

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: November 24, 2009 [ ] Consent [ ] Regular  
[X] Workshop [ ] Public Hearing

Department: Engineering & Public Works

I. EXECUTIVE BRIEF

Title: Transportation

Summary: The workshop will focus on the following:

- Land Use
- 2035 Plan
- Traffic Performance Standards
- Traffic Counts
- Five Year Road Program
- Mass-Transit-Palm Tran and Palm Tran Connection
- Mass Transit-Tri-Rail (CSX)
- FEC Corridor Study
- State Issues (SB 360, mobility fee, etc.).

Questions and discussion from the Board will follow.

**Background and Policy:** This workshop is intended to provide additional education and discussion on transportation issues for the Board of County Commissioners.

**Attachments:**

1. Presentation

Recommended By: \_\_\_\_\_  
Department Director Date

Approved By: S. J. White \_\_\_\_\_ Date 11/18/09  
Assistant County Administrator

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	<b>\$ -0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

# ADDITIONAL FTE  
POSITIONS (Cumulative) \_\_\_\_\_

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_  
Budget Acct No.: Fund \_\_\_ Dept. \_\_\_ Unit \_\_\_ Object \_\_\_  
Program

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

This item has no fiscal impact. Options which would need to come back to the Board for approval will be discussed.

C. Departmental Fiscal Review: \_\_\_\_\_

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

*[Signature]* 11/20/09  
OFMB  
*PM*  
*11-20-09*

*[Signature]* 11/20/09  
Contract Dev. and Control

**B. Approved as to Form and Legal Sufficiency:**

*[Signature]* 11/20/09  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

This summary is not to be used as a basis for payment.



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*Palm Beach County*  
**TRANSPORTATION**  
*Workshop*

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November 24, 2009

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George Webb, P.E.  
County Engineer

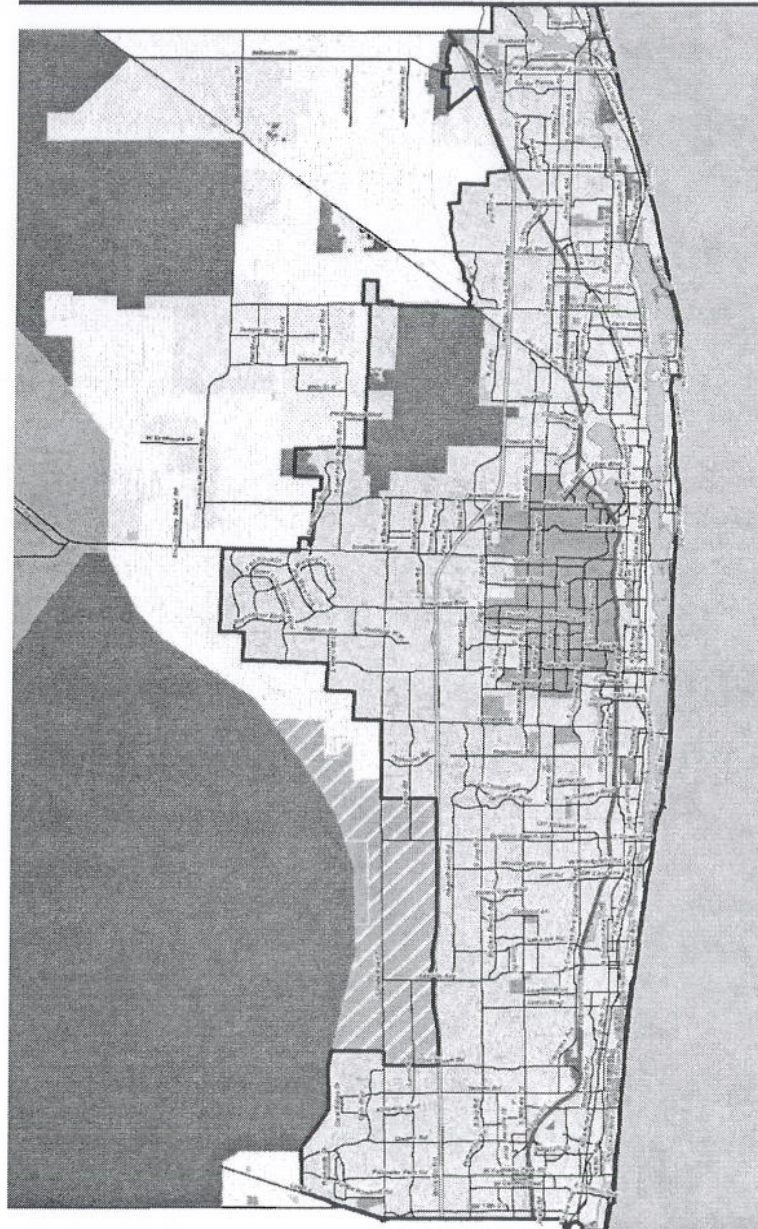


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# Transportation and Land Use

- Population and Employment from BEBR, local land use plans
  - PBC + 38 municipalities
- Development creates traffic
- Transportation infrastructure moves traffic
  - Primarily roads, but also includes transit, bike and ped networks





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## 2035 Plan and the Palm Beach MPO

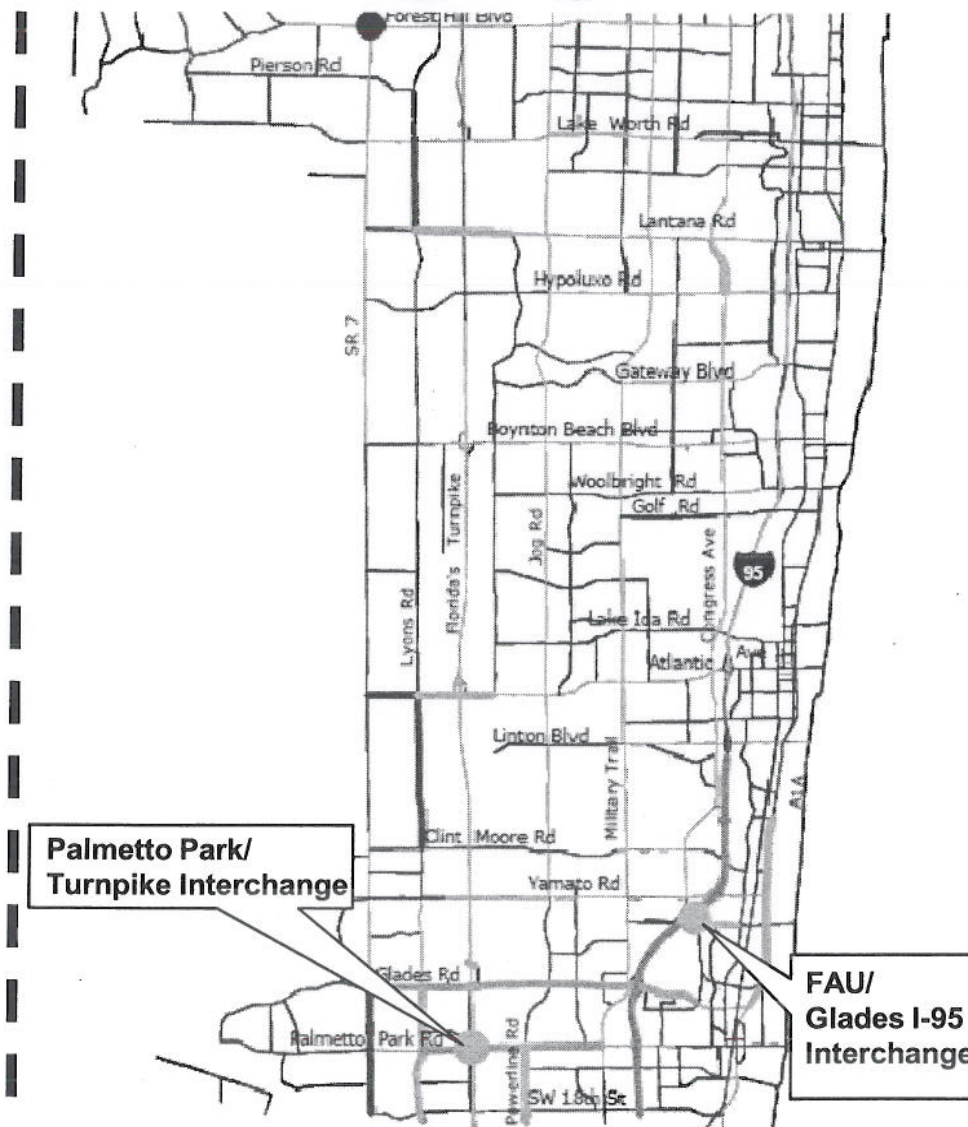
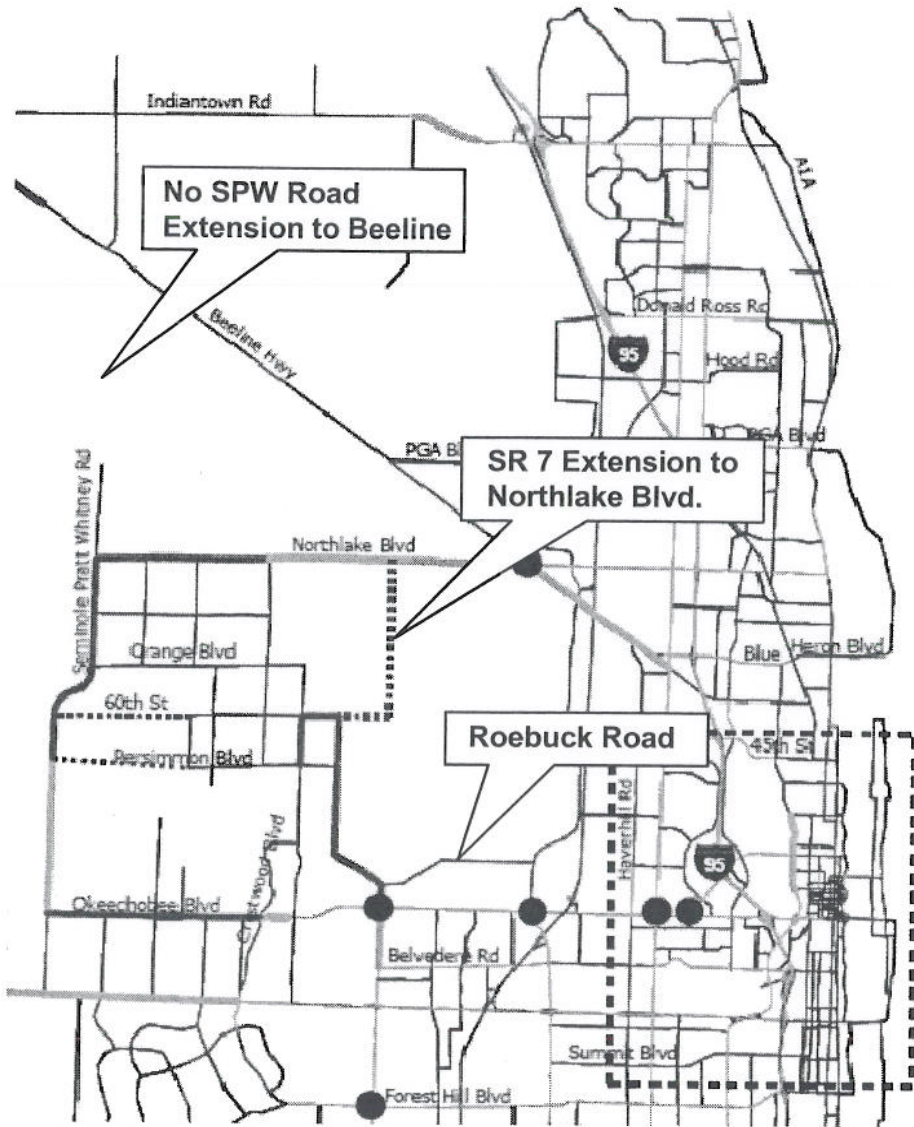
- MPO board is 19 elected officials
  - 5 County, 13 City, 1 Port
  - Prioritizes state, federal dollars
- Long Range Plan (25 year)
  - 2035 Plan adopted October 17, 2009
  - \$4.45B total revenue
  - \$2.95B to Transit, \$1.5B to Roads



- Trans. Imp. Program (TIP, 5 year)
  - Beeline Hwy E of Congress
  - Lyons Rd N from Atlantic to Boynton
  - Southern Blvd. ICWW bridge



# 2035 Cost Feasible Plan Highlights





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## Traffic Performance Standards Ordinance

- Requires roads to be built at the same time as development that requires them
  - County grew from 840,000 in 1989 to 1,280,000 in 2009
  - Only 2% of road system exceeds adopted LOS, Including CRALLS roadways
- Limited exceptions to TPS
  - Coastal Residential Exception
  - CRALLS on roadway segments
    - Most are now project specific
    - Public benefit of project vs. congestion
  - TCEAs in downtown areas



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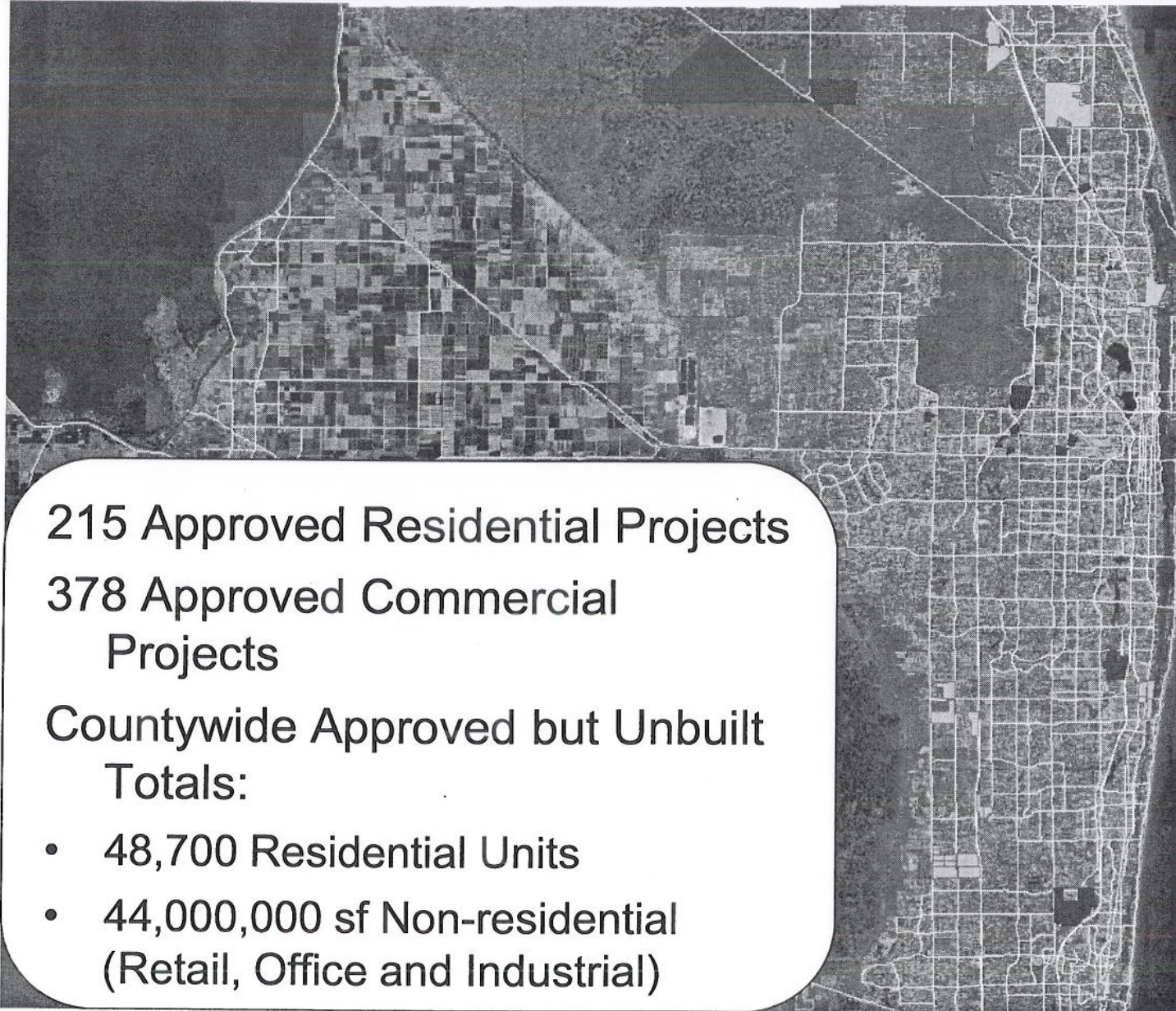
# Does TPS Inhibit Growth?

215 Approved Residential Projects

378 Approved Commercial  
Projects

Countywide Approved but Unbuilt  
Totals:

- 48,700 Residential Units
- 44,000,000 sf Non-residential  
(Retail, Office and Industrial)





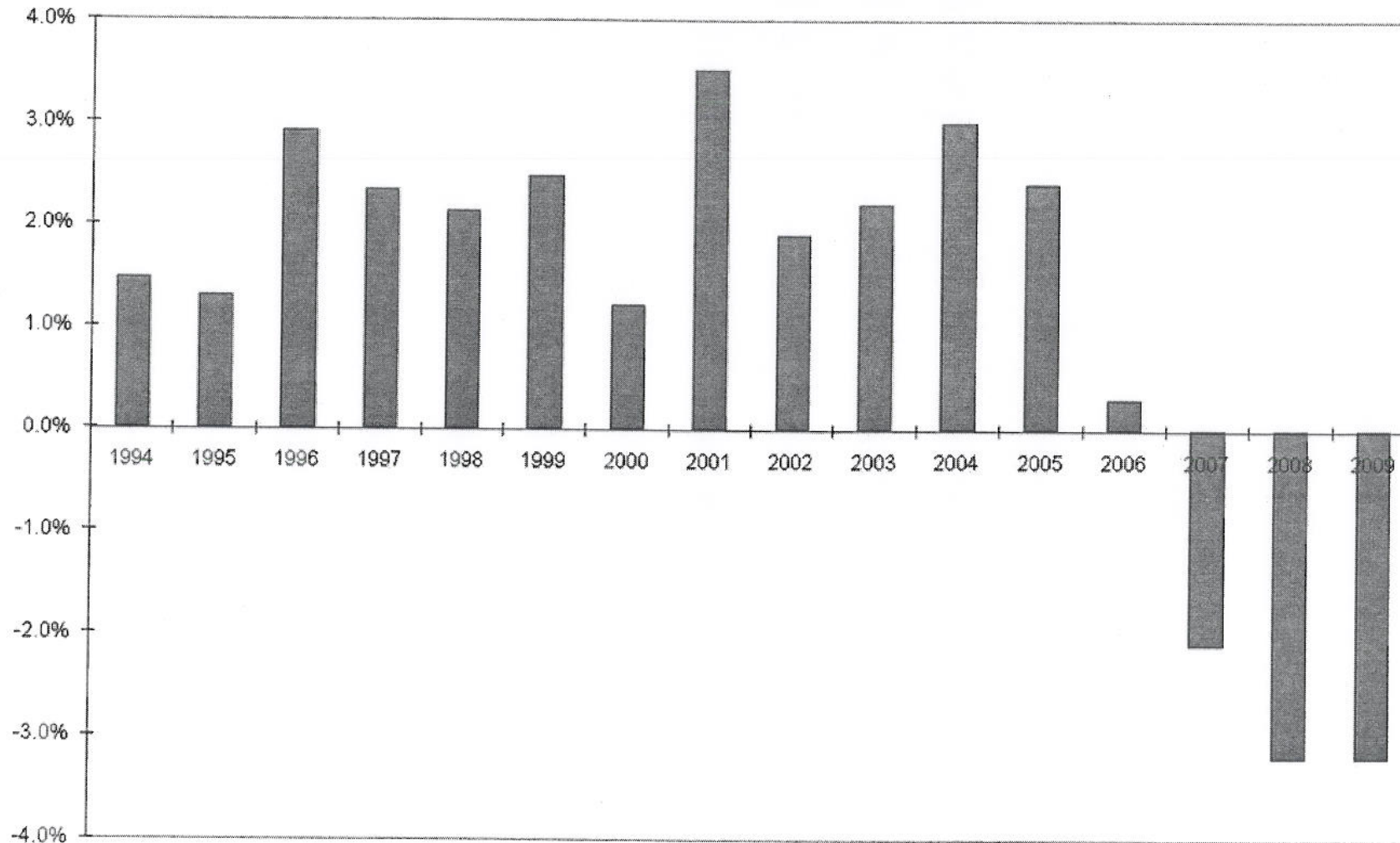


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# Traffic Counts

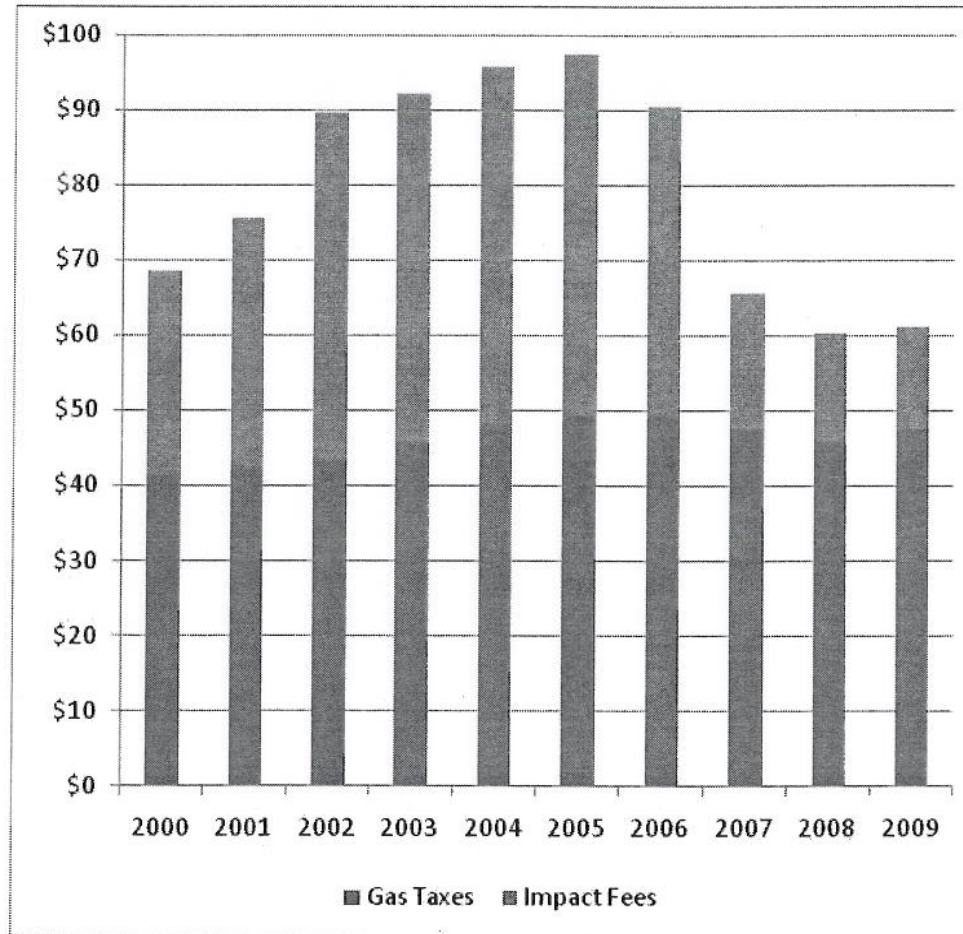
Countywide Traffic Percent Change





# PBC Five Year Road Program

- PBC 5-year Road Program is approved by Board of County Commissioners twice annually
  - Primary revenues are gas tax & impact fees
- Gas tax
  - Split 60/40 between in favor of transit
- Impact Fees
  - Were \$46M/year in 2002-2006
  - Estimated to be \$2.8M in FY 2010





# Funding Transit – At What Cost?



- **Palm Tran**
  - Fare Box covers ~18% of operating cost
  - \$21.9M Ad Valorem in FY10
  - \$26.2M Gas Taxes in FY10
- **Palm Tran Connection**
  - Carried 817,000 passengers in FY09
  - FY10 operating cost = \$23M
  - Fare Box covers 8% of cost
- **Tri-Rail (CSX Line)**
  - 3.86 million passengers served in 2008
  - \$12 operating cost per trip, \$2.25 from fare box
  - Proposed \$2 fee on car rentals to subsidize
- **FEC Mass Transit**
  - \$2.5 - \$6.4B up front
  - \$58 - \$197M annual operating cost



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## Buses vs. Lane Miles

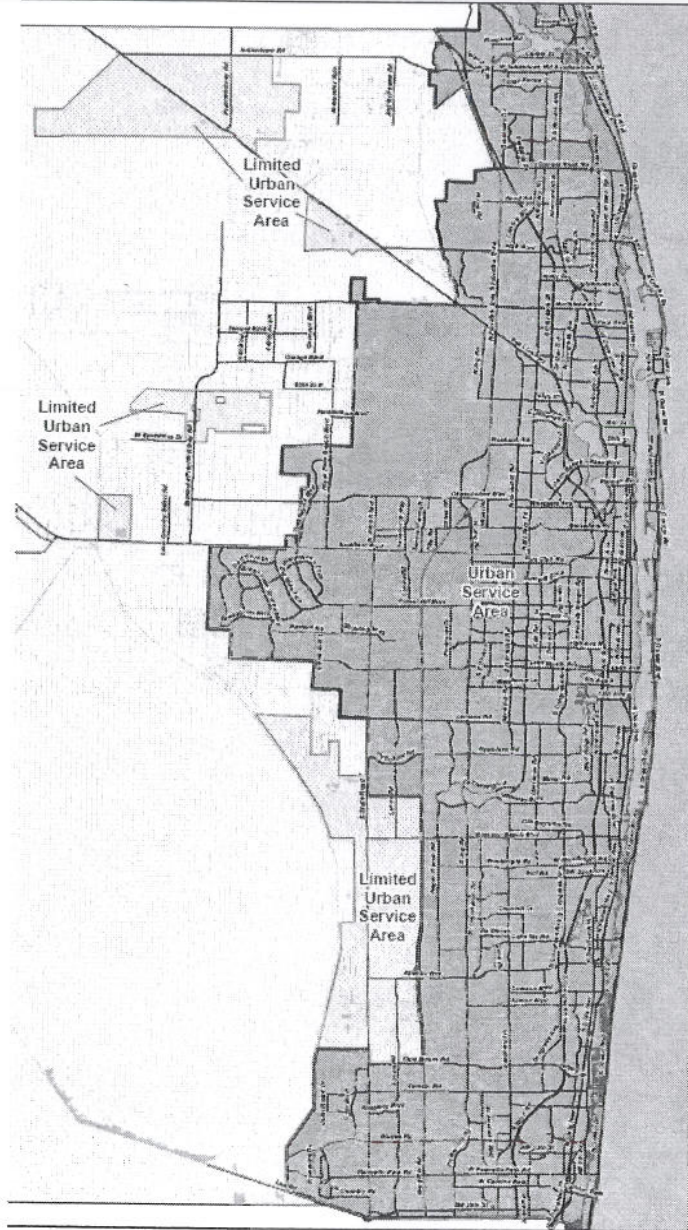
- Lane Capacity
  - 1 lane = 900 vehicles per hour
  - 1.2 people per vehicle = 1,080 people per hour
  - 1 bus holds 40 people
- Need 27 buses per hour to provide same LOS, or a bus every 2 minutes
- Bus operating cost is ~\$225k per year; total cost is \$6.1M per year
- Lane mile cost with 20-year life cycle is \$2.5M, or \$125k per year





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## 2009 SB 360

- PBC and all municipalities within are dense urban land areas
- State no longer requires concurrency or DRI process in urban service area (orange)
- We must adopt land use/transportation strategies to support and fund mobility by 2011
- DCA interpretation says PBC can continue to enforce TPS, but author of bill disagrees

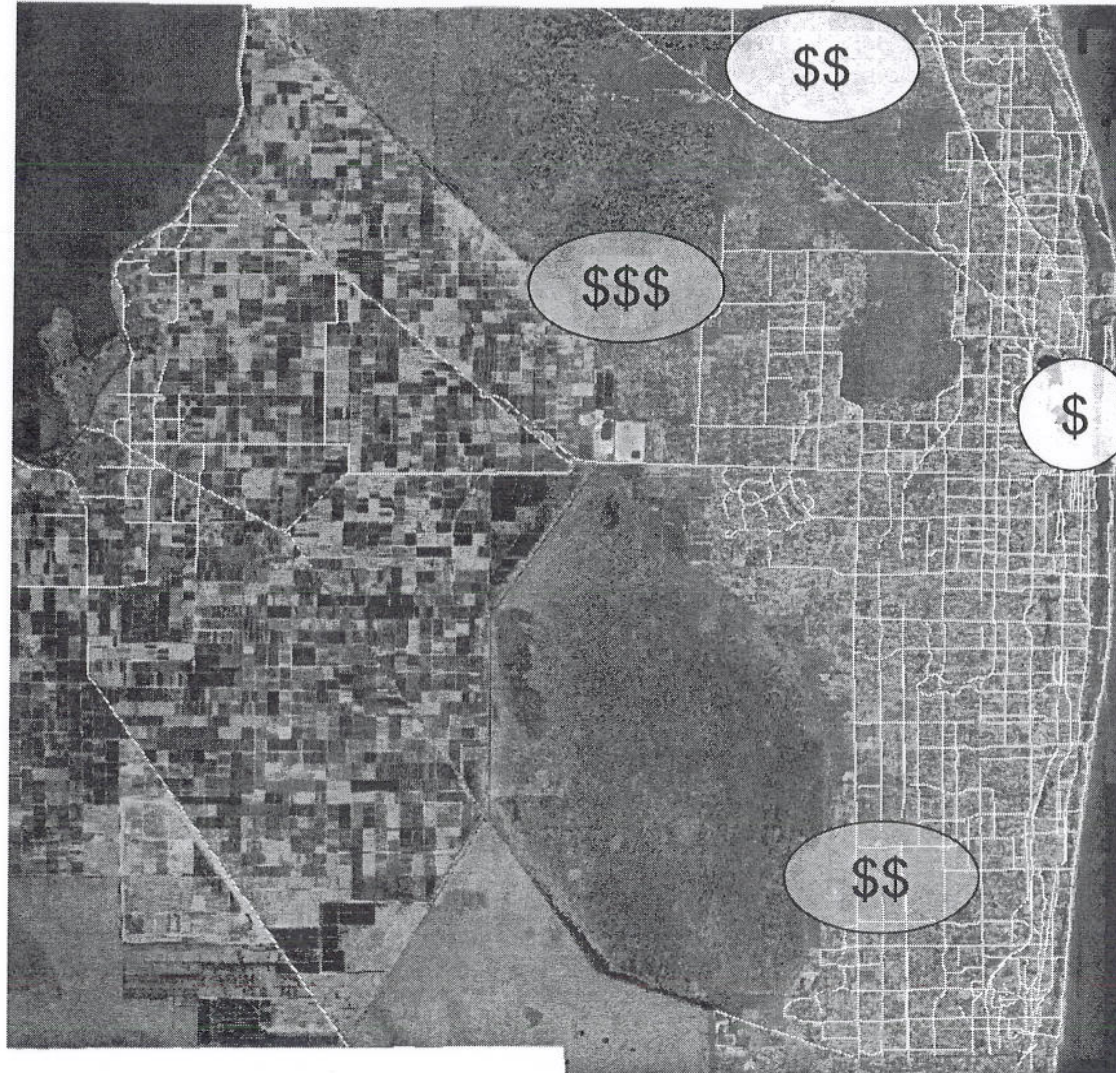


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## Future Funding Options

- FDOT Mobility Fee
  - Longer trips pay more
  - Suburbs/western development pays higher than downtown
- Bond against future gas tax/impact fees
  - Less future \$, go toward interest
- Impact Fee Increases
- Transportation Sales Tax
- Backlog Authority
  - Use TIF to fund roads
  - Less revenue for services
- Property Tax
  - ½ mill in 1980s and 1990s



**November 24 Workshop additional backup****Land Use**

Adopted Land Uses are the building block for estimating impact on the current and future infrastructure (roads, water and sewer, trash, etc). Using the Land Use plans from 38 municipalities and the unincorporated area, population and employment estimates are developed. From this, the potential transportation demand is estimated and the infrastructure – roads, buses, and trains can be outlined to determine how the people and goods would move about the County. The County has developed population projections for “build out” and in conjunction with the Bureau of Business and Economic Research (BBER), develops population forecasts for interim years which are used in our Comprehensive Plan and in the long range transportation planning process.

**2035 Plan**

The Federal Government requires Metropolitan Planning Organizations (MPO's) in large urban areas. The Palm Beach MPO comprises five County Commissioners, 13 elected officials from 11 cities and one elected official from the Port of Palm Beach. They are responsible for adopting both a Long Range Transportation Plan (the 2035 plan was adopted on October 15, 2009) and a short range five year program. The long range plan has two components – the Needs Plan, where transportation improvements needed to meet the adopted levels of service are identified – without considering what the cost of such a system would be – and the Cost Feasible Plan, a subset of the Needs Plan, where needed improvements are scaled back to match anticipated revenues. The Cost Feasible Plan is the plan that is ultimately adopted as the long range plan. The short range five year program is called the Transportation Improvement Program. The Transportation Improvement Program (TIP) is a staged program encompassing a five-year period consisting of all regionally significant transportation improvements to all modes of travel in Palm Beach County.

**Highlights of the 2035 plan**

\$4.5 Billion will be spent over next 25 years

33% of revenue will be spent on roads and 67% will be spent on mass transit

## Specific projects

SR 7 ( 60<sup>th</sup> St. to Northlake Blvd.) – included in the FDOT tentative work program with \$106m for design, right of way and construction. FDOT will be holding public hearings in 2010 which will lead to submission to FHWA for their consideration.

Roebuck Road (SR 7 extension – Jog Road) – included in the County's Five Year Plan for construction in 2014, but no active permit applications are currently at the Army Corps of Engineers or South Florida Water Management District. Staff is still working on alternatives in the corridor and it is expected that the BCC will address the alternatives prior to resubmitting the permits to the two agencies.

Seminole Pratt Whitney Road (Northlake - Beeline). The current cost estimate is \$180+ million for the 5 mile long road. The high cost is the major reason it was not included in the MPO's Cost Feasible Plan. County staff has withdrawn the permit applications and staff is reevaluating corridor options in an effort to lower the project's cost.

FAU/Glades interchange – included in the FDOT tentative work program as a design-build project with \$12m shown for preliminary design and for right of way. No money for construction is included over the next five years

### **Traffic Performance Standard**

The County in 1989 adopted a county-wide ordinance know as the Traffic Performance Standard, or TPS. TPS requires that roads necessary to serve new development be in place prior to, or at the same time, as the traffic impact of that new development. The program has been tremendously successful, as developers and the County have timed road building to new building permits such that, after a 50% increase in population between 1989 and 2009 (from 840,000 to 1.28m), we have only 2% of our road system exceeding our adopted level of service standards. I don't know of any other place in the country that can boast of that achievement.

We have exempted residential projects east of I-95 and south of PGA Boulevard from the concurrency standards in an effort to encourage residential development in the eastern areas. Additionally, we have previously approved Transportation Concurrency Exception Areas (TCEA's) to encourage residential and non-residential in larger eastern downtown areas (West Palm Beach, Riviera Beach, Delray Beach and Boynton Beach (and Boca Raton which has a downtown DRI)) - while requiring the development patterns and development pace in those areas to meet other countywide goals (affordable housing, housing/jobs balance, and an emphasis on mass transit options).



Even with our traffic standards in place, we still have significant inventory of approved, but unbuilt dwelling units and non-residential square footage. Our records indicate that approximately **48,700** dwelling units have been approved and can be built without addressing additional traffic concurrency requirements. This number does not include potential residential development in the Coastal Residential Exception Area. We also have approximately **44 million square feet** of non-residential approvals with prior concurrency approvals "on the books" (consisting of office, industrial and retail approvals) (which is equivalent to 25-30 regional malls).

### **Traffic Counts**

We take traffic counts twice a year – during the peak season (January to March) and the summer months (June to August). With the economic downturn, we have counted fewer cars driving on our roads over the last few years. Comparing 2005 to 2009 peak seasons, we found that traffic counts were down about 8% on a system-wide basis. This drop in traffic is one of the reasons our current road system shows that only 2% of our system does not meet our adopted standards. These traffic counts and the associated road segments shown over capacity are the basis for planning our near term future road improvements (our Five Year Road Program).

### **Five Year Road Program**

The Five Year Road Program is approved twice a year by the Board of County Commissioners. The most recent update was last week (November 17, 2009). In development of the proposed program, staff first estimates the revenue projected to be available each year over the next five years. The two major funding sources for road building are road impact fees and local option gas taxes. The tax is not indexed, which means the County receives the same amount for each gallon pumped (12 cents) whether the driver pays \$2.50 or \$4.00 for each gallon. The County receives approximately \$44 million annually from the 12 cents of local option gas taxes. This amount has increased from approximately \$36 million in 2000. However, in 2000 the Board allocated \$9.5m of the local option gas taxes for mass transit (26%) while in 2010 the Board allocated \$26.2m for mass transit (60%). This reallocation will significantly reduce the amount available for new road construction over the next five years in the newly adopted Road Program. **Over \$75 million which would have been available for new road construction during the next five years will instead be used for mass transit due to the reallocation directed by the Board.**

The other major component of revenue for the Road Program is the Road Impact Fee. Road Impact Fees are collected county-wide, typically at the time of building permit, and are used for capacity improvements to the major thoroughfare system. They cannot be spent on operational expenses. The fees generated \$27.3 m in 2000 and jumped to an average of \$46m annually between 2002 and 2006. **However, we estimate that only \$2.8m will be collected in this budget year.**

The established road impact fees are reviewed by the Board every two years, and a review is currently underway. The current road impact fee for a typical home is approximately \$4,800. Several different factors are evaluated when estimating the potential level of road impact fee. The factor carrying the largest weight is the estimated cost to construct a lane mile. During the 2007 update the report showed that lane mile costs had increased over 100% since the previous reevaluation. This would have provided justification to significantly increase the fee. The Board decided to not increase the road impact fee and instead wait until the 2009 evaluation.

### **Mass Transit – Palm Tran and Palm Tran Connection**

#### **Palm Tran**

Palm Tran annually operates over 900,000 service hours on fixed route, paratransit and route deviation service throughout Palm Beach County. Palm Tran over the last three years has raised fares twice and reduced service levels on all these services. They have at the same time worked to improve productivity. Palm Tran since 2004 has improved service productivity by an average of 30% based on average passengers carried per service hour. Fixed Route service increased from 17.4 passengers per hour in 2004 to 22 passengers per hour in 2009 and Connection performance rose from 1.28 passengers per revenue hour to 1.65.

The gross operating budget for Palm Tran (inclusive of capital grants) in 2004 was \$72.4m which required \$18m in ad valorem revenue. The gross budget increased to \$97.2m in 2007, which was supported by ad valorem revenue of \$31.8m. During the next three budget years, increased County gas tax funds were transferred into the program such that the program now receives approximately 60% of all gas taxes collected. This year, in addition to gas taxes, Palm Tran was able to use a percentage of ARRA funds for operations, allowing the 2010 gross budget of \$119.8 million to be supported by ad valorem revenue of \$21.9 million. Palm Tran's operating budget for FY10 is \$68 million with Fixed Route service budgeted at \$45 million and Connection at \$23 million.

**Fixed Route Service** on a normal week day operates 120 fixed route buses on 35 routes and carries over 35,000 passengers. In 2009, Palm Tran transported more than 10 million riders, compared to 2004, when 7.5 million riders were transported by Palm Tran's Fixed Route service. Palm Tran in FY09 opened our Intermodal HUB in downtown West Palm Beach, and added Express Fixed Route service from Martin County. Just two weeks ago, we opened our Wellington Park and Ride and modified service on Routes 40, and 52 to better serve Wellington and Downtown West Palm Beach. All of these projects were funded using Federal and/or State grants.

Similar to every mass transit system, farebox revenues make up only a small portion of the Palm Tran operations budget. In 2002 for example, Miami was reported to have collected only 16% of its operating expenses. Palm Tran's farebox revenue recovery ratio typically averages between 16-20%. In 2008, farebox revenues accounted for 19% of Palm Tran's Fixed Route operational costs. The farebox recovery ratio in FY09 fell to 16%. One reason for this was the decrease in farebox revenue in FY09 due in part to the significant increase in the sale/use of the \$5.00 TD bus pass on fixed route service, which increased from 5000 passes sold in an average month, to over 7000 passes sold during the month.

Today almost half of our routes only operate hourly service frequency during the peak hours, considered the bare minimum for effective transit service. Our goal, if funding becomes available, would be to have at least a 30 minute service frequency during peak hours on all routes and higher based on ridership demand. However, the annual cost to operate and maintain each additional bus is expected to be approximately \$200,000.

**Connection** provides shared ride, door to door, paratransit service that provides transportation for residents and visitors in Palm Beach County. Operation of this service for people with disabilities is mandated under the Federal Americans with Disabilities Act (ADA). Recipients of Federal transit funds for fixed route operations must provide "comparable" paratransit service in the same area, same days and same time as regular fixed route service. Palm Tran Connection on a normal weekday uses 170 vehicles to transport an average of 3,000 passenger trips. In FY09, Palm Tran Connection transported 817,000 passengers compared with 584,000 passengers in FY04. Because of budget issues, Palm Tran over the last five years has curtailed operation of the County Senior Transportation program and the operation of Medicaid transportation. Currently, we provide service under the following programs: Americans with Disabilities Act (ADA) Program, Division of Senior Services (DOSS) Program, and Transportation Disadvantaged (TD) Program. Providing ADA service is federally mandated, while the TD program is a State of Florida mandate. Palm Tran Connection provides service levels that in all cases exceed the Federal and State mandates for these programs.

Farebox revenue for paratransit service accounted for 8 percent of Connection's operational cost last year as opposed to 5 percent in FY04.

**Mass Transit – Tri-Rail (CSX)**

The South Florida Regional Transportation Authority (SFRTA) operates Tri-Rail. Commissioner Koons was elected chair of the Authority in June 2009. In the June 2008 annual report it was noted that over 3.86 million passengers were served on the rail line in the preceding year. Figures in the report showed each trip cost the Authority approximately \$12.00 in operating costs and approximately \$2.25 was recovered in farebox revenue for each trip taken in the 2008 budget year (19% farebox recovery ratio). It appears, however, that considering the most recent ridership information, 2008 was an anomaly, and that ridership has returned to pre 2008 levels thus making the farebox revenue much less than noted above. Current farebox recovery is less than 15%.

<u>Month</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>'07-'09% change</u>
June	10,909	15,408	11,716	7.4 %
July	10,828	15,119	10,605	- 2.1 %
August	11,204	14,581	11,559	3.2 %
September	12,176	16,576	12,576	3.3 %
October	12,804	15,707	12,784	- 0.2 %

Note: Approximately 700 Palm Beach County students ride the system each day and are included in the above.

The Federal government makes money available for capital improvements to mass transit systems. However, local governments are responsible for on-going operating expenses. The SFRTA continues to search for a funding source to replace the state and local operating dollars in its budget. They have proposed a new \$2 fee which would be assessed on each car rental in the South Florida area. While the revenue proposal has significant backing in Tallahassee, it has unfortunately been linked with a new proposed rail line-SunRail, which has generated significant controversy in Central Florida.

There has been some discussion of a potential Legislative special session to discuss the future of rail in Florida. The discussions could include addressing funding sources for capital and operating costs for high speed rail and commuter rail projects such as Tri-Rail and SunRail. The interest in addressing long term funding issues has

been heightened with the Obama administration's significant support of new high speed rail starts (\$8B in stimulus available for allocation).

### **FEC Corridor Mass Transit**

The South Florida East Coast Corridor Transit Analysis (SFECCTA) Study is sponsored by the South Florida Regional Transportation Authority (SFRTA) and the Metropolitan Planning Organizations of Palm Beach, Broward and Miami-Dade Counties. The study is evaluating whether various modes of transit (regional rail (similar to Tri-Rail), regional bus, light rail, bus rapid transit and/or rail rapid transit (Miami Metrorail)) could be feasible along the corridor, which extends from south of Miami to Jupiter. The study is now in Phase Two and at the conclusion of the study a master plan for the entire corridor will be presented that defines modes and services on the 85-mile corridor. At least seven alternatives are under consideration, with capital costs ranging from **\$2.5 – 6.4 billion (excluding right of way)**. Operating costs are expected to range between **\$58 -197 million annually**. No funding sources have yet been identified for either the capital or the expected on-going operating costs.

This potential system was not included in the adopted 2035 MPO Plan.

### **How can buses help meet our transportation demand?**

It has been suggested previously that if we ran more buses that we could avoid building as many lanes on our roads. The following calculation shows how many buses would be required to replace one lane of road: One lane handles about 900 vehicles in the peak direction in one hour – which at 1.2 persons per car, means that 1080 persons are moved on that one lane. To move that equivalent number of persons, 27 completely filled 40-passenger buses would have to run in the same direction during the same one hour period. In effect, one full bus would have to move along the road every two minutes to provide the same level of service.

## **Future Funding Options**

### **Mobility Fee**

The state is concluding two studies involving the potential implementation of new “mobility fees” which would be collected at the time of development. These would be assessed on new development and would be calculated to require the trips from the new development pay for their monetary impact on the transportation network. Longer trips – say from commuters living in a single family home in the suburbs driving to work downtown – would pay more than trips associated with multi-family development within the downtown.

There has been an interest statewide in providing additional funding options to pay for capacity improvements on the major road system. Many jurisdictions, unlike Palm Beach County, allow developments to use existing capacity without collecting any fees. In our county, we collect impact fees on all projects and the implementation of a potential mobility fee is not expected to have a significant impact on available revenue.

These mobility study recommendations are to be published during December 2009 and it is anticipated that the Legislature may consider implementing the concept as part of the 2010 legislative action, either wholesale around the state or in pilot form in selected areas. Yet to be determined is the interaction with current impact fees – there is speculation that impact fees would be replaced by mobility fees – or the interaction with traffic concurrency – might traffic concurrency be eliminated when mobility fees are established?

### **Sales Tax and Backlog Districts**

Florida allows local governments to have at least two options for voter approved sales taxes (up to one cent) for transportation related improvements. The first would be through a County Transportation system surtax which would allow spending on transit and road improvements and operations. The second approach would be the use of an infrastructure sales tax which would allow expenditure on a wide range of infrastructure projects and would not be limited to transportation projects.

The state legislature also allows the implementation of “backlog districts”, which allow the creation of taxing authorities for a specific geographic area that have defined over capacity “backlogged” roads within their boundaries. With our limited over capacity road system, this is not a likely candidate for funding projects in our county.

## State Issues

### 2009 SB 360

This was one of the key pieces of legislation in Florida's history relating to growth management. It established dense urban land areas and established Transportation Concurrency Exception Areas (TCEA's) within those dense urban land areas. Every municipality in our county and the unincorporated area contained within our urban service area met the definition of a TCEA. As such, all have until mid-2011 to adopt land use and transportation strategies to support mobility in the TCEA. Until then, existing transportation concurrency provisions continue to apply within the TCEA's.

The legislation also eliminated **state mandated** traffic concurrency in those TCEA's. The interpretation of the bill language associated with traffic concurrency by the Department of Community Affairs (DCA) allowed local traffic concurrency (such as our TPS) to remain in place. The author of the legislation, Senator Mike Bennett, strongly disagrees with the DCA interpretation that local concurrency can remain in place. He has expressed the opinion that the legislation, within the created TCEA's, did away with all traffic concurrency – local and state. This view was explained in several pieces of correspondence, including one on October 16, 2009, in which he directly challenged the DCA interpretation – *“That construction renders an absurd result and makes the entire legislative effort meaningless because it fails to create the economic stimulus that the Legislature intended.”* He continues, *“There is no point in mandating transportation concurrency exception areas in order to improve urban form,.....if, at the same time, the Legislature left the door open for local governments to ignore these requirements and continue their existing transportation concurrency requirements.”* Senator Bennett intends to clarify the legislation as part of the 2010 legislative session. If his view prevails, the County's TPS ordinance will no longer be able to be enforced within the TCEA's (including most of the developable land in our county) and each local government would have to address transportation issues within its own boundaries.

## Other

Western Area Roads-Commissioner Vana