

**METROPOLITAN PLANNING ORGANIZATION BOARD
EXECUTIVE COMMITTEE**

1:30 p.m: March 9, 2016
Cape Coral Public Works Building Room 200
815 Nicolas Parkway, Cape Coral, FL 33915



AGENDA

Call to Order

Roll Call

New Business

1. Public Comments on New Business Items
2. +Review of the End of Year Audit for FY 2014/2015 (CLA)
3. +Review and Discussion of Sales Tax Referendums from other Communities (Don Scott)
4. +Review of the Revised Executive Committee Language included in the MPO Bylaws (Don Scott)
5. +Discussion on MPO Staffing (Don Scott)
6. +MPO Project Update (Don Scott)

Other Business

7. Public Comments on Items Not on the Agenda
8. Announcements
9. Information and Distribution Items

Adjournment

* Action Items + May Require Action

All meetings of the Lee County Metropolitan Planning Organization (MPO) are open to the public. In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting should contact Mr. Johnny Limbaugh at the Lee MPO 48 hours prior to the meeting by calling (239) 330-2242; if you are hearing or speech impaired call (800) 955-8770 Voice / (800) 955-8771 TDD. Or, e-mail jlimbaugh@leempo.com.

The MPO's planning process is conducted in accordance with Title VI of the Civil Rights Act of 1964 and related statutes. Any person or beneficiary who believes he has been discriminated against because of race, color, religion, sex, age, national origin, disability, or familial status may file a complaint with the Lee County MPO Title VI Coordinator Johnny Limbaugh at (293) 330-2242 or by writing him at P.O. Box 150045, Cape Coral, Florida 33915-0045.

REVIEW OF THE END OF YEAR AUDIT FOR FY 2014/2015

RECOMMENDED ACTION: Review and comment on the draft end of the year audit for FY 2014/2015.

Staff of CliftonLarsonAllen LLP will be at the meeting to provide an overview of the FY 2014/2015 audit.

REVIEW OF SALES TAX REFERENDUMS FROM OTHER COMMUNITIES

RECOMMENDED ACTION: Review and discussion of sales tax referendums from other communities.

At the February Executive Committee meeting, there was a discussion about researching sales tax referendums from other communities to begin putting together information on what made them successful. Thirty three states have authorized local option sales taxes for use in transportation funding. The requirements vary by state but many of the reasons given for going after sales tax referendums is the high revenue potential, perceived to be more favorably accepted by the public when compared to other options, can be used for all transportation modes and is paid by visitors that use the transportation system.

Attached is a list of upcoming referendums from around the nation and a sample of results of past sales tax referendums in Florida from the Center for Transportation Excellence (<http://www.cfte.org/>). This organization tracks transportation referendums around the Country with a focus on transportation referendums that include funding for transit (mix of referendums covering ones where all of the money goes to transit to a small percentage of the money going towards transit). The success rate for the sales tax referendums listed average 61% for 165 different measures from around the Country.

Also included is a list of the Transportation for America State transportation funding bill tracking list that shows what some states are doing to address transportation needs. Since 2012, there have been twenty three states that have raised new funding for transportation at the state level (most of the listed are fuel tax increases).

Back in 2009/2010, during the development of the transit authority, the MPO hired a public research and polling consultant to conduct a telephone survey to help start identifying the referendum strategies. From work that was done at that time, they made recommendations on how we should pursue a referendum and many of those recommendations would also be relevant to Lee County today for a general transportation referendum. Listed below are some of the items that were recommended at that time:

- **Timing** – When the election is held can have a big impact on the success or failure, for the proposed MPO transit referendum back in 2010 the recommendation was to schedule it during a general election (2012 was the target).
- **Simple Question** – Develop the question in simple language so as not be too complicated to understand.
- **Grass Roots** – Identify a person or group that can champion the cause.
- **Identify Benefits/Accountability** – Identify the benefit to the voters in a clear and concise manner. What will the funding be spent on.
- **Funding** – Ensure that the amount of funding being requested can cover the projects identified (and surveys indicated a strong aversion to property tax increases to cover this funding).
- **Public Involvement** - Respond to requests for information and misinformation quickly.

Proposed 2016 Sales Tax Referendums around the nation:

- **Pulaski County, AR:** Rock Region Metro (previously Central Arkansas Transit Authority) board approved 0.25% sales tax measure for the March 1 primary ballot. The measure would raise an estimated \$18 million annually
- **Tulsa, Ok:** As part of Tulsa's Vision tax plan, city officials approved a portion of a new 15-year sales tax for transit. Over the course of 15 years, an estimated \$57 million will go to transit expansion in Tulsa.
- **Ellensburg, WA:** Ellensburg City Council voted to establish a transit district, which in turn has the power to levy a sales tax to fund Central Transit. Any new tax increase would require voter approval. The city council has approved a measure to increase the sales tax by 0.2 percent for ten years to support the Ellensburg Transportation Benefit District, which oversees Central Transit. If passed, revenue from this tax would effectively eliminate the need for any Washington State DoT funds to keep public transit in the city running.
- **Yuma County, AZ:** The Yuma County Intergovernmental Public Transportation Authority is considering a 0.1-cent sales tax increase for the county bus system.
- **Contra Costa County, CA:** The Contra Costa Transportation Authority is developing a 1/2-cent transportation sales tax measure to fix pot holes, improve freeways, boost transit, and other measures aimed at easing traffic congestion. The measure would generate an estimated \$2.3 billion over 30 years for road and transit projects.
- **Los Angeles County, CA:** Metro in LA County is discussing placing Measure R2 on the November 8th ballot. This measure would renew the current Measure R, a half-cent sales tax funding transportation in the county. It would also likely include a request for an additional half-cent sales tax to expand and improve light rail and subway lines. The measure could be split into 2 questions.
- **Monterey County, CA:** To alleviate regional congestion, Monterey County officials are considering asking residents to vote on a 3/8 percent countywide sales tax measure. This would provide revenue to the Transportation Agency for Monterey County (TAMC) including funding for public transportation projects. It would generate an estimated \$600 million over 30 years. They are currently in the public meeting stage.
- **Placer County, CA:** The Placer County Transportation Planning Agency has proposed a ½ cent, 30-year sales tax to fund rail and road improvements. They are hoping to include it on the November 2016 ballot.
- **Santa Clara County, CA:** The Santa Clara Valley Transportation Authority (VTA) is considering a 30 year, half-cent sales tax to fund transportation, including BART expansion.
- **Santa Cruz, CA:** County officials are discussing a half-cent sales tax for 30 years to fund transportation projects. 16 percent of revenue would to public transit and paratransit. The measure would raise an estimated \$450 million over the 30-year period.
- **Stanislaus County, CA:** The council of governments is considering a half-cent sales tax for 25 years for transportation. The measure would generate a total of \$975 million over its lifetime. The percent of revenue allocated to public transit remains unclear, but there has been discussion of around 6 percent for bike/ped and transit combined.
- **Ventura County, CA:** Local officials are exploring placing a sales tax measure on the ballot in November that could raise an additional \$1-2 billion for transportation projects. Ventura

County is the only county in southern California that does not have a sales tax in place to raise money for transportation projects.

- **Broward County, FL:** A 10-year transit plan released on October 1, 2013 signified the need for a future sales tax increase to support the county's transportation. Officials have discussed a 1 percent sales tax increase, which would raise an estimated \$306 annually in revenue for transportation projects. In order to get on the general election ballot, a referendum must be submitted to the Supervisor of Elections by June 20th. So far, the county has not taken any steps to put the measure on the ballot in November.
- **Hillsborough County, FL:** County commissioners are considering placing a ½ cent sales tax to generate \$3.5 billion over 30 years. 36% of the all revenue will go to transit (\$42 million a year). Tampa will have control over its own fund.
- **Dekalb, Clayton and Fulton Counties, GA:** MARTA is pushing for a half-cent sales tax on the November 2016 ballot. The additional revenue would fund service expansion, including three new rail lines.
- **Fulton County, GA:** Fulton County elected officials are considering putting 1% sales tax on Nov. 2016 ballot to raise funds for road and transit improvements. It's estimated this measure would raise a total of \$1.2 billion over the 5 years.
- **Wake County, NC:** Wake County elected officials are seeking a half-cent sales tax referendum to help fund a new \$2.3 billion regional transit plan. The plan includes commuter trains between Raleigh, Research Triangle Park, and Durham, and also expands bus service.
- **Hamilton County, OH:** SORTA board is considering a request for a quarter-cent sales tax increase to cover Metro bus expansion, which would cost more than \$700 million over 10 years.
- **Spokane, WA:** In the wake of the narrow defeat of an April 2015 ballot measure to raise the sales tax 0.3 percent for transit, the Spokane Transit Authority is considering rerunning the measure on the ballot this November. The goal would be to capitalize on higher turnout characteristic of a presidential election.
- **Jackson and Teton Counties, WY:** Jackson and Teton County officials are discussing a penny sales tax to fund housing and transit projects. On the transit side, funding would offset operating and capital costs for START bus system.

Results of Past Sales Tax Referendums in Florida (Sample):

- **Miami/Dade County:** Mass transit only. Will finance only new equipment and facilities. Will require creation of independent, regional transportation authority. **Passed, 66% - 34%**
- **Broward County:** County Commissioners approved sending to the voters a 30-year, 1 cent sales tax increase for transportation. The tax would fund a \$12.6 billion transit investment plan. Of the total, \$5.4 billion would fund new buses, commuter rail, and light rail. **Failed, 38.7% - 61.42%**
- **Hillsborough County:** Voters will consider a 1-cent sales tax for transportation. 75% of the revenue would go to public transportation and 25% would go roads and other transportation projects. **Failed, 42%-58%**
- **Polk County:** Polk County commissioners have placed a referendum to consider a half-cent sales tax to support the Polk County Transit Authority on the November ballot. If the referendum passes, Citrus Connection, Polk County Transit Services and the Winter Haven Area Transit (WHAT) will be combined and operated by the Polk Transit Authority. **Failed, 38%-62%**
- **Alachua County:** A 3/4 cent transportation sales tax is on the ballot for November but it contains a prohibition on transit spending. Original plans called for two separate sales tax measures--one for roads and one for transit, but the County Commission decided against the transit measure. **Failed, 33%-67%**
- **Seminole County:** One cent sales tax for 10 years, 25% goes to school district, 75% for transportation, stormwater, and other physical infrastructure. Includes bike/ped infrastructure, excludes transit operations of SunRail and Lynx and routine maintenance. **Passed**
- **Alachua County & City of Gainesville:** A one cent sales tax for eight years to fund transportation lists from the county and city of Gainesville for \$30 million annually. County funds will go to road projects & 5% bike/ped, city will split money 55% roads, 40% bus, and 5% bike/ped. This is the second attempt at a transportation funding measure, after a roads only measure failed in 2012. **Failed, 40% - 60%**
- **Pinellas County:** Pinellas County Commission has formally approved the ballot language and placed the measure on the ballot for November 2014. A public hearing on the referendum is scheduled for December. Transit officials will use the 11 month lag to complete a study of the county's bus system and proposed light rail plan. **Failed, 38% - 62%**
- **Polk County:** The Polk County Transit Authority and Polk County Board of County Commissioners approved a referendum for November 4, 2014 to levy a one-cent sales tax increase. Half of the new tax revenues will be used to fund the development, construction, equipment, maintenance, operation, and supportive services for a countywide bus transit system. **Failed, 28% - 72%**

Transportation for America State Transportation Funding Bill Tracking

MO	SB 623	Would increase gas tax 1.5-cents-per-gallon to 18.8-cents and increase diesel tax by 3.5-cent-per-gallon to 20.8-cents	\$56 million	N N	Voted from Senate Transportation, Infrastructure and Public Safety Committee 1/20/2016
TN	SB1451	Increase registration fee for hybrid vehicles by \$75 and for electric vehicles by \$150 annually	\$2 million	N N	Failed in Senate Transportation and Safety Committee 2/8/2016
IN	HB 1001	Increases then annually indexes fuel taxes to inflation (CPI) and highway construction costs (NHCCI). Increases motor carrier fuel surtaxes are also increased and indexed to inflation. Dedicates a larger portion of fuel sales and use tax to the state highway fund. Directs the state budget surplus to transportation For the current fiscal year, the first \$30 million is directed to the local road and bridge matching grant fund and the remainder to the state highway fund. In subsequent years, the entirety is directed to the state highway fund. Increases cigarette taxes (to offset general fund revenue). Enables a county to impose a higher vehicle registration surtax (increase from 10% or \$25 to 20% or \$50) and wheel tax (increase from \$40 to \$80), and also newly enables a municipality to impose a vehicle registration surtax (not more than \$25) and wheel tax (not more than \$40). The county or municipality must first adopt an asset management plan approved by the DOT. Revenues are only for constructing, maintaining, or repairing roads and streets (except that municipal wheel tax revenues may also be contributed to a Multiple County Infrastructure Authority and used for broader infrastructure purposes). Also allows local income taxes to be used for road and bridge repair Creates a local road and bridge matching grant fund managed by the DOT. A local government with an asset management fund may apply for matching funds for local repair projects. Applications will be judged on regional economic impact. The fund will receive portions of fuel sales and use tax revenue (\$70 million annually) and electric vehicle fees. Requires the DOT to seek a federal waiver for tolling Interstates 65, 69 and 80 and study tolling these highways. Adds a \$100 registration fee for electric vehicles. Fuel tax increases will add \$100 million to the state highway fund annually. Redirection of fuel sales and use taxes will add \$137 million to the state highway fund annually (from the general fund). Total new fuel tax revenue will be \$182 million annually.	\$102 million (state highway fund)	N Y	Passed House 2/2/2016
IN	SB333	Directs the 2016 state budget surplus to the state highway fund for road and bridge repair. This would transfer an estimated \$460 million this year. Transfers \$50 million of	\$0 (transfers)	N N	Passed Senate 2/3/2016

Transportation for America State Transportation Funding Bill Tracking

		interest in the next generation transportation fund (from the existing lease of the Indiana Toll Road) to the state highway fund state funds) for road and bridge repair.			
MO	SJR 18	Constitutional amendment to raise diesel tax by 3.5-cents-per-gallon and tax on other motor fuels (gas, etc.) by 1.5-cents-per-gallon. Funds would be apportioned as exiting fuel tax revenues are apportioned. Also would transfer ownership and maintenance of secondary highways to counties. For this obligation the highway and transportation commission would distribute to counties an amount equal to either (the lesser of) the average percentage or average dollar amount spent on the county secondary highways in the previous three years. Would require voter approval.	?	N Y	Introduced 1/6/2016
MO	SB 645	Would redirect revenue from 0.5% sales tax to the state road fund. Would ramp up at 0.1% per year from 2017 until 2021.	?	N N	Introduced 1/6/2016
VA	SB 470	Increases the local supplemental wholesale fuel tax rate for Hampton Roads from 2.1% to 5.1%, beginning July 1, 2016.	\$51 million	N N	Rejected in committee 2/9/2016
VA	SB 477	Adds a floor to the local supplemental wholesale fuel taxes collected in Northern Virginia and Hampton Roads so that collections would be at least equal to that which would have been collected on 2/20/2013.	\$54 million	Y N	Rejected in committee 2/9/2016
IN	HB 1131	Adds a supplemental state motor fuel tax. If the base motor fuel tax is below \$1.55, the supplemental tax would be 10-cents-per-gallon. At higher base motor fuel prices the supplemental tax decreases, to zero above a base price of \$3.50. The supplemental tax is collected and revenues are distributed in the same manner as the existing state fuel tax.	\$117 million	N N	Introduced 1/7/2016
HI	SB 2938	Increases fuel tax from 16- to 19-cents-per-gallon. Increases vehicle registration fees from \$45 to \$60 annually and increases vehicle weight fees.	?	Y N	Introduced 1/27/2016
RI	H 7409	Authorizes the turnpike authority to collect tolls on tractor-trailers or large trucks. Tolls shall not exceed \$20 for a border-to-border trip on I-95 or \$40 per vehicle per day. Tolls on passenger vehicles are expressly prohibited. Revenues raised would be dedicated to bridge reconstruction or replacement.	\$45 million	N N	Signed into law 2/11/2016
OR	HB 4055	Increases fuel tax by 4-cents-per-gallon in the Portland metro area and 2-cents-per-gallon elsewhere. Increases annual vehicle registration fees for electric vehicles to	?	N Y	Introduced 2/1/2016

Transportation for America State Transportation Funding Bill Tracking

\$200. Allows for a per-mile fee as an alternative to a flat annual fee for registration of more vehicle types. Adds a \$125 new titling fee. Projects of regional significance financed under new revenue in this law would be recommended by area commissions on transportation and selected based on whether the projects: reduces travel costs or increases access to jobs or labor for residents or businesses; results in economic benefit to the state; adds important connections to improve network efficiency; and bring in other sources of financing. Revenue from the additional 2-cents-per-gallon charged in the Portland metro area is directed to finance projects in the metro area, including highway widening in several specified corridors. Commissions an independent performance and program audit of the state DOT, including management, planning decision making, and share of spending on planning. Additionally, commissions a blue ribbon commission to study the DOT's decision-making process, including planning and project selection and present policy recommendation to the legislature by 9/15/2018.

ME LB 1110	<p>Concept bill to consider: a review of funding required to meet capital goals; establishing a voluntary vehicle-miles-travelled fee or another mechanism to counteract the effect of increasing vehicle efficiency; implementing seasonal tolls or fuel sur-taxes to collect additional revenue from non-residents; and adjusting fuel tax rates.</p>	Y N Committee hearing 2/18/2016
AK SB132	<p>Double the motor fuel tax rate from 8-cents to 16-cents-per-gallon. Also increases marine and aviation fuel tax rates.</p>	\$49 million N N Introduced 1/19/2016

Showing 1 to 14 of 14 entries

Last updated: 2/18/15

REVIEW OF THE REVISED EXECUTIVE COMMITTEE LANGUAGE

RECOMMENDED ACTION: Provide input on the revised Executive Committee language that will be included in the MPO bylaws.

The Executive Committee language in the MPO bylaws has been revised taking into account the comments that were made at the last meeting. Staff is seeking a review of the changes prior to taking the bylaw changes to the MPO Board.

DISCUSSION ON MPO STAFFING

DISCUSSION ITEM:

At the last MPO Board meeting there was some discussion about staffing levels of MPO's which was referred to the Executive Committee for further discussion. One of the references in the conversation was to the level of staffing when compared to other MPO's as identified in previous surveys sent out to MPO's across the nation on this subject. It is important to note that from our coordination and conversations with other MPO's around the State, we have found that many of the MPO's receive additional federal SU funding for tasks above and beyond what they get in planning funds. The funds are used for tasks, such as the development of the Long Range Plan, which then allows more funding for staff. This has not been the practice in FDOT District One and is not always considered positive when you realize that taking more funding from SU for those tasks translates to less money for designing and constructing transportation projects.

Another area where there are additional funds that could be used is the Federal Transit Administration 5305 funds that come to the MPO for transit planning activities. Currently, our agreement with LeeTran is we spend up to 20% of those funds and they use the other 80% of the funding for their transit planning activities (prior to the last agreement 100% of the funds went to LeeTran). There are MPO's that keep a larger percentage or all of the 5305 funding for their own use. The activities funded with 5303 need to be used for or in support of transit planning activities.

The MPO receives a base funding amount of approximately \$690,000 a year in planning funds. Of that, we currently spend about \$470,000 on office operations, salaries, benefits, accounting, advertising, attorney, audit etc. leaving about \$220,000 left for planning projects (or additional staffing). We definitely need additional help in providing administrative functions as that job has evolved into a project manager due to the projects we took on (particularly the TIGER Design Build project). In addition, we need to expand the accounting functions that will be provided under contract as we discussed during the review of the RFP for those services at the last meeting.

MPO PROJECT UPDATE

DISCUSSION ITEM:

The MPO staff will give an update on the ongoing MPO projects that include the following:

- TIGER Design Build project
- Round-a-bout Study
- Cape Coral Bicycle Pedestrian Master Plan