

**PINELLAS COUNTY METROPOLITAN PLANNING ORGANIZATION
MINUTES - MEETING OF MAY 9, 2007**

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, May 9, 2007 in the chambers of the Pinellas County Commission, 315 Court Street, Clearwater, Florida.

Members Present

Chris Arbutine, *Vice Chairman* - Mayor, City of Belleair Bluffs, representing PSTA
Harriet Crozier - Vice Mayor, City of Largo
Jeff Danner - City of St. Petersburg Council
Ronnie Duncan - Board of County Commissioners
David Eggers - City of Dunedin Commission
William Mischler - Mayor, City of Pinellas Park
Robin Saenger - City of Tarpon Springs Commission, representing Oldsmar, Safety Harbor, and Tarpon Springs
Karen Seel - Board of County Commissioners
Robert Stewart - Board of County Commissioners
Don Skelton, *ex officio* - Secretary, Florida Department of Transportation, District 7

Members Absent

John Bryan - City of St. Petersburg Council
Frank Hibbard, *Chairman* - Mayor, City of Clearwater

Others Present

Brian Smith - MPO Executive Director
Sarah Ward - MPO Transportation Planning Administrator
Andrea Baldwin - Tampa Bay Builders Association
Al Bartolotta - MPO Staff
Brian Beaty - Florida Department of Transportation, District 7
Paul Bertels - City of Clearwater
Tammy Brannah - Renaissance Planning Group
Bob Bray - City of Pinellas Park
Bob Clifford - Florida Department of Transportation, District 7
Beth Coleman - Clearwater Chamber of Commerce
John Doran - Vice Mayor of the City of Clearwater
Rick Egger - City of Pinellas Park
Jeffrey Ewing - Tampa Bay Builders Association
Anne Funicello - MPO Staff
Kevin Gartland - Clearwater Chamber of Commerce
Peter Krauszer - State-licensed contractor, resident of Pinellas County
Joe Kubicki - City of St. Petersburg
Joseph Narkiewicz - Tampa Bay Builders Association
David Sadowsky - Pinellas County Attorney's Office
Tom Shevlin - Assistant City Manager, City of Pinellas Park

Tom Whalen - City of St. Petersburg
Manager of Affordable Housing Programs - City of St. Petersburg
Carolyn Kuntz - MPO Recorder
Harriet McKay - MPO Staff Secretary

I. CALL TO ORDER

Vice Chairman Arbutine called the meeting to order at 1:02 p.m. Board members introduced themselves.

II. INVOCATION AND PLEDGE

Commissioner Stewart gave the invocation and led the Pledge of Allegiance.

III. CITIZENS TO BE HEARD

There was no public comment.

*At 1:05 p.m., Commissioner Duncan arrived.

IV. CONSENT AGENDA

- A. Approval of Minutes - Meeting of April 11, 2007
- B. Approval of Invoices
 - 1. Tindale-Oliver and Associates
 - 2. Renaissance Planning Group
 - 3. Tampa Bay Partnership
- C. Approval of Final 2007/08 Unified Planning Work Program (UPWP)
- D. Approval of Printing 2006 Average Annual Daily Traffic Count Map
- E. Approval of PSTA Planning Funds Joint Participation Agreement

ACTION: Commissioner Seel moved approval of the consent agenda, Commissioner Eggers seconded the motion, and the motion carried unanimously.
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V. PUBLIC HEARING - TRANSPORTATION IMPACT FEE ORDINANCE

A. Construction Cost Increase and Fee Schedule Adjustments

Al Bartolotta of MPO staff presented the proposed changes to the TIFO fee schedule. They were:

- To increase the construction cost for one-lane mile of roadway, used in the calculation formula, to \$2.8 million;
- To increase the per-unit impact fee rate for all the categories by 21%, with the exception of nine land use categories;
- To amend the trip generation rates for the nine land use categories by using new trip generation data.

The construction cost of one-lane mile of road has the greatest bearing on the other fees. The proposed figure is based on the most recent road construction data provided by the FDOT and Pinellas County. Mr. Bartolotta then reviewed a chart comparing Pinellas County to surrounding counties.

It was also proposed to expand the downtown district of the City of St. Petersburg, which the City had requested. The City uses Schedule B, a discounted fee schedule, when charging impact fees in this district. This request was discussed as a separate item.

Staff reported that the Citizens Advisory Committee and the Technical Coordinating Committee had completed their reviews of the ordinance. The TCC recommended approval of all the proposed changes. The CAC recommended approval of the TIFO rate changes but did not recommend approval of the request to expand the downtown district of St. Petersburg. However, it was noted that City staff were not present at the CAC meeting to present the City's position.

Commissioner Seel said that the trip generation rates did not seem realistic and asked staff to review the figures more carefully during the next analysis of the TIFO. She also asked staff to find out how much of the revenue generated by District 11A had been spent.

Responding to questions from Commissioner Eggers, Secretary Skelton explained the rising cost figures for road construction. The numbers being used by the FDOT are from a Statewide analysis. District 7 has a slightly higher cost, particularly in Pinellas and Hillsborough Counties. The proposed cost of \$2.8 million per lane mile is on the low side of the true cost for this area.

Vice Chairman Arbutine opened the public hearing.

John Doran, Vice Mayor of the City of Clearwater, presented two recommendations from the City of Clearwater. The first was to defer action on the expansion of St. Petersburg's downtown district. The second was to increase TIFO fees by no more than 10%.

Peter Krauszer, a state-licensed contractor and resident of Pinellas County, noted that single-family home construction is down substantially. To increase the impact fees on single-family houses would add an impediment to home ownership. He asked the MPO to reconsider raising impact fees because of the need to spur single-family housing.

Tom Shevlin, Assistant City Manager of the City of Pinellas Park, asked the board to defer action on raising the impact fees. The City believes that raising fees would have a negative impact on development. The City is also concerned about the cumulative impact of this increase and the proposed fees for hurricane shelters passed by the State last year.

Andrea Baldwin of the Tampa Bay Builders Association said that they were notified about the proposed TIFO increases on May 8 and hadn't had time to review the proposed increases to determine if they were reasonable in light of the downturn in

home building. They would like to work with the advisory committees on this issue. The broader issue is the creation of affordable housing. The impact fee is passed on to the homeowner, and Pinellas County has been talking about creating affordable housing. One way to do this is to break down the regulatory barriers to affordability.

Commissioner Stewart responded to Ms. Baldwin saying that although the Builders Association may have learned about the TIFO only the day before, the matter had been advertised, had been on the agenda several times, and had been discussed three months in a row at MPO meetings. Also, the TCC and the CAC discussed this issue for several months.

The Manager of Affordable Housing Programs for the City of St. Petersburg said that the proposed increase of \$650 per household would be a pass-through fee that the housing programs would have to deal with. The City's Council and the Board of County Commissioners want to bring affordable housing back to the cities and the County, but the increased impact fee will have a negative effect on those efforts and on business and commerce in local communities.

Joseph Narkiewicz of the Tampa Bay Builders Association said that he was not sure how much money the increased fees would generate into the impact fee trust fund, if the fees would have a significant impact on meeting the cost of transportation construction, or if they would have a greater negative impact on the future homeowner and on affordable housing. The industry itself does not know what went into the construction cost calculations and would like to know that. In the future, when the County is discussing impact fees, they would like to have a seat at the table.

Kevin Gartland, Vice President for Government Affairs of the Clearwater Chamber of Commerce, said that over the last several years, there have been triple-digit increases in property values, taxes, and insurance. The real estate market has experienced a sales drop of 35%. Workforce housing in particular has been affected. Increasing impact fees would have a devastating effect on the housing market's ability to stabilize itself and rebound. At the same time, the cities and the County have seen increased revenues from property taxes collected from business owners and employers. The Clearwater Chamber of Commerce was a supporter of the Penny for Pinellas extension this year. The Chamber now opposes any further increase in taxes on the business community, and they voted unanimously to oppose any impact fee increase at this time.

There was no further public comment. The public hearing was closed.

Mayor Mischler said that the County needs a sense of where the State is going tax-wise. The tax situation is in upheaval, businesses are suffering, and people are moving out of the State because it's getting expensive. This is not a good time to impose increased impact fees.

MOTION: Mayor Mischler moved that the decision on the TIFO be tabled for six months and then revisited at that time. Commissioner Seel seconded the motion. Board discussion followed.

Several board members concurred with Mayor Mischler and noted that businesses affected by the TIFO would pass their costs on to the consumers, who are the residents. Also, a six-month delay would permit a more comprehensive plan to be developed including provisions for livable community credits.

Commissioner Stewart said that the MPO would solve the transportation problem by asking the people who are impacting transportation to pay for it. This year, the total fee revenue is projected to be no more than \$4 million. The cities would get most of the money, and the County would get the rest. Regardless of what the State does, it will have a negative impact on local governments' ability to provide services. The County should not forgo an increase in fee structure in the area where it's needed.

Mayor Mischler responded that the County could have raised the gas tax more than it did when it had the opportunity. With the recent increase in gas prices, the County could have realized more revenue than it has.

Vice Chairman Arbutine said that government fees become the responsibility of the business owner, not the developer. The current environment is not favorable for raising taxes or fees, particularly in the business community.

VOTE ON MOTION: The roll was called, and the board voted as follows: Commissioner Stewart - No; Commissioner Seel - Yes; Commissioner Saenger - Yes; Mayor Mischler - Yes; Commissioner Eggers - Yes; Commissioner Duncan - Yes; Councilmember Danner - Yes; Vice Mayor Crozier - Yes; Mayor Arbutine - Yes. The motion carried by a vote of 8-1.

At the November MPO meeting, the TIFO will be reintroduced for discussion. Commissioner Duncan said that the stakeholders should be at the table at that time. Commissioner Stewart said that the Livable Communities Task Force meets monthly, the meetings are advertised, and there is opportunity for public comment. The Task Force has done all it can to make sure that the stakeholders are aware of the TIFO issue.

There was consensus that an extra forum could be held. Staff will seek an appropriate time.

B. Expansion of City of St. Petersburg Downtown District

Staff reviewed the current boundaries of the City of St. Petersburg's downtown District 11A and the proposed expanded boundaries that are being requested by the City. District 11A is a reduced-fee zone for TIFO fees.

Vice Chairman Arbutine opened the public hearing.

Joe Kubicki of the City of St. Petersburg reviewed the history of the impact fee in that area. He then reviewed the procedures and tests for imposing fees. He said that no capacity improvements to widen roads are planned for that area. The fees would be used for quality-of-life and safety projects such as changing traffic signals and adding sidewalks and bike lanes. The area is economically challenged, and the City is trying

to encourage investment in the community. The area generates high public transit use. There is a low level of automobile ownership and, therefore, low trip generation.

Mr. Kubicki asked the MPO to recommend that the Board of County Commissioners approve the expansion of the reduced-fee zone. This would help the area economically and reflect the real traffic generation of the area. He noted that the TCC had recommended approval but that the CAC had not. The City would like to make a presentation to CAC.

Commissioner Seel asked how much impact fee money has been generated in the subject expansion area since the no-fee zone was eliminated two years ago. Mr. Kubicki responded that the expansion area is 1,700 acres. The total fee money generated amounts to \$67,341, almost entirely by single-family residential development. If the area had been under the discounted Schedule B fees, as is being requested, it would have generated \$52,339.00.

The Manager of Affordable Housing for the City of St. Petersburg said that mid-town neighborhoods like District 11A are becoming livable communities. This area is typical of an inner city location where there is more foot traffic. If Schedule B were adopted, the City would have financial resources in place to encourage development of affordable housing and higher-density housing.

John Doran of the Clearwater City Council asked the MPO to defer action until the CAC has had an opportunity to reconsider the request.

There was no further public comment. The public hearing was closed.

Commissioner Stewart asked staff to ensure that all people who have an interest in a particular issue are notified that the issue is going to be voted on so that they can speak to the issue in advance of the public hearing. Staff will make any necessary corrections to the notification system.

MOTION: Councilmember Danner moved that the MPO approve the request from the City of St. Petersburg to expand District 11A. Commissioner Duncan seconded the motion. Board discussion followed.

Councilmember Danner said that the residents of this area have said they want single-family housing. A reduction of \$15,000 in the impact fee, which would be passed on to the homeowners, would help them economically.

Commissioner Seel said that this area needs affordable housing. She noted that it may start a trend from other cities. In the future, the MPO will need to reexamine downtowns to see if trips have increased. Also, if one area is expanded, another area may need to be contracted.

VOTE ON MOTION: The roll was called, and the board voted as follows: Commissioner Stewart - Yes; Commissioner Seel - Yes; Commissioner Saenger - Yes; Mayor Mischler - Yes; Commissioner Eggers - Yes; Commissioner Duncan - Yes; Councilmember Danner - Yes; Vice Mayor Crozier - Yes; Mayor Arbutine - Yes. The motion carried unanimously.

VI. FDOT PRESENTATION - STRATEGIC REGIONAL TRANSIT NEEDS ASSESSMENT REPORT

*At 2:26 p.m., Commissioner Seel left.

Bob Clifford of the Florida Department of Transportation (FDOT) gave a presentation on the Department's "Strategic Regional Transit Needs Assessment", also known as its "Interstate Transit Project."

The DOT recognizes that the interstate system, now 50 years old, can't continue to provide good service into the next 50 years. The State must be thinking about other modes of transportation to move people around the region, look at transit from a regional perspective, and determine what the next steps should be to move forward. The FDOT's vision for the future is to move people around the region quickly, affordably, and safely. The next interstate system is not necessarily a roadway, and the Department is considering other modes of transportation as part of its vision.

Issues and challenges for the region over the next 30-50 years include congestion, delay times, mobility, building a regional transit system, and thinking technically about where connections should be made within that system. The region extends from Citrus to Sarasota and from Pinellas to Polk. Pinellas County would be a big part of the system because it could connect the north, east and south of the region.

The Department has surveyed residents of the region. The vast majority of them have said that there needs to be more public transportation in the future. Also, the public believes that there needs to be a public discussion about the financing, including taxes, to build a system. There has been discussion about forming partnerships with local systems.

The DOT also sees that this part of the state is not "part of the game" in developing regional transit and that it needs to catch up with other regions in this regard. The region needs to put a plan and system in place to be ready to take advantage of opportunities that will arise over time.

*At 2:35 p.m., Commissioner Seel returned.

*At 2:36 p.m., Commissioner Stewart left.

The next step will be to ask what a master plan would be: What is it, where is it, what is the cost, and what is the timing? Now that the State legislature has created a Regional Transportation Authority (RTA), and assuming the governor signs the legislation, the DOT will be working with that entity towards such a plan. One of the RTA's tasks is to create a regional master plan.

VII. C.R. 296/BRYAN DAIRY ROAD FUNCTIONAL CLASSIFICATION REVISION

Staff reported that the Florida Department of Transportation (FDOT) had requested that the MPO concur with its classification of C.R. 296/Bryan Dairy Road from 72nd Street to U.S. 19 as an "urban minor arterial." The classified road segment would then be amended into the Federal Functional Classification Map, which was last updated before the road segment was built. Once this segment is included in the map, it will be eligible for federal funds.

Paul Bertels, Chairman of the Technical Coordinating Committee, said that this functional classification as requested may not be accurate. He asked the board to refer the FDOT's request to the TCC for review.

*At 2:40 p.m., Commissioner Stewart returned.

By consensus, the board referred the request to the TCC for review and a recommendation.

VIII. TRI-COUNTY ACCESS PLAN STATUS REPORT

A full report on the Tri-County Access Plan will be made to the board at its June meeting.

IX. LIVABLE COMMUNITIES TASK FORCE

The next meeting of the task force will be on June 6 at 3:30 p.m. in the offices of the MPO in Clearwater. Commissioner Stewart invited all interested parties to the meeting.

X. SAFETEA-LU COMPLIANCE REVIEW REPORT

Ms. Ward reviewed that all MPOs are required to show that their Long Range Transportation Plans (LRTPs) are compliant with new planning regulations that evolved from SAFETEA-LU legislation. Staff had asked Renaissance Planning Group to review the MPO's LRTP for compliance. A compliance report must be submitted to the federal government by July 1.

Tammy Brannah of Renaissance Planning Group reviewed their activities, the findings, their recommendations for bringing the LRTP into compliance, and the next steps in the review process. The Technical Coordinating Committee will review the Renaissance report, "SAFETEA-LU Compliance Review", and comment on May 23. At its meeting on June 13, the MPO will consider the report and TCC comment and adopt a resolution.

A copy of the draft report has been posted on the MPO's website.

ACTION: Commissioner Duncan moved to schedule a public hearing for the June 13 MPO meeting. Commissioner Seel seconded the motion, and the motion carried unanimously.
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XI. PSTA/MPO COORDINATION CONTRACT

Staff reported that the Pinellas Suncoast Transit Authority has agreed to enter a Transportation Disadvantaged Program coordination contract with the MPO.

ACTION: Commissioner Duncan moved approval of the coordination contract with the PSTA. Commissioner Seel seconded the motion, and the motion carried unanimously.

XII. LEGISLATIVE UPDATE

Legislation that focused on the Regional Transportation Authority (RTA) as well as other modes of transportation has passed both the Florida House and Senate. It is waiting for the governor's signature.

The pedestrian safety law proposed by the MPO died at the end of the session and did not go forward.

The bill supported by the Metropolitan Planning Organizations Advisory Council passed. Staff is waiting for a summary of the bill and will give further analysis of it at the next board meeting.

The growth management bill passed. It changes the way comprehensive plan amendments will be reviewed and creates a pilot program for several counties and cities to test a process to reduce the review period from the current 60-90 days to 30 days. Pinellas County will participate in the pilot program, which will last about 18 months. It was noted that the new process may also shorten the time to review amendments with other departments. Staff is planning a workshop on this new legislation.

XIII. COMMITTEE APPOINTMENTS

The following appointments to advisory committees were requested:

- Bicycle Advisory Committee - To appoint Michael Alexander as the City of Largo's technical representative.
- Technical Coordinating Committee - To appoint Lauren Matzke as the alternate representative of the City of St. Pete Beach.
- Local Coordinating Board for the Transportation Disadvantaged - To appoint Sue McPhee as the representative of Children at Risk.

ACTION: Commissioner Duncan moved appointments to the advisory committees as requested. Commissioner Eggers seconded the motion, and the motion carried unanimously.

XIV. PSTA ACTIVITIES

The Pinellas Suncoast Transit Authority (PSTA) Board of Directors met on April 25. The minutes were included with meeting materials.

A recruiting firm has been selected to assist with the search for a new executive director.

Vice Chairman Arbutine said that if anyone has concerns, questions or suggestions regarding the PSTA, now would be a good time to contact the PSTA Board.

XV. OTHER BUSINESS

A. Medicaid Non-Emergency Transportation Spending

A chart showing Medicaid NET expenditures through March 2007 was included with meeting materials. The fund balance was \$665,220.78.

B. MPOAC

The Metropolitan Planning Organization Advisory Council (MPOAC) met on April 26. An agenda was included with meeting materials.

C. Correspondence

There was no correspondence for review.

D. Other

1. Regional Transit Forum

The Regional Transit Forum was held on May 4 under the leadership of Commissioner Duncan. Two initiatives were selected. One will focus on a significant regional corridor, which the group identified as the Howard Frankland Bridge. This primary corridor could include stations in downtown St. Petersburg, Toytown, West Shore, and downtown Tampa. The bridge could be examined for compatibility with transit technology. A parallel idea was to consider secondary corridors that might extend from this primary corridor.

The group also discussed the continued integration of all the MPOs' transportation and transit planning. The group wants to focus on putting projects together for regional connectivity. The MPO staffs from the four participating counties—Pinellas, Hillsborough, Pasco and Manatee—were asked to create a more unified picture of the MPO plans and how they would integrate, including what projects are planned, what is funded, and what is unfunded.

2. Gulf Boulevard Improvement Project

Commissioner Stewart said that there is a \$10 million shortfall for the improvement project on Gulf Boulevard between Park Boulevard and Walsingham Road, which has been discussed for several years. The cities are asking for help to find this money. He asked Secretary Skelton for the status of this project.

Secretary Skelton reviewed that this project is being done by the County under the Local Agency Program. It is combining the FDOT's resurfacing work on Gulf Boulevard with other improvements including the reclaimed water line project of the County. It's being done through a procurement method called "Construction Manger at Risk", which turns everything over to a construction manager. There are no supplemental agreements. As part of that, the consultant, who is the

construction manager, issues a guaranteed maximum price up front. The guaranteed maximum price for the FDOT's portion of this project was \$26 million.

The Secretary noted that the project started at \$7 million for FDOT when discussions began four years ago. When prices increased, the FDOT programmed \$13.7 million into the program. Therefore, the project is now \$12 million short of the \$26 million guaranteed maximum price. One question to be asked is, "Is this where we want to spend \$26 million in resurfacing funds." If the answer is "Yes", then another project must move because there is not enough money in the work program to cover all the projects.

The FDOT chose to re-examine the scope of the Gulf Boulevard project and to create a new design that would provide much of the function of the original design. At this time, with re-scoping of the job, the FDOT believes it can design a \$15 million project without canceling another badly needed capacity project. The only option is to take money from another Pinellas County project.

The cost for the whole project, which is three miles long, is higher than \$26 million. Other agencies are bearing the costs of other parts of the project.

XVI. ADJOURNMENT

There was no further business. The meeting adjourned at 3:10 p.m.

Frank Hibbard, Chairman