

BICYCLE PEDESTRIAN COORDINATING COMMITTEE

10:00 a.m., Tuesday, May 26, 2015
Fort Myers Regional Library, Room A
1651 Lee Street, Fort Myers, FL 33901
239-244-2220



AGENDA

Call to Order/Roll Call

Pledge of Allegiance

- 1) *Approval of the April 21, 2015 BPCC Meeting Minutes

New Business

- 2) +Discussion on Cost Increase of SR 80 Shared Use Path Project (Ron Gogoi)
- 3) *Review and Approval of Multi-modal Box Fund Priorities (Ron Gogoi)
- 4) *Review and Approval of Lee MPO TA Fund Priorities (Ron Gogoi)
- 5) Status Update on the Final Design Plans for Estero Boulevard Improvements (Rob Phelan)
- 6) Discussion on Bridge Replacement Projects in the MPO's LRTP Update (Don Scott)
- 7) Discussion on Gabby's Law for Student Safety (Dawn Huff)

Old Business

- 8) Staff Update on the TIGER Grant Project and other ongoing MPO Projects (Don Scott)

Other Business

- 9) Public and Member Comments on Items not on the Agenda
- 10) Local Government Reports on Bicycle Pedestrian Related Projects
- 11) LeeTran Report
- 12) FDOT Report
- 13) Announcements
- 14) Information and Distribution Items

Adjournment

Next BPCC Meeting  June 23, 2015

* Action Items * May Require Action

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Mr. Johnny Limbaugh at the Lee MPO at 239-330-2242 or by email at jlimbaugh@leempo.com at least seven (7) days prior to the meeting. If you are hearing or speech impaired call (800) 955-8770 Voice / (800) 955-8771 TDD. 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 (239) 330-2242 or by writing him at P.O. Box 150045, Cape Coral, Florida 33915-0045.

**MINUTES OF THE LEE COUNTY MPO BICYCLE PEDESTRIAN
COORDINATING COMMITTEE**

Held on April 21, 2015

The meeting of the Bicycle Pedestrian Coordinating Committee was held on April 21, 2015 at the Fort Myers Regional Library, Room A, 1651 Lee Street, Fort Myers.

Those in attendance included:

Anna Bielawska	LeeTran
Avelino Cancel	City of Fort Myers
David Wagley	LCDOT
Isobel Hitchcock	Member - At – Large
Jason Lamey	LC Parks
Jennifer Hagen	City of Bonita Springs
Linda Carter	CAC
Mark Tesoro	Lee Memorial
Sally Kirkland	City of Sanibel
Steve Chupack	Member At-Large

Others in attendance included Ron Gogoi, Don Scott and Brian Raimondo with the Lee County MPO; D’Juan Harris with FDOT; Darla Letourneau with BikeWalkLee; Detective Roman Serrano with LCSO; Officer John Kulko with CCPD.

CALL TO ORDER

Ms. Linda Carter called the meeting to order at 10:00 am.

AGENDA ITEM #1 – APPROVAL OF THE MARCH 24, 2015 BPCC MEETING MINUTES

MOTION BY MS. BIELAWSKA TO APPROVE THE MARCH 24, 2015 BPCC MEETING MINUTES. SECONDED BY MR. CANCEL. MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

AGENDA ITEM #2– REVIEW AND APPROVAL OF THE SCOPE OF THE LEE MPO BIKE PED MASTER PLAN UPDATE

MOTION BY MR. TESORO TO APPROVE THE SCOPE OF THE LEE MPO BIKE PED MASTER PLAN. SECONDED BY MR. WAGLEY. MOTION CARRIED UNANIMOUSLY.

AGENDA ITEM #3- DISCUSSION ON FDOT GUIDANCE FOR TRAIL DEVELOPMENTS

Mr. Scott staff informed the committee that the District 1 Secretary reported at the April 17th MPO Board meeting that FDOT will continue to maintain all new pathways and trails constructed in the right of ways of state highways.

AGENDA ITEM #4 – REVIEW AND DISCUSSION ON TRAIL SEGMENT STATUS ON OGT MAP

Mr. Gogoi informed the committee that MPO staff had been assisting OGT in identifying the status of the trail segments in the Lee County portion of its Draft Land Trails Opportunity Map. The map with the trail status was presented to the committee for input.

AGENDA ITEM #5 – DISCUSSION ON COMMUNITY CHALLENGES FOR UNDERTAKING MAYOR’S CHALLENGE FRAMEWORK

Ms. Letourneau gave a background and update on the Mayors Challenge. Over 200 counties in the US and 32 in Florida are participating in the Initiative. There are no funds tied to it. In Lee County, the Cities of Bonita Springs, Cape Coral and Fort Myers are part of the Mayors Challenge initiative.

AGENDA ITEM #6 – DISCUSSION ON THE 4TH EDITION MPO BIKE MAP

Mr. Raimondo mentioned that in March and June 2013 the MPO had ordered 33,500 and 20,000 maps respectively for a total of 55,000 3rd Edition Maps. Only about 2,000 to 3,000 maps were left. The MPO will be now developing a 4th edition map. For the new edition, he suggested removing the Caloosahatchee Regional mountain bike park and filling the space with bike maintenance tips, how to properly lock up a bike, safety tips, and a list of the ongoing TIGER projects and their construction years. The front picture will be also changed and there will be a new color scheme. Approximately 16 shops that rent bikes, not including hotels, and bike store service shops will be added. No names will be used, just locations. Committee input included adding an inset map of the Tour de Parks, adding the Critical Mass group as a bike club, using www.meetup.com for searching names of local bike clubs, adding locations of water fountains, and using Garmin and Straka for ground truthing existing facilities.

OLD BUSINESS

AGENDA ITEM #7 – STAFF UPDATE ON THE TIGER GRANT PROJECT AND OTHER ONGOING MPO PROJECTS

Mr. Scott provided an update on the ongoing TIGER funded Lee County Complete Streets Initiative project. The sidewalks in the San Carlos Community is the first project schedule for construction. Substantial construction will be completed by November 2016. A stakeholder meeting is scheduled for April 30th.

OTHER BUSINESS

AGENDA ITEM #8 – PUBLIC AND MEMBER COMMENTS ON ITEMS NOT ON THE AGENDA

Detective Serrano reported that as part of the HVE grant the LCSO provided 44 warnings, 110 citations mostly to drivers of vehicles. They were up to the last 3 operations with the last one scheduled for May 14th.

The Chair asked staff to add an agenda item for the next meeting regarding a general discussion requesting school district to make it mandatory for children under 16 years of age to wear helmets while riding their bikes to school. It was reported that a Lee County School District Board member had proposed a change in the existing wellness policy that will require all students to wear helmets to school.

AGENDA ITEM #9 – LOCAL GOVERNMENT REPORTS

Ms. Hagen reported that on May 6th there will be a Bike to School Ride from the Flea Market to Bonita Middle, and that the Bonita Springs Bike Ped Advisory Committee had sent a letter of support to the School District in support of the Wellness Policy amendment.

Mr. Cancel reported there would be a Kids to the Park Day for school children on May 16th.

Officer Kulko reported that as part of the HVE grant the Cape PD made 700 contacts both at schools, and at bike zones in the City. In reference to the earlier discussion on making it mandatory for school kids to wear a helmet while riding their bikes to school, he informed the committee that if a student is ticketed for not wearing a helmet, he will have to pay a \$59 dollar fine, and his driver's license will be suspended if he does not pay the fine.

Ms. Letourneau reported on the status of HB 231 on bike bed safety, and announced a ride on May 1st. Florida Bicycle Association will be coming to town to give a special award to Dan Moser.

AGENDA ITEM #10 – LEETRAN REPORT

Ms. Bielawska shared a passenger trip report and stated that the March numbers were down by 1% as compared to last year.

AGENDA ITEM #11 – FDOT REPORT

Mr. Harris provided an update on Kids Safety event at Florida Gulf Coast Town Center, and also reported on hotel key cards with FDOT logo, and

AGENDA ITEM #12 – ANNOUNCEMENTS

None

AGENDA ITEM #13 – INFORMATION AND DISTRIBUTION ITEMS

None.

**MOTION BY MR. TESORO TO ADJOURN THE APRIL 21ST BPC
MEETING. SECONDED BY MS. HAGEN. MOTION CARRIED
UNANIMOUSLY.**

The meeting adjourned at 12:00 Noon.

DISCUSSION ON THE COST INCREASE FOR THE SR 80 SHARED USE PATH PROJECT

RECOMMENDED ITEM: Provide input and staff direction on the implementation of the SR 80 Shared Use Path Project from Shoreland Boulevard to Buckingham Road, considering that construction costs have now jumped from \$1.56 Million to \$3.35 Million.

At the 8/26/2014 BPCC meeting, the FDOT Project Manager for the SR 80 Shared Use Path (North Side) from Shoreland Boulevard to Buckingham Road had informed the committee that the construction cost would go up due to drainage and permitting issues. The committee had then instructed FDOT to stage the construction based on money in available budget, and for MPO staff to bring back the balance of the project for the committee's consideration in the future. At the 1/28/2015 meeting, staff reported there was funding shortfall in the Leeland Heights Boulevard Sidewalk project as well, and that both projects were scheduled for construction in FY 2016. The committee instructed staff to use funds from the SR 80 project to meet the shortfall in the Leeland Heights Boulevard Sidewalk and stage the construction of the shared use path with the remaining dollars giving priority to segments with the highest pedestrian activity. Accordingly, staff asked FDOT to transfer \$800,000 from the SR 80 project to the Leeland Heights project.

FDOT has now informed us that the revised cost estimate for the Shared Use Path is now \$3.35 million (**Attachment A**), an increase of \$1.79 million. They have also informed us that the Engineer of Record is analyzing the cost estimate for ways to reduce the costs. The transfer of funds leave only \$760,000 of the original funds to undertake a Phase I construction in FY 2016. Staff is suggesting a Phase II construction of \$1.4 Million to be funded in FY 2018 from the \$2,549,000 in MPO Multi-modal Box funds, and it could be among this year's priorities addressed in the next agenda item. A Phase III construction could be considered in a later year. The 60% Signing and Pavement Marking Plans are available on request to MPO staff.

Staff is seeking input from the committee at the May 26th BPCC meeting.

ATTACHMENT A

(INCLUDES COST ESTIMATE AND CONSTRUCTION FEASIBILITY REPORT)

Design Documentation

SR 80 from Shoreland Drive to Buckingham Road Shared Use Path

Financial Project ID 429823-1-52-01

Prepared for:

Florida Department of Transportation
District One
801 N. Broadway Avenue
Bartow, Florida 33830



Prepared by:

AIM Engineering & Surveying, Inc.
3802 Corporex Park Drive
Suite 225
Tampa, FL 33619
Certificate of Authorization No.3114

May 2015

ENGINEER'S ESTIMATE
FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 1

FINANCIAL PROJECT ID # :	429823-1-52-01
PROJECT DESCRIPTION:	Construction of a ten foot shared use path, drainage, signing and pavement marking, and signal improvements along the north side of State Road 80 from Shoreland Drive to Buckingham Road in Lee County.
PAY ITEM SPEC YEAR:	July 2015
SUBMITTAL TYPE:	Phase II Estimate
COUNTY:	Lee
DATE:	April 30, 2015
ENGINEERING CONSULTANT FIRM:	AIM Engineering & Surveying, Inc.
CONTACT NAME:	Dawn Ratican
PHONE NUMBER:	(813) 627-4144
FILE VERSION:	EE_03-15_Rev22
PAGE NUMBER:	1 of 5

COMPONENT GROUPS

100 - STRUCTURES	<i>NOT USED</i>	
200 - ROADWAY		\$2,449,427.73
300 - SIGNING & PAVEMENT MARKINGS		\$19,414.12
400 - LIGHTING	<i>NOT USED</i>	
500 - SIGNALIZATION		\$84,081.14
550 - ITS	<i>NOT USED</i>	
600 - LANDSCAPE / PERIPHERALS	<i>NOT USED</i>	
700 - UTILITIES	<i>NOT USED</i>	
800 - ARCHITECTURAL	<i>NOT USED</i>	
900 - MASS TRANSIT	<i>NOT USED</i>	
1000 - INVALID & OTHER ITEMS	<i>NOT USED</i>	
COMPONENT SUB-TOTAL		\$2,552,922.99
(102-1) MOT (Maintenance of Traffic)	5%	\$127,646.15
SUB-TOTAL		\$2,680,569.14
(101-1) MOB (Mobilization)	7%	\$187,639.84
SUB-TOTAL		\$2,868,208.98
PU (Project Unknowns)	15%	\$430,231.35
SUB-TOTAL		\$3,298,440.33
(999-25) Initial Contingency (Do Not Bid)		\$50,000.00
PROJECT GRAND TOTAL		\$3,348,440.33

NOTES:

ENGINEER'S ESTIMATE
FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 1

FINANCIAL PROJECT ID:	429823-1-52-01
FILE VERSION:	EE_03-15_Rev22
PAGE NUMBER:	2 of 5

200-Roadway

PAY ITEM #	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL COST
0101 1	MOBILIZATION	LS	1.00		See Summary Sheet
0102 1	MAINTENANCE OF TRAFFIC	LS	1.00		See Summary Sheet
0999 25	INITIAL CONTINGENCY AMOUNT, DO NOT BID	LS	1.00		See Summary Sheet
0102 60	WORK ZONE SIGN	ED	14000	\$0.26	\$3,640.00
0102 99	PORTABLE CHANGEABLE MESSAGE SIGN, TEMPORARY	ED	28	\$12.99	\$363.72
0104 10 3	SEDIMENT BARRIER	LF	20454	\$2.33	\$47,657.82
0104 11	FLOATING TURBIDITY BARRIER	LF	120	\$10.20	\$1,224.00
0104 12	STAKED TURBIDITY BARRIER- NYLON REINFORCED PVC	LF	86	\$3.50	\$301.00
0104 18	INLET PROTECTION SYSTEM	EA	61	\$87.37	\$5,329.57
0107 1	LITTER REMOVAL	AC	368.8	\$18.81	\$6,937.13
0107 2	MOWING	AC	236.7	\$29.64	\$7,015.79
0110 1 1	CLEARING & GRUBBING	LS	1	\$123,346.65	\$123,346.65
0110 4	REMOVAL OF EXISTING CONCRETE PAVEMENT	SY	1011	\$21.46	\$21,696.06
0110 7 1	MAILBOX, F&I SINGLE	EA	21	\$169.97	\$3,569.37
0120 1	REGULAR EXCAVATION	CY	6233	\$4.43	\$27,612.19
0120 6	EMBANKMENT	CY	12578	\$4.83	\$60,751.74
0160 4	TYPE B STABILIZATION	SY	32405	\$2.83	\$91,706.15
0285701	OPTIONAL BASE, BASE GROUP 01	SY	24587	\$9.40	\$231,117.80
0286 1	TURNOUT CONSTRUCTION	SY	6063	\$24.24	\$146,967.12
0327 70 1	MILLING EXIST ASPH PAVT, 1" AVG DEPTH	SY	3103	\$1.71	\$5,306.13
0334 1 12	SUPERPAVE ASPHALTIC CONC, TRAFFIC B	TN	1731.2	\$82.16	\$142,235.39
0339 1	MISCELLANEOUS ASPHALT PAVEMENT	TN	23.1	\$164.71	\$3,804.80
0400 0 11	CONCRETE CLASS NS, GRAVITY WALL	CY	45.5	\$469.14	\$21,345.87
0400 1 2	CONCRETE CLASS I, ENDWALLS	CY	9.9	\$662.06	\$6,554.39
0415 1 1	REINF STEEL- ROADWAY	LB	1145	\$1.86	\$2,129.70
0425 1541	INLETS, DT BOT, TYPE D, <10'	EA	19	\$2,224.00	\$42,256.00
0425 1581	INLETS, DT BOT, TYPE H, <10'	EA	14	\$5,410.13	\$75,741.82
0425 3 41	JUNCTION BOX, DRAINAGE, P-7, <10'	EA	6	\$13,250.00	\$79,500.00
0425 3 61	JUNCTION BOXES, J-7, <10'	EA	7	\$5,800.00	\$40,600.00
0430174118	PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 18"SD	LF	655	\$62.65	\$41,035.75
0430174124	PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 24"SD	LF	994	\$54.51	\$54,182.94
0430174130	PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 30"SD	LF	230	\$70.64	\$16,247.20
0430174224	PIPE CULVERT, OPTIONAL MATERIAL, OTHER SHAPE - ELLIP/ARCH,	LF	624	\$73.00	\$45,552.00
0430174230	PIPE CULVERT, OPTIONAL MATERIAL, OTHER SHAPE - ELLIP/ARCH,	LF	278	\$85.78	\$23,846.84
0430175112	PIPE CULVERT,OPTIONAL MATERIAL,ROUND, 12"S/CD	LF	10	\$182.63	\$1,826.30
0430175115	PIPE CULVERT,OPTIONAL MATERIAL,ROUND, 15"S/CD	LF	10	\$104.75	\$1,047.50
0430175118	PIPE CULVERT,OPTIONAL MATERIAL,ROUND, 18"S/CD	LF	1183	\$37.28	\$44,102.24
0430175124	PIPE CULVERT,OPTIONAL MATERIAL,ROUND, 24"S/CD	LF	1563	\$52.90	\$82,682.70
0430175130	PIPE CULVERT, OPT MATERIAL, ROUND, 30"S/CD	LF	4600	\$74.89	\$344,494.00
0430175136	PIPE CULVERT, OPT MATERIAL, ROUND, 36"S/CD	LF	14	\$95.49	\$1,336.86
0430175215	PIPE CULVERT,OPTIONAL MATERIAL,OTHER-ELIP/ARCH, 15"S/CD	LF	7	\$89.77	\$628.39
0430175218	PIPE CULVERT,OPTIONAL MATERIAL,OTHER-ELIP/ARCH, 18"S/CD	LF	1397	\$63.72	\$89,016.84
0430175224	PIPE CULVERT,OPTIONAL MATERIAL,OTHER SHAPE-ELIP/ARCH,	LF	450	\$98.13	\$44,158.50
0430175230	PIPE CULVERT, OPT MATERIAL, OTHER SHAPE - ELIP/ARCH,	LF	92	\$97.78	\$8,995.76
0430982125	MITERED END SECTION, OPTIONAL ROUND, 18" CD	EA	4	\$796.92	\$3,187.68
0430982129	MITERED END SECTION, OPTIONAL ROUND, 24" CD	EA	3	\$812.61	\$2,437.83
0430982133	MITERED END SECTION, OPTIONAL ROUND, 30" CD	EA	10	\$3,019.35	\$30,193.50
0430982625	MITERED END SECTION, OPTIONAL - ELLIPTICAL / ARCH, 18" CD	EA	4	\$960.85	\$3,843.40
0430982629	MITERED END SECTION, OPTIONAL - ELLIPTICAL / ARCH, 24" CD	EA	3	\$800.85	\$2,402.55
0430984125	MITERED END SECTION, OPTIONAL ROUND, 18" SD	EA	15	\$841.00	\$12,615.00
200-Roadway			COMPONENT TOTAL		\$2,052,543.99

CONSTRUCTION FEASIBILITY REPORT

POTENTIAL INFRASTRUCTURE PROJECTS 2010



Project Title:	SR 80 – 100' East of Orange River Bridge to SR 31
Scope of Work:	Sidewalk
County (Local Agency):	Lee
LRE Amount:	\$601,793.80 (concrete), \$538,621.47 (asphalt)
Conclusion:	Some sections with issues regarding sidewalk placement due to the location of ditches, landscaping, and utilities within the right-of-way. Other areas appear ideal for constructing 10' sidewalk a safe distance from the roadway while remaining within the right-of-way. Drainage and minor constructability issues anticipated.
Assumptions:	<p>10' concrete or asphalt sidewalk on the north side of SR 80. Multiple bus stops are located along this segment, which currently has no sidewalk.</p> <p>The proposed length of the project is approximately 2.4 miles.</p> <p>Appears existing right of way is adequate to construct proposed sidewalk. Light poles and utility poles exist the length of the project approximately 15' and 40' respectively from the edge of pavement.</p> <p>A few large existing ditches prevent the sidewalk from being constructed at a reasonable cost within the right-of-way for portions of the project. Some of these ditches may be wetlands. If so, this would restrict sidewalk construction in these areas.</p>
Constructability:	<p>Numerous drainage ditches and the current location of landscaping along the project limits prevent the sidewalk from being constructed a safe distance from the roadway with the existing conditions. Fill and drainage improvements would be required to modify these features in order to accommodate the proposed sidewalk.</p> <p>Along other segments, there appears to be ample amount of relatively flat land between the ditch and utility poles. However, there may be necessary safety modifications should the front of sidewalk be constructed close to the ditch along these segments.</p> <p>Guardrail west of Joppa Lane restricts the width of sidewalk along this section. A barrier separating pedestrians from the roadway will be required in this area.</p>
Right-of-way:	Appears the existing right of way is adequate to construct proposed sidewalk in conjunction with the piping at existing ditches within project limits.
Drainage/Permitting:	Drainage/permitting issues are anticipated for this project. Drainage modifications will be required at locations where ditches exist that limit the potential site of the sidewalk. Piping and inlets will likely be required in order to construct the sidewalk a safe distance from the roadway within the right-of-way.



<p>Project Title:</p>	<p>SR 80 – 100' East of Orange River Bridge to SR 31</p>
<p>Project Location Map</p>	<p>Site Photo – Ditch and landscaping</p>
<p>Site Photo – Ditch and bus stop</p>	<p>Site Photo –Landscaping & ditch (possible wetlands)</p>
<p>Site Photo – Area between ditch & utility poles</p>	<p>Site Photo – Guardrail west of Joppa Lane</p>







Project Title:	SR 80 – SR 31 to Cartagena Ave.
Scope of Work:	Sidewalk
County (Local Agency):	Lee
LRE Amount:	\$572,423.05 (concrete), \$513,514.98 (asphalt)
Conclusion:	Numerous sections with issues regarding sidewalk placement due to the location of drainage structures/ditches and landscaping within the right-of-way. Recommend limit sidewalk construction to areas of feasibility.
Assumptions:	<p>10’ concrete or asphalt sidewalk on the north side of SR 80.</p> <p>The proposed length of the project is approximately 2.30 miles.</p> <p>Appears existing right of way is adequate to construct proposed sidewalk. However, numerous drainage structures as well as large existing ditches prevent the sidewalk from being constructed at a reasonable cost within the right of way.</p>
Constructability:	<p>Existing 5’ segments of sidewalk may create tie-in issues with proposed 10’ sidewalk, thus may require widening.</p> <p>Numerous drainage ditches along the project limits prevent the sidewalk from being constructed a safe distance from the roadway with existing conditions. A significant amount of fill and drainage improvements would be required to modify these features in order to accommodate the proposed sidewalk.</p> <p>An existing culvert at a cross drain approximately 20’ from EOP will require safety modifications if the sidewalk cannot be constructed at a safe distance from this drop-off.</p> <p>Current location of landscaping may prevent the feasible placement of the proposed sidewalk and may require relocation. Minor utility coordination and signage relocation may be required as well.</p>
Right-of-way:	<p>Appears the existing right of way is adequate to construct proposed sidewalk in conjunction with the piping at existing ditches within project limits.</p> <p>There may be an issue west of Tropic Avenue where it appears parking for businesses are located within the right-of-way.</p>
Drainage/Permitting:	Drainage/permitting issues are highly anticipated for this project. Drainage modifications will be required at locations where ditches exist. Piping and inlets will likely be required in order to construct the sidewalk a safe distance from the roadway within the right-of-way.



<p>Project Title:</p>	<p>SR 80 – SR 31 to Cartagena Ave.</p>
<p>Project Location Map</p>	<p>Site Photo –Drainage structures and ditch</p>
<p>Site Photo – Existing 5' sidewalk</p>	<p>Site Photo – Drainage structures</p>
<p>Site Photo – Manhole, drainage structures and ditch</p>	<p>Site Photo – Parking possibly located within right-of-way</p>



<p>Project Title:</p>	<p>SR 80 – SR 31 to Cartagena Ave.</p>
	
<p>Site Photo – Large ditch/drainage structures</p>	<p>Site Photo – Large ditch/drainage structures</p>
	
<p>Site Photo – Cross drain approximately 20' from EOP</p>	<p>Site Photo – Signs within construction area</p>

REVIEW AND APPROVAL OF THE LEE MPO MULTI-MODAL BOX FUND PRIORITIES

RECOMMENDED ITEM: Review and recommend MPO approval of the Lee MPO Multi-modal Transportation Enhancement Box fund priorities after taking input on the cost increase to the SR 80 Shared Use Path project from previous item.

Attachment A includes the staff proposed priorities for the Lee MPO Multi-modal Transportation Enhancement Box funds. The available Box funds include \$2,549,387 in FY 2018, and \$3,500,000 in the new fifth year (FY 2021) for implementing traffic operations, bike ped, and transit projects proposed on arterial and collector roads. For such funds we typically assign the highest priorities to projects which have pre-construction phases already funded in FDOT's Work Program, or completed, followed by the top priority from each of the traffic operations, bike ped, and transit priority lists. Accordingly, the top 5 projects in **Attachment A** are as follows:

1. *The construction phase for the SW 20th Avenue Sidewalks from Veterans Parkway to Trafalgar Parkway (the construction was previously funded but dropped out of the Work Program. Design phase has been completed)*
2. *A Phase II Construction of the SR 80 Shared Use Path (Project limits have not been determined. This phase and the overall funding shortfall is explained in the preceding agenda item staff report)*
3. *Signal Timing and Coordination of Traffic Signal Systems (Joint #1 Congestion Management Priority - Traffic Operations)*
4. *Transit Preferential Treatments on US 41 Corridor (Joint #1 Congestion Management Priority - Transit)*
5. *Summerlin Road Shared Use Path (# 1 Ranked Bike Ped Project)*

The top 5 projects are followed by the 15 bike ped projects and 1 traffic operation project (the priority order for the bike ped projects have been assigned consistent with the rankings from staff evaluations using the MPO Bike Ped Evaluation Criteria).

Attachment B includes the bike ped evaluation results in descending order of *Total Project Score* broken down by criteria while **Attachment C** includes the table of raw data used to undertake the evaluation.

LEE MPO MULTIMODAL BOX FUND PRIORITIES

Map Ref. #	Roadway/Project	Road Classification	Limits	Length	Proposed Improvements	Programmed Phase	Next Unfunded Phase	Requested Funds	Local Match	Total Cost	Eval. Score ³	Staff Priority	Notes
A	SW 20th Ave/Nott Rd Sidewalk ¹	Collector	Veterans Pkwy to Trafalgar Pkwy	0.17 Mile	Sidewalk (West Side)	PE	CST	\$ 164,450.00	\$ -	\$ 164,450.00	NA	1	Project dropped out of Work Program; Design complete.
B	SR 80 Shared Use Path	Arterial	TBD	NA	Shared Use Path (North Side)	PE CST Phase I	CST Phase II	\$ 1,400,000.00	\$ -	\$ 1,400,000.00	NA	2	Project funded but funding shortfall requires staging construction to 3 phases. Design under way
C	Signal Timing and Coordination	NA	NA	NA	Signal retiming of traffic signal systems on state highways as needed	NA	Study & Implementation	\$ 150,000.00	\$ -	\$ 150,000.00	NA	3	#1 Congestion Management Priority (Originally Joint #2) ² - TRAFFIC OPS.
D	Transit Preferential Treatments	Arterial	Daniels Pkwy to Colonail Blvd	3.47 Mile	Bus Queue Jump at US 41/College TSP - Daniels to Colonial Special Left Turn Bus Phase	NA	PE + CST	\$ 397,000.00	\$ -	\$ 397,000.00	NA	3	#1 Congestion Management Priority (Originally Joint #2) ² - TRANSIT
E	Summerlin Rd Shared Use Path	Arterial	Lakewood Blvd to Cypress Lake Blvd	1.12 Mile	Shared Use Path (East Side)	NA	PE + CST	\$ 874,222.00	\$ -	\$ 874,222.00	20.18	3	# 1 Ranked Bike/Ped Project
F	SR 80 Shared Use Path	Arterial	Buckingham Rd to Linwood Ave	0.81 Mile	Shared Use Path (both sides)	NA	PE + CST	\$ 1,008,433.00		\$ 1,008,433.00	18.90	6	# 2 Ranked Bike/Ped Project
G	Colonial @ Six Mile Pkwy Intersection Improvements	Arterial	South of Rolfe's Rd to 0.06 Mile west of Six Mile Cypress Pkwy	0.26 Mile	Add a third WB left turn lane on Colonial to SB Six Mile Cypress	NA	PE + CST	\$ 607,950.00	\$ -	\$ 607,950.00	NA	7	# 3 Congestion Management Priority - TRAFFIC OPS.
H	Leonard/Westgate Blvd Shared Use Path	Collector	Sunshine Blvd to Lee Blvd	1.1. Mile	Shared Use Path (Both Sides)	NA	PE + CST	\$ 3,903,530.00		\$ 3,903,530.00	18.16	8	# 3 Ranked Bike/Ped Project
I	Bell Blvd Sidewalk	Collector	Sunrise Blvd to Joel Blvd	5.40 Mile	Sidewalk (Both Sides)	NA	PE + CST	\$ 722,450.00		\$ 722,450.00	17.12	9	# 4 Ranked Bike/Ped Project
J	Marsh Ave Sidewalk	Collector	Michigan Ave to SR 80	0.63 Mile	Sidewalk (West Side)	NA	PE + CST	\$ 915,937.00	\$ 130,848.00	\$ 1,046,785.00	16.48	10	# 5 Ranked Bike/Ped Project
K	Andalusia Blvd Sidewalk	Collector	Pine Island Rd to Diplomat Pkwy	1.53 Mile	Sidewalk (Both Sides)	NA	PE + CST	\$ 722,007.00	\$ 98,456.00	\$ 820,463.00	14.27	11	# 6 Ranked Bike/Ped Project
L	Veterans Pkwy Shared Use Path South	Arterial	SW 10th Ave to Existing SUP west of Skyline	0.29 Mile	Shared Use Path (South Side)	NA	PE + CST	\$ 142,950.00	\$ -	\$ 142,950.00	14.21	12	# 7 Ranked Bike/Ped Project
M	US 41 Sidewalk	Arterial	Tara Blvd to 72.38 N of French Creek Lane	0.74 Mile	8' wide sidewalk (both sides)	NA	PE + CST	\$ 481,000.00	\$ -	\$ 481,000.00	13.53	13	# 8 Ranked Bike/Ped Project
N	Alabama Rd Sidewalk	Arterial	SR 82 to Paddock St	1.84 Mile	Sidewalk (East Side)	NA	PE + CST	\$ 688,014.00	\$ -	\$ 688,014.00	13.53	14	# 9 Ranked Bike/Ped Project
O	Veterans Pkwy Shared Use Path North	Arterial	SW 3rd Place to SW 2nd Court	0.18 Mile	Shared Use Path (North Side)	NA	PE + CST	\$ 158,425.00	\$ -	\$ 158,425.00	13.41	15	# 10 Ranked Bike/Ped Project
p	Trafalgar Elementary and Trafalgar Middle Sidewalk			1.63 Mile		NA	PE + CST	\$ 500,000.00	\$ 189,425.00	\$ 689,425.00	12.77	16	# 11 Ranked Bike/Ped Project
	<i>SW 20th Ave/Nott Rd</i>	<i>Collector</i>	<i>Trafalgar Pkwy to Pine Island Rd</i>	<i>1.00 Mile</i>	<i>Sidewalk (West Side)</i>					\$ -			11.77
	<i>Trafalgar Pkwy</i>	<i>Collector</i>	<i>SW 16th Ct to SW 22nd Pl</i>	<i>0.63 Mile</i>	<i>Sidewalk (Both Side)</i>					\$ -			11.72
Q	Buckingham Rd Bike Lanes	Arterial	Cemetery Rd to SR 80	2.07 Mile	Bike Lane	NA	PE + CST	\$ 852,237.00	\$ -	\$ 852,237.00	12.62	17	# 12 Ranked Bike/Ped Project
R	Skyline Blvd Sidewalk	Collector	Cape Coral Pkwy to El Dorado Pkwy	0.93 Mile	Sidewalk (Both Sides)	NA	PE + CST	\$ 533,913.00	\$ 72,806.00	\$ 606,719.00	12.24	18	# 13 Ranked Bike/Ped Project
S	US 41 Sidewalk	Arterial	72.38 N of French Creek Lane to Charlotte Cty line	1.33 Mile	8' wide sidewalk (East Side)	NA	PE + CST	\$ 432,250.00	\$ -	\$ 432,250.00	11.51	19	# 14 Ranked Bike/Ped Project
T	Averill/Gator Circle Sidewalks			2.22 Mile		NA	PE + CST	\$ 732,998.00	\$ 146,596.00	\$ 879,594.00	10.66	20	# 15 Ranked Bike/Ped Project
	<i>Averill Blvd</i>	<i>Collector</i>	<i>Del Prado Ext to Gator Circle</i>	<i>0.38 Mile</i>	<i>Sidewalk (Both Side)</i>					\$ -			8.52
	<i>Gator Circle</i>	<i>Collector</i>	<i>Averill Blvd to Ramsey Blvd</i>	<i>1.84 Mile</i>	<i>Sidewalk (East side)</i>					\$ -			8.66
U	Gator Circle Sidewalk	Collector	Averill Blvd to Ramsey Blvd	1.84 Mile	Sidewalk (North/West Side)	NA	PE + CST	\$ 677,160.00	\$ 135,432.00	\$ 812,592.00	8.66	20	# 16 Ranked Bike/Ped Project

Notes:

² The #1 Congestion Management priority - Bus Purchase - has been moved out to the STP and State Fund Priority list as a line item

³ See **Attachment B** to look at the detailed bike/ped ranking scores by criteria

NA - Not Applicable

BIKE PED RANKINGS FOR LEE MPO MULTIMODAL BOX FUNDS
(By Descending Order of Total Project Score)

Applicant	Roadway/Project	Road Classification	Limits	Length	Proposed Improvements	Intermodal Connectivity	Connection to Similar Facility	Alternatives to driving alone	Regional Connections	Crash History	AADT	Posted Speed Limit	Residential Access	Employment Access	School Access	Parks Access	Household Units w/out Vehicles	Total Score	
Cape Coral ¹	SW 20th Ave/Nott Rd Sidewalk	Minor Collector	Veterans Pkwy to Trafalgar Pkwy			NOT APPLICABLE													NA
Lee County	Summerlin Rd Shared Use Path	Minor Arterial	Lakewood Blvd to Cypress Lake Blvd	1.12 Mile	Shared Use Path (East Side)	0	2	2	2	1	3	3	1	1.18	2	2	1	20.18	
Lee MPO	SR 80 Shared Use Path	Principal Arterial	Buckingham Rd to Linwood Ave	0.81 Mile	Shared Use Path (both sides)	2	2	3	2	1	2	2	0.5	0.40	2	1	1	18.90	
Lee County	Leonard/Westgate Blvd Shared	Major Collector	Sunshine Blvd to Lee Blvd	1.1. Mile	Shared Use Path (Both Sides)	2	2	3	1	2	2	3	1	1.16	0	0	1	18.16	
Lee County	Bell Blvd Sidewalk	Major Collector	Sunrise Blvd to Joel Blvd	5.40 Mile	Sidewalk (Both Sides)	1	2	2	1	2	1	3	0.5	0.12	2	1.5	1	17.12	
Fort Myers	Marsh Ave Sidewalk	Major Collector	Michigan Ave to SR 80	0.63 Mile	Sidewalk (West Side)	1	2	2	1	3	1	2	1	0.48	2	0	1	16.48	
Cape Coral	Andalusia Blvd Sidewalk	Major Collector	Pine Island Rd to Diplomat Pkwy	1.53 Mile	Sidewalk (Both Sides)	1	2	2	1	2	1	3	1	0.27	0	0	1	14.27	
Lee County	Veterans Pkwy Sidewalk South	Principal Arterial	SW 10th Ave to Existing SUP west of Skyline	0.29 Mile	Shared Use Path (South Side)	0	2	2	2	0	3	3	1	0.21	0	0	1	14.21	
Lee MPO	US 41 Sidewalk	Principal Arterial	Tara Blvd to 72.38 N of French Creek Lane	0.74 Mile	8' wide sidewalk (both sides)	0	2	1	2	1	3	3	0.5	0.03	0	0	1	13.53	
Lee County	Alabama Rd Sidewalk	Minor Arterial	SR 82 to Paddock St	1.84 Mile	Sidewalk (East Side)	1	2	2	1	2	1	3	0.5	0.03	0	0	1	13.53	
Lee County	Veterans Pkwy Sidewalk North	Principal Arterial	SW 3rd Place to SW 2nd Court	0.18 Mile	Shared Use Path (North Side)	0	2	2	2	0	3	3	0.05	0.36	0	0	1	13.41	
	SW 20th Ave and Trafalgar Sidewalk					0	2	1	1	0	1	2	1	0.27	2	1.5	1	12.77	
Cape Coral	<i>SW 20th Ave/Nott Rd</i>	<i>Major Collector</i>	<i>Trafalgar Pkwy to Pine Island Rd</i>	<i>1.00 Mile</i>	<i>Sidewalk (West Side)</i>	0	2	1	1	0	1	2	0.5	0.27	2	1	1	11.77	
	<i>Trafalgar Pkwy</i>	<i>Major Collector</i>	<i>SW 16th Ct to SW 22nd Pl</i>	<i>0.63 Mile</i>	<i>Sidewalk (Both Side)</i>	0	2	1	1	0	1	3	1	0.22	0	1.5	1	11.72	
Lee County	Buckingham Rd Bike Lanes	Minor Arterial	Cemetery Rd to SR 80	2.07 Mile	Bike Lane	1	0	2	1	2	1		0.5	0.62	2	1.5	1	12.62	
Cape Coral	Skyline Blvd Sidewalk	Major Collector	Cape Coral Pkwy to El Dorado Pkwy	0.93 Mile	Sidewalk (Both Sides)	1	2	2	1	0	1	3	1	0.24	0	0	1	12.24	
Lee MPO	US 41 Sidewalk	Principal Arterial	72.38 N of French Creek Lane to Charlotte Ct	1.33 Mile	8' wide sidewalk (East Side)	0	2	1	2	0	2	3	0.5	0.01	0	0	1	11.51	
	Averill/Gator Circle Sidewalks					0	2	1	1	0	1	2	0.5	0.16	2	0	1	10.66	
Cape Coral	<i>Averill Blvd</i>	<i>Major Collector</i>	<i>Del Prado Ext to Gator Circle</i>	<i>0.38 Mile</i>	<i>Sidewalk (Both Side)</i>	0	2	1	1	0	1	2	0.5	0.02	0	0	1	8.52	
	<i>Gator Circle</i>	<i>Minor Collector</i>	<i>Averill Blvd to Ramsey Blvd</i>	<i>1.84 Mile</i>	<i>Sidewalk (East side)</i>	0	0	1	1	0	1	2	0.5	0.16	2	0	1	8.66	
Cape Coral	Gator Circle Sidewalk	Minor Collector	Averill Blvd to Ramsey Blvd	1.84 Mile	Sidewalk (North/West Side)	0	0	1	1	0	1	2	0.5	0.16	2	0	1	8.66	

Notes:
¹ Project was dropped inadvertently from Work Program; Design completed.
 NA Not Applicable

PROJECT EVALUATION CRITERIA

		Criterion	Methodology	Max Score
A	Intermodal Connectivity			9
1	Intermodal Connectivity ¹	Project connects two or more alternative modes	1 point for two different modes; 2 points for connecting three different modes (i.e. walking, biking and transit)	2
2	Connections to similar facility/Closing the gaps ²	Project connects walking and biking facilities	1 point for connecting two dissimilar facilities (e.g. a sidewalk to a bikeway) 2 points for connecting two facilities that serve the same mode (e.g. bikeway to bikeway or sidewalk to sidewalk)	2
3	Alternatives to driving alone ¹	Project expands travel options including walking, biking and public transportation	1 point for each mode (walking, biking, transit) that is addressed by project	3
4	Making regional connections	Project is identified in the Lee-Collier Regional Transportation Network or the Lee County Bicycle MPO and Pedestrian Master Plan	1 point for a project along the Lee-Collier Regional Transportation Network; 1 point for a project identified as a gap in the Lee County Bicycle and Pedestrian Master Plan	2
B	Public, Personal and Traffic Safety			9
5	Safety/Crash History	Project addresses a bicycle or pedestrian safety issue along the project corridor.	1 point if there has been a bicycle crash along the corridor in the last 3 years; 1 point if there has been a pedestrian crash along the corridor in the last 3 years; 1 point if there has been a pedestrian or bicycle fatality along the corridor in the last 3 years	3
6	Traffic Volume	Project provides a needed facility along corridor with higher motor vehicle volumes	< 10,000 AADT: 1 point; 10,000 - 20,000 AADT: 2 points; > 20,000 AADT: 3 points	3
7	Posted Traffic Speed	Project provides a needed facility along corridor with higher motor vehicle speeds	25 mph: 1 point; 26-35 mph: 2 points; 35 + mph: 3 points	3

		Criterion	Methodology	Max Score
C	Environmental, Social and Economic Sustainability			12
8	Residential access	Project serves more densely developed residential areas that are more walkable, bikeable and more transit supportive. (Number of Dwelling Units Per Acre within a ¼ Mile buffer)	< 0.71 (Mean DU/Acre for LC): 0.5 points 0.71 - 2.99: 1.0 point 3 - 3.99: 2.0 points ≥ 4 (Min. Transit Supportive Threshold): 3 points	3
9	Employment access	Project serves more densely development employment centers that are more walkable, bikeable and more transit supportive. (Number of Employees within a ¼ Mile buffer)	¼ point for every 300 employees for a maximum of 2 points	2
10	School Access	Project is within close proximity to a school	Within 1/4 mile: 2 points Within 1/2 mile: 1 point	2
11	Parks access	Project is within close proximity to a regional or community park	Regional Park Within 1/4 mile: 2 points Within 1/2 mile: 1.5 points Community Park Within ¼ Mile: 1.5 points Within ½ Mile: 1 point	2
12	Household Units without vehicles	Projects meet needs of communities that rely on walking, biking and transit out of need.	<5 % households without vehicles: 1 point 5-14.9% households without vehicles: 1.5 points 15-24.9% households without vehicles: 2 points 25-39.9% households without vehicles: 2.5 points ≥40% households without vehicles: 3 points	3

Notes:

¹Transit mode would be credited if there is a bus stop on an intersecting street within ¼ mile from where the project terminates

²The project must connect to a similar facility on the same side of the street or a similar facility on an intersecting street

Bike Ped Raw Data for Evaluations

Applicant	Roadway	Limits	Residential Access			Number of Employees (Totaled SIC)	Traffic Volume	Posted Traffic Speed	Safety/Crash History			% of Household Units W/Out Vehicles
			Acreage	Household Units	Units per Acre (Units div. by acre)				Bike Crash	Ped Crash	Bike Ped Fatality	
Cape Coral ¹	SW 20th Ave/Nott Rd	Veterans Pkwy to Trafalgar Pkwy	Not Applicable									
Cape Coral	Andalusia Blvd	Pine Island Rd to Diplomat Pkwy	621.04	704	1.13	327	8,900 - 2013	45	1	1	0	0.45
Lee County	Summerlin Rd	Lakewood Blvd to Cypress Lake Blvd	490.5	954	1.94	1413	22,197 - 2013	45	0	1	0	1.08
Fort Myers	Marsh Ave	SR 80 to Michigan Ave	331.54	1002	3.02	322	2,900 - 2013	30	1	5	1	4.79
Lee MPO	SR 80	Buckingham Rd to Linwood Ave	463.48	208	0.45	479	17,800 - 2013	45-55	1	6	1	0.03
Lee County	Bell Blvd	Sunrise Blvd to Leeland Heights	480.97	358	0.74	149	2,100 - 2013	35-55	0	2	0	1.77
Lee County	Leonard/Westgate Blvd	Sunshine Blvd to Lee Blvd	1850.11	2253	1.22	1387	10,800 - 2013	40-55	2	2	0	1.53
Lee MPO	US 41	Tara Blvd to 72.38 N of French Creek Lane	361.67	112	0.31	33	26,500 - 2013	55	0	1	0	0.31
Lee County	Veterans Pkwy	SW 10th Ave to Existing shared use path west of Skyline	157.94	138	0.87	252	45,800 - 2013	0	0	0	0	0.29
Lee County	Veterans Pkwy	SW 3rd Place to SW 2nd Court	166.78	23	0.14	427	45,800 - 2013	0	0	0	0	0.29
Lee County	Buckingham Rd	Cemetery Rd to SR 80	1016.2	387	0.38	747	8,800 - 2013	50	1	1	0	1.07
Cape Coral	SW 20 th Ave/Nott Rd	Trafalgar Pkwy to Pine Island Rd	451.21	300	0.66	324	1,600 - 2013	30	0	0	0	0.38
	Trafalgar Pkwy	SW 16th Ct to SW 22nd Pl	327.84	288	0.88	259	3,200 - 2013	45	0	0	0	0.38
Cape Coral	Averill Blvd	Del Prado Ext to Gator Circle	271.13	146	0.54	20	4,900 - 2013	35	0	0	0	0.39
	Gator Circle	Averill Blvd to Ramsey Blvd	716.76	395	0.55	193	2,300 - 2011	35	0	0	0	0.39
Cape Coral	Gator Circle	Averill Blvd to Ramsey	711.52	401	0.56	193	2,300 - 2011	35	0	0	0	0.39
Cape Coral	Skyline Blvd	Cape Coral Pkwy to El Dorado Pkwy	421.68	833	1.98	290	5,500 - 2013	45	0	0	0	0.65
Lee MPO	US 41	72.38 N of French Creek Lane to Charlotte Cty line	482.78	171	0.35	15	15,700 - 2013	55	0	0	0	0.31
Lee County	Alabama Rd	SR 82 to Paddock	837.86	490	0.58	33	6,000 - 2013	35-50	1	2	0	0.65

Notes:

¹ Project already in the pipeline with funds committed for design

REVIEW AND APPROVAL OF LEE MPO TA FUND PRIORITIES

RECOMMENDED ITEM: Review and recommend Lee MPO TA fund priorities.

Attachment A includes the staff proposed priorities for the MPO allocated Transportation Alternative (TA) funds. The top priority has been assigned to the construction phase of the Old Store Burnt Store Bike Lane project because the design phase is in the Work Program, with funds committed in FY 2019. The priority order for the remaining 12 projects have been assigned consistent with their rankings from project evaluations based on the MPO Bicycle Pedestrian Evaluation Criteria.

Attachment B includes the Criteria and the evaluation results by descending order of *Total Project Score* broken down by criteria while **Attachment C** includes the raw data for conducting the evaluations.

BIKE PED PRIORITIES FOR LEE MPO TRANSPORTATION ALTERNATIVE FUNDS

Map Ref. #	Roadway/Project	Road Classification	Limits	Length	Proposed Improvements	Programmed Phase	Next Unfunded Phase	Requested Funds	Local Match	Total Cost	Ranking Score ²	Staff Priority
A	Old Burnt Store Rd Bike Lanes ¹	Local Rd	Embers Pkwy to Tropicana Pkwy	1.01 Mile	Bike Lanes	PE	CST	\$ 358,920.00	\$ -	\$ 358,920.00	NA	1
B	Tice Elementary Sidewalk					NA	PE + CST	\$ 380,465.00	\$ -	\$ 380,465.00	14.34	2
	<i>Tice St</i>	<i>Local Rd</i>	<i>New York Dr to Lynnedra Ave</i>	<i>0.18 Mile</i>	<i>Sidewalk (East Side)</i>							
	<i>New York Dr</i>	<i>Local Rd</i>	<i>Glenwood Ave to Pam Beach Blvd</i>	<i>0.26 Mile</i>	<i>Sidewalk (East Side)</i>							
	<i>Waverly Ave</i>	<i>Local Rd</i>	<i>Exstg Sidewalk to Palm Beach Blvd</i>	<i>0.10 Mile</i>	<i>Sidewalk (East Side)</i>							
	<i>Alameda Ave</i>	<i>Local Rd</i>	<i>SR 80 to Shaw Blvd</i>	<i>0.42 Mile</i>	<i>Sidewalk (West Side)</i>							
C	SW 29th Ave Sidewalk	Local Rd	Ceitus Pkwy to SW 3rd Ln	0.46 Mile	Sidewalk (Both Sides)	NA	PE + CST	\$ 141,570.00	\$ 19,305.00	\$ 160,875.00	11.88	3
D	South St Sidewalk	Local Rd	Fowler St to US 41	0.64 Mile	Sidewalk (North Side)	NA	PE + CST	\$ 108,000.00	\$ 8,000.00	\$ 116,000.00	11.77	4
E	Coronado St Sidewalk	Local Rd	Cortez Blvd to US 41	0.5 Mile	Sidewalk (North Side)	NA	PE + CST	\$ 264,232.00	\$ 12,000.00	\$ 276,232.00	11.39	5
F	SW Santa Barbara Place/SW 20th St Sidewalk					NA	PE + CST	\$ 308,080.00	\$ 61,776.00	\$ 369,856.00	11.25	6
	<i>SW Santa Barbara Place</i>	<i>Local Rd</i>	<i>Nicholas Pkwy to SW 20th St</i>	<i>1.19 Mile</i>	<i>Sidewalk (West Side)</i>							
	<i>SW 20th St</i>		<i>SW Santa Barbara Place to Santa Barbara Blvd</i>	<i>0.06 Mile</i>	<i>Sidewalk (North Side)</i>							
G	Edison Park Elementary: Clifford St Sidewalk	Local Rd	Edison Ave to Victoria Ave	0.17 Mile	Sidewalk (Both Sides)	NA	PE + CST	\$ 83,511.00	\$ 10,000.00	\$ 93,511.00	10.69	7
H	SW 26th St/SW 26th Ln Sidewalk					NA	PE + CST	\$ 461,434.00	\$ 62,923.00	\$ 524,357.00	10.63	8
	<i>SW 26th Ln</i>		<i>Santa Barbara Blvd to SW 1st Ave</i>	<i>0.11 Mile</i>	<i>Sidewalk (South Side)</i>							
	<i>SW 26th St</i>		<i>SW 1st Ave to Skyline Ave</i>	<i>0.91 Mile</i>	<i>Sidewalk (Both Sides)</i>							
I	Passaic Av Sidewalk	Local Rd	Cortez Blvd to Canelo Dr	0.17 Mile	Sidewalk (North Side)	NA	PE + CST	\$ 677,160.00	\$ 135,432.00	\$ 812,592.00	10.12	9
J	SW 10th St Sidewalk	Local Rd	Chiquita Blvd to Skyline Blvd	0.96 Mile	Sidewalk (North Side)	NA	PE + CST	\$ 308,880.00	\$ 61,776.00	\$ 370,656.00	10.07	10
K	SW 47th Ter Sidewalk	Local Rd	Santa Barbara Blvd to Pelican Pkwy	0.49 Mile	Sidewalk (Both Sides)	NA	PE + CST	\$ 252,701.00	\$ 34,460.00	\$ 287,161.00	9.79	11
L	Grace Ave Sidewalk	Local Rd	Cortez Blvd to Canelo Blvd	0.17 Mile	Sidewalk (North Side)	NA	PE + CST	\$ 74,527.00	\$ 8,000.00	\$ 82,527.00	9.11	13
M	Harnes Marsh Elementary: 25th St West Sidewalk	Local Rd	Unice Ave North to Sunshine Blvd	0.40 Mile	Sidewalk (North Side)	NA	PE + CST	\$ 250,379.00	\$ -	\$ 250,379.00	7.01	14

Notes:

¹ Project already in the pipeline with funds committed for design in FY 2019

² See **Attachment B** for bike/ped rankings by criteria

BIKE PED RANKINGS FOR LEE MPO TRANSPORTATION ALTERNATIVE FUNDS
(By Descending Order of Total Project Scores)

Applicant	Roadway/Project	Road Classification	Limits	Length	Proposed Improvements	Intermodal Connectivity	Connection to Similar Facility	Alternatives to driving alone	Regional Connections	Crash History	AADT	Posted Speed Limit	Residential Access	Employment Access	School Access	Parks Access	Household Units w/out vehicles	Total Score	
Cape Coral ¹	Old Burnt Store Rd Bike Lanes	Local Rd	Embers Pkwy to Tropicana Pkwy	1.01 Mile	Bike Lanes	NOT APPLICABLE													NA
School District/Lee County	Tice Elementary Sidewalk					1	2	1	1	0	1	2	1	0.34	2	1.5	1.5	14.34	
	<i>Tice St</i>	<i>Local Rd</i>	<i>New York Dr to Lynnedda Ave</i>	<i>0.18 Mile</i>	<i>Sidewalk (East Side)</i>	1	2	1	1	0	1	2	1	0.32	2	1.5	1.5	14.32	
	<i>New York Dr</i>	<i>Local Rd</i>	<i>Glenwood Ave to Pam Beach Blvd</i>	<i>0.26 Mile</i>	<i>Sidewalk (East Side)</i>	1	2	1	0	1	1	2	1	0.22	2	1.5	1.5	14.22	
	<i>Waverly Ave</i>	<i>Local Rd</i>	<i>Exstg Sidewalk to Palm Beach Blvd</i>	<i>0.10 Mile</i>	<i>Sidewalk (East Side)</i>	1	2	1	0	0	1	1	1	0.27	2	1.5	1.5	12.27	
	<i>Alameda Ave</i>	<i>Local Rd</i>	<i>SR 80 to Shaw Blvd</i>	<i>0.42 Mile</i>	<i>Sidewalk (West Side)</i>	1	2	1	0	1	1	1	0.34	2	1	1.5	11.84		
Cape Coral	SW 29th Ave Sidewalk	Local Rd	Ceitus Pkwy to SW 3rd Ln	0.46 Mile	Sidewalk (Both Sides)	1	2	1	0	0	1	2	0.5	0.38	2	0	2	11.88	
Fort Myers	South St Sidewalk	Local Rd	Fowler St to US 41	0.64 Mile	Sidewalk (North Side)	1	2	1	0	1	1	1	1	0.77	2	1	1.5	11.77	
Fort Myers	Coronado St Sidewalk	Local Rd	Cortez Blvd to US 41	0.5 Mile	Sidewalk (North Side)	1	2	1	0	0	1	1	1	0.39	2	1	1	11.39	
Cape Coral	SW Santa Barbara Place/SW 20th St Sidewalk					1	2	1	0	0	1	2	1	0.25	1	0	2	11.25	
	<i>SW Santa Barbara Place</i>	<i>Local Rd</i>	<i>Nicholas Pkwy to SW 20th St</i>	<i>1.19 Mile</i>	<i>Sidewalk (West Side)</i>	0	2	1	0	0	1	2	1	0.25	1	0	2	10.25	
	<i>SW 20th St</i>		<i>SW Santa Barbara Place to Santa Barbara Blvd</i>	<i>0.06 Mile</i>	<i>Sidewalk (North Side)</i>	1	2	1	0	0	1	2	1	0.07	1	0	2	11.07	
School District/Fort Myers	Edison Park Elementary: Clifford St Sidewalk	Local Rd	Edison Ave to Victoria Ave	0.17 Mile	Sidewalk (Both Sides)	0	2	1	0	0	1	1	1	1.19	2	0	1.5	10.69	
Cape Coral	SW 26th St/SW 26th Ln Sidewalk					1	2	1	0	1	1	1	1	0.63	0	0	2	10.63	
	<i>SW 26th Ln</i>		<i>Santa Barbara Blvd to SW 1st Ave</i>	<i>0.11 Mile</i>	<i>Sidewalk (South Side)</i>	1	2	1	0	0	1	1	1	0.91	0	0	2	8.91	
	<i>SW 26th St</i>		<i>SW 1st Ave to Skyline Ave</i>	<i>0.91 Mile</i>	<i>Sidewalk (Both Sides)</i>	0	2	1	0	1	1	1	1	0.63	0	0	2	9.63	
Fort Myers	Passaic Av Sidewalk	Local Rd	Cortez Blvd to Canelo Dr	0.17 Mile	Sidewalk (North Side)	0	0	1	0	0	1	1	2	0.12	2	1	2	10.12	
Cape Coral	SW 10th St Sidewalk	Local Rd	Chiquita Blvd to Skyline Blvd	0.96 Mile	Sidewalk (North Side)	0	2	2	0	0	1	2	1	0.07	0	0	2	10.07	
Cape Coral	SW 47th Ter Sidewalk	Local Rd	Santa Barbara Blvd to Pelican Pkwy	0.49 Mile	Sidewalk (Both Sides)	1	2	1	0	0	1	2	1	0.29	0	0	1.5	9.79	
Fort Myers	Grace Ave Sidewalk	Local Rd	Cortez Blvd to Canelo Blvd	0.17 Mile	Sidewalk (North Side)	0	0	1	0	0	1	1	1	0.11	2	1	2	9.11	
School District/Lee County	Harnes Marsh Elementary: 25th St West Sidewalk	Local Rd	Unice Ave North to Sunshine Blvd	0.40 Mile	Sidewalk (North Side)	0	2	1	0	0	1	1	0.5	0.01	0	0	1.5	7.01	

Notes:

¹ Project already in the pipeline with funds committed for design
NA Not Applicable

PROJECT EVALUATION CRITERIA

		Criterion	Methodology	Max Score
A	Intermodal Connectivity			9
1	Intermodal Connectivity ¹	Project connects two or more alternative modes	1 point for two different modes; 2 points for connecting three different modes (i.e. walking, biking and transit)	2
2	Connections to similar facility/Closing the gaps ²	Project connects walking and biking facilities	1 point for connecting two dissimilar facilities (e.g. a sidewalk to a bikeway) 2 points for connecting two facilities that serve the same mode (e.g. bikeway to bikeway or sidewalk to sidewalk)	2
3	Alternatives to driving alone ¹	Project expands travel options including walking, biking and public transportation	1 point for each mode (walking, biking, transit) that is addressed by project	3
4	Making regional connections	Project is identified in the Lee-Collier Regional Transportation Network or the Lee County Bicycle MPO and Pedestrian Master Plan	1 point for a project along the Lee-Collier Regional Transportation Network; 1 point for a project identified as a gap in the Lee County Bicycle and Pedestrian Master Plan	2
B	Public, Personal and Traffic Safety			9
5	Safety/Crash History	Project addresses a bicycle or pedestrian safety issue along the project corridor.	1 point if there has been a bicycle crash along the corridor in the last 3 years; 1 point if there has been a pedestrian crash along the corridor in the last 3 years; 1 point if there has been a pedestrian or bicycle fatality along the corridor in the last 3 years	3
6	Traffic Volume	Project provides a needed facility along corridor with higher motor vehicle volumes	< 10,000 AADT: 1 point; 10,000 - 20,000 AADT: 2 points; > 20,000 AADT: 3 points	3
7	Posted Traffic Speed	Project provides a needed facility along corridor with higher motor vehicle speeds	25 mph: 1 point; 26-35 mph: 2 points; 35 + mph: 3 points	3

		Criterion	Methodology	Max Score
C	Environmental, Social and Economic Sustainability			12
8	Residential access	Project serves more densely developed residential areas that are more walkable, bikeable and more transit supportive. (Number of Dwelling Units Per Acre within a ¼ Mile buffer)	< 0.71 (Mean DU/Acre for LC): 0.5 points 0.71 - 2.99: 1.0 point 3 - 3.99: 2.0 points ≥ 4 (Min. Transit Supportive Threshold): 3 points	3
9	Employment access	Project serves more densely development employment centers that are more walkable, bikeable and more transit supportive. (Number of Employees within a ¼ Mile buffer)	¼ point for every 300 employees for a maximum of 2 points	2
10	School Access	Project is within close proximity to a school	Within 1/4 mile: 2 points Within 1/2 mile: 1 point	2
11	Parks access	Project is within close proximity to a regional or community park	Regional Park Within 1/4 mile: 2 points Within 1/2 mile: 1.5 points Community Park Within ¼ Mile: 1.5 points Within ½ Mile: 1 point	2
12	Household Units without vehicles	Projects meet needs of communities that rely on walking, biking and transit out of need.	<5 % households without vehicles: 1 point 5-14.9% households without vehicles: 1.5 points 15-24.9% households without vehicles: 2 points 25-39.9% households without vehicles: 2.5 points ≥40% households without vehicles: 3 points	3

Notes:

¹Transit mode would be credited if there is a bus stop on an intersecting street within ¼ mile from where the project terminates

²The project must connect to a similar facility on the same side of the street or a similar facility on an intersecting street

Bike Ped Raw Data for Evaluations

Applicant	Roadway/Project	Project Limits	Residential Access			Employees	Traffic Volume	Posted Traffic Speed	Safety/Crash History			% of Household Units W/Out Vehicles
			Acreage	Household Units	Units per Acre (Units div. by acre)				Bike Crash	Ped Crash	Bike Ped Fatality	
Cape Coral ¹	Old Burnt Store Rd Bike Lanes	Embers Pkwy to Tropicana Pkwy	Not Applicable									
Fort Myers	Coronado St Sidewalk	Cortez Blvd to US 41	285.33	807	2.83	465	NA	25	0	0	0	2.0
Cape Coral	SW 47 th Ter Sidewalk	Santa Barbara Blvd to Pelican Pkwy	287.56	616	2.14	349	NA	30	0	0	0	14.8
Cape Coral	SW 29 th Ave Sidewalk	Ceitus Pkwy to SW 3rd Ln	205.6	96	0.47	453	NA	30	0	0	0	20.6
Lee County	Tice St Sidewalk	<i>New York Dr Lynnedda Ave</i>	185.46	355	1.91	384	NA	30	0	0	0	10.6
	New York Dr Sidewalk	<i>Glenwood Ave to Pam Beach Blvd</i>	208.78	458	2.19	261	NA	25-30	0	1	0	10.6
	Waverly Ave Sidewalk	<i>Exstg Sidewalk to Palm Beach Blvd</i>	152.86	279	1.83	324	NA	25	0	0	0	10.6
	Alameda Ave Sidewalk	<i>SR 80 to Shaw Blvd</i>	263.57	475	1.80	404	NA	25	0	0	0	6.9
Fort Myers	South St Sidewalk	Fowler St to US 41	327.92	743	2.27	922	NA	25	0	1	0	5.8
Fort Myers	Clifford St Sidewalk	Edison Ave to Victoria Ave	209.05	342	1.64	1424	NA	25	0	0	0	6.6
Cape Coral	SW 26 th St/SW 26th Ln Sidewalk	Santa Barbara Blvd to SW 1st Ave	418.44	375	0.90	1096	NA	25	0	0	0	17.8
		SW 1st Ave to Skyline Ave	162.73	179	1.10	753	NA	25	0	1	0	17.8
Lee County	25th St West Sidewalk	Unice Ave North to Sunshine Blvd	255.54	170	0.67	7	NA	25	0	0	0	7.6
Cape Coral	SW Santa Barbara Place Sidewalk	Nicholas Pkwy to SW 20th St	506.68	916	1.81	298	NA	30	1	0	0	17.8
	SW 20th St Sidewalk	SW Santa Barbara Place to Santa Barbara Blvd	145.19	306	2.11	80	NA	30	0	0	0	17.8
Fort Myers	Passaic St Sidewalk	Cortez Blvd to Canelo	180.58	594	3.29	143	NA	25	0	0	0	18.2
Fort Myers	Grace Ave Sidewalk	<i>Cortez Blvd to Canelo</i>	180.54	532	2.95	137	NA	25	0	0	0	18.2
Cape Coral	SW 10th St Sidewalk	Chiquita Blvd to Skyline Blvd	434.19	634	1.46	86	NA	30	0	0	0	24.4

Notes:

¹ Project already in the pipeline with funds committed for design

NA Not Available

STATUS UPDATE ON THE FINAL DESIGN PLANS FOR ESTERO BOULEVARD IMPROVEMENTS

RECOMMENDED ITEM: This is not an action item. LCDOT will provide an update on the ongoing Estero Boulevard improvements

Rob Phelan, the Project Manager for the Estero Boulevard improvements will be at the May 26th BPCC meeting to provide an update on the project, including a presentation of final design plans.

DISCUSSION ON PROPOSED UPCOMING BRIDGE REPLACEMENT PROJECTS

RECOMMENDED ITEM: This is not an action item. The MPO and LCDOT staff will discuss the bridges that have been identified to be replaced as part of CIP and LRTP updates.

There have been questions raised regarding the identification of the prioritization (draft MPO priorities from the TAC and CAC meeting that will be finalized next month) of the Big Carlos Bridge and the bicycle pedestrian facilities that will be included along with the time frame for the project. Much of this is not known at this time as the maintaining agencies for the bridges identified are seeking funding for the projects but staff will give a short overview of the bridges that have been identified in the CIP presentations and from the development of the Long Range Plan. The bridges are as follows:

- *Big Carlos Pass Bridge*
- *Big Hickory Pass Bridge*
- *Little Carlos Pass Bridge*
- *New Pass Bridge*
- *Cape Coral Bridge (westbound span)*
- *Little Pine Island Pass Bridge*
- *SR 80 at Billy's Creek*
- *Old US 41 at the Imperial River*

DISCUSSION ON GABBY'S LAW FOR STUDENT SAFETY

RECOMMENDED ITEM: This is not an action item. The Lee County School District will initiate a discussion on anticipated changes to the Hazardous Walking Conditions criteria and how they may impact local governments and the School District in Lee County.

In April this year, the Florida Legislature passed HB 41. The bill, "Gabby's Law for Student Safety," amends provisions providing for the identifying, inspecting, and correcting hazardous walking conditions on roads where elementary school students walk along or cross in order to get to school. **Attachment A** includes the final bill and **Attachment B** includes the bill analysis by the House of Representatives. The Governor has not yet signed the bill into law.



ENROLLED

CS/CS/CS/HB 41, Engrossed 1

2015 Legislature

1
2 An act relating to hazardous walking conditions;
3 providing a short title; amending s. 1006.23, F.S.;
4 revising criteria that determine a hazardous walking
5 condition for public school students; revising
6 procedures for inspection and identification of
7 hazardous walking conditions; authorizing a district
8 school superintendent to initiate a formal request for
9 correction of a hazardous walking condition;
10 authorizing a district school board to initiate a
11 declaratory judgment proceeding under certain
12 circumstances and providing requirements therefor;
13 requiring a district school board to provide
14 transportation to students who would be subjected to
15 hazardous walking conditions; requiring state or local
16 governmental entities with jurisdiction over a road
17 with a hazardous walking condition to correct the
18 condition within a reasonable period of time;
19 providing requirements for a governmental entity
20 relating to its transportation work program; providing
21 requirements relating to a civil action for damages;
22 providing that certain interlocal agreements that meet
23 specified criteria are not prohibited under this
24 section; amending s. 1012.45, F.S.; providing that a
25 district school board may implement a safe driver
26 toll-free telephone hotline for specified purposes;



ENROLLED

CS/CS/CS/HB 41, Engrossed 1

2015 Legislature

27 | providing an effective date.

28 |

29 | Be It Enacted by the Legislature of the State of Florida:

30 |

31 | Section 1. This act may be cited as "Gabby's Law for
 32 | Student Safety."

33 | Section 2. Section 1006.23, Florida Statutes, is reordered
 34 | and amended to read:

35 | 1006.23 Hazardous walking conditions.—

36 | (1) DEFINITION.—As used in this section, the term
 37 | "student" means any public elementary school student whose grade
 38 | level does not exceed grade 6.

39 | ~~(2) (4) STATE CRITERIA FOR DETERMINING HAZARDOUS WALKING~~
 40 | ~~CONDITIONS.—~~

41 | (a) Walkways parallel to the road.—

42 | 1. It shall be considered a hazardous walking condition
 43 | with respect to any road along which students must walk in order
 44 | to walk to and from school if there is not an area at least 4
 45 | feet wide adjacent to the road, not including drainage ditches,
 46 | sluiceways, swales, or channels, having a surface upon which
 47 | students may walk without being required to walk on the road
 48 | surface. In addition, whenever the road along which students
 49 | must walk is uncurbed and has a posted speed limit of 50 ~~55~~
 50 | miles per hour or greater, the area as described above for
 51 | students to walk upon shall be set off the road by no less than
 52 | 3 feet from the edge of the road.



ENROLLED

CS/CS/CS/HB 41, Engrossed 1

2015 Legislature

53 2. ~~The provisions of~~ Subparagraph 1. does ~~de~~ not apply
 54 when the road along which students must walk:
 55 ~~a. Is in a residential area which has little or no~~
 56 ~~transient traffic;~~
 57 a.b. Is a road on which the volume of traffic is less than
 58 180 vehicles per hour, per direction, during the time students
 59 walk to and from school; or
 60 b.e. Is located in a residential area and has a posted
 61 speed limit of 30 miles per hour or less.
 62 (b) Walkways perpendicular to the road.—It shall be
 63 considered a hazardous walking condition with respect to any
 64 road across which students must walk in order to walk to and
 65 from school if:
 66 1. ~~If~~ The traffic volume on the road exceeds the rate of
 67 360 vehicles per hour, per direction (including all lanes),
 68 during the time students walk to and from school and if the
 69 crossing site is uncontrolled. For purposes of this subsection,
 70 an "uncontrolled crossing site" is an intersection or other
 71 designated crossing site where no crossing guard, traffic
 72 enforcement officer, or stop sign or other traffic control
 73 signal is present during the times students walk to and from
 74 school.
 75 2. ~~If~~ The total traffic volume on the road exceeds 4,000
 76 vehicles per hour through an intersection or other crossing site
 77 controlled by a stop sign or other traffic control signal,
 78 unless crossing guards or other traffic enforcement officers are



ENROLLED

CS/CS/CS/HB 41, Engrossed 1

2015 Legislature

79 | also present during the times students walk to and from school.

80 |

81 | Traffic volume shall be determined by the most current traffic
82 | engineering study conducted by a state or local governmental
83 | agency.

84 | (c) Crossings over the road.—It shall be considered a
85 | hazardous walking condition with respect to any road at any
86 | uncontrolled crossing site which students must walk in order to
87 | walk to and from school if:

88 | 1. The road has a posted speed limit of 50 miles per hour
89 | or greater; or

90 | 2. The road has six lanes or more, not including turn
91 | lanes, regardless of the speed limit.

92 | (3) IDENTIFICATION OF HAZARDOUS CONDITIONS.—

93 | (a) When a request for review is made by ~~to~~ the district
94 | school superintendent with respect to a road over which a state
95 | or local governmental entity has jurisdiction ~~or the district~~
96 | ~~school superintendent's designee~~ concerning a condition
97 | perceived to be hazardous to students in that district who live
98 | within the 2-mile limit and who walk to school, such condition
99 | shall be inspected jointly by a representative of the school
100 | district, ~~and~~ a representative of the state or local
101 | governmental entity with that has jurisdiction over the
102 | perceived hazardous location, and a representative of the
103 | municipal police department for a municipal road, a
104 | representative of the sheriff's office for a county road, or a



ENROLLED

CS/CS/CS/HB 41, Engrossed 1

2015 Legislature

105 representative of the Department of Transportation for a state
106 road. If the jurisdiction is within an area for which there is a
107 metropolitan planning organization, a representative of that
108 organization shall also be included. The governmental
109 representatives shall determine whether the condition
110 constitutes a hazardous walking condition as provided in
111 subsection (2). If the governmental representatives concur that
112 a condition constitutes a hazardous walking condition as
113 provided in subsection (2), the governmental entity with
114 jurisdiction shall report that determination in writing to the
115 district school superintendent, who shall initiate a formal
116 request for correction as provided in subsection (4).

117 (b) If the governmental representatives are unable to
118 reach a consensus, the reasons for lack of consensus shall be
119 reported to the district school superintendent, who shall
120 provide a report and recommendation to the district school
121 board. The district school board may initiate a proceeding under
122 chapter 86 seeking a determination as to whether the condition
123 constitutes a hazardous walking condition as provided in
124 subsection (2) after providing at least 30 days' notice in
125 writing to the state or local governmental entity having
126 jurisdiction over the road of its intent to do so unless, within
127 30 days after such notice is provided, the state or local
128 governmental entity concurs in writing that the condition is a
129 hazardous walking condition as provided in subsection (2) and
130 provides the position statement pursuant to subsection (4). If a



ENROLLED

CS/CS/CS/HB 41, Engrossed 1

2015 Legislature

131 proceeding is initiated under this paragraph, the district
132 school board has the burden of proving such condition by the
133 greater weight of evidence. If the district school board
134 prevails, the district school superintendent shall report the
135 outcome to the Department of Education and initiate a formal
136 request for correction of the hazardous walking condition as
137 provided in subsection (4). ~~The district school superintendent~~
138 ~~or his or her designee and the state or local governmental~~
139 ~~entity or its representative shall then make a final~~
140 ~~determination that is mutually agreed upon regarding whether the~~
141 ~~hazardous condition meets the state criteria pursuant to this~~
142 ~~section. The district school superintendent or his or her~~
143 ~~designee shall report this final determination to the~~
144 ~~Department.~~

145 (4)(2) TRANSPORTATION; CORRECTION OF HAZARDS.-

146 (a) A district school board ~~It is intended that district~~
147 ~~school boards~~ and other governmental entities shall work
148 cooperatively to identify conditions that are hazardous along
149 student walking routes to school, and a district school board
150 shall ~~that district school boards~~ provide transportation to
151 students who would be subjected to such conditions.
152 Additionally, ~~It is further intended that~~ state or local
153 governmental entities with ~~having~~ jurisdiction over a road along
154 which a hazardous walking condition is determined to exist shall
155 correct the condition ~~such hazardous conditions~~ within a
156 reasonable period of time.



ENROLLED

CS/CS/CS/HB 41, Engrossed 1

2015 Legislature

157 (b) Upon a determination pursuant to subsection (3) ~~this~~
158 ~~section~~ that a hazardous walking condition exists ~~is hazardous~~
159 ~~to students~~, the district school superintendent ~~board~~ shall
160 request a position statement with respect to correction of such
161 condition ~~determination~~ from the state or local governmental
162 entity with ~~having~~ jurisdiction over the road. Within 90 days
163 after receiving such request, the state or local governmental
164 entity shall inform the district school superintendent ~~regarding~~
165 whether the entity will include correction of the hazardous
166 walking condition in its next annual 5-year transportation work
167 program ~~hazard will be corrected~~ and, if so, when correction of
168 the condition will be completed. If the hazardous walking
169 condition will not be included in the state or local
170 governmental entity's next annual 5-year transportation work
171 program, the factors justifying such conclusion must be stated
172 in writing to the district school superintendent and the
173 Department of Education ~~regarding a projected completion date~~.

174 (c) State funds shall be allocated for the transportation
175 of students subjected to a hazardous walking condition. However,
176 ~~such hazards, provided that~~ such funding shall cease upon
177 correction of the hazardous walking condition ~~hazard~~ or upon the
178 projected completion date, whichever occurs first.

179 (5) CIVIL ACTION.—In a civil action for damages brought
180 against a governmental entity under s. 768.28, the designation
181 of a hazardous walking condition under this section is not
182 admissible in evidence.



ENROLLED

CS/CS/CS/HB 41, Engrossed 1

2015 Legislature

183 (6) INTERLOCAL AGREEMENTS.—This section does not prohibit
184 a district school board and other governmental entities from
185 entering into an interlocal agreement pursuant to s. 163.31777
186 that addresses the identification and correction of hazardous
187 walking conditions, if such agreement:

188 (a) Implements the Safe Paths to Schools Program as
189 provided in s. 335.066; or

190 (b) Establishes standards for the safety of students
191 walking to school and procedures for identifying and correcting
192 hazardous walking conditions that meet or exceed the standards
193 and procedures provided in subsections (2), (3), and (4).

194 Section 3. Subsection (5) is added to section 1012.45,
195 Florida Statutes, to read:

196 1012.45 School bus drivers; requirements and duties.—

197 (5) Each district school board may implement a safe driver
198 toll-free telephone hotline for motorists or others who observe
199 improper driving or operation by a school bus driver to report
200 such violations to the district school board for investigation
201 and corrective or disciplinary action by the school board.

202 Section 4. This act shall take effect July 1, 2015.

**HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS**

BILL #:	CS/CS/CS/HB 41	FINAL HOUSE FLOOR ACTION:	
SPONSOR(S):	Education Committee; Education Appropriations Subcommittee; Local Government Affairs Subcommittee; Metz and others	113 Y's	0 N's
COMPANION BILLS:	CS/CS/CS/SB 154	GOVERNOR'S ACTION:	Pending

SUMMARY ANALYSIS

CS/CS/CS/HB 41 passed the House on April 16, 2015, and subsequently passed the Senate on April 29, 2015. The bill, "Gabby's Law for Student Safety," amends provisions providing for the identifying, inspecting, and correcting hazardous walking conditions on roads elementary school students walk along or cross in order to walk to school. Currently, the law states the intent is for the condition to be corrected within a reasonable time, but does not require entities with jurisdiction over a road with an identified hazardous walking condition to correct the condition. The bill:

- Requires district school boards and other governmental entities to cooperate to identify hazardous walking conditions;
- Requires the entity with jurisdiction over the road to correct the hazardous condition within a reasonable time;
- Requires the entity with jurisdiction over the road to include correction of a hazardous condition in its next annual 5-year capital improvements program or provide a statement of the factors justifying why a correction is not so included;
- Revises the criteria identifying hazardous walking conditions for walkways parallel to the road;
- Creates a new hazardous walking condition category, "crossings over the road";
- Requires additional parties to participate with the representatives of the school district and entity with jurisdiction over the road in inspecting the walking condition and determining whether it is hazardous;
- Provides the district school board, after notice, may initiate a declaratory judgment proceeding if the local governmental entities cannot agree whether the condition is hazardous;
- Provides a hazardous walking condition determination may not be used as evidence in a civil action for damages against a governmental entity;
- Provides that interlocal agreements may be used to identify and correct hazardous walking conditions; and
- Provides that each district school board may implement a safe driver toll-free telephone hotline to report improper driving or operation by a school bus driver for investigation and correction by the school board.

The bill has an indeterminate fiscal impact on state or local government revenues and expenditures.

Subject to the Governor's veto powers, this bill will become effective on July 1, 2015.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0041z.LGAS.docx

DATE: May 8, 2015

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Current Situation

Generally, school districts do not receive state funding to transport students in grades K-12 living 2 miles or less from the schools they attend.¹ However, state funds must be allocated to transport any public elementary school student whose grade level does not exceed grade 6² and who is subjected to a “hazardous walking condition” until the sooner of correcting the hazard or the projected completion date of correcting the hazard.³ The intent of the law is for district school boards to cooperate with the state or local governmental entities with responsibility for roads to identify and correct hazardous walking conditions within a reasonable period of time.⁴

Hazardous Walking Conditions

Hazardous walking conditions currently are classified according to walkways either parallel or perpendicular to a road along which students must walk to and from school.

For walkways *parallel* to a road, a hazardous walking condition exists if there is less than a 4-foot wide surface for students to walk adjacent to the road.⁵ Not only must the walking surface be at least 4-feet wide, but if the road is uncurbed with a posted speed limit of 55 miles per hour, the walking surface adjacent to the road also must be at least 3-feet from the edge of the road or it will be a hazardous walking condition.⁶

Even if the above criteria are met for walkways *parallel* to the road, a walking condition nevertheless will *not* be considered hazardous if:

- The road is in a residential area with little or no transient traffic;⁷
- The volume of traffic⁸ on the road is less than 180 vehicles per hour, per direction, during the time when students walk to and from school;⁹ or
- The road is located in a residential area with a posted speed limit of 30 miles per hour or less.¹⁰

For walkways *perpendicular* to a road, a hazardous walking condition exists if:

- Traffic volume on the road exceeds the rate of 360 vehicles per hour, per direction, during the time when students walk to and from school *and* the crossing site is uncontrolled, meaning it is an intersection or other designated crossing site where no crossing guard,

¹ Section 1011.68(1), F.S.; rule 6A-3.001(3), F.A.C. (“A reasonable walking distance for any student who is not otherwise eligible for transportation pursuant to Section 1011.68, F.S., is any distance not more than two (2) miles between the home and school or one and one-half (1 1/2) miles between the home and the assigned bus stop.”).

² Section 1006.23(1), F.S.

³ Section 1006.23(1), F.S.; s. 1011.68(1)(e), F.S.

⁴ Section 1006.23(2)(a), F.S. Current law does not define what is a reasonable period of time.

⁵ Section. 1006.23(4)(a)1., F.S.

⁶ *Id.*

⁷ Section 1006.23(4)(a)2.a., F.S.

⁸ “Traffic volume [is] determined by the most current traffic engineering study conducted by a state or local governmental agency.” Section 1006.23(4), F.S.

⁹ Section 1006.23(4)(a)2.b., F.S.

¹⁰ Section 1006.23(4)(a)2.c., F.S.

- traffic enforcement officer, stop sign, or other traffic control signal is present when students walk to and from school;¹¹ or
- Total traffic volume on the road exceeds 4,000 vehicles per hour through an intersection or other crossing site controlled by a stop sign or other traffic control signal *and* no crossing guards or other traffic enforcement officers are present during the time when students walk to and from school.¹²

Inspecting, Determining, & Reporting Hazardous Walking Conditions

Identification of hazardous walking conditions begins when the district school superintendent or the superintendent's designee receives a request to review a condition perceived to be hazardous to students in the district living within the 2-mile radius of a school and who walk to school.¹³

After the request for review is received, the perceived hazardous walking condition is inspected by the district school superintendent, or designee, and the state or local governmental entity with jurisdiction over the road.¹⁴

Current law requires the district school superintendent, or designee, and the governmental entity having jurisdiction over the road, or its representative, to mutually determine whether the walking condition is hazardous to students. The district school superintendent or designee must report to the Department of Education the final determination whether the walking condition is hazardous to students.¹⁵ The statute does not provide a process for resolving a dispute between the district school officials and the government entity with jurisdiction over the subject road as to whether a hazardous walking condition exists.

Correcting Hazardous Walking Conditions

Upon determining that a condition is hazardous to students, the district school board must request the entity having jurisdiction over the road for a determination whether the hazard will be corrected and a projected completion date for any correction.¹⁶ Current law, however, does not require the entity with jurisdiction over the road having a hazardous walking condition to correct the condition.

Effect of Proposed Changes

The bill, named "Gabby's Law for Student Safety," after Gabby Mair, a 12-year-old girl who died after being struck by a car while crossing the road after coming off of her school bus in Volusia County, changes the current law's intent language to make mandatory the cooperation between school districts and governmental entities to identify hazardous walking conditions. The bill requires the governmental entities with jurisdiction over a road with a hazardous walking condition to correct the condition within a reasonable period of time. In addition, the bill expressly requires the district school board to provide transportation to students who would be subjected to a hazardous walking condition.

Hazardous Walking Condition

For walkways *parallel* to a road, the bill:

¹¹ Section 1006.23(4)(b)1., F.S.

¹² Section 1006.23(4)(b)2., F.S.

¹³ Section 1006.23(3), F.S.

¹⁴ Section 1006.23(2), F.S.

¹⁵ Section 1006.23(3), F.S.

¹⁶ Section 1006.23(2)(b), F.S.

- Retains the requirement for an area at least 4 feet wide adjacent to the road upon which students may walk but excludes drainage ditches, sluiceways, swales, or channels, from any calculation of that 4 foot area;
- By changing the posted speed limit from 55 miles per hour to 50 miles per hour or greater, expands the number of uncurbed roads required to have at least a 3 foot buffer from the edge of the road to the required 4 foot area on which students may walk; and
- Removes the exception for roads students walk along in residential areas with little or no transient traffic.

The bill does not change the criteria for hazardous walking conditions for walkways *perpendicular* to the road.

The bill adds a new subsection for “crossings over the road.” Under this subsection any *uncontrolled crossing site*¹⁷ which students must use when walking to and from school will be considered a hazardous walking condition if the road has:

- A posted speed limit of 50 miles per hour or greater; or
- 6 lanes or more, not including turn lanes, regardless of the speed limit.

Inspecting, Determining, & Reporting Hazardous Walking Conditions

Under the bill, inspection of a perceived hazardous walking condition will be initiated by a request for review from the district school superintendent. The alleged hazardous condition must be inspected jointly by:

- A representative of the school district;
- A representative of the state or local governmental entity with jurisdiction over the perceived hazardous location;
- A representative of the municipal police department for a municipal road, a representative of the sheriff’s office of a county road, *or* a representative of the Department of Transportation for a State road; and
- If the jurisdiction is within an area for which there is a metropolitan planning organization, a representative of that organization.

The bill changes the procedure for determining whether a walking condition is hazardous. If all representatives concur the condition constitutes a hazardous walking condition, they must report that determination in writing to the district school superintendent. The district school superintendent then must request a position statement from the state or local governmental entity with jurisdiction over the road regarding correcting the condition.

If the governmental representatives are unable to reach a consensus, then the reasons for lack of consensus must be reported to the district school superintendent, who must provide a report and recommendation to the district school board. The bill does not state who must submit a report to the district school superintendent when the governmental representatives are unable to reach a consensus, which could result in multiple reports, nor does it state what must be included in the report and recommendation.

Declaratory Judgment Action

¹⁷ An uncontrolled crossing site, as stated in the discussion of the present situation, means an intersection or other designated crossing site where no crossing guard, traffic enforcement officer, or stop sign or other traffic control signal is present during the time students walk to and from school. Section 1006.23(4)(b)1., F.S.

Chapter 86, F.S., relates to declaratory judgment actions and provides that a declaratory judgment action may be brought in circuit or county court, depending on the jurisdictional amounts involved, “to declare rights, status, and other equitable or legal relations whether or not further relief is or could be claimed.”¹⁸ The bill provides that if there is no consensus whether the walking condition is hazardous, the district school board may initiate a declaratory judgment action.

The bill also provides that if the district school board prevails in the declaratory action, the district school superintendent is to report the outcome to the Department of Education and initiate a formal request for correction of the hazardous walking condition by requesting from the entity with jurisdiction over the road a position statement regarding correction.

Correcting Hazardous Walking Conditions

The bill revises the process for correcting a hazardous walking condition. Within 90 days after receiving a request to correct the hazardous walking condition, the state or local governmental entity must inform the district school superintendent whether the entity will include correction of the hazardous walking condition in its next annual 5-year capital improvements program and, if so, when the correction will be completed.

If the next annual 5-year capital improvements program will not include correction of the condition, then the governmental entity must state the factors justifying such conclusion in writing to the district school superintendent and the Department of Education. The interaction between this requirement and the bill’s statement that the entity with jurisdiction over the road shall repair the hazardous condition within a reasonable time is unclear.

Evidence in Civil Action

The bill makes the designation of a hazardous walking condition inadmissible as evidence in a civil action for damages against a governmental entity under s. 768.28, F.S.

Interlocal Agreements

The bill allows interlocal agreements to be used to identify and correct hazardous walking conditions as long as the agreement:

- Implements the Safe Paths to Schools Program;¹⁹ or
- Establishes standards for the safety of students walking to school and procedures for identifying and correcting hazardous walking conditions that meet or exceed the standards and procedures established in the bill.

Toll-Free Telephone Hotline

The bill amends s. 1012.45, F.S., to provide that each district school board may implement a safe driver toll-free telephone hotline to report improper driving or operation by a school bus driver for investigation and correction by the school board.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

¹⁸ Section 86.011, F.S.

¹⁹ Section 335.066, F.S.

1. Revenues:

None.

2. Expenditures:

Indeterminate. The bill may increase the costs related to taking necessary corrective action (1) if interpreted as requiring corrective action within a reasonable time period after a walking condition is determined to be hazardous; (2) by creating a new category of road crossing, "crossings over the road"; (3) by applying the hazardous criteria to certain residential neighborhoods formerly excluded by law; and (4) by changing the criteria for determining acceptable walkways and bringing more roads under consideration by expanding the applicable speed limit. The more expansive criteria may result in walking conditions formerly not considered hazardous now being deemed hazardous walking conditions. To the extent that a local governmental entity does correct the condition, it would cover any such costs, which amount cannot be quantified at this time.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

Indeterminate. The bill may increase the costs related to taking necessary corrective action (1) if interpreted as requiring corrective action within a reasonable time period after a walking condition is determined to be hazardous; (2) by creating a new category of road crossing, "crossings over the road"; (3) by applying the hazardous criteria to certain residential neighborhoods formerly excluded by law; and (4) by changing the criteria for determining acceptable walkways and bringing more roads under consideration by expanding the applicable speed limit. The more expansive criteria may result in walking conditions formerly not considered hazardous now being deemed hazardous walking conditions. To the extent that a state entity does correct the condition, it would cover any such costs, which amount cannot be quantified at this time.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill requires correction of hazardous walking conditions within a reasonable period of time. However, because the bill does not set any time frame by which a hazardous walking condition must be corrected nor penalize a state or local governmental entity for failing to correct the condition, it is unlikely that there is an associated fiscal impact.

ANNOUNCEMENTS

1. Lee County Complete Streets Initiative Pre-Construction Open House on Tuesday, May 26th from 6:00 pm to 8:00 pm at the Estero Community Park Recreation Center, 9200 Corkscrew Palms Boulevard, Estero.



LEE COUNTY COMPLETE STREETS INITIATIVE

YOU'RE INVITED

Lee County Complete Streets Initiative Pre-Construction Open House

Tuesday, May 26th
6:00 pm – 8:00 pm

Estero Community Park Recreation Center
9200 Corkscrew Palms Blvd., Estero, FL

Display boards and project representatives
will be available to answer questions.

Tour de Parks Loop

Daniels Parkway (Six Mile Cypress to I-75)	Pathway along south side
Colonial Blvd. (East of Winkler St. to Veronica Shoemaker Rd.)	Pathway along north side
Daniels Parkway (I-75 to Treeline Avenue)	Pathway along south side
Six Mile Cypress (Metro Parkway to Daniels Parkway)	Paved shoulders along south side
Daniels Parkway (Treeline Avenue to Red Sox Stadium)	Pathway along south side

University Loop

Corkscrew Road (Woodlands to Ben Hill Griffin Parkway)	Paved shoulders both sides
Florida Gulf Coast University (South Entrance Road)	Pathway along south side

Bi-County Connector

Constitution Blvd. (US 41 to Constitution Circle)	Sidewalk along south side
Constitution Circle (Iris Constitution Blvd. to Sanibel Blvd.)	Sidewalk along east side
Sanibel Blvd. (Iris Road to Lee Road)	Sidewalk along south side
Lee Road (Sanibel Blvd. to Alico Road)	Sidewalk along east side