



JOINT COLLIER AND LEE METROPOLITAN PLANNING ORGANIZATION MPO BOARD MEETING

Bonita Springs City Hall 9101 Bonita Beach Road Bonita, Florida 34135

> March 20, 2015 9:00 a.m.

All meetings of the Joint Lee County and Collier County MPO are open to the public and citizen input is encouraged. Any person wishing to speak on any scheduled item may do so upon recognition by the Chairperson. 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 County MPO** at (239) 330-2239; or **Ms. Lorraine Lantz at the Collier County MPO** at (239) 252-5779, 48 hours prior to the meeting; if you are hearing or speech impaired, call (800) 955-8770 Voice (800) 955-8771 TDD. Or, email jlimbaugh@leempo.com or LorraineLantz@colliergov.net.

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 that within the MPO's planning process they have been discriminated against because of race, color, religion, sex, age, national origin, disability, or familial status may file a complaint with either the Lee County MPO Title VI Coordinator Johnny Limbaugh at (239) 330-2242 or by writing Mr. Limbaugh at P.O. Box 150045, Cape Coral, Florida 33915-0045 or the Collier MPO Title VI Specialist Lorraine Lantz at (239) 252-8192 or by writing Ms. Lantz at 2885 South Horseshoe Dr., Naples, Florida 34104.

Any person who decides to appeal a decision of this committee will need a record of the proceedings pertaining thereto, and therefore may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

- 1. Call to Order/Roll Call
- 2. Pledge of Allegiance
- 3. Election of a Chairperson
- 4. Public Comments will be taken at each item
- 5. Approval of the Agenda
- 6. Lee MPO Board Item Only (Approval of a Bank Resolution to finalize the Line of Credit for the TIGER Grant Project)
- 7. Action Items
 - A. Review and Approval of the Proposed Joint Transportation Regional Incentive Program (TRIP) Priorities
 - B. Review and Approval of the Proposed Joint Regional Pathway Priority
 - C. Review and Approval of the Proposed Changes to the Southwest Coast Connector

D. Review and Joint Board Input on Transportation Legislative Issues

8. Reports and Presentations (May Require Board Action)

- Presentation and Discussion on the Florida Transportation Plan (FTP)
- B. Presentation on Regional aspect of CR951
- C. Update on the 2040 Long Range Transportation Plans for the Collier MPO and the Lee County MPO
- 9. Florida Department of Transportation
- 10. Transit Update
- 11. Members' Comments
- 12. Information Items
- 13. Adjournment of the Meeting

REVIEW AND APPROVAL OF A RESOLUTION ESTABLISHING THE LINE OF CREDIT FOR THE TIGER GRANT DESIGN BUILD PROJECT

RECOMMENDED ITEM:

Review and approval of a resolution establishing the line of credit for the TIGER grant design build project.

The Lee County MPO previously approved a resolution (attached) authorizing the borrowing of money through a line of credit. The bank has submitted the agreement paperwork to our attorney (he is currently reviewing the agreement) and have requested that a bank formatted resolution be approved by the full Board. We do not have the resolution to include in the agenda packet at the time that this is being sent out but we need to include this in our agenda as the Design Build project has started.

RESOLUTION 14-13

A RESOLUTION OF THE LEE COUNTY METROPOLITAN PLANNING ORGANIZATION AUTHORIZING THE MPO TO BORROW MONEY AND USE LOCAL FUNDS TO PAY THE INTEREST ON THE PROPOSED TIGER PROJECT LINE OF CREDIT

Whereas, the Lee County MPO was awarded \$10,473,900 in TIGER funds for the Lee County Complete Streets Initiative project; and

Whereas, the grant agreement is entered into between the United States Department of Transportation and the Lee County MPO and will be administered by the Federal Highway Administration; and

Whereas, the Lee Metropolitan Planning Organization is an independent legal entity formed by Interlocal Agreement; and

Whereas, as a separate legal entity created by Interlocal Agreement, the Lee County MPO has the authority to borrow money and incur debt consistent with Florida Statutes 163.01 Section 7b; and

Whereas, the TIGER grant is paid on a reimbursement basis, and as such, needs up front funding to run the project until reimbursed;

NOW THEREFORE, BE IT RESOLVED by the Lee County Metropolitan Planning Organization:

That the Lee MPO can establish a line of credit for the TIGER grant project and the interest will be paid with local funds. In addition, the Treasurer and MPO Executive Director are hereby authorized to execute the closing documentation for the line of credit with SunTrust Bank, on behalf of the Lee County MPO Board.

PASSED AND DULY ADOPTED this 21ST day of November 2014.

LEE COUNTY METROPOLITAN PLANNING ORGANIZATION

Vice Mayor Stephen McIntosh, MPO Chairman

Donald Scott, Lee County Executive Director

REVIEW AND APPROVAL OF THE PROPOSED JOINT TRANSPORTATION REGIONAL INCENTIVE PROGRAM (TRIP) PRIORITIES

RECOMMENDED ITEM:

Review and approval of the updated joint TRIP priorities for the Lee and Collier MPO's.

The Lee County and Collier MPO staffs, working with the local jurisdictions, have updated their list of joint TRIP priorities as shown in **Attachment A** for MPO Board consideration. The updated TRIP priorities include the addition of the new fifth year (FY 20/21), updating the project cost estimates, project limits and the funding amounts being requested by the maintaining agencies. The Joint Lee and Collier TAC and CAC, meeting as a Committee of the whole as both Lee County Committee did not achieve a quorum, voted unanimously to approve the priorities.

Proposed 2015 TRIP Priorities for Lee and Collier

Sponsor	Route	From	То	Proposed Improvement	Requested Phase	Total Cost	Requested TRIP Funds	Staff Priority Order	State Funding Level	Fiscal Year	(1) Utilizing or relieveing an SIS Facility	(2) SIS Connectivity	(3) County Enterprise Zones, Rural Area Economic Concern	(4) Corridor Management Techniques	(5) Production Readiness	(6) TRIP Funding Not Received	(7) Job Access and Economic Stimulus	(8) Peformance on Previous TRIP Projects	(9) Overmatch	(10) Public Private- Partnerships	Total Points
2014/2015																					
Lee County	Burnt Store Rd	Diplomat Pkwy	Van Buren Pkwy	2L to 4L	CST			Funded	\$5,228,684	FY 2014/15	3	3	0	3	5	3	4	2	1	0	24
LeeTran	Beach Park & Ride	@ Summerl	in Square	Capital Expenditures	Design/ROW/ CST	\$4,000,000	\$2,000,000	Funded	State = 2,427,000 & Local =2,427,000	by Dec 2015	1	0	0	3	5	0	4	2	3	0	18
Lee County	Estero Blvd	Crescent St	Red Coconut RV	Road Upgrade	CST	\$7,750,000	\$3,875,000	#2			0	0	0	3	5	3	4	2	1	0	18
2015/2016	Logan Blvd.	N. Immokalee Rd	Lee/Collier Co/L	New 2L	CST	\$6,548,013	\$3,274,007	#1			3	0	0	3	5	0	4	2	4	0	
Collier County	Big Carlos Bridge	Bridge Rep		2L	PE	\$3,600,000	\$1,800,000	#1	-	-	0	0	0	3	5	1	4	2	1	8	26
Lee County	Big Gallos Bliuge	впаде кер		22	FC	φ3,000,000	φ1,000,000	#∠	-	-	U	U	U	3			4	2		U	12
2016/2017										-											
Lee County	Burnt Store Road	Tropicana Pkwy	Diplomat Pkwy	2L to 4L	CST	\$5,000,000	\$2,500,000	Funded	\$2,500,000	FY 17 & 18	3	3	0	3	5	2	4	2	1	0	23
Lee County	Estero Blvd	Segment 2		Road Upgrade	CST	\$7,750,000	\$3,875,000	#1			0	0	0	3	5	3	4	2	1	0	18
2017/2018		Golden Gate Main						#1		_	3	3	0	3	5	3	4	2	1	0	24
Collier County	Collier Blvd	Canal	Golden Gate Pkwy	4L to 6L	ROW	\$2,469,440	\$1,234,720	#1	-	-	3	3	0	3	5	3	4	2	I	0	24
Cape Coral		South of Cape Coral Pkwy	North of SR 78	4L to 6L	ROW	\$30,000,000	\$4,000,000	#2	-	-	0	0	0	5	3	6	4	0	3	0	21
LeeTran	Regional Transfer Fa	,		Facility and New Service Route	CST	\$3,000,000	\$1,500,000	#3	-	-	3	0	0	5	1	3	4	2	1	0	19
LeeTran	LeeTran Capital Expe Outs, and pavement r	enditures for Passenger / markings	Amenities, Bus Pull-	Facility	CST	\$1,000,000	\$500,000	Funded	\$1,000,000	FY 17/18	0	0	0	3	5	3	0	2	1	0	14
2018/2019																					
Lee County	Burnt Store Rd	SR 78	Tropicana Pkwy	2L to 4L	CST	\$7,700,000	\$3,850,000	#1	-	-	3	3	0	3	5	0	4	2	1	0	21
Lee County	Estero Blvd	Segment 3	1	Road Upgrade	CST	\$7,750,000	\$3,875,000	#2			0	0	0	3	5	3	4	2	1	0	18
LeeTran		enditures for Passenger ts, and pavement markin		Facility	CST	\$1,000,000	\$500,000	#3	-	-	0	0	0	3	5	3	0	2	1	0	14
2019/2020																					
Collier County	Airport-Pulling Rd (CR 31)	Vanderbilt Beach Rd	Immokalee Rd	4L to 6L	CST	\$12,000,000	\$6,000,000	#1	-	-	1	0	0	3	5	3	4	2	1	0	19
L	(01.31)		1		1			1	1	1	1	1	1	1	I	1	1		1		

2020/2021																			
Lee County	Estero Blvd	Segment 4	Road Upgrade	CST	\$7,750,000	\$3,875,000	#1		0	0	0	3	5	3	4	2	1	0	18

REVIEW AND APPROVAL OF THE PROPOSED JOINT REGIONAL PATHWAY PRIORITY

RECOMMENDED ACTION:

Review and approval of the resubmittal of the Old US 41 regional pathway priority for District One Transportation Alternative Program (TAP) funds.

FDOT District One has informed the MPOs that it will program regional pathway priorities (adopted jointly by MPOs with regional coordination agreements) from the District's allocation of Transportation Alternative Program (TAP) funds during the development of this year's Tentative Work Program. This year, the joint priority project is the resubmittal of the Old US 41 pathway project:

• \$1,662,229 for the design and construction of a 10' wide shared use path on Old 41 from US 41 in Collier County to Bonita Beach Road in Lee County (Project Sponsor: *City of Bonita Springs and Collier County Growth Management Division*)

This project is identified in the Lee-Collier Joint Regional Pathway Network which is consistent with the requirement that before regional projects can be considered for discretionary funding, they need to prioritized and approved by both MPOs.

The Committee is being asked to recommend that the two MPOs jointly endorse the project for FDOT consideration of District One TA – *Any Area* funds during the development of the new Work Program. **Attachment A** includes the MPO responses to FDOT questions from last year regarding the implementation of the pathway. **Attachment B** is the project application.

The Joint Lee and Collier TAC and CAC, meeting as a Committee of the whole as both Lee County Committee did not achieve a quorum, voted unanimously to approve the priorities.

ATTACHMENT A MPO RESPONSE TO FDOT QUESTIONS

Please note that FDOT had asked specific questions about the implementation of this project when the application was submitted last year. The questions and the MPO responses from last year are below, and the answers still hold good this year as well.

FDOT: Old US 41 from Bonita Beach Road to US 41 10' shared use path on west side - How does this fit in with the programmed PD&E Study? Need signatures from those that would be responsible for maintenance in both Lee and Collier. Please address how the project will cross the railroad track. The south end of the project is constrained with guardrail and mid-block crossing Old 41 near the curve would be a safety concern. Please explain your proposed solution for this portion of the shared use path. Need to provide a detailed cost estimate.

MPO RESPONSE:

- PD&E Study is programmed 4 years out and will probably take another 5 years to complete. Construction is not expected to commence until at least another 5 years after that, so 15 to 20 years before we can see any construction on that project. As such it is critical to enhance safety for pedestrians and cyclists on this two lane collector road where high number of crashes have been recorded by building a shared use path.
- MPO staff has obtained appropriate signatures from City of Bonita Springs, and Collier Growth Management Division as the Co-Applicants, the City of Bonita Springs and the Collier County Growth Management Division as Co-Maintaining Agencies. Signatures from representatives of the two MPOs have been also provided. The signed signature pages are attached.
- Detailed cost estimates for the Bonita portion from Bonita Beach Road to Collier County line and the Collier portion from US 41 to Lee County line are individually attached. The total cost estimate for both portions is (\$883,151.17+\$779,077.43) = \$1,662,228.60
- The proposed solution to address constraints at the south end would be a midblock crossing with safety features (Rapid Flashing Beacon and signs) south of Monticello Road where the existing sidewalk on the west side terminates and turns at a right angle towards Old 41. At

this midblock crossing the proposed shared use path on the west side will tie with the existing sidewalk on the east side of the road.

- As part of this project the existing sidewalk on the east side of Old 41 where the proposed shared use path will tie in shall be widened to 10'.
- Regarding the railroad crossing, the City of Bonita Springs has a General Agreement for Public Road Crossings with Seminole Gulf that permits the City to maintain, widen and improve the crossings. Old 41 is listed as one of these crossings under Exhibit "A". See attached. The MPO's proposal is that FDOT build the pathway and stop <u>at the railroad right of way line</u> on either side of the tracks, and the City of Bonita Springs will fill the gap across the railroad tracks on the backs of its Public Crossing Agreement with SGLR, or through a new license agreement between the City and the railroad. If the pathway project is programmed by FDOT in its new Tentative Work Program, the City will commence their construction before or after FDOT does, and fill the pathway gap between the railroad right of way lines. The City will use its own funds to pay for construction and any railroad crossing fee.
- This is a project with widespread support from the respective bike ped committees of the two MPOs as well as public support. There have been a few crashes along this roadway segment and a shared use pathway will enhance safety for cyclists and pedestrians.
- The City will be responsible as to how it will design the pathway at the crossing, and will probably use standard crossing surface.

ATTACHMENT B - PROJECT APPLICATION Project Information

- 1. Project Category (Choose at least one): M/TPO Box Transportation Alternatives Other (If other, please indicate funding source being sought. Note that the applicant is applying for District 1 TA regional enhancement funds
- 2. Project Name (Street Name): Old 41 South: 10 FT Shared Use Path
- 3. Project Limits (From & To) (if not at an intersection, use logical termini): From the Intersection of Old US 41 & Bonita Beach Road to intersection of Old US 41 and US 41 (Tamiami Trail) in Collier County.
- 4. <u>Detailed</u> project description including but not limited to lane width; design rural or curb & gutter; shoulder width, paved or grass; signals; median width, painted, grass or raised, etc.
 - a.Existing Conditions including any construction obstacles (provide labeled and dated pictures): Old 41 south of Bonita Beach Road is a two lane road with no curbline and wide drainage swales on either side of the roadway. There is a 0.36 mile long existing sidewalk on the east side of Old 41 from US 41 to Monticello Road, and further north there is a 0.11 mile long existing sidewalk in the proximity of Collier Center Way, all within Collier County. In the Lee County portion there is a 0.12 mile long existing sidewalk on the west side by Perfomance Way.
 - b.Proposed Improvements (including how you will address any construction obstacles): The applicant proposes to construct a 10FT wide shared use path on the western side of the roadway utilizing 5X8 Box Culvert to cover a northern portion of the ditch in Lee County where ROW is constrained. There are a few other locations with drainage issues/ROW constraints in the Collier County portion where the proposed width of the shared use path may have to be reduced, or other strategies have to be figured out to accommodate a 8 or 10' wide path.

	Planning Study	PD&E	Design (PE)	ROW	Construction	CEI
Cost			\$195,497		\$1,303,315	\$195,497
Estimate						
(Present						
Day Cost)						
Fiscal Year			FY		FY 2018/19	
Funding			2018/19			
Available						
Phase	Not Started	Not Started	Not Started	Not Started	Not Started	Not Started
Status	$ \boxed{30\%} \\ 60\% $	□ 30% □ 60%	☐ 30% ☐ 60%	□ 30% □ 60%	$\square 30\%$ $\square 60\%$	☐ 30% ☐ 60%
	90%	$\square 90\%$	$\square 90\%$	$\square 90\%$	90%	\square 90%
	Complete	Complete	Complete	Complete	Complete	Complete
Free die e	N/A Federal	N/A Federal	N/A Federal	N/A Federal	N/A Federal	□ N/A ▼ Federal
Funding	State		State		State	State
Туре	Local	Local	Local	Local	Local	Local
(Local,						
State or						
Federal)						

5. Cost Estimate by Phase:

6. Date project was endorsed by local jurisdictional board/council. Provide meeting minutes: City of Bonita Springs Budget Workshop: 7/17/12

7. Is the project, as described above, included in the Metropolitan/Transportation Planning Organization's (M/TPO) Financially Feasible Long Range Transportation Plan:

Yes \square No \square N/A If yes, provide page #: If N/A, provide explanation: The bicycle pedestrian facility gap on Old 41 is identified in the Secondary Network of the Lee MPO Bike Ped Master Plan. While the project is not exclusively identified in the Prirotized Needs Plan there is language in the Master Plan on Page 80 which clearly says any facility need identified as part of the Secondary Network Needs Map can be 'bumped' up and included in the Prioritized Needs Plan. *If no, the project cannot be considered at this time.*

- 8. Is the project in the local jurisdictions adopted Capital Improvement Plan: 🗌 Yes 🖂 No If yes, provide a copy.
- 9. Is the applicant LAP certified? 🖾 Yes 🗌 No If yes, is the applicant interested in completing this project via the LAP? The City of Bonita Springs is not LAP certified but Collier County Transportation is. The applicants would like FDOT to manage and complete the project.

Constructability Review: (For items 3-8 provide labeled & dated photos)

- 1. Are there any other projects programmed (local, state or federal) that overlap the project limits? ☐ Yes ⊠ No If yes, provide details, including but not limited to, project scope and schedule.
- 2. Does the applicant have an adopted ADA transition plan? \Box Yes \boxtimes No
- 3. Identify areas within the project limits that will require ADA retrofit.
- 4. Bus Stops/Shelters/Benches: (Number, type, etc.) There is no LeeTran or CAT Bus Route along this route.
- 5. Drainage Structures: (Number of Culverts or Pipes currently in place; type, replace, extend, etc. How do you intend to accommodate existing drainage?) Box Culvert areas where ROW is too narrow to accomodate path and open swale system. Does this project fall within an area covered by a stormwater master plan? ☐ Yes No If yes, provide a copy of the plan.
- 6. Any excavation greater than one foot below land surface? \boxtimes Yes \square No If yes, provide locations.
- 7. Utilities: Xes No If yes, list specific utilities within project limits and any conflicts. BSU Waterlines
- 8. Bridges within project limits: Yes No If yes, can the existing bridge accommodate the proposed improvements? Yes No
- 9. Right-of-way (Existing Width) See letter E under "Required Documentation": 100'
- 10. Additional Right-of-way/Easement Required: Yes No <u>If ves, the project is not eligible at this</u> <u>time.</u> If right-of-way was previously acquired, please provide documentation supporting process consistent with 49 CFR Part 24 was followed.
- 11. Is there a railroad within the project limits: 🛛 Yes 🗌 No <u>If yes, the project cannot be considered.</u>

For items 12-18, if the answer is yes, please provide additional details including the method by which the information was obtained. If the answer is no, please note how this conclusion was drawn. You may want to visit <u>https://etdmpub.fla-etat.org/est/</u> for additional resources.

- 12. Are there any permits required: 🛛 Yes 🗌 No Rail Road and City ROW Permits
- 13. Are there any wetlands within the project limits: \Box Yes \boxtimes No
- 14. Is there any critical habitat within the project limits: \Box Yes \boxtimes No
- 15. Are there any endangered species within the project limits: \Box Yes \boxtimes No
- 16. Is a historic survey required: \Box Yes \boxtimes No
- 17. Is Recreation or 4(f) property within/adjacent to the project limits? \Box Yes \boxtimes No
- 18. Are there any contamination areas within the project limits: \Box Yes \boxtimes No

19. Additional Information: Collier County residents use this corridor heavily to commute to work in Bonta Springs

Required Attachment Checklist:

- A Project Location Map
 - B Dated & Labeled Pictures of the project
 - C Detailed Cost Estimate including pay items
 - D Local Capital Improvement Program (if applicable)
 - E Survey/As-builts/ROW documentation (provide enough detail to show that adequate right-of-way exists for the proposed improvement)
 - F Project Acquisition Process (if applicable)
- G Meeting Minutes (if applicable)

Certification

Name of Applying Agency: City of Bonita Springs and Collier County Growth Management Division Contact Person (Name & Title): Matt Feeney Public Works Director Contact Person: Stacy Revay, Email: matt.feeney@cityofbonitasprings.org Transportation Planning Project Manager Phone: 239-949-6246 Email: StacyRevay@colliergov.com Mailing Address: 9101 Bonita Beach Road Phone: 239 252 5677 Mailing Address: 2800 Bonita Springs, FL 34135 Horseshoe Drive, Naples, FL 34104

Your signature indicates that the information included with this application is accurate.

Signature:

Date:

Signature: Date 2

Name of Maintaining Agency: City of Bonita Springs and Collier County Growth Management Division Contact Person (Name & Title): Matt Feeney, Public Works Director Contact Person: John Vliet, Director of Road Phone: 239 -949-6246 and Maintenance Mailing Address: 9101 Bonita Beach Road Email: JohnVliet@colliergov.net Bonita Springs, FL 34135 Phone: 239 252 8192

2885 South Horseshoe Drive, Naples, FL Your signature indicates your concurrence with the information provided within this application and your agency's willingness to allow this improvement within your right-of-way and enter into the appropriate Local Agency Program (LAP) or maintenance agreement as applicable.

Signature:

Date:

Date 2/10/2015 Signature:

If the project is located within a M/TPO area, a M/TPO representative must fill in the required information

Email: rgogoi@leempo.com Phone: 239 330 2239 Mailing Address: P.O. Box 150045, Cape Coral, FL 33915 Email: LAyer@colliergov.net Phone: 239 252 5884 Mailing Address: 2885 S. Horseshoe Drive Naples, FL 34104

Your signature indicates the MPO has reviewed the application for consistently with all applicable adopted plans as well as program requirements.

Signature:	Date:	Signature:	Date:
For FDOT Use Only:			
Application Complete 🗌 Yes 🛄 No	Project Elig	gible 🗌 Yes 🗌 No	
Implementation Feasible 🗌 Yes 🗌 No	Recommend	d Programming 🗌 Yes 🗌 No	
Liaison			
LAP Coordinator			
Production Staff			
SWAO Director (if applicable)			
Director of Production			

Acronyms

ADA – Americans with Disabilities Act

CEI - Construction Engineering and Inspection

CFR - Code of Federal Regulations

LAP-Local Agency Program

M/TPO - Metropolitan/Transportation Planning Organization

PD&E – Project Development and Environment

PE – Preliminary Engineering

ROW – Right-of-Way

Resources

Project Development and Environment (PD&E) Manual http://www.dot.state.fl.us/emo/pubs/pdeman/pdeman1.shtm

Local Agency Program (LAP) Manual http://www.dot.state.fl.us/projectmanagementoffice/LAP/LAP_TOC.shtm Email: rgogoi@leempo.com Phone: 239 330 2239 Mailing Address: P.O. Box 150045, Cape Coral, FL 33915

Your signature indicates the MPO has reviewed the application for consistently with all applicable adopted plans as well as program requirements.

Signature:

Date: 1/31/2014

For FDOT Use Only:	
Application Complete 🗌 Yes 🗌 No	Project Eligible 🔲 Yes 🗌 No
Implementation Feasible 🗌 Yes 🗌 No	Recommend Programming 🗌 Yes 🗌 No
Liaison	
LAP Coordinator	
Production Staff	
SWAO Director (if applicable)	
Director of Production	

Acronyms

ADA - Americans with Disabilities Act

CEI - Construction Engineering and Inspection

CFR – Code of Federal Regulations

LAP – Local Agency Program

M/TPO – Metropolitan/Transportation Planning Organization

PD&E – Project Development and Environment

PE – Preliminary Engineering

ROW – Right-of-Way

Resources

Project Development and Environment (PD&E) Manual http://www.dot.state.fl.us/emo/pubs/pdeman/pdeman1.shtm

Local Agency Program (LAP) Manual

http://www.dot.state.fl.us/projectmanagementoffice/LAP/LAP_TOC.shtm

APPLICATION FOR REGIONAL TRANSPORTATION ENHANCEMENT PROJECTS

Project Title: Old 41 South : 10 FT Shared Use Path						
Regiona	l Entity	City of Bonita Springs and Collier County Transportation				
Contact	Name:	Matt Feeney				
Phone:	239-9	49-6246				
Project I	Descrip	otion (must include location map):				

From: Bonita Beach Rd To: US 41 in Collier County

Length: <u>2.72 Miles</u> Width: <u>10 Fee</u>t Surface Type: Asphalt

Funding requested: District 1 TMA Funds for Regional Enhancement

Describe the proposed project's existing right of way ownership:

The City of Bonita Springs owns an approximate 100 FT ROW along Old US 41 from the intersection with Bonita Beach Road southward to the Collier County Line, while Collier County owns an approximate 150' ROW south of the Lee/Collier line to Tamiami Trail (US 41).

Describe any proposed right of way acquisition:

None

Describe any completed work phases:

None

Address the proposed projects connectivity items below:

1. Connects two or more existing major activity centers/attractors

Yes, the proposed shared use path will provide bicycle pedestrian access for Collier County residents living off Old 41 to Downtown Bonita with its many attractions and activity centers. Aside from the restaurants, boutiques, and government offices, Downtown Bonita includes the Bonita Springs Community Center, Bonita Springs Old Depot Park by the Seminole Gulf Railroad, and the Bonita Park.

2. Traverses more than one county

Yes the Trail and the proposed shared use path will traverse Lee and Collier counties.

3. Connects to or will connect with the statewide or existing regional trail

Yes, the proposed shared use path is part of the Tamiami Trail Corridor identified in the Florida Greenways & Trails System Plan, and will connect to existing sidewalks on Bonita Beach Road which is also in the Tamiami Trail Corridor and the Estero Bonita Trail Corridor also identified in the Florida Greenways & Trails System Plan. See Map Attachment of Greenways and Trails System Plan.

Address the proposed projects significance items below:

1. Included in the Office of Greenways and Trails regional or statewide systems

Yes, the proposed shared use path is along the Tamiami Trail Corridor which is a regional trail identified in the Office of Greenways and Trails System Plan.

2. Currently designated a regional trail by a regional entity

The Tamiami Trail Corridor along Old 41 is included in the Collier-Lee Bi-County Regional Transportation Network – "Pathways Component" – adopted by both the Lee County and Collier MPOs.

3. Included in the National trail system

<u>No</u>

Address the proposed projects significance item below:

- 1. Provides exposure for users to significant ecological/environmental resources <u>No</u>
- 2. Part of an economic development initiative at county or regional level

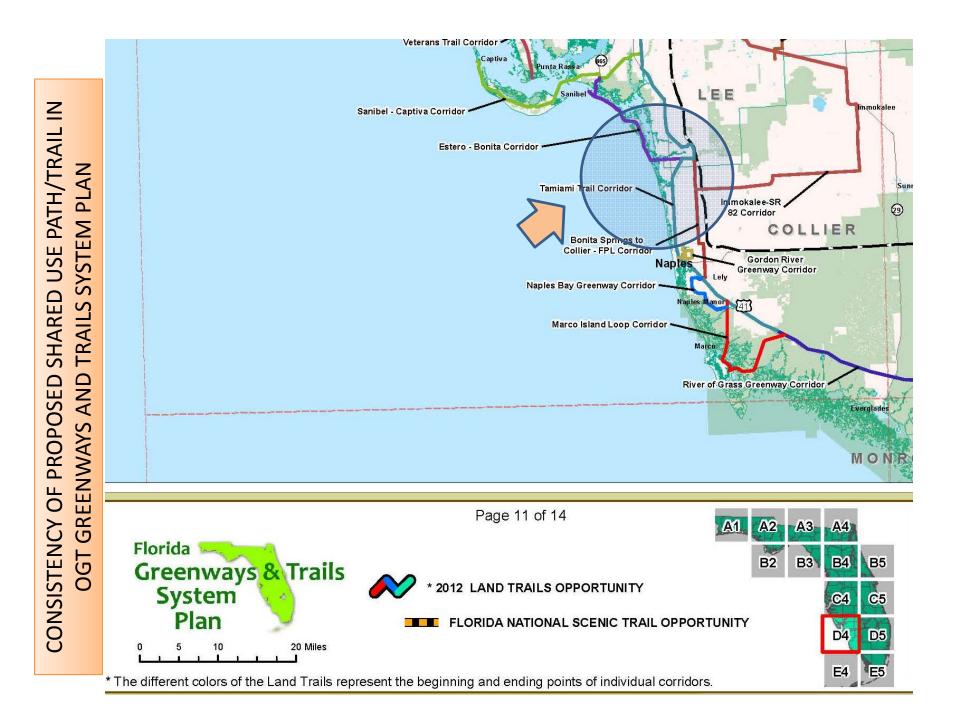
While it is not yet part of a city economic development initiative, construction of the shared used path does have some potential to increase business activity in downtown Bonita as the City continues to develop the downtown.

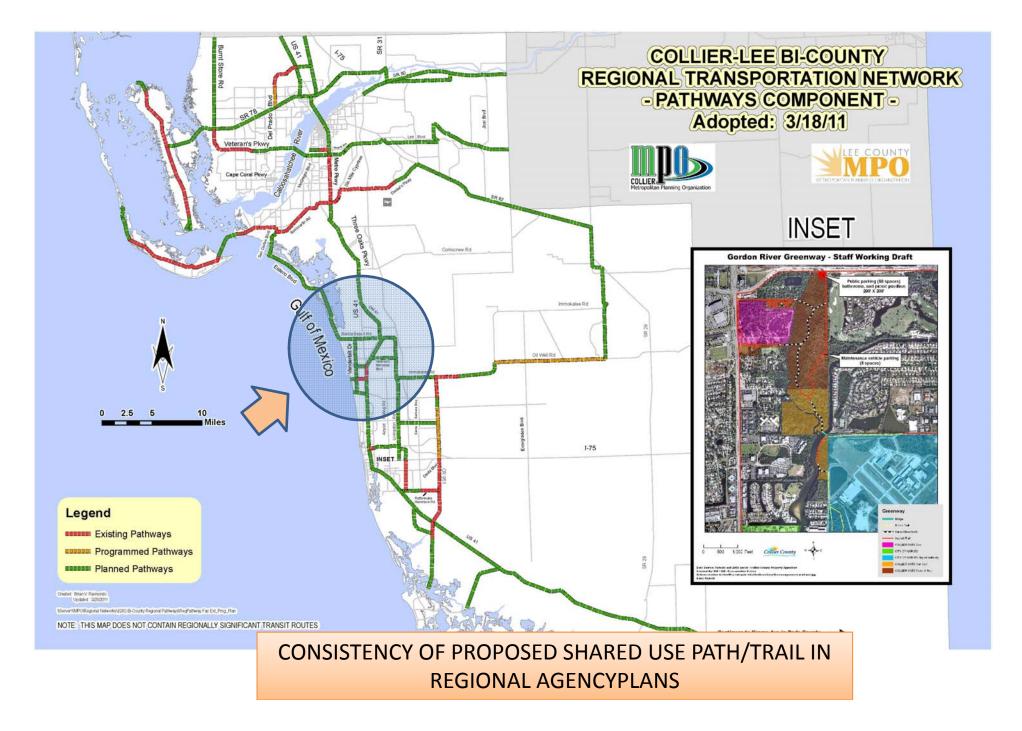
3. Promotes use of non motorized modes of travel for non recreational trips

The pathway is expected to be used for both recreational and utilitarian trips. The facility will enable Collier County residents living off Old 41 to commute to work in Downtown Bonita by walking and cycling. Since the roadway intersects with US 41 in Collier County which has a transit service operated by LeeTran, bicyclists riding from Bonita can commute even longer distances by hopping a ride in a LINC bus and transferring to a Collier Area Transit bus to reach their places of work in Collier County.

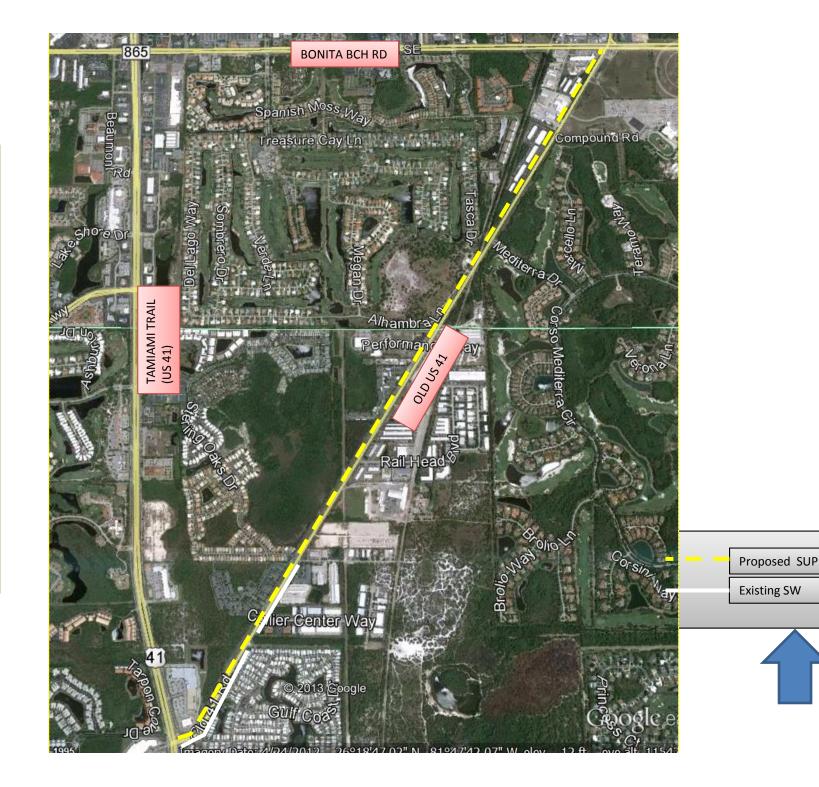
Additional project information:

The Old 41 corridor is already being used heavily by pedestrians and bicyclists. The current road configuration brings pedestrians and bicyclists into danger, as the roadway's shoulder is limited and traffic volumes are high. The shared use path will enable people living in Collier County and Bonita Springs to be able to commute to work along the Old 41 corridor either by walking or biking.





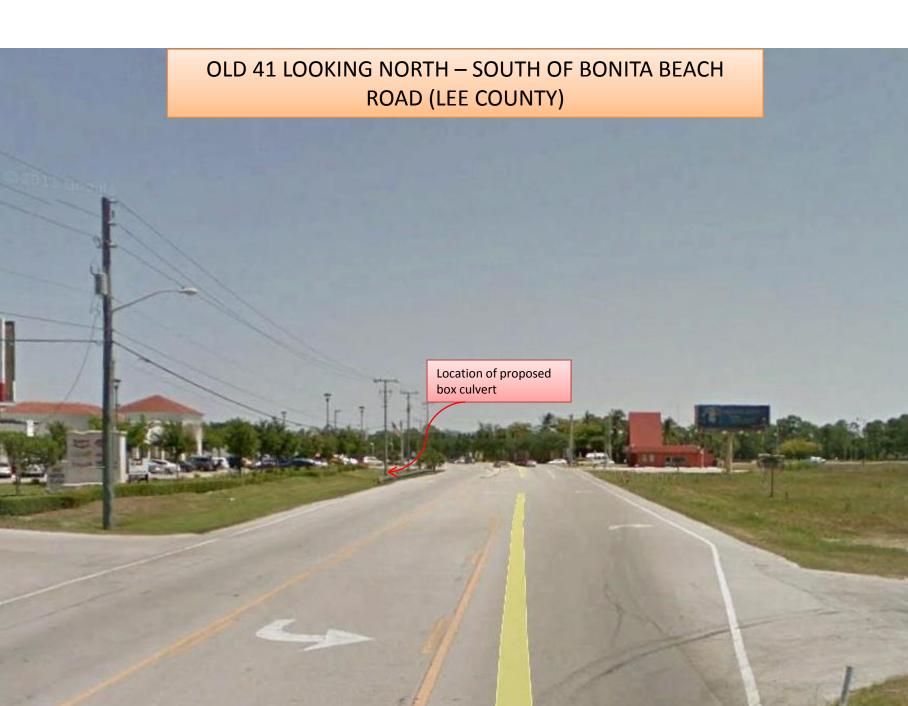
PROJECT LOCATION AND IMPROVEMENTS



BONITA (LEE COUNTY) PORTION OF IMPROVEMENTS



Old 41 Shared Use Path 5 X 8 Box Culvert Old_41_Bike_Path





OLD 41 – NORTH OF NIAGARA LANE (COLLIER COUNTY)







Rural Cross Section	Cost Per LF	CST	МОТ	Mobilization	Subtotal	Scope Contingency (25%)	Total CST Cost	PE Design (15%)	CEI (15%)	Total Project Cost
Add 14,361.6 Ft (2.72 Miles) Shared Use										
Path on south side	\$60	\$861,696	\$86,170	\$94,786.56	\$1,042,652	\$260,663	\$1,303,315	\$195,497	\$195,497	\$1,694,310

COST ESTIMATE FOR SHARED USE PATH ON OLD 41 ROAD FROM US 41(COLLIER COUNTY TO BONITA BEACH ROAD)

REVIEW AND APPROVAL OF THE PROPOSED CHANGES TO THE SOUTHWEST COAST CONNECTOR

RECOMMENDED ACTION:

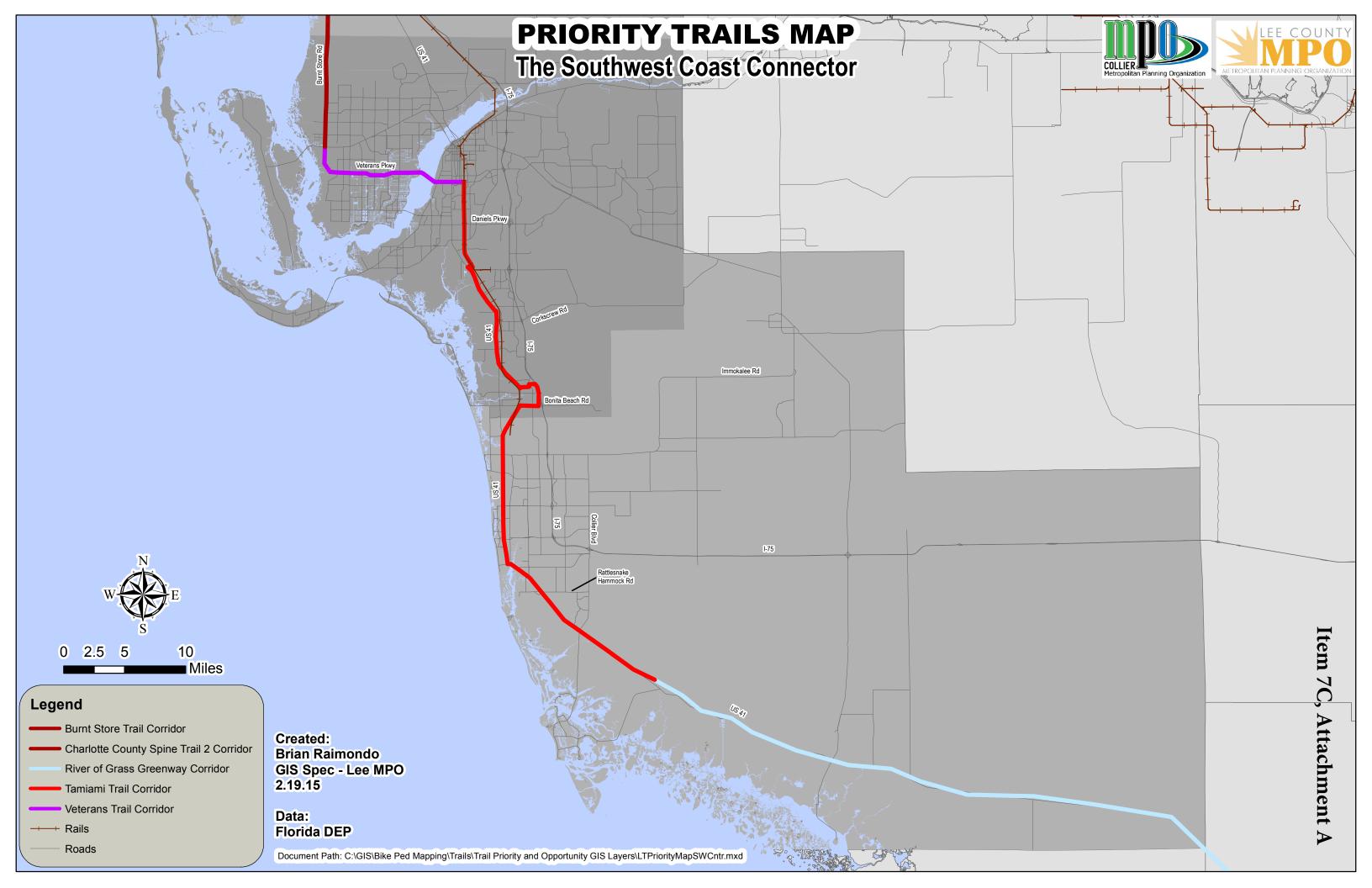
Review and approval of the changes to the Lee and Collier portion of the Southwest Coast Connector identified in the *Priority Trails Map* of the Florida Greenways and Trails System Plan.

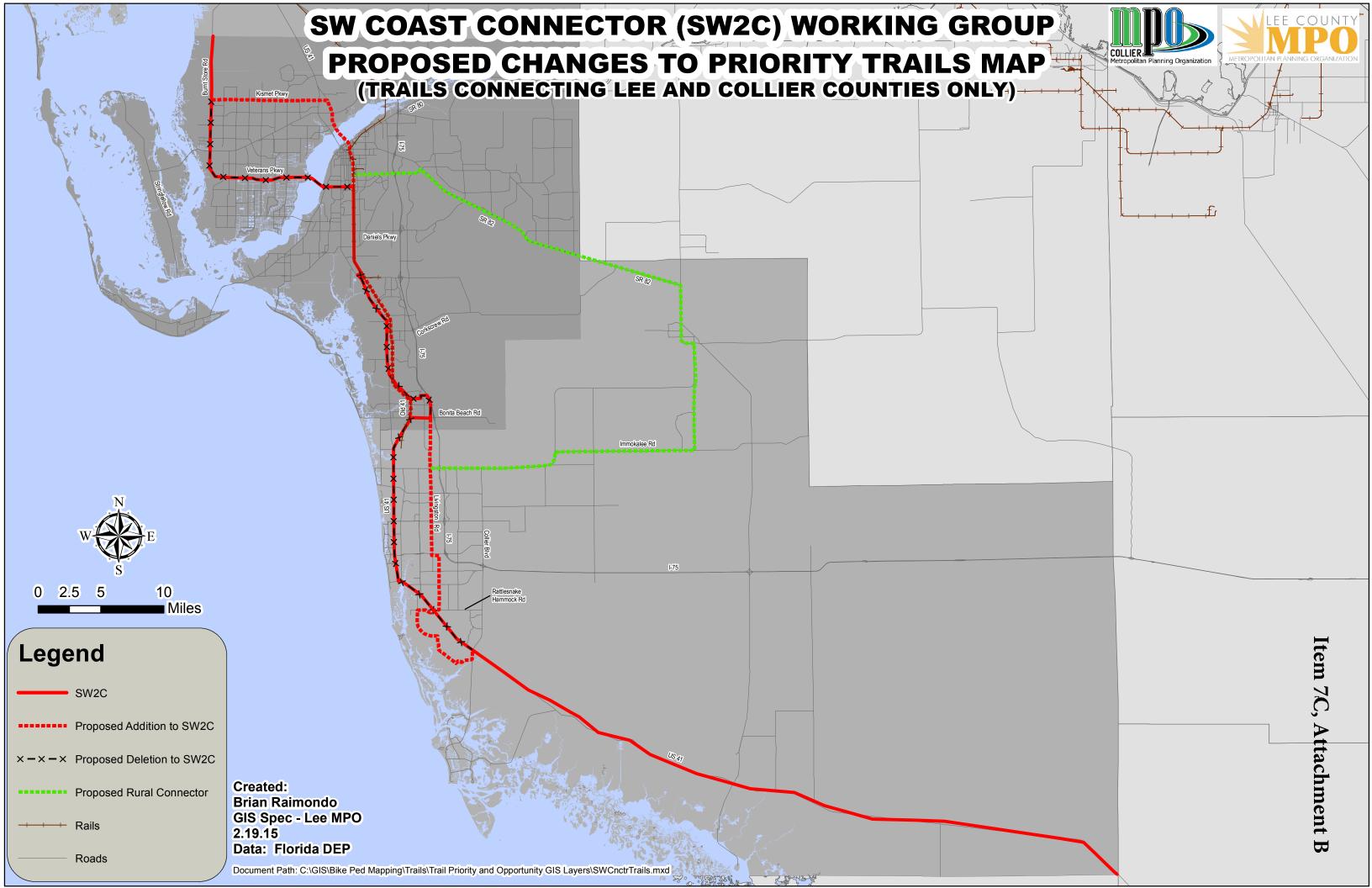
The Lee County and Collier MPO's Southwest Coast Connector (SW2C) Working Group met on January 30th to review and evaluate the Lee and Collier portion of the proposed Southwest Coast Connector identified in the *Priority Trails Map* of the Florida Greenways and Trails System (FGTS) Plan. The *Priority Trails Map* include those high priority trails of statewide and regional significance from the *Land Trails Opportunity Map*. Both maps are part of FGTS Plan.

In addition to the proposed changes to the SW2C, the Working Group also felt that there was a need to include another trail in the Priority Trails Map that connects both counties and that traverses through the rural areas in Collier, Hendry and Lee Counties. This trail, identified in the Lee and Collier Regional Pathways Map, have sections which already have existing or programmed pathways. This new trail, referred to as the Rural Connector, will hook up with the SW2C in both Lee and Collier Counties. The proposal of the Working Group was presented and approved by the Joint Lee and Collier Bicycle Pedestrian Committee meeting on February 27th and the Joint Lee and Collier TAC and CAC meeting on March 10, 2015 (meeting as a Committee of the Whole as the Lee TAC and CAC did not attain a quorum).

The proposed changes will be submitted to the Office of Greenways and Trail (OGT) by April 30th so that they can be considered during the update to the FGTS Plan currently under way.

Attachment A shows the Southwest Coast Connector as currently proposed in the *Priority Trails Map*, and **Attachment B** shows all the changes that were proposed by the SW2C Working Group at its January 30th meeting.





REVIEW AND JOINT MPO BOARD INPUT ON TRANSPORTATION LEGISLATIVE ISSUES

RECOMMENDED ACTION:

Review and provide input on transportation legislative issues that have been identified as potential issues for our communities over the last two weeks.

Several transportation legislative issues have been raised over the last two weeks that staff is bringing to the Joint MPO Board to inform of their potential impact to our region. Several of these issues have not been included in the State Legislative Status Reports (latest one is **attached**) that have been previously provided to the MPO Board members but have been recently raised through our transportation partners. Listed below are the current issues and staff will provide additional information on these items as well as any other updates that come up in the next week at the MPO Board meeting:

 HB 391 and SB 896 Location of Utilities – The proposed legislation (attached) creates a right of reimbursement to a utility if the local government or FDOT requires relocation of the utility for purposes not described in the statute. This legislation also provides the utilities a right of reimbursement for projects conditioned or resulting from projects by another entity. The proposed bill also creates a right of reimbursement for utilities where the utility maintains an existing and valid public or private utility easement; thereby, invalidating existing and future agreements between the local governments/FDOT and the utilities.

The end result of this legislation is a greatly increased cost to the local governments and FDOT to provide transportation improvements in a time of reducing revenues to complete those projects. FDOT's staff analysis of this bill stated that this bill will increase the Department's costs and severely hamper the Department's ability to perform its core function of road building. **Attached** is a resolution from the City of Cape Coral with additional information on this legislation urging the State Legislature to uphold the current Florida Statute providing for payment of expenses caused by the interference of utility facilities with transportation projects.

Staff discussed this issue at the Joint TAC and CAC and both committees (meeting as a committee of the whole) voted unanimously to recommend that the Joint Board oppose this legislation.

SB 1554 FDOT Transportation Bill – This is FDOT's general transportation bill which repeals in statute (s. 20.23(4)(d), F.S.) the Fort Myers DOT urban office's responsibility for developing the five year work plan for Charlotte, Collier, Desoto, Glades, Hendry and Lee Counties (attached is the strike through language). The language being removed also includes the responsibility for providing policy, direction, local government coordination and planning for those counties. The inclusion of this language in statute goes back to the mid 90's when the region was pushing to get more focus on our transportation issues that included discussions about becoming our own FDOT District (the urban office was originally formed back in the mid 80's).

FDOT's staff write up on the language removal states that this is being done to be consistent with the other urban offices in the state (Jacksonville and Orlando) that do not include language in statute. But this gets to the crux of why the language was added to statute and why there were previous discussions about forming a District for this area. The staffing and services provided at the other urban offices are not the same as what we currently have and FDOT added the language to address the issues of those responsibilities and to provide a local representative that was involved in the Executive decisions made in the District as well as being accessible to the local area. Staff is currently researching the history of the Fort Myers urban office and will provide more information at the joint meeting.

The Joint TAC and CAC (meeting as a committee of the whole) discussed this issue and voted unanimously to recommend that the Joint Board oppose this legislation.

Florida MPO Advisory Council State Legislative Status Report February 27, 2015

Num	Title	Enonace	AND THE REPORT OF THE PARTY OF
		Sponsor	
HB 0001 (C: 0192) (S: 0246)	Relating to Texting While Driving Texting While Driving: Revises penalties for violations of Florida Ba violations when committed in school zone or school crossing; remo action by law enforcement agency. Effective Date: October 1, 2015	ves requirement that specified provision	12/19/14 es enhanced penalties for such is be enforced as secondary
	11/19/14 HOUSE Filed		
	12/19/14 HOUSE Referred to Highway & Waterway Safety Subcom Subcommittee; Economic Affairs Committee		elopment Appropriations
10.83 gr	12/19/14 HOUSE Now in Highway & Waterway Safety Subcommitte		
HB 0009	Relating to Use Of Wireless Communications D While Operating a Motor Vehicle	Slosberg	02/25/15
C: 0270)	Use Of Wireless Communications Device While Operating a Motor human being or unborn child while operating motor vehicle & using	Vehicle: Provides that vehicular mansla wireless communications device. Effect	ughter includes causing death of ive Date: October 1, 2015
	11/19/14 HOUSE Filed		
	12/19/14 HOUSE Referred to Criminal Justice Subcommittee; Judic	iary Committee	
	12/19/14 HOUSE Now in Criminal Justice Subcommittee		
	02/04/15 HOUSE On Committee agenda - Criminal Justice Subcom		
	02/11/15 HOUSE Favorable with CS by Criminal Justice Subcommi	ttee; 9 Yeas, 3 Nays	
	02/17/15 HOUSE Committee Substitute Text (C1) Filed		
	02/20/15 HOUSE Reference to Justice Appropriations Subcommitte Judiciary Committee	e added; Remaining references: Justice	e Appropriations Subcommittee;
	02/20/15 HOUSE Now in Justice Appropriations Subcommittee		
	02/25/15 Bill to be Discussed During the Office of EDR's Criminal Ju Taken)	usice impact Conference, 02/27/15, 9:0	0 am, 117 K (No Votes Will Be
		and the second	
IB 0017	Relating to Driving Safety	Slosberg	12/19/14
	Driving Safety: Prohibits use of cellular telephones & other electroni or on school district property. Effective Date: October 1, 2015	Slosberg c communications devices by drivers in	12/19/14 school zone or school crossing
	Driving Safety: Prohibits use of cellular telephones & other electroni or on school district property. Effective Date: October 1, 2015 11/19/14 HOUSE Filed	c communications devices by drivers in	school zone or school crossing
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: 0492)	Driving Safety: Prohibits use of cellular telephones & other electroni or on school district property. Effective Date: October 1, 2015 11/19/14 HOUSE Filed 12/19/14 HOUSE Referred to Highway & Waterway Safety Subcommittee Subcommittee; Economic Affairs Committee 12/19/14 HOUSE Now in Highway & Waterway Safety Subcommittee	c communications devices by drivers in mittee; Transportation & Economic Dev	school zone or school crossing elopment Appropriations
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02/05/15 HOUSE Committee Substitute Text (C1) Filed

02/11/15 HOUSE Reference to Economic Development & Tourism Subcommittee removed; Reference to Local Government Affairs Subcommittee added; Remaining references: Local Government Affairs Subcommittee, Appropriations Committee, State Affairs Committee

02/11/15 HOUSE Now in Local Government Affairs Subcommittee

	02/11/15 HOUSE Now in Local Government Affairs Subcommittee		
SB 0154	Relating to Hazardous Walking Conditions	Hays	02/20/15
(S : 0041)	Hazardous Walking Conditions; Revising criteria that determine a haza school board to correct hazardous walking conditions and provide tran conditions; requiring state or local governmental entities with jurisdictic condition within a reasonable period of time, etc. Effective Date: 7/1/20	ardous walking condition for public sportation to students who would b on over a road with a hazardous wa	school students; requiring a district be subjected to hazardous walking
	11/25/14 SENATE Filed		
	12/17/14 SENATE Referred to Education Pre-K - 12; Community Affair	rs; Appropriations Subcommittee o	n Education; Fiscal Policy
	02/09/15 SENATE On Committee agenda - Education Pre-K - 12, 02/1		
	02/18/15 SENATE Favorable with CS by Education Pre-K - 12; 10 Yea	is, 0 Nays	
	02/20/15 SENATE Committee Substitute Text (C1) Filed		
	02/20/15 SENATE Reference to Fiscal Policy removed; Reference to A Appropriations Subcommittee on Education; Appropriations	Appropriations added; Remaining re	eferences: Community Affairs;
	02/20/15 SENATE Now in Community Affairs		
HB 0191	Relating to Traffic Safety	Slosberg	01/15/15
(C : 0740) (S : 0460)	Traffic Safety: Prohibits use of electronic communications devices by c applications to permit contributions to AAA Foundation for Traffic Safet		
	01/07/15 HOUSE Filed	-	
	01/15/15 HOUSE Referred to Highway & Waterway Safety Subcommit Subcommittee; Economic Affairs Committee 01/15/15 HOUSE Now in Highway & Waterway Safety Subcommittee	tee; Transportation & Economic De	evelopment Appropriations
CD 0400		A 14	04/00/45
SB 0192	Relating to Wireless Communications Devices Wireless Communications Devices; Revising legislative intent to autho	Altman	01/08/15
(C : 0001 0246)	 b) persons who are texting while driving; relating to the enforcement of the etc. Effective Date: 10/1/2015 	e "Florida Ban on Texting While Dr	iving Law" as a secondary action,
	12/17/14 SENATE Filed		
	01/08/15 SENATE Referred to Communications, Energy, and Public U Tourism, and Economic Development; Appropriations	tilities; Transportation; Appropriatic	ons Subcommittee on Transportatio
			and the second se
SB 0194	Relating to Transportation Services Procurement		01/08/15
SB 0194	Relating to Transportation Services Procurement Transportation Services Procurement; Requiring an agency to conside procurement of specified transportation services, etc. Effective Date: 7/	r specified criteria when evaluating	
SB 0194	Relating to Transportation Services Procurement Transportation Services Procurement; Requiring an agency to conside	r specified criteria when evaluating /1/2015	a proposal or reply received for
	Relating to Transportation Services Procurement Transportation Services Procurement; Requiring an agency to conside procurement of specified transportation services, etc. Effective Date: 7/ 12/17/14 SENATE Filed 01/08/15 SENATE Referred to Transportation; Governmental Oversigh	r specified criteria when evaluating /1/2015	a proposal or reply received for
HB 0231	Relating to Transportation Services Procurement Transportation Services Procurement; Requiring an agency to conside procurement of specified transportation services, etc. Effective Date: 7/ 12/17/14 SENATE Filed 01/08/15 SENATE Referred to Transportation; Governmental Oversigh Government; Appropriations	r specified criteria when evaluating (1/2015 at and Accountability; Appropriation Passidomo nerable users of public rights-of-wa ecified infractions contributing to bo rtain instruction; requires driver lice	a proposal or reply received for as Subcommittee on General 01/22/15 by; prohibits assault of bicycle bodily injury of vulnerable users; ense examinations to include test of
HB 0231	Relating to Transportation Services Procurement Transportation Services Procurement; Requiring an agency to conside procurement of specified transportation services, etc. Effective Date: 7/12/17/14 SENATE Filed 01/08/15 SENATE Referred to Transportation; Governmental Oversigh Government; Appropriations Relating to Transportation Transportation: Revises provisions relating to the rights & safety of vulr riders; revises provisions for careless driving; provides penalties for sparequires traffic law & substance abuse education courses to include ce applicant's knowledge of certain traffic laws; requires driver education of Effective Date: July 1, 2015 01/12/15 HOUSE Filed	r specified criteria when evaluating (1/2015 at and Accountability; Appropriation Passidomo nerable users of public rights-of-wa ecified infractions contributing to bo rtain instruction; requires driver lice courses offered by school district to	a proposal or reply received for as Subcommittee on General 01/22/15 by; prohibits assault of bicycle bodily injury of vulnerable users; ense examinations to include test of b include certain information.
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HB 0231 s: 0908)	Relating to Transportation Services Procurement Transportation Services Procurement; Requiring an agency to conside procurement of specified transportation services, etc. Effective Date: 7/ 12/17/14 SENATE Filed 01/08/15 SENATE Referred to Transportation; Governmental Oversigh Government; Appropriations Relating to Transportation Transportation: Revises provisions relating to the rights & safety of vulr riders; revises provisions for careless driving; provides penalties for spir requires traffic law & substance abuse education courses to include ce applicant's knowledge of certain traffic laws; requires driver education of Effective Date: July 1, 2015 01/12/15 HOUSE Filed 01/22/15 HOUSE Referred to Highway & Waterway Safety Subcommittee 01/22/15 HOUSE Now in Highway & Waterway Safety Subcommittee	r specified criteria when evaluating /1/2015 it and Accountability; Appropriation Passidomo nerable users of public rights-of-wa ecified infractions contributing to bo rtain instruction; requires driver lice courses offered by school district to tee; Criminal Justice Subcommittee	a proposal or reply received for as Subcommittee on General 01/22/15 by; prohibits assault of bicycle odily injury of vulnerable users; ense examinations to include test of b include certain information. e; Appropriations Committee;
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HB 0231 s: 0908) SB 0246 c: 0192)	Relating to Transportation Services Procurement Transportation Services Procurement; Requiring an agency to conside procurement of specified transportation services, etc. Effective Date: 7/ 12/17/14 SENATE Filed 01/08/15 SENATE Referred to Transportation; Governmental Oversigh Government; Appropriations Relating to Transportation Transportation: Revises provisions relating to the rights & safety of vulr riders; revises provisions for careless driving; provides penalties for spir requires traffic law & substance abuse education courses to include ce applicant's knowledge of certain traffic laws; requires driver education of Effective Date: July 1, 2015 01/12/15 HOUSE Filed 01/22/15 HOUSE Referred to Highway & Waterway Safety Subcommittee 01/22/15 HOUSE Now in Highway & Waterway Safety Subcommittee	r specified criteria when evaluating (1/2015 at and Accountability; Appropriation Passidomo nerable users of public rights-of-wa ecified infractions contributing to be rtain instruction; requires driver lice courses offered by school district to tee; Criminal Justice Subcommittee Sachs an on Texting While Driving Law to emoving the requirement that speci	a proposal or reply received for as Subcommittee on General 01/22/15 by; prohibits assault of bicycle odily injury of vulnerable users; ense examinations to include test of b include certain information. e; Appropriations Committee; 01/15/15 include enhanced penalties for
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HB 0231 s: 0908) SB 0246 c: 0192) s: 0001) HB 0257	Relating to Transportation Services Procurement Transportation Services Procurement; Requiring an agency to conside procurement of specified transportation services, etc. Effective Date: 7/ 12/17/14 SENATE Filed 01/08/15 SENATE Referred to Transportation; Governmental Oversigh Government; Appropriations Relating to Transportation Transportation: Revises provisions relating to the rights & safety of vuln riders; revises provisions for careless driving; provides penalties for spir requires traffic law & substance abuse education courses to include ce applicant's knowledge of certain traffic laws; requires driver education of Effective Date: July 1, 2015 01/12/15 HOUSE Filed 01/22/15 HOUSE Referred to Highway & Waterway Safety Subcommitte Economic Affairs Committee 01/22/15 HOUSE Now in Highway & Waterway Safety Subcommittee Relating to Texting While Driving Texting While Driving; Revising penalties for violations of the Florida Basuch violations when committed in a school zone or school crossing; resecondary action by a law enforcement agency, etc. Effective Date: 10, 01/07/15 SENATE Filed	r specified criteria when evaluating (1/2015 at and Accountability; Appropriation Passidomo nerable users of public rights-of-wa ecified infractions contributing to bo rtain instruction; requires driver lice courses offered by school district to tee; Criminal Justice Subcommittee Sachs an on Texting While Driving Law to moving the requirement that speci (1/2015 tilities; Transportation; Fiscal Policy Ray guous counties to designate geogra which must include certain informa	a proposal or reply received for as Subcommittee on General 01/22/15 by; prohibits assault of bicycle odily injury of vulnerable users; ense examinations to include test of b include certain information. e; Appropriations Committee; 01/15/15 include enhanced penalties for fied provisions be enforced as a 02/03/15 aphic area or areas within its tion; provides that certain projects
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HB 0231 s: 0908) SB 0246 C: 0192) s: 0001) HB 0257 I: 0956)	Relating to Transportation Services Procurement Transportation Services Procurement; Requiring an agency to conside procurement of specified transportation services, etc. Effective Date: 7/12/17/14 SENATE Filed 01/08/15 SENATE Referred to Transportation; Governmental Oversigh Government; Appropriations Relating to Transportation Transportation: Revises provisions relating to the rights & safety of vulr riders; revises provisions for careless driving; provides penalties for spirequires traffic law & substance abuse education courses to include ce applicant's knowledge of certain traffic laws; requires driver education of Effective Date: July 1, 2015 01/12/15 HOUSE Filed 01/22/15 HOUSE Referred to Highway & Waterway Safety Subcommitte Economic Affairs Committee 01/22/15 HOUSE Referred to Highway & Waterway Safety Subcommittee Relating to Texting While Driving Texting While Driving; Revising penalties for violations of the Florida Basuch violations when committed in a school zone or school crossing; resecondary action by a law enforcement agency, etc. Effective Date: 100 01/07/15 SENATE Filed 01/15/15 SENATE Referred to Communications, Energy, and Public Ut Relating to Freight Logistics zone"; authorizes county or two or more contiging urisdiction as freight logistics zones"; authorizes county or two or more contiging urisdiction as freight logistics zones"; authorizes county or two or more contiging urisdiction as freight logistics zones"; authorizes county or two or more contiging urisdiction as freight logistics zones"; authorizes county or two or more contiging urisdiction as fre	r specified criteria when evaluating (1/2015 at and Accountability; Appropriation Passidomo nerable users of public rights-of-wa ecified infractions contributing to bo rtain instruction; requires driver lice courses offered by school district to tee; Criminal Justice Subcommittee Sachs an on Texting While Driving Law to moving the requirement that speci (1/2015 tilities; Transportation; Fiscal Policy Ray guous counties to designate geogra which must include certain informa & certain incentive programs; prov	a proposal or reply received for as Subcommittee on General 01/22/15 by; prohibits assault of bicycle odily injury of vulnerable users; ense examinations to include test of b include certain information. e; Appropriations Committee; 01/15/15 include enhanced penalties for fied provisions be enforced as a 02/03/15 aphic area or areas within its tion; provides that certain projects ides evaluation criteria for freight
HB 0231 s: 0908) SB 0246 C: 0192) s: 0001) HB 0257 I: 0956)	Relating to Transportation Services Procurement Transportation Services Procurement; Requiring an agency to conside procurement of specified transportation services, etc. Effective Date: 7/12/17/14 SENATE Filed 01/08/15 SENATE Referred to Transportation; Governmental Oversigh Government; Appropriations Relating to Transportation Transportation: Revises provisions relating to the rights & safety of vulr riders; revises provisions for careless driving; provides penalties for spirequires traffic law & substance abuse education courses to include ce applicant's knowledge of certain traffic laws; requires driver education of Effective Date: July 1, 2015 01/12/15 HOUSE Filed 01/22/15 HOUSE Referred to Highway & Waterway Safety Subcommitte Economic Affairs Committee 01/22/15 HOUSE Referred to Highway & Waterway Safety Subcommittee Relating to Texting While Driving Texting While Driving; Revising penalties for violations of the Florida Basuch violations when committed in a school zone or school crossing; resecondary action by a law enforcement agency, etc. Effective Date: 10, 01/07/15 SENATE Filed 01/15/15 SENATE Referred to Communications, Energy, and Public Utters Secondary action as freight logistics zone; authorizes county or two or more contig jurisdiction as freight logistics zone; authorizes county or two or more contig jurisdiction as freight logistics zone; requires adoption of strategic plan within freight logistics zones may be eligible for priority in state funding logistics zones. Effective Date: July 1, 2015 01/12/15 HOUSE Filed 01/22/15 HOUSE Referred to Transportation & Ports Subcommittee; T	r specified criteria when evaluating (1/2015 at and Accountability; Appropriation Passidomo herable users of public rights-of-wa ecified infractions contributing to bo rtain instruction; requires driver lice courses offered by school district to tee; Criminal Justice Subcommittee Sachs an on Texting While Driving Law to moving the requirement that speci (1/2015 tilities; Transportation; Fiscal Policy Ray guous counties to designate geogra which must include certain informa & certain incentive programs; prov ransportation & Economic Develop	a proposal or reply received for as Subcommittee on General 01/22/15 by; prohibits assault of bicycle odily injury of vulnerable users; ense examinations to include test of b include certain information. e; Appropriations Committee; 01/15/15 include enhanced penalties for fied provisions be enforced as a / 02/03/15 aphic area or areas within its tion; provides that certain projects ides evaluation criteria for freight ment Appropriations Subcommittee
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SB 0270	Relating to Use of Wireless Communications Devie While Operating a Motor Vehicle	ces Soto	01/15/15
(C : 0009)	Use of Wireless Communications Devices While Operating a Motor Veh vehicle while using a wireless communications device causes the death	icle; Providing a criminal penalty i of a human being or an unborn cl	f a person operating a motor hild, etc. Effective Date: 7/1/2015
	01/07/15 SENATE Filed		
721	01/15/15 SENATE Referred to Communications, Energy, and Public Util	ities; Transportation; Criminal Jus	tice; Fiscal Policy
SB 0346	Relating to School Bus Stop Safety	Simmons	01/22/15
I: 0487)	School Bus Stop Safety; Citing this act as the "Gabby's Law for School E approaching a school bus that displays a stop signal; providing for crimir relating to application of specified provisions, disposition of penalty amou 01/14/15 SENATE Filed	nal penalties under certain circum	stances; amending provisions
	01/22/15 SENATE Referred to Education Pre-K - 12; Appropriations Sub Fiscal Policy	ocommittee on Transportation, To	urism, and Economic Developmen
SB 0484	Relating to Regional Planning Councils	Simpson	02/03/15
l: 0873)	Regional Planning Councils; Requiring the state land planning agency to compatibility of developments with military installations; requiring electric council, of its current plans to site electric substations; authorizing local gentities; revising the requirements for the statewide emergency shelter p needs shelters by county rather than by regional planning council region	identify parties that may enter int utilities to notify the county, rathe governments to enter into agreem lan to include the general location	er than the regional planning ents to create regional planning
	01/23/15 SENATE Filed 02/03/15 SENATE Referred to Community Affairs; Appropriations Subco	mmittee on Transportation, Touris	sm, and Economic Development;
SB 0562	Appropriations Relating to Growth Management	Simpoon	02/05/15
I: 0579)	Growth Management; Requiring plan amendments proposing a developr to the state coordinated review process; providing that new proposed de not the development of regional impact review process, etc. Effective Da	velopments are subject to the stat	ent of regional impact to be subject
	01/29/15 SENATE Filed	ile. ////2015	
	02/05/15 SENATE Referred to Community Affairs; Transportation; Rules		
IB 0579	Relating to Growth Management	Gaetz (M)	00/11/15
	Requires plan amendments for developments that are DRIs to follow the	state coordinated review process	02/11/15 ; provides that certain proposed
	Requires plan amendments for developments that are DRIs to follow the developments that are considered DRIs are subject to the state coordina July 1, 2015 02/03/15 HOUSE Filed 02/11/15 HOUSE Referred to Economic Development & Tourism Subcor Subcommittee; Economic Affairs Committee	state coordinated review process ted review process & not the DRI mmittee; Transportation & Econor	; provides that certain proposed review process. Effective Date:
	Requires plan amendments for developments that are DRIs to follow the developments that are considered DRIs are subject to the state coordina July 1, 2015 02/03/15 HOUSE Filed 02/11/15 HOUSE Referred to Economic Development & Tourism Subcor Subcommittee; Economic Affairs Committee 02/11/15 HOUSE Now in Economic Development & Tourism Subcommit	state coordinated review process ted review process & not the DRI mmittee; Transportation & Econor	; provides that certain proposed review process. Effective Date:
1: 0562) 6B 0582	Requires plan amendments for developments that are DRIs to follow the developments that are considered DRIs are subject to the state coordina July 1, 2015 02/03/15 HOUSE Filed 02/11/15 HOUSE Referred to Economic Development & Tourism Subcor Subcommittee; Economic Affairs Committee	state coordinated review process ted review process & not the DRI mmittee; Transportation & Econor	; provides that certain proposed review process. Effective Date:
: 0562)	Requires plan amendments for developments that are DRIs to follow the developments that are considered DRIs are subject to the state coordina July 1, 2015 02/03/15 HOUSE Filed 02/11/15 HOUSE Referred to Economic Development & Tourism Subcorr Subcommittee; Economic Affairs Committee 02/11/15 HOUSE Now in Economic Development & Tourism Subcommit Relating to Land Acquisition Trust Fund/Department	state coordinated review process ted review process & not the DRI mmittee; Transportation & Econor tee Int of Dean Land Acquisition Trust Fund withi funds; requiring that title to lands to manage lands or related prope	review process. Effective Date: nic Development Appropriations 02/19/15 n the Department of or related property interests erty interests acquired in
1: 0562)	Requires plan amendments for developments that are DRIs to follow the developments that are considered DRIs are subject to the state coordinal July 1, 2015 02/03/15 HOUSE Filed 02/11/15 HOUSE Referred to Economic Development & Tourism Subcommittee; Economic Affairs Committee 02/11/15 HOUSE Now in Economic Development & Tourism Subcommit Relating to Land Acquisition Trust Fund/Department Transportation Land Acquisition Trust Fund/Department of Transportation; Creating the Transportation; providing for the purpose of the trust fund and sources of acquired be vested by the state; requiring the department or its designee accordance with the purposes set forth in s. 28, Art. X of the State Consti- the trust fund, etc. Effective Date: 7/1/2015 01/30/15 SENATE Filed	state coordinated review process ted review process & not the DRI mmittee; Transportation & Econor tee Int of Dean Land Acquisition Trust Fund withi funds; requiring that title to lands to manage lands or related prope itution; providing for future review	review process. Effective Date: nic Development Appropriations 02/19/15 n the Department of or related property interests erty interests acquired in and termination or re-creation of
: 0562)	Requires plan amendments for developments that are DRIs to follow the developments that are considered DRIs are subject to the state coordinal July 1, 2015 02/03/15 HOUSE Filed 02/11/15 HOUSE Referred to Economic Development & Tourism Subcommittee; Economic Affairs Committee 02/11/15 HOUSE Now in Economic Development & Tourism Subcommit Relating to Land Acquisition Trust Fund/Department Transportation Land Acquisition Trust Fund/Department of Transportation; Creating the Transportation; providing for the purpose of the trust fund and sources of acquired be vested by the state; requiring the department or its designee accordance with the purposes set forth in s. 28, Art. X of the State Consti the trust fund, etc. Effective Date: 7/1/2015 01/30/15 SENATE Filed 02/05/15 SENATE Referred to Environmental Preservation and Conserva Appropriations	state coordinated review process ted review process & not the DRI mmittee; Transportation & Econor tee Int of Dean Land Acquisition Trust Fund withi funds; requiring that title to lands to manage lands or related prope itution; providing for future review	review process. Effective Date: nic Development Appropriations 02/19/15 n the Department of or related property interests erty interests acquired in and termination or re-creation of the or General Government;
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SB 0824	Relating to Public-private Partnerships	Evers	02/20/15
(C: 0065) (I: 0063) (L: 0826)	Public-private Partnerships; Deleting provisions creating the Public-Private Partnerships; Deleting provisions creating the Public-Private Partnerships; Deleting body before a school board enters in necessary for a responsible public entity to approve a comprehensive agreen jurisdictions, etc. Effective Date: 7/1/2015 02/11/15 SENATE Filed	nto a comprehensive agreeme	ent: revising the conditions
	02/20/15 SENATE Referred to Community Affairs; Governmental Oversight a	and Accountability; Fiscal Poli	cv
HB 0873	Relating to Regional Planning Councils	Mayfield	02/19/15
(1: 0484)	Repeals provisions creating regional planning councils & regional planning ag agencies; transfers duties formerly performed by such councils & agencies to appropriate; authorizes local governments to create regional planning entities 02/19/15 HOUSE Filed	gencies; repeals provisions sp state land planning agency of	becifying duties of such councils & or local governments, as
SB 0908	Relating to Transportation	Altman	02/26/15
(S : 0231)	Transportation; Revising provisions relating to the passing of a vehicle; prohit unsafe manner; prohibiting harassing, taunting, or throwing an object at a per traffic law and substance abuse education courses to include instruction on tr Effective Date: 10/1/2015 02/13/15 SENATE Filed	rson riding a bicycle; providing	criminal penalties; requiring
	02/26/15 SENATE Referred to Transportation; Criminal Justice; Fiscal Policy		
HB 0933	Relating to Sector Plans	La Rosa	02/23/15
(S : 0832)	Sector Plans: Revises provisions regarding adopted sector plans, long-term n conservation easement for certain lands; requires certain petitions to FLWAC durations to be commensurate with certain development orders; provides per specifies rule of statutory construction. Effective Date: July 1, 2015 02/23/15 HOUSE Filed	master plans, & specific area	plans; revises date for recording authorizes certain water permit
HB 0989	Relating to Expressway Authorities	Nuñez	02/24/15
(I: 1276)	Expressway Authorities: Revises qualifications for membership on governing termination from authority's governing body upon finding of ethics violation or disclosure requirements. Effective Date: upon becoming a law 02/24/15 HOUSE Filed	body of certain expressway a	uthorities & provides for
HB 1101 (I: 1024)	Relating to Central Florida Expressway Authority Central Florida Expressway Authority: Revises provisions for appointments to members appointed by Governor; removes requirement that authority elect or authority obtain approval of DOT before making changes to expressway in La Orange County Expressway System be transferred to state. Effective Date: Ju 02/26/15 HOUSE Filed	ne of its members as secretar ake County; removes requiren	v: removes requirement that
HB 1123	Relating to Railroad Walkways	Fullwood	02/26/15
(1: 1278)	Railroad Walkways: Requires railroad companies to provide walkways adjace 02/26/15 HOUSE Filed		
SB 1186	Relating to Transportation	Brandes	02/23/15
	Transportation; Providing that certain commercial sponsorship may be display Shared-Use Nonmotorized Trail Network; requiring the governing body of any	independent special district of	created to regulate the operation
C: 0918)	of public vehicles on public highways to consist of a certain number of member agreements with a transportation network company for the provision of certain 02/23/15 SENATE Filed		
(C: 0918)	agreements with a transportation network company for the provision of certain 02/23/15 SENATE Filed	n transit services, etc.Effective	e Date: 7/1/2015
SB 1276	agreements with a transportation network company for the provision of certain	n transit services, etc.Effective Flores ning body of certain expressw specified ethical conduct pro	02/25/15 ay authorities; providing for visions or failure to comply with a
SB 1276 I: 0989)	agreements with a transportation network company for the provision of certain 02/23/15 SENATE Filed Relating to Expressway Authorities Expressway Authorities; Revising qualifications for membership on the govern termination from an authority's governing body upon a finding of a violation of notice of failure to comply with financial disclosure requirements, etc. Effective 02/25/15 SENATE Filed	n transit services, etc.Effective Flores ning body of certain expressw specified ethical conduct pro	02/25/15 02/25/15 ay authorities; providing for visions or failure to comply with a
6B 1276 I: 0989) 6B 1278	agreements with a transportation network company for the provision of certain 02/23/15 SENATE Filed Relating to Expressway Authorities Expressway Authorities; Revising qualifications for membership on the govern termination from an authority's governing body upon a finding of a violation of notice of failure to comply with financial disclosure requirements, etc. Effective	Flores Flores ning body of certain expressw specified ethical conduct pro e Date: Upon becoming a law Clemens ent to certain sections of track to grant waivers under certain	2 Date: 7/1/2015 02/25/15 ay authorities; providing for visions or failure to comply with a 02/25/15 s by a specified date; specifying o circumstances; requiring a party
(C: 0918) SB 1276 (I: 0989) SB 1278 (I: 1123) SB 1298	agreements with a transportation network company for the provision of certain 02/23/15 SENATE Filed Relating to Expressway Authorities Expressway Authorities; Revising qualifications for membership on the govern termination from an authority's governing body upon a finding of a violation of notice of failure to comply with financial disclosure requirements, etc. Effective 02/25/15 SENATE Filed Relating to Railroad Walkways Railroad Walkways; Requiring railroad companies to provide walkways adjace requirements for the walkways; authorizing the Department of Transportation of alleging a violation to make a reasonable, good faith attempt at addressing the department to impose a fine, etc. Effective Date: 7/1/2015	Flores Flores ning body of certain expressw specified ethical conduct pro e Date: Upon becoming a law Clemens ent to certain sections of track to grant waivers under certain	2 Date: 7/1/2015 02/25/15 ay authorities; providing for visions or failure to comply with a 02/25/15 s by a specified date; specifying o circumstances; requiring a party

SB 1326	Relating to Transportation Network Companies	Brandes	02/25/15
(C : 0817)	Transportation Network Companies; Providing transportation network comp TNC from owning, controlling, operating, or managing the vehicles used by booked through the TNC's digital network or software application service, e	TNC drivers: requiring a TNC d	rance requirements; prohibiting a lriver to exclusively accept rides
	02/25/15 SENATE Filed		
SB 1424	Relating to Growth Management	Evers	02/26/15
(S : 0551)	Growth Management; Requiring local governments to address the protectio requiring comprehensive plans to include a property rights element that address adopt land development regulations consistent with this element within a sp 02/26/15 SENATE Filed	resses certain objectives: requi	ring counties and municipalities to
SB 1456	Relating to Transportation	Latvala (J)	02/26/15
	Transportation; Revising the term "infrastructure" to include any expenditure infrastructure and planning studies in certain situations; increasing the minir State Transportation Trust Fund to fund the Florida Seaport Transportation amount of money per year the Department of Transportation must include in Transportation and Economic Development Program, etc. Effective Date: 7/ 02/26/15 SENATE Filed	num amount of money per year and Economic Development Pro nits annual legislative budget re	which must be available from the

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STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION 2015 FDOT LEGISLATIVE BILL ANALYSIS

:	BILL INFORMATION	
BILL NUMBER:	HB 391	
BILL TITLE:	Relating to Location of Utilities	
BILL SPONSOR:	Representative Ingram	
EFFECTIVE DATE:	Upon becoming a law	

COMMITTEES OF REFERENCE

- 1) (H) Local Government Affairs Subcommittee
- 2) (H) TED Appropriations

3) (H) Regulatory Affairs Committee

4)

5)

CIMI		

(H) Local Government Affairs Subcommittee

SIMILAR BILLS		
BILL NUMBER:	SB 896	
SPONSOR:	Senator Brandes	

CURRENT COMMITTEE

PR	EVIOUS LEGISLATION
BILL NUMBER:	N/A
SPONSOR:	
YEAR:	
LAST ACTION:	

IDENTICAL BILLS	
BILL NUMBER:	N/A
SPONSOR:	

Is this bill part of an agency package? No

BILL ANALYSIS INFORMATION		
DATE OF ANALYSIS:	1/20/15	
LEAD AGENCY ANALYST:	Shannan Dunaway (Legislative Programs)	
ADDITIONAL ANALYST(S):	April Blackburn (CIO); Thomas Bane (Utility Engineer)	
LEGAL ANALYST:	Jason Watts/ Roger Wood (OGC)	
FISCAL ANALYST:	Robin Naitove (Comptroller)	

POLICY ANALYSIS

1. EXECUTIVE SUMMARY

The proposed legislation creates a right of reimbursement to a utility if the Department requires relocation of the utility for purposes not described in statute. The proposed legislation also provides the utilities a right of reimbursement for projects conditioned or resulting from projects by another entity. Most importantly, the proposed bills create a right of reimbursement for utilities where the utility maintains an existing and valid utility easement; thereby, invalidating existing and future agreements between the Department and utilities, including subordination agreements. The proposed legislation also makes several changes to the way municipalities and counties handle utilities impacting local roadways.

2. SUBSTANTIVE BILL ANALYSIS

1. PRESENT SITUATION:

Currently, utilities "under, on, over, across and along" any public road are governed by the Department's rules pursuant to statute. The current statutes limit the rights of reimbursement for a utility's relocation to a specific enumerated list, identified in Section 337.403 (a) - (i), unless there is an agreement to the contrary. Under existing law, the Department may enter into agreements allocating the cost of relocation where the utility maintains an easement.

2. EFFECT OF THE BILL:

The proposed legislation creates a right of reimbursement to the utility if the Department requires relocation of the utility for purposes not described in statute.

The bill also provides to the utilities a right of reimbursement for projects conditioned or resulting from projects by another entity. Most importantly, the legislation creates a right of reimbursement for utilities where the utility maintains an existing and valid utility easement; thereby, invalidating existing and future agreements between the Department and utilities, including subordination agreements.

3. DOES THE LEGISLATION DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES?

If yes, explain:	No
What is the expected impact to the agency's core mission?	The Department will be severely hampered in its dealings with utilities that maintain easements on property the Department wishes to acquire.
	Additionally, the Department's potential responsibility for utility reimbursement costs will increase and could cause adjustments to projects currently planned in the Work Program.
Rule(s) impacted (provide references to F.A.C., etc.):	N/A

4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

List any known proponents and opponents:	Utility Industry	
Provide a summary of the proponents' and opponents' positions:	Legislation would benefit utilities by providing more reimbursement opportunities and protections.	

5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL?

If yes, provide a description:	No
Date Due:	N/A

Bill Section Number:	N/A	

6. ARE THERE ANY GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSION, ETC. REQURIED BY THIS BILL?

Board:	No
Board Purpose:	N/A
Who Appointments:	N/A
Appointee Term:	N/A
Changes:	N/A
Bill Section Number(s):	N/A

FISCAL ANALYSIS

1. WHAT IS THE FISCAL IMPACT TO LOCAL GOVERNMENT?

Revenues:	No Impact
Expenditures:	Indeterminate negative impact based on the number of situations in which the local government will be responsible for the cost of relocation on roads with the local government's jurisdiction.
Does the legislation increase local taxes or fees?	No
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	N/A

2. WHAT IS THE FISCAL IMPACT TO STATE GOVERNMENT?

Revenues:	No Impact
Expenditures:	Indeterminate negative impact based on the number of situations in which the FDOT will be responsible for the cost of relocation on state roads.
	Additionally, to the extent funds are expended on utility relocations, the bill would result in adjustments to projects currently planned in the Work Program.
Does the legislation contain a State Government appropriation?	No
If yes, was this appropriated last year?	N/A

3. WHAT IS THE FISCAL IMPACT TO THE PRIVATE SECTOR?

Revenues:	No Impact
Expenditures:	Indeterminate positive impact based on the number of situations in which the Utility will be eligible for reimbursement by either the FDOT or local government.
Other:	N/A

4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES?

Does the bill increase taxes, fees or fines?	No
Does the bill decrease taxes, fees or fines?	No
What is the impact of the increase or decrease?	N/A
Bill Section Number:	N/A

Does the legislation impact
the agency's technology
systems (i.e., IT support,
licensing software, data
storage, etc.)?NoIf yes, describe the
agency including any fiscal
impact.N/A

TECHNOLOGY IMPACT

FEDERAL IMPACT		
Does the legislation have a federal impact (i.e. federal compliance, federal funding, federal agency involvement, etc.)?	No	
If yes, describe the anticipated impact including any fiscal impact.	N/A	

ADDITIONAL COMMENTS

LEGAL - GENERAL COUNSEL'S OFFICE REVIEW

Issues/concerns/comments and recommended action:	The inclusion of subsection (j) in s.337.403(1), F.S. will increase the Department's costs and severely hamper the Department's ability to perform its core function of road building. The inclusion will invalidate existing agreements and limit the Department's ability to allocate relocation costs through future agreements and should be removed.
	As drafted, the legislation will require either the Department or another entity to bear the relocation costs if the relocation is required as a condition or result of another project.

RESOLUTION 29 - 15

A RESOLUTION OF THE CITY OF CAPE CORAL URGING THE FLORIDA STATE LEGISLATURE TO UPHOLD THE CURRENT FLORIDA STATUTE PROVIDING FOR PAYMENT OF EXPENSES CAUSED BY THE INTERFERENCE OF UTILITY FACILITIES WITH TRANSPORTATION PROJECTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, local government relies heavily on its statutorily-authorized police powers to best serve the interests of its citizens; and

WHEREAS, one of the essential functions of local government is to provide for the health, safety, and welfare of its citizens, particularly in the area of physical infrastructure; and

WHEREAS, local government can and must address the critical needs of its citizens by providing safe roadways and transportation corridors for pedestrians and vehicles; and

WHEREAS, under Florida common law, established over 100 years ago, and under statutory law, particularly §337.403 of the Florida Statutes, local government has utilized its home rule authority to conduct local transportation projects and to require electric and other utilities to relocate utility equipment when necessary for the completion of such projects and to require utilities to pay for such relocations; and

WHEREAS, recent Florida case law directly on the issue of local government's exercise of its authority under §337.403 upheld that authority and resulted in a judgment in favor of local government and against a utility's distinctions based on equipment locations within rights of way and public utility easements; and

WHEREAS, HB 391 and SB 896, currently before the State Legislature, would dramatically and negatively affect local government's ability to fulfill its obligations to its citizens in the area of transportation projects by transferring the costs of utility relocations to local government and its constituent taxpayers, thereby further burdening local government and its taxpayers with heretofore non-existent costs; and

WHEREAS, in particular, HB 391 and SB 896 would prevent local government from requiring utilities to pay the costs of relocation unless the utilities are in a "right-of-way" as opposed to the current common sense requirement for utility relocations occurring "upon, over, under, or along" a roadway; and

WHEREAS, additionally, HB 391 and SB 896 would require local government, and not the utility, to bear the cost of relocating a utility's equipment if such equipment is located within a utility easement, regardless of the private or public nature of the easement; and

WHEREAS, the expense of relocating a utility's equipment in the public easement/right of way will greatly increase the costs of completing transportation projects at a time when local governments continue to struggle with funding for such projects; and,

WHEREAS, local transportation projects often are the catalyst for economic development and the result of growth within a community, which benefit the utility in terms of expanded customer base.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA, AS FOLLOWS:

Section 1. That the City of Cape Coral does hereby encourage the Florida State Legislature to preserve Florida common law and statutory law by rejecting HB 391 and SB 896 and any further attempts to limit local government's ability to serve its citizens.

Section 2. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR COUNCIL SESSION THIS <u>and</u> DAY OF <u>March</u>, 2015.

SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI BURCH CARIOSCIA NESTA LEON ERBRICK WILLIAMS DONNELL

DONNELL -0ATTESTED TO AND FILED IN MY OFFICE THIS 3rd DAY OF March2015. -0n Ω Hban

REBECCA VAN DEUTEKOM CITY CLERK

APPROVED AS TO FORM:

Lenenda DOLORES D. MENENDEZ

CITY ATTORNEY res/Utilities in ROW DRAFT: 2/24/15

20151554 22-00811B-15 planning, development, operation, and maintenance of 175 the network; creating s. 339.82, F.S.; directing the 176 177 department to develop a Shared-Use Nonmotorized Trail Network Plan, subject to certain requirements; 178 179creating s. 339.83, F.S.; creating a trail sponsorship 180 program, subject to certain requirements and restrictions; directing the Office of Economic and 181 Demographic Research to evaluate and determine the 182 economic benefits of the state's investment in the 183 184 Department of Transportation's adopted work program 185 for a certain timeframe, subject to certain 186 requirements; directing the Department of 187 Transportation and each of its district offices to 188 provide the Office of Economic and Demographic 189 Research full access to certain data; requiring the 190 Office of Economic and Demographic Research to submit 191 the analysis to the Legislature by a certain date; reenacting s. 350.81(6), F.S., relating to the 192 definition of the term "airport layout plan," to 193 194 incorporate the amendment made to s. 333.01, F.S., in 195 a reference thereto; providing an effective date. 196 197 Be It Enacted by the Legislature of the State of Florida: 198 199 Section 1. Paragraph (d) of subsection (3) and paragraph 200 (d) of subsection (4) of section 20.23, Florida Statutes, are 201 amended to read: 202 20.23 Department of Transportation.-There is created a 203 Department of Transportation which shall be a decentralized

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CODING: Words stricken are deletions; words underlined are additions.

5	22-00811B-15 20151554_
204	agency.
205	(3)
206	(d) The secretary shall appoint an inspector general
207	pursuant to s. 20.055 who shall be directly responsible to the
208	secretary and shall serve at the pleasure of the secretary.
209	(4)
210	(d) The district director for the Fort Myers Urban Office
211	of the Department of Transportation is responsible for
212	developing the 5-year Transportation Plan for Charlotte,
213	Collier, DeSoto, Glades, Hendry, and Lee Counties. The Fort
214	Myers Urban Office also is responsible for providing policy,
215	direction, local government coordination, and planning for those
216	counties.
217	Section 2. Subsection (2) of section 215.82, Florida
218	Statutes, is amended to read:
219	215.82 Validation; when required
220	(2) Any bonds issued pursuant to this act which are
221	validated shall be validated in the manner provided by chapter
222	75. In actions to validate bonds to be issued in the name of the
223	State Board of Education under s. 9(a) and (d), Art. XII of the
224	State Constitution and bonds to be issued pursuant to chapter
225	259, the Land Conservation Act of 1972, the complaint shall be
226	filed in the circuit court of the county where the seat of state
227	government is situated, the notice required to be published by
228	s. 75.06 shall be published only in the county where the
229	complaint is filed, and the complaint and order of the circuit
230	court shall be served only on the state attorney of the circuit
231	in which the action is pending. In any action to validate bonds
232	issued pursuant to s. 1010.62 or issued pursuant to s. 9(a)(1),
-	

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CODING: Words stricken are deletions; words underlined are additions.

Agenda Item 8A Joint Lee-Collier MPO 3/20/15

Presentation and Discussion on the Florida Transportation Plan (FTP)

DISCUSSION ITEM:

FDOT representatives will be making a presentation on the status of the Florida Transportation Plan update. The MPOs will be apprised of the latest developments in the development of the FTP to help the Board in making informed decisions during the development of their Long Range Plans.

Agenda Item 8B Joint Lee-Collier MPO 3/20/15

UPDATE ON THE REGIONAL ASPECT OF CR951

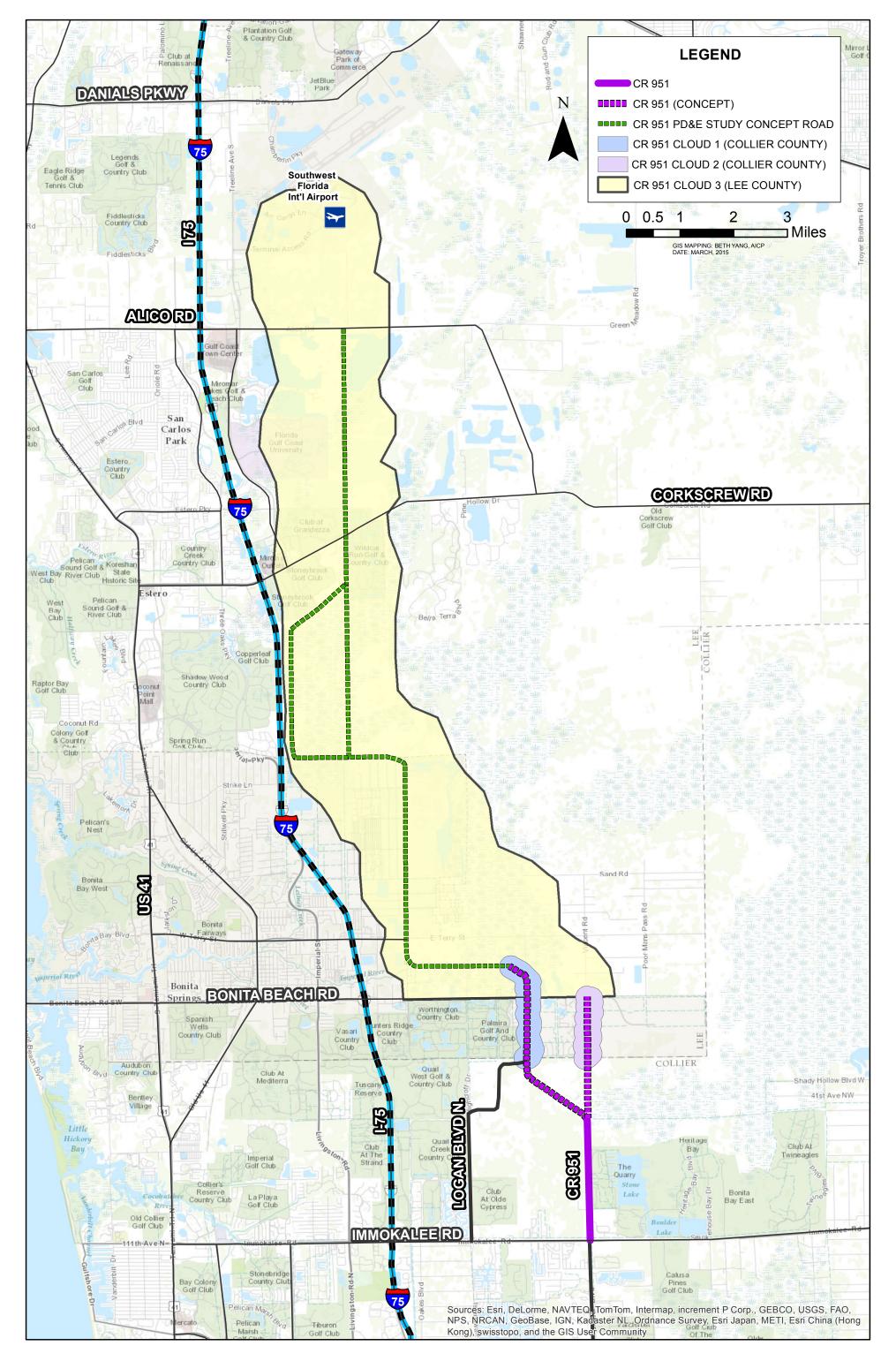
DISCUSSION ITEM:

Enhancing regional connections for both Collier County and Lee County remains a critical consideration as we all have to explore ways to meet the challenge of providing optimal transportation mobility for the anticipated growth in Southwest Florida. A presentation will be made by Nick Casalanguida, Deputy County Manager of Collier County, to provide an update on the regional aspect of CR951.

Attachment:

A. CR 951 Project

CR 951 PROJECT



UPDATE ON THE 2040 LONG RANGE TRANSPORTATION PLANS FOR COLLIER MPO AND LEE COUNTY MPO

DISCUSSION ITEM:

This is an update on the progress made by each MPO to develop individual 2040 Long Range Transportation Plans (LRTPs) with the assistance from FDOT District which will run the District Transportation Model. The LRTPs have to be approved by individual MPOs by December 2015.

Commencing in 2014, each MPO is at a half-way point in the development of the LRTP with the following tasks that are still remaining:

- Finalizing Transit and Highway Needs Assessment (optional)
- Finalizing the FDOT and Local Revenue Estimates which include using 2014 as the Base Year, using the 2014-2018 Tentative Work Program and developing financial estimates for 2019-2040
- Developing a Cost Feasible Plan in Year of Expenditure Dollars for 5-year time period blocks
- Adopt the 2040 LRTP by December 2015

Each MPO will make a presentation at the meeting.