vice Mayor Hock-DiPolito moved, Commissioner Newton seconded, and motion carried to open the public comment period and transmittal of the draft Cost Feasible Plan to FDOT for their review and comment (Vote 11-0).

Commissioner Morroni left at 2:40 p.m.

X. PRESENTATION AND/OR ACTION ITEMS

A. Traffic Control at Shared Use Path/Roadway Intersections

Ms. Ward provided some introductory remarks, noting Leland Dicus would provide a lead-in for this item and then Sprinkle Consulting will provide a review of the study.

Leland Dicus, Technical Coordinating Committee (TCC) Chairman, indicated that there was a concern about the lack of uniformity of the treatment at the Trail crossings both for Trail and road users. The inconsistent treatments caused confusion as to user expectations at the various Trail crossings. The TCC was tasked with developing a set of guidelines to aid in identifying which facility (Trail or roadway) has priority and recommending traffic control treatments for the Trail and the roadway. Pinellas County hired Sprinkle Consulting to work with the TCC to develop a set of guidelines. The TCC formed a subcommittee with membership from the TCC and the Bicycle Pedestrian Advisory Committee to work with the consultant, to develop guidelines, perform fieldwork, and develop pilot guidelines. At their last meeting, the TCC recommended the MPO endorse the guidelines for use throughout the County.

Christopher Fellerhoff, Sprinkle Consulting, reviewed a PowerPoint presentation that provided the project overview, looking at who yields to whom and thresholds for traffic control, and the recommendations developed to be used as guidelines for assigning priority and determining traffic control at these intersections.

During the presentation, Councilman Jim Kennedy left at 2:47 and returned at 2:50 p.m.

The MPO members discussed the importance of uniformity and that the guidelines will help toward uniformity of traffic control.

Commissioner Morroni returned at 3:00 p.m.

Following discussion, ***Councilman Newton moved, Commissioner Crozier seconded, and motion carried to endorse the report (Vote 11-0).***

B. Belcher Road and Gulf-to-Bay Boulevard Road Safety Audit

David Skelunas, FDOT, reviewed a PowerPoint presentation on the Road Safety Audit that was performed for Belcher Road at Gulf-to-Bay Boulevard. He indicated some of the improvements will be addressed through the resurfacing project and highlighted some of the improvements that have been recently completed. He then summarized the recommendations.

Mayor Bradbury suggested that signs for pedestrian crossings be bilingual. Commissioner Morroni asked that the business owners are contacted about the upcoming improvements.

Following some discussion, ***Commissioner Welch moved, Vice Mayor Hock-DiPolito seconded, and motion carried to accept the report (Vote 11-0).***

C. Tampa Bay TMA Leadership Group Meeting of September 5, 2014

This item was already addressed earlier in the meeting as part of Agenda Item IX B 1.

D. Committee Recommendation

1. Bicycle Pedestrian Advisory Committee Recommendation Regarding Pedestrian Crossings on Gulf Boulevard

Ms. Ward briefly reviewed the Bicycle Pedestrian Advisory Committee (BPAC) recommendation to approve a shorter delineator post to replace the existing delineator post along Gulf Boulevard and to support the BPAC sending a letter of thanks to FDOT.

Commissioner Morroni moved, Councilman Newton seconded, and motion carried to approve the BPAC recommendation (Vote 11-0).

2. Technical Coordinating Committee – Follow-Up on Banning the Use of Electronic Devices While Driving as a Primary Offense

Ms. Ward briefly summarized the TCC recommendation that requests the MPO to work with the Legislative Delegation to make the use of a wireless communication device (manually typing, sending or reading interpersonal communication) while driving, with certain exceptions, a primary offense.

Mayor Eggers left at 3:24 p.m.

Following discussion, ***Commissioner Piccarreto moved, Vice Mayor Hock-DiPolito seconded, and motion carried to approve the TCC recommendation (Vote 10-0).***

XI. REPORTS/UPDATE

A. PSTA Activities Report

It was announced that PSTA will hold a budget meeting tonight.

B. Director's Report

Ms. Ward had nothing to report.

XII. INFORMATIONAL ITEMS

A. MPOAC Meeting of July 24, 2014

B. 2040 Long Range Transportation Plan Stakeholder and Public Outreach Report

C. Committee Vacancies

D. Other

There was no further business to be discussed.

XIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:25 p.m.

Karen Seel, Chairman