

**METROPOLITAN PLANNING ORGANIZATION BOARD
EXECUTIVE COMMITTEE**

1:30 p.m., Wednesday, June 11, 2014
Cape Coral Public Works Building Room 200
815 Nicolas Parkway, Cape Coral, FL 33915



AGENDA

Call to Order

Roll Call

Approval of Minutes

1. *Review and Approval of the Minutes of the March 12th and April 9th Executive Committee

New Business

2. Public Comments on New Business Items
3. Results of the Revenue Analysis and Staff Recommendations
4. FDOT Letter on the Maintenance of Sidewalks/Pathways
5. Staff Presentation on the Project Scheduling and Online RFP Process
6. Project Schedule for the Implementation of the TIGER Projects
7. Executive Director Contract Expiring February 2015

Other Business

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

Adjournment

* Action Items + May Require Action

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

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

**MINUTES OF THE LEE COUNTY METROPOLITAN PLANNING ORGANIZATION
BOARD'S EXECUTIVE COMMITTEE**

Held on March 12, 2014

The following members were present for the meeting of the Lee County Metropolitan Planning Organization Board's Executive Committee on March 8, 2014 at Cape Coral Public Works Building, Conference Room 200, 815 Nicholas Parkway E., Cape Coral, Florida.

Councilman Rick Williams	City of Cape Coral
Commissioner Cecil Pendergrass	Lee County Commission
Mayor Alan Mandel	Town of Fort Myers Beach
Vice-Mayor Stephen McIntosh	City of Bonita Springs
Mayor Kevin Ruane	City of Sanibel

Those also in attendance included: Don Scott and Johnny Limbaugh of Lee County MPO. Darla Letourneau BikeWalk Lee

CALL TO ORDER

The meeting was called to order at 1:35 p.m.

APPROVAL OF MINUTES

Agenda Item #1 – *Approval of the Minutes of the February 12, 2014 Executive Committee

MOTION BY MAYOR MANDEL TO APPROVE THE MINUTES OF THE FEBRUARY 12, 2014 EXECUTIVE COMMITTEE MEETING. SECONDED BY COUNCILMAN WILLIAMS. MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

Agenda Item #2 – Public Comments on New Business Items

Comments will be addressed at each agenda item.

Agenda Item #3 – Update on the Review of 2040 State and Federal Revenue Sources

Don Scott provided an update to FDOT's revenue forecast and staffs efforts to get clarification on methodology and current funding levels. The committee discussed the need to have realistic estimates. The committee is concerned that the MPO had not received a response to the questions that were asked at the work program presentation in December. Don informed the Committee that staff was meeting with FDOT to discuss projects and revenue forecast and hope to have additional information. The Committee discussed the need to have the information from FDOT and directed staff to request a FDOT presence at the next meeting.

Agenda Item #4 – Review and Provide Direction on the MPO Legal Services Agreement

The Executive Committee and staff had a discussion on whether to go with a monthly retainer or to charge by the hour. Staff recommend that MPO go with the retainer version based on discussions with other MPO's that have outside legal services. The Committee agreed with the retainer and gave staff direction to move forward.

Agenda Item #5 – Analysis of the Maintenance Costs of Asphalt and Concrete Sidewalks/Pathways along State Roads

Don Scott provided an overview of the item. FDOT District One staff has been discussing with the MPO staff that they will no longer be maintaining future constructed asphalt sidewalks and pathways within FDOT right-of-way along State roads. This first came up in regards to various pathway projects where the MPO had submitted applications for SU box funding to get pathways/sidewalks built along various state road segments (two examples are: SR 80 from Orange River to Buckingham Road and Colonial Boulevard from Metro Parkway to Veronica Shoemaker).

Executive Committee directed staff to request maintenance and construction cost for asphalt and concrete pathways from FDOT and ask the FDOT attend the next meeting to discuss the issue future.

Agenda Item #6 – Approve a Revision to the MPO Employee Personnel Policies

Don Scott presented staff's request to update current policy for providing staff life insurance term to a maximum benefit allowed of \$50,000.

Motion by Mayor Ruane to approve the change. Second by Commissioner Pendergrass. Motion approved.

Agenda Item #7- Update and Discussion on the TIGER Grant

Don Scott and Johnny Limbaugh gave an update on current activities.

Other Business

Agenda Item #8 – Public Comments on Items Not on the Agenda

There were no comments made under this item.

Board Member items

Mayor Mandel updated the Executive committee on the Medicare and Transportation Disadvantage program changes and effects on the LCB and local users and providers.

Don Scott provided a brief update on the MPO's ongoing Land Use Survey.

Don Scott provide the Executive committee a letter for the RPC requesting payment for services provided prior to the separation of the two agencies. Mayor Ruane discussed the reasoning behind the separation and suggested that the MPO council respond to the request asking for backup for the invoice. The board directed MPO council to draft a response to the RPC

Vice Mayor McIntosh brought up the funding of the LinC route. The City will be reviewing their ability to continue providing funding to support the route.

Agenda Item #9 – Announcements

There were no announcements made under this item.

Agenda Item #10 – Information and Distribution Items

None

ADJOURNMENT

**MINUTES OF THE LEE COUNTY METROPOLITAN PLANNING ORGANIZATION
BOARD'S EXECUTIVE COMMITTEE**

Held on April 9, 2014

The following members were present for the meeting of the Lee County Metropolitan Planning Organization Board's Executive Committee on April 9, 2014 at Cape Coral Public Works Building, Conference Room 200, 815 Nicholas Parkway E., Cape Coral, Florida.

Councilman Rick Williams	City of Cape Coral
Councilman Thomas Leonardo	City Of Fort Myers
Vice-Mayor Stephen McIntosh	City of Bonita Springs

Those also in attendance included: Don Scott and Johnny Limbaugh of Lee County MPO. Darla Letourneau BikeWalk Lee

CALL TO ORDER

The meeting was called to order at 1:35 p.m. There was not a quorum so no actions will be voted on.

APPROVAL OF MINUTES

Agenda Item #1 – *Approval of the Minutes of the March 12, 2014 Executive Committee

NEW BUSINESS

Agenda Item #2 – Public Comments on New Business Items

Comments will be addressed at each agenda item.

Agenda Item #3 – Preliminary Report on the Analysis of 2040 LRTP Revenue Projections

Don Scott provided an update on MPO staffs meeting with FDOT to get clarification on methodology and current funding levels. The committee discussed the need to have realistic estimates. Councilman Leonardo requested an update from the MPOAC meeting on how other areas are addressing the reduced revenue forecast and adjusting for actual funds received. The Committee discussed the need to identify a stable funding source. Don Scott presented the Draft Revenue Report for review and discussion. MPO staff will bring back additional information.

Agenda Item #4 – FDOT Analysis of Maintenance of Asphalt and Concrete Sidewalks/Pathways

Don Scott provided an update. MPO staff has requested additional information from FDOT. We have been advised that the response is still be worked on. The committee discussed the types of pathways and cost. FDOT was invited but did not attend the meeting.

Agenda Item #5 – Discussion and Input on Reporting the Economic Benefits and Impact of Transit

Don Scott provided a copy of an Economic Benefits study completed by LeeTran and examples of state wide examples and explained the different approaches and asked for direction on how to move forward. Councilman Leonardo expressed his concerns with the mythology used in the previous study. Councilman Leonardo stated that subsidizing transit is a fact and if we want transit we have to find a way to pay for it. Discussion continued about the merits of transit and funding it. MPO staff will continue reviewing options.

Agenda Item #6 – Presentation on the Status of the TIGER Grant

Don Scott and Johnny Limbaugh gave an update on current activities. The committee also discussed current Bike/Ped activities and concerns.

Other Business

Agenda Item #7 – Public Comments on Items Not on the Agenda

There were no comments made under this item.

Agenda Item #8 – Announcements

There were no announcements made under this item.

Agenda Item #9 – Information and Distribution Items

None

ADJOURNMENT

RESULTS OF THE REVENUE ANALYSIS AND STAFF RECOMMENDATIONS

RECOMMENDED ACTION: Review of the updated revenue analysis study and staff will provide recommendations on the revenue estimates.

The MPO staff has received the updated revenue analysis study that was conducted by Tindale Oliver (**attached**) and is currently using this data, along with the input received by FDOT, to estimate the 2040 revenues for the Long Range Plan. As an example, for fuel tax projection purposes, conservative deflation factors were applied to the current collection rates in Lee County. For the next 11 years (through 2025), it is projected that revenues from the local option fuel taxes will decline by 0.5 percent per capita annually and that for the following 15 years, fuel tax revenues per capita will decline by 1.0 percent annually due to increased fuel efficiency and inflation. Due to projected population growth in Lee County during this time period, actual local option fuel tax revenues will continue to increase, but at a declining annual rate. When this is applied to what was received for revenue projections previously, there will be some reductions in those projected revenues.



Tindale-Oliver & Associates, Inc.

Planning and Engineering

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May 30, 2014

Mr. Johnny Limbaugh
Lee County MPO Transportation Planner
815 Nicholas Parkway E.
P.O., Box 150045
Cape Coral, Florida 33915

Re: Local Government Revenue Source Research Support

Dear Mr. Limbaugh:

Enclosed is the Draft Report of the Lee County Local Government Revenue Source Research Support Study for your review. We will finalize the report upon receipt of the MPO's comments. Meanwhile, if you have any questions or comments concerning this report, please do not hesitate to contact me or Nilgün Kamp.

Sincerely,

A handwritten signature in blue ink that reads "Steven A. Tindale".

Steven A. Tindale, P.E., AICP
President

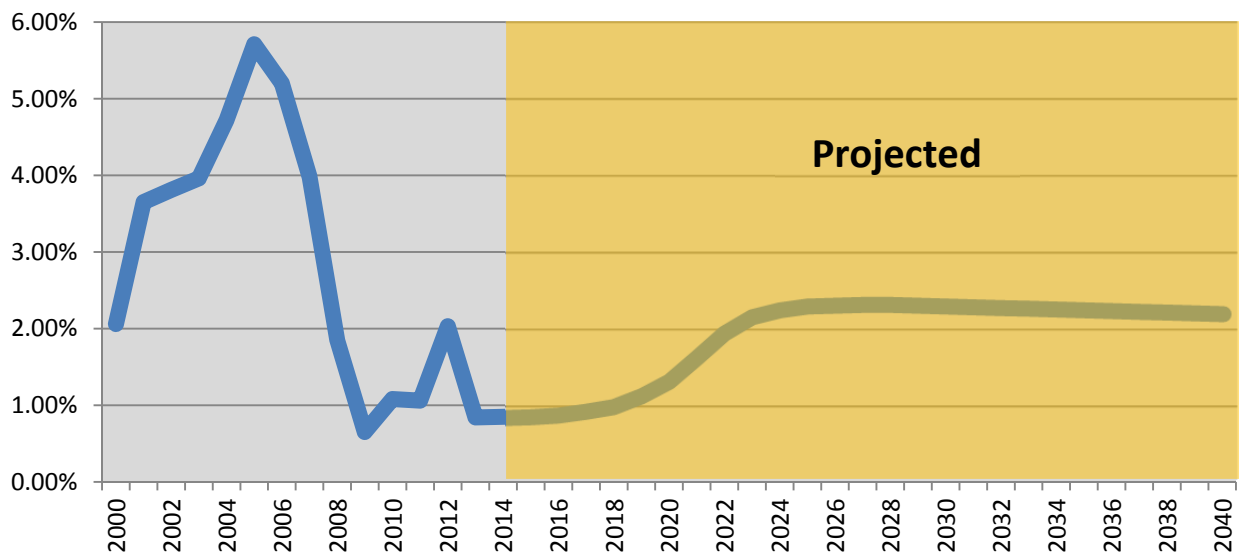
**Lee County
Local Government Revenue Source Research Support
DRAFT (5/30/2014)**

The following analyses were completed to provide research support on local government revenue sources for Lee County. The data reviewed included historical trends and future projections (where available) for population, taxable value, sales tax revenue and fuel tax revenue to provide an understanding of likely future growth and revenue levels. A review of historical trends provide valuable insight in terms of the relation of growth, income levels, and other demographics and revenue generation levels from various funding sources. The following sections provide a description of funding sources, revenue estimates, a comparative analysis of revenue sources, and case study research from other jurisdictions in Florida.

Population:

Between 1990 and 2010, Lee County population increased by an annual average of 3.1%, which resulted in almost doubling the population (from 339,000 to 619,000). Future projections suggest that the population will continue to grow, but at a more moderate annual rate, partially because of a larger base population. It is important to note although the population growth rate of Lee County is decreasing compared to historical trends, the County is projected to experience one of the highest growth rates among Florida counties through 2040. Using Bureau of Economic and Business Research (BEBR) medium-level projections, the population is projected to grow by 1.6% annually, adding just over 200,000 people over the next 20 years (2030). By 2040, the population is projected to reach approximately 1.07 million. Given this growth rate, it is important for the County and the municipalities to explore possible funding sources for future needs.

**Figure 1
Annual Population Growth: Historical and Projected**



Source: Bureau of Economic and Business Research (BEBR); Medium-Level Projections

Description of Revenue Sources

This section provides a detailed description of the following tax revenue sources for Lee County:

- Local Discretionary Sales Surtax
- Local Option Fuel Tax
- Ad Valorem (Property) Tax

Local Discretionary Sales Surtax:¹

Currently, Lee County does not collect any local option sales tax. This section provides information on the local option sales taxes available to Lee County that can be used for transportation, which includes the Charter County and Regional Transportation System Surtax and the Local Government Infrastructure Surtax.

Charter County and Regional Transportation System Surtax:

- May be levied at a rate up to 1.0 percent
- Levy is subject to approval by a majority vote of the county's electorate or by a charter amendment approved by a majority vote of the county's electorate
- Generally, proceeds can be:
 - Deposited into the county trust fund and used for development, construction, equipment, maintenance, operation, supportive services (including countywide bus service), on-demand transportation services, and related costs of a fixed-guideway rapid transit system.
 - Remitted by the county's governing body to an expressway or transportation authority and used for development, construction, operation, or maintenance of roads and bridges in the county, for the operation and maintenance of a bus system, for the operation and maintenance of on-demand transportation services, for payment of principal and interest on existing bonds issued for the construction of such roads and bridges, and , upon approval of the county commission, such proceeds may be pledged for bonds issued to refinance existing bonds or new bonds issued for the construction of such roads and bridges.
 - Used by the county for development, construction, operation, and maintenance of roads and bridges in the county; for the expansion, operation, and maintenance of bus and fixed guideway systems; for the expansion, operation, and maintenance of on-demand transportation services; and for the payment of principal and interest on bonds issued for the construction of fixed guideway rapid transit systems, bus systems, roads, bridges; and such proceeds may be pledged by the County's governing body for bonds issued to refinance existing bonds or new bonds issued for construction of such fixed

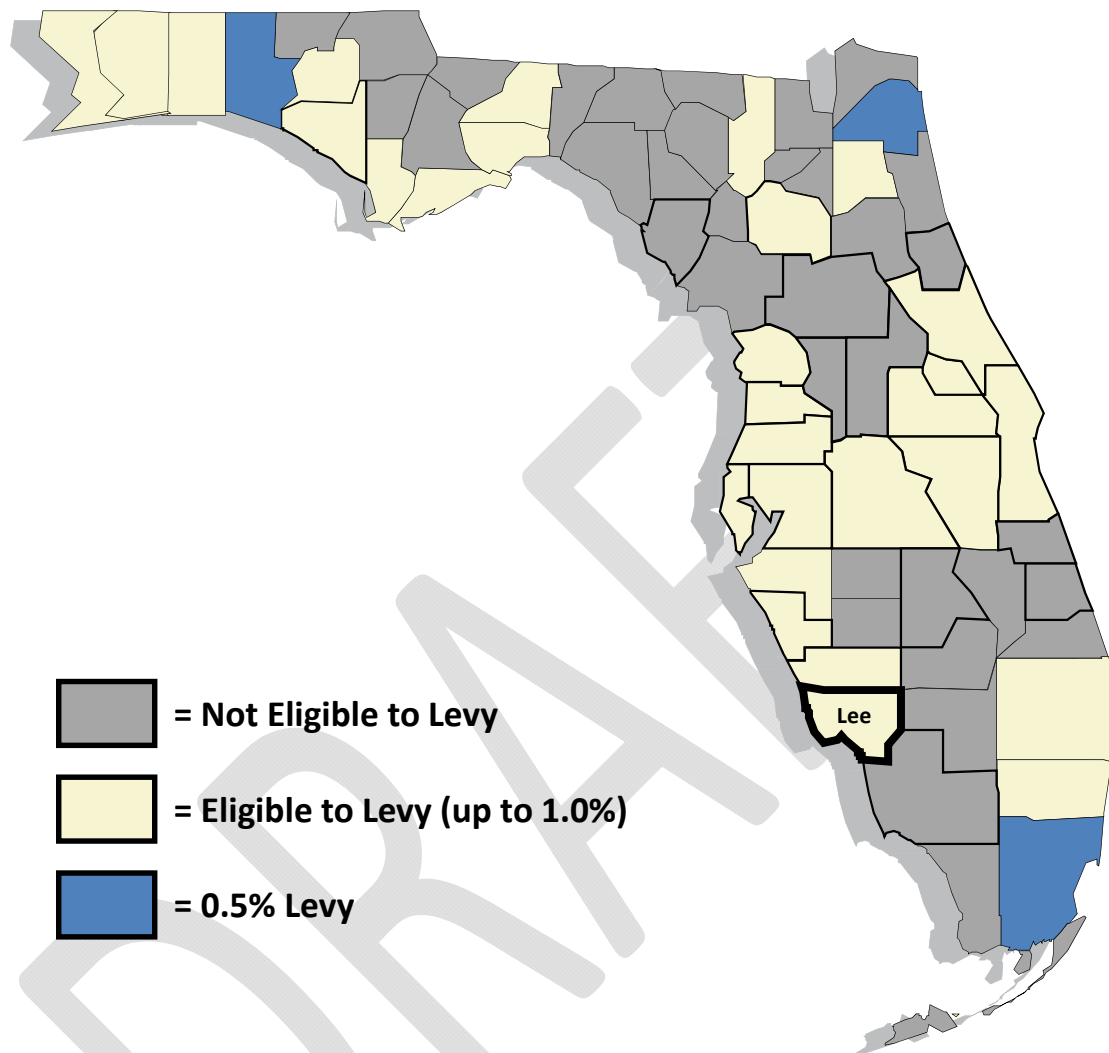
¹ 2013 Local Government Financial Information Handbook; The Florida Legislature's Office of Economic and Demographic Research

guideway rapid transit systems, bus systems, roads, or bridges and no more than 25 percent used for non-transit uses.

- Used by the county for the planning, development, construction, operation, and maintenance of roads and bridges in the county; for planning, development, expansion, operation, and maintenance of bus and fixed guideway systems; for the planning, development, construction, operation, and maintenance of on-demand transportation services; and for the payment of principal and interest on bonds issued for the construction of fixed guideway rapid transit systems, bus systems, roads, or bridges; and such proceeds may be pledged by the county's governing body for bonds issued to refinance existing bonds or new bonds issued for construction of such fixed guideway rapid transit systems, bus systems, roads, or bridges. Pursuant to an interlocal agreement entered into pursuant to ch. 163, F.S., the county's governing body may distribute surtax proceeds to a municipality, or an expressway or transportation authority created by law to be expended for such purposes.

Figure 2 identifies the counties eligible for the Charter County and Regional Transportation System Surtax and the rate at which it has been adopted for each eligible county. As shown, this sales tax is available for only 32 counties. Unlike the Small County Surtax and the Local Government Infrastructure Surtax, this sales tax is not subject to the combined rate caps and can be adopted in addition to either of the aforementioned local option sales taxes. Currently, only 3 counties have adopted the Charter County Surtax, which represents 4% of all counties in Florida and 9% percent of the counties eligible to adopt.

Figure 2
Charter County and Regional Transportation System Surtax

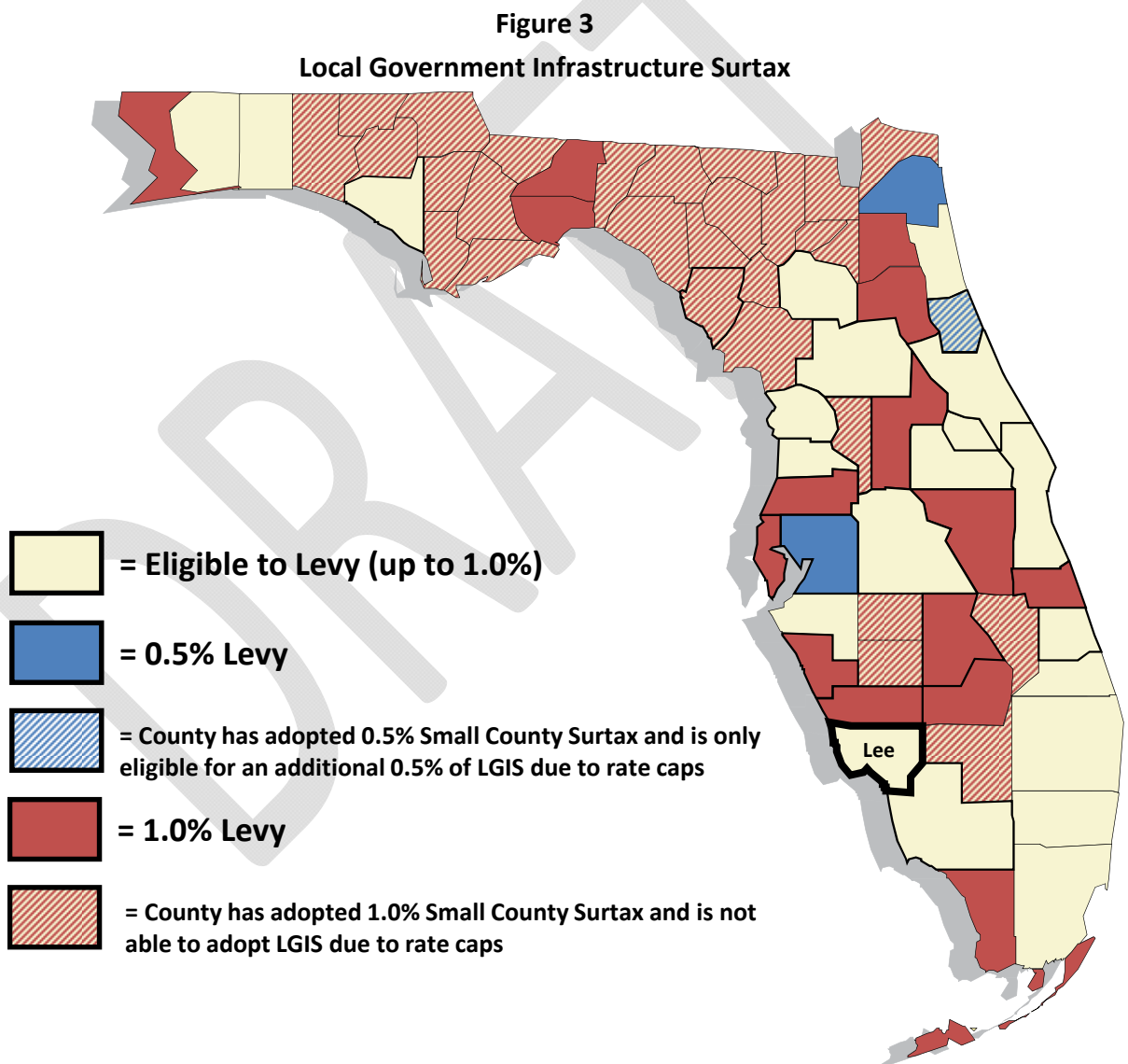


Source: 2013 Local Government Financial Information Handbook

Local Government Infrastructure Surtax:

- This tax must be levied at the rate of 0.5 or 1 percent pursuant to an ordinance enacted by a majority vote of the County’s governing body and approved by voters in a countywide referendum.
- Generally, the proceeds must be expended to finance, plan, and construct infrastructure; to acquire land for public recreation, conservation, or protection of natural resources; or to finance the closure of local government-owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection.
- The surtax proceeds must be distributed to the County and its respective municipalities according to an interlocal agreement. If there is no interlocal agreement, the distribution will be

based on the Local Government Half-cent Sales Tax formulas provided in Section 218.62, Florida Statutes. Figure 3 identifies the counties eligible for the Local Government Infrastructure Surtax and the rate at which it has been adopted for each eligible county. As shown, this sales tax is available to all 67 counties. However, due to rate caps, counties that already charge the maximum 1.0% of the Small County Surtax cannot adopt this tax. Only two counties (Wakulla and Glades) are eligible for the Small County Surtax but have chosen to adopt the Local Government Infrastructure Surtax Instead. Of the 67 counties in Florida, 17 (25%) have adopted the Local Government Infrastructure Surtax. Looking at both the Small County Surtax and the Local Government Infrastructure Surtax, 46 counties (69%) have adopted a portion of either sales tax.



Source: 2013 Local Government Financial Information Handbook

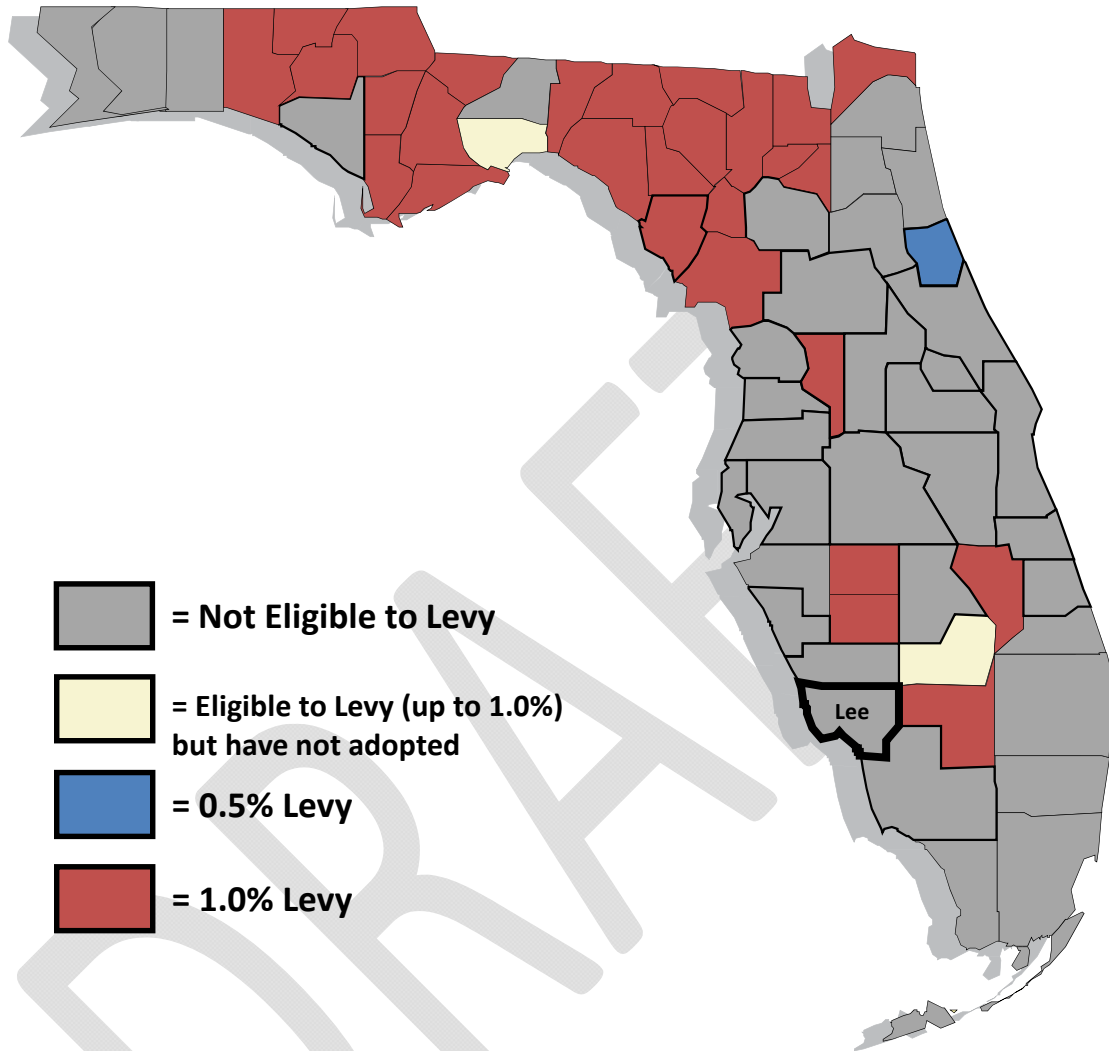
DRAFT

Small County Surtax:

An additional local discretionary sales surtax, the Small County Surtax, is available for counties with a population of less than 50,000. While not available to Lee County, it is important to note that this sales tax (which is very similar to the Local Government Infrastructure Surtax) has been adopted in some capacity by almost all eligible counties (29 out of 31).

Figure 4 identifies the counties eligible for the Small County Surtax and the rate at which it has been adopted for each eligible county. Only two counties (Wakulla and Glades) are eligible and have not adopted, while Flagler has only adopted 0.5%. Any county eligible for this surtax is also eligible for the Local Government Infrastructure Surtax, but due to rate caps, can only adopt these at a maximum combined rate of 1.0%. Due to an easier adoption process and equally flexible spending regulations, the Small County Surtax is typically adopted in place of the Local Government Infrastructure Surtax, however, Wakulla County and Glades County are exceptions. As mentioned previously, of the 67 counties in Florida, 31 counties are eligible (46%) for the Small County Surtax and 29 have adopted it (43%).

Figure 4
Small County Surtax



Source: 2013 Local Government Financial Information Handbook

DRAFT

Local Option Fuel Tax:²

Currently, Lee County has adopted all available pennies of local option fuel tax. These revenues are contributing towards capacity expansion, operating/maintenance, and transit expenditures.

9th Cent Fuel Tax (1 cent/gallon):

- Tax applies to every net gallon of motor fuel sold within a county.
- Proceeds may be used to fund transportation expenditures as defined in Section 336.027(7), Florida Statutes.
- To accommodate statewide equalization, this tax is automatically levied on diesel fuel in every county, regardless of whether a County is levying the tax on motor fuel at all.
- Counties are not required to share the proceeds of this tax with their municipalities.

Based on the distribution provided in the *Local Government Financial Information Handbook*, Lee County will receive approximately **\$2.92 million** from this fuel tax in FY 2013/2014. This represents the portion allocated to the County, which is 100 percent of the revenues. The County has the option to allocate revenues to municipalities, but currently does not. Revenues from the 9th cent fuel tax are currently used for transportation capital projects.

1st Local Option Fuel Tax (up to 6-cents/gallon):

- Tax applies to every net gallon of motor and diesel fuel sold within a county.
- Proceeds may be used to fund transportation expenditures as defined in Section 336.025(7), Florida Statutes.
- To accommodate statewide equalization, all six cents are automatically levied on diesel fuel in every county, regardless of whether a County is levying the tax on motor fuel at all or at the maximum rate.
- Proceeds are distributed to a County and its municipalities according to a mutually-agreed-upon distribution ratio or by using a formula contained in the Florida Statutes.

Based on the distribution provided in the *Local Government Financial Information Handbook*, Lee County will receive approximately **\$16.45 million** from this fuel tax in FY 2013/2014, with approximately 50 percent allocated to the County and the remaining 50 percent distributed to the municipalities (based on an interlocal agreement). Currently, Lee County dedicates a portion of this revenue to LeeTran transit.

2nd Local Option Fuel Tax (up to 5-cents/gallon):

- Tax applies to every net gallon of motor fuel sold within a county. Diesel fuel is not subject to this tax.

² 2013 *Local Government Financial Information Handbook*; The Florida Legislature's Office of Economic and Demographic Research

- Tax must be levied by an ordinance adopted by a majority plus one vote of the membership of the governing body or voter approval in a countywide referendum.
- Proceeds may be used to fund transportation expenditures needed to meet requirements of the capital improvements element of an adopted Local Government Comprehensive Plan or for expenditures needed to meet the immediate local transportation problems and for other transportation-related expenditures that are critical for building comprehensive roadway networks by local governments. Routine maintenance of roads is NOT considered an authorized expenditure.
- Proceeds are distributed to a County and its municipalities according to a mutually-agreed-upon distribution ratio or by using a formula contained in the Florida Statutes.

Based on the distribution provided in the *Local Government Financial Information Handbook*, Lee County will receive approximately **\$12.14 million** from this fuel tax in FY 2013/2014, with approximately 50 percent allocated to the County and the remaining 50 percent distributed to the municipalities (based on an interlocal agreement). Currently, Lee County dedicates 10 percent of this revenue to LeeTran transit.

Table 1 provides a summary of fuel taxes adopted by Lee County and the distribution of the revenues between the County and municipalities.

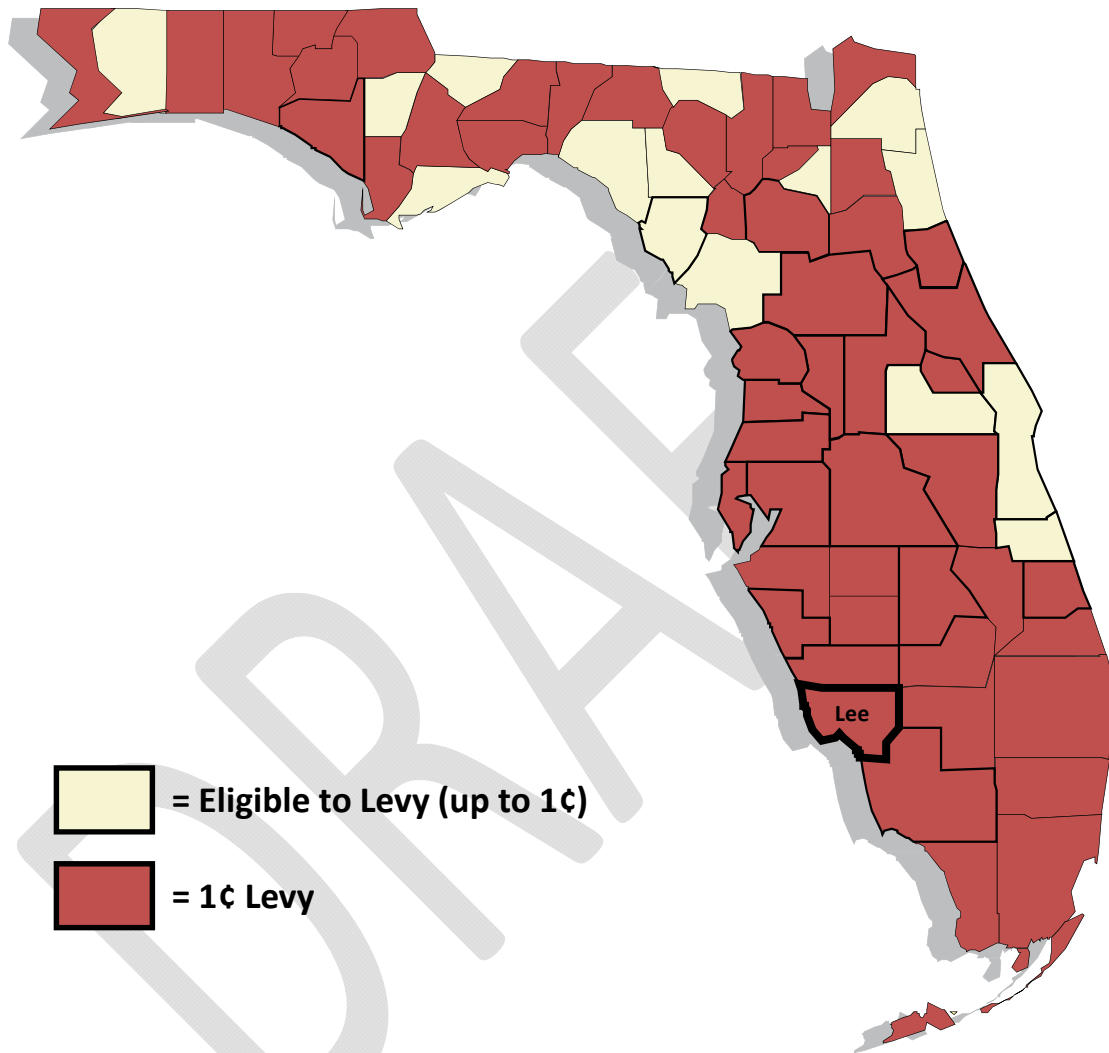
Table 1
Local Option Fuel Tax Distribution

Jurisdiction	9th Cent Fuel Tax (1 cent/gallon)	1st Local Option Fuel Tax (6 cents/gallon)	2nd Local Option Fuel Tax (5 cents/gallon)
Lee County	100%	50.49%	50.49%
Bonita Springs	-	4.54%	4.54%
Cape Coral	-	24.95%	24.95%
Ft Myers	-	14.00%	14.00%
Ft Myers Beach	-	1.02%	1.02%
Sanibel	-	5.00%	5.00%

Source: Local Government Financial Information Handbook

Figure 5 identifies the counties that have adopted the ninth-cent fuel tax. As shown, this tax is available for all 67 counties, with 52 counties (78%) having adopted the fuel tax, including Lee County.

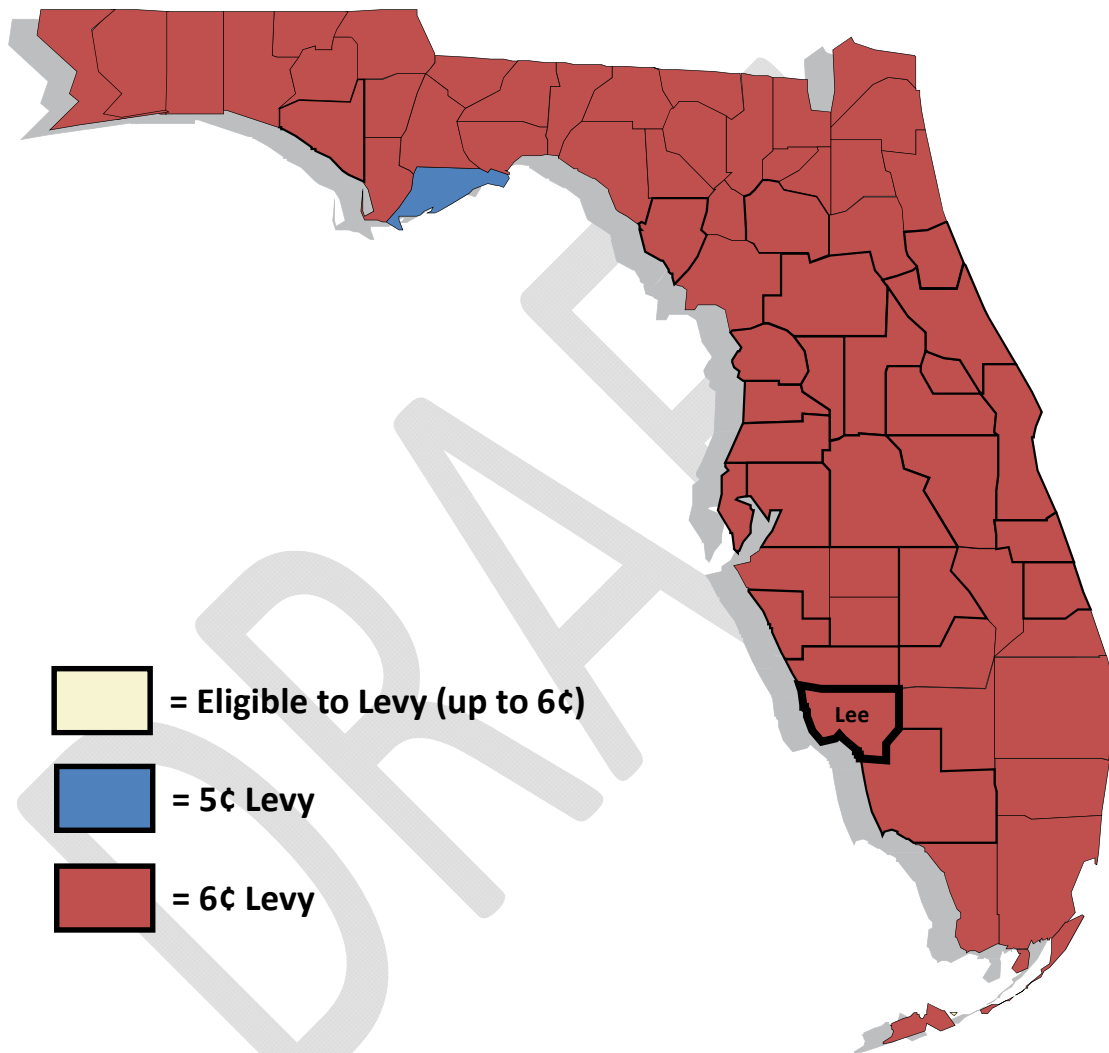
Figure 5
Ninth-Cent Fuel Tax (1¢)



Source: 2013 Local Government Financial Information Handbook

Figure 6 identifies the counties that have adopted the 1st local option fuel tax. As shown, this tax is available for all 67 counties, with all counties (100%) having adopted the fuel tax in some capacity, including Lee County at a full 6-cents.

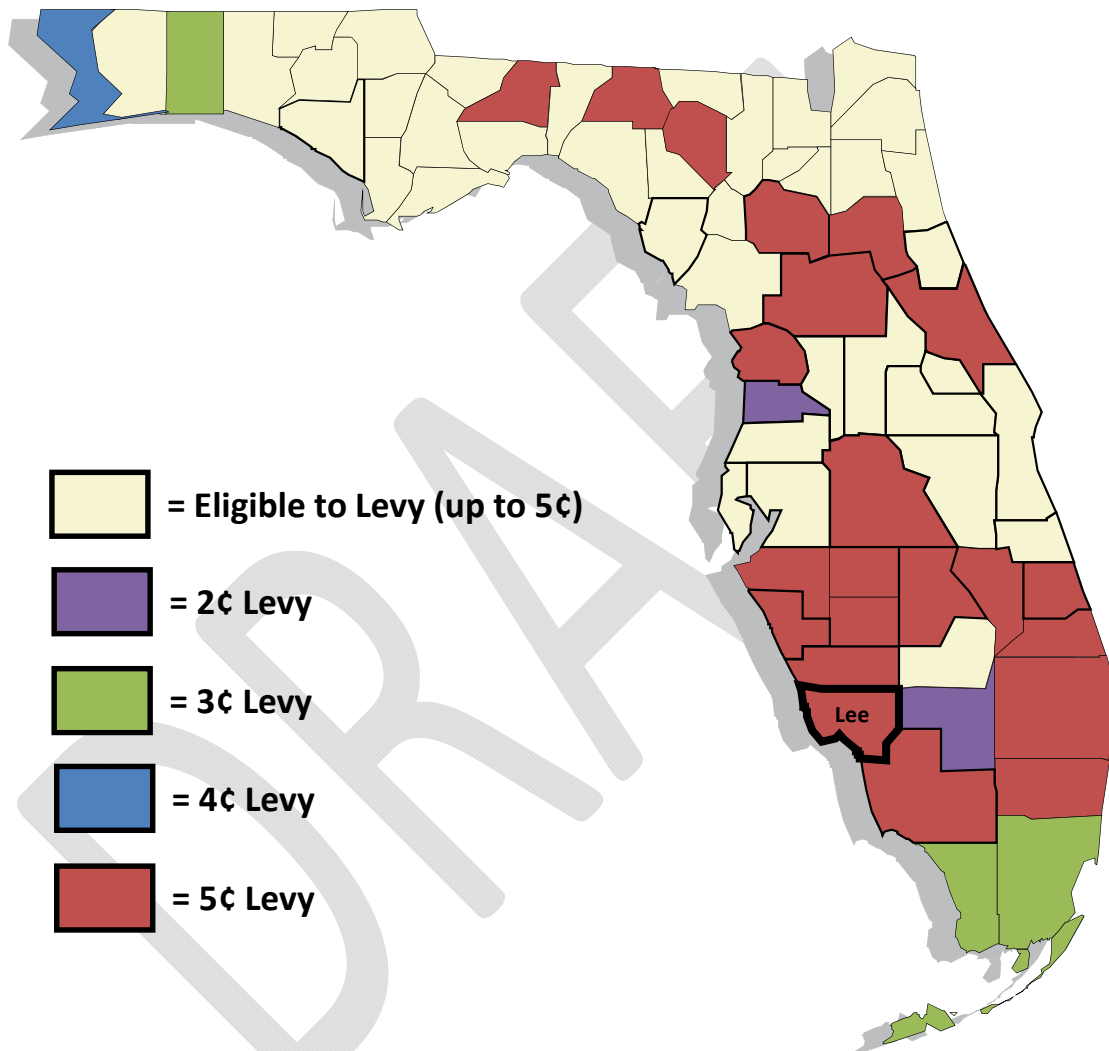
Figure 6
1st Local Option Fuel Tax (up to 6¢/gallon)



Source: 2013 Local Government Financial Information Handbook

Figure 7 identifies the counties that have adopted the 2nd local option fuel tax. As shown, this tax is available for all 67 counties, with 28 counties (42%) having adopted the fuel tax in some capacity, including Lee County at a full 5-cents.

Figure 7
2nd Local Option Fuel Tax (up to 5¢/gallon)



Source: 2013 Local Government Financial Information Handbook

Ad Valorem (Property) Tax:³

Ad valorem revenues are based on the taxable value of property and the adopted millage rate within a county. Florida’s constitution authorizes counties, municipalities, and school districts to levy ad valorem taxes. At its discretion, the Legislature may authorize special districts to levy ad valorem taxes. Millage rates are fixed only by the ordinance or resolution of the taxing authority’s governing body in a manner specifically provided by general law or special law. Ad valorem taxes are considered general revenue for general-purpose local governments as well as for school districts. Local governments may levy ad valorem taxes subject to the following limitations:

- Ten mills for county purposes
- Ten mills for municipal purposes
- Ten mills for school purposes
- A millage fixed by law for a county furnishing municipal services
- A millage fixed by law and approved by voters for special districts

Currently, Lee County has countywide operating millage of 4.1506 mills, with \$226.7 million of taxes levied in 2013 (Countywide levies ONLY). Ad valorem taxes account for the majority of the County’s general fund revenue, which are mainly used for general government services and public safety expenditures.

Toll Revenues

Recently, the City of Ft. Myers conducted a toll re-allocation study to review surplus revenues. This study has not been fully reviewed or adopted at all levels of the City agencies. It may be considered in a “draft” form at this time.

The study concludes that the toll revenues generated by the LeeWay toll system are meeting financial requirements and are projected to generate net surplus revenues. This study details the current and a potential new revenue allocation for these surplus revenues. These projected revenues should be taken into consideration when exploring available funding sources for future transportation projects in Lee County.

³ 2013 Local Government Financial Information Handbook; The Florida Legislature’s Office of Economic and Demographic Research

Revenue Projections

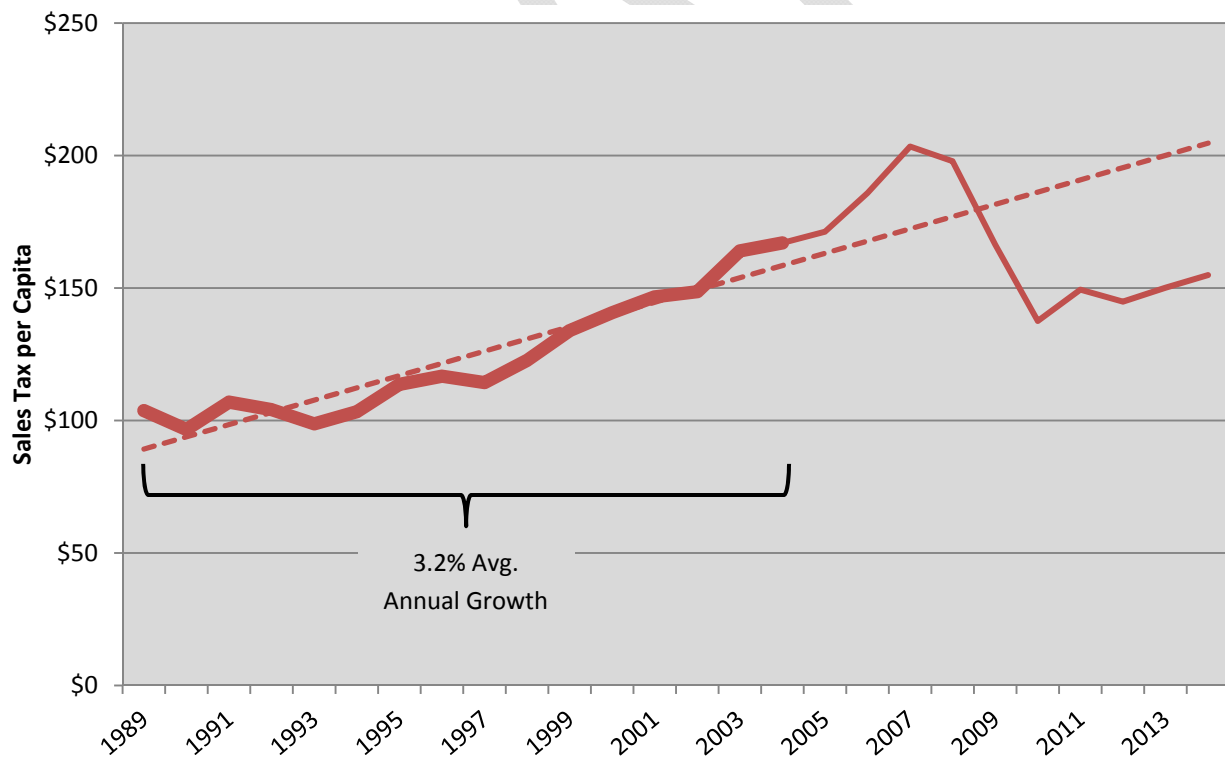
This section provides revenue projections for the following tax revenue sources for Lee County:

- Local Discretionary Sales Surtax
- Local Option Fuel Tax
- Ad Valorem (Property) Tax

Local Discretionary Sales Surtax:

Currently, Lee County does not collect any local option sales tax, but does collect the 6 percent state sales tax. Figure 8 illustrates the trend in historical sales tax revenue per capita for a 1.0 percent sales tax in Lee County. As shown, the sales tax revenue per capita has increased by an annual average of 1.6 percent since 1989. However, due to the economic boom and recession in the mid-2000s, there was significant volatility in sales tax revenues and the revenue per capita. Due to this unique time period, the recommended annual index for sales tax revenues was based on the average annual increase in sales tax per capita from 1989 to 2004, which was approximately 3.2 percent. During this same time period, the average annual increase in sales tax revenue per capita for all of Florida was 3.3 percent.

Figure 8
Lee County – Sales Tax (1.0%) Per-Capita Trend



Source: Local Government Financial Information Handbook

Table 2 provides the projected sales tax revenues for Lee County through 2040. Based on the trend observed in Figure 7, it was assumed that the sales tax per capita revenue levels will continue to increase through 2040. The projections in Table 2 reflect the total revenues available to the County and municipalities, with the assumption that the allocation between the entities remains constant through 2040. The current allocation is based on the same allocation formulas used to distribute the local government half-cent sales tax. These projections provide the total revenues potentially available for all service areas, and do not make assumptions regarding how the County is likely to allocate these revenues. Typically, transportation expenditures only account for a portion of total revenues received.

Table 2
Lee County – Sales Tax (1.0%) Per-Capita Trend

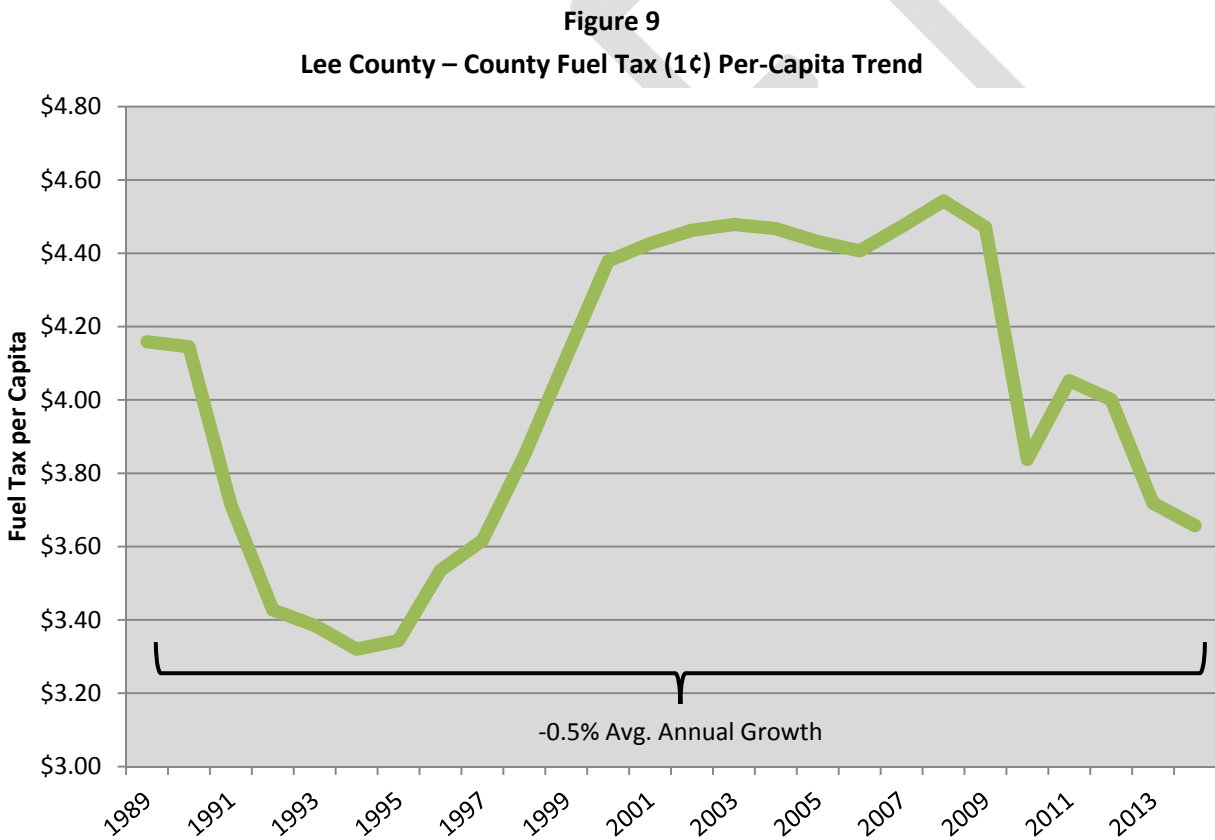
Year	Projected Revenues			Annual Growth
	County (65.59%)	Cities (34.41%)	Total	
2014	\$67,347,673	\$35,332,115	\$102,679,788	-
2015	\$69,964,669	\$36,705,050	\$106,669,719	3.89%
2016	\$72,697,769	\$38,138,896	\$110,836,665	3.91%
2017	\$75,575,074	\$39,648,396	\$115,223,470	3.96%
2018	\$78,612,965	\$41,242,142	\$119,855,107	4.02%
2019	\$81,886,330	\$42,959,424	\$124,845,754	4.16%
2020	\$85,456,247	\$44,832,283	\$130,288,530	4.36%
2021	\$89,454,659	\$46,929,941	\$136,384,600	4.68%
2022	\$93,934,995	\$49,280,427	\$143,215,422	5.01%
2023	\$98,842,911	\$51,855,231	\$150,698,142	5.22%
2024	\$104,098,883	\$54,612,632	\$158,711,515	5.32%
2025	\$109,687,952	\$57,544,785	\$167,232,737	5.37%
2026	\$115,588,396	\$60,640,291	\$176,228,687	5.38%
2027	\$121,818,148	\$63,908,560	\$185,726,708	5.39%
2028	\$128,384,914	\$67,353,634	\$195,738,548	5.39%
2029	\$135,291,123	\$70,976,788	\$206,267,911	5.38%
2030	\$142,554,904	\$74,787,532	\$217,342,436	5.37%
2031	\$150,193,993	\$78,795,172	\$228,989,165	5.36%
2032	\$158,226,969	\$83,009,453	\$241,236,422	5.35%
2033	\$166,673,283	\$87,440,580	\$254,113,863	5.34%
2034	\$175,553,302	\$92,099,240	\$267,652,542	5.33%
2035	\$184,888,349	\$96,996,617	\$281,884,966	5.32%
2036	\$194,700,743	\$102,144,421	\$296,845,164	5.31%
2037	\$205,013,847	\$107,554,909	\$312,568,756	5.30%
2038	\$215,852,109	\$113,240,907	\$329,093,016	5.29%
2039	\$227,241,114	\$119,215,837	\$346,456,951	5.28%
2040	\$239,207,631	\$125,493,743	\$364,701,374	5.27%

Note: 3.0% average annual growth in sales tax per capita and 1.9% average annual population growth

Local Option Fuel Tax:

Currently, Lee County collects all 12 pennies of available local option fuel tax. Local fuel tax revenues are based on a set pennies-per-gallon charge, not a percentage of the sale (as with a sales tax) and, therefore, fuel taxes do not increase as gas prices increase or with the effects of inflation. Additionally, fuel tax revenues are expected to deteriorate due to the new standards in fuel efficiency. Since 1980, fuel efficiency has increase by approximately 0.50 percent each year, but due to recent government standards for new vehicles, a preliminary analysis suggests that the fleet-wide fuel efficiency is estimated to increase by an average of 5.0 percent annually through 2025.

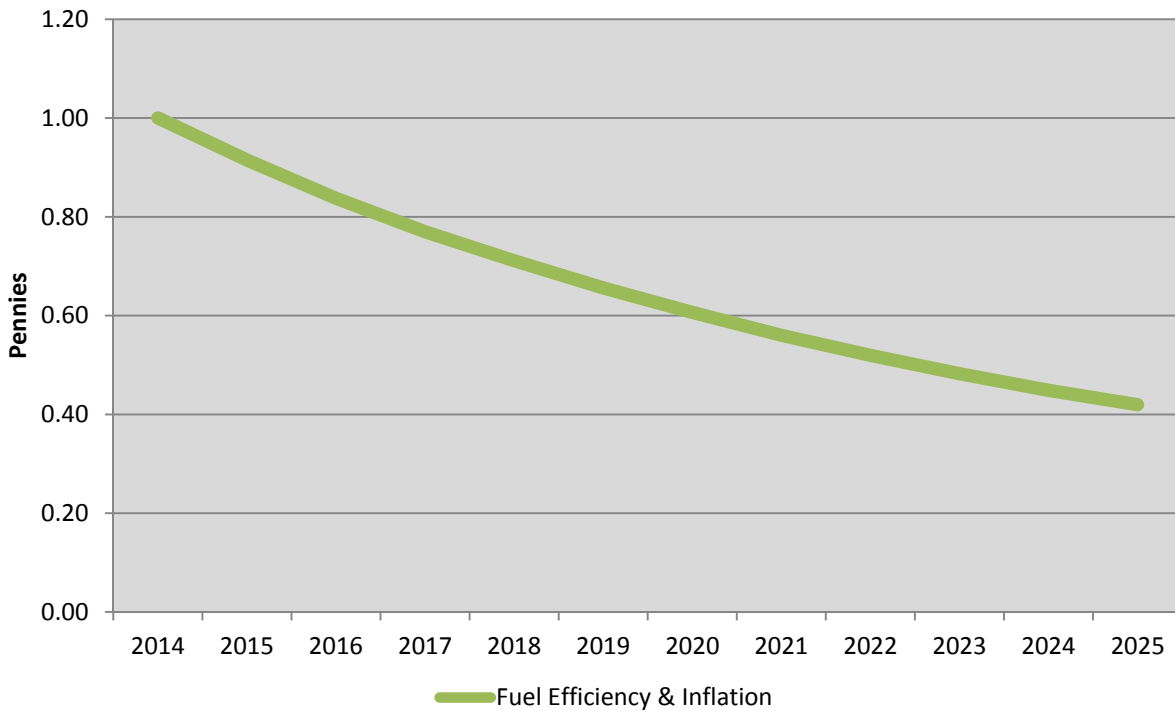
Figure 9 illustrates the trend in historical fuel tax revenue per capita for one penny of fuel tax in Lee County. As shown, the fuel tax revenue per capita has decreased by an annual average of 0.5 percent since 1989. During this same time period, the average annual change in fuel tax revenue per capita for all of Florida was -0.4 percent.



Source: *Local Government Financial Information Handbook*

Figure 10 illustrates the projected decrease in the value of a penny of local option fuel tax over the next decade, taking into account future inflation and aggressive fuel efficiency standards implemented by the Federal Government. Based on these new standards, and an average annual inflation rate of 3.0 percent, it is projected that a penny of fuel tax today will decrease in value by almost 60 percent by 2025.

Figure 10
Projected Decrease in the Value of a Penny of Local Option Fuel Tax



Sources: U.S. Census Bureau, FHWA, Whitehouse.gov

For fuel tax projection purposes, conservative deflation factors were applied to the current collection rates in Lee County. For the next 11 years (through 2025), it is projected that revenues from the local option fuel taxes will decline by 0.5 percent per capita annually and that for the following 15 years, fuel tax revenues per capita will decline by 1.0 percent annually due to increased fuel efficiency and inflation. Due to projected population growth during this time period, actual local option fuel tax revenues will continue to increase, but at a declining annual rate.

Tables 3, 4, and 5 present the annual revenue projections for the ninth-cent, 1st local option, and 2nd local option fuel taxes, respectively.

Table 3 presents the annual revenue projections for the ninth-cent fuel tax through 2040. While the County has the option to share these revenues with the municipalities, Lee County currently retains 100 percent of the revenues. Table 3 assumes that this current distribution will continue through 2040.

Table 3
Lee County
Ninth Cent Fuel Tax Revenue Projections

Year	Projected Revenues	Annual Growth
2014	\$2,922,989	-
2015	\$2,933,681	0.37%
2016	\$2,944,996	0.39%
2017	\$2,957,820	0.44%
2018	\$2,972,465	0.50%
2019	\$2,991,324	0.63%
2020	\$3,015,959	0.82%
2021	\$3,050,100	1.13%
2022	\$3,094,340	1.45%
2023	\$3,145,688	1.66%
2024	\$3,200,705	1.75%
2025	\$3,258,277	1.80%
2026	\$3,300,208	1.29%
2027	\$3,343,005	1.30%
2028	\$3,386,390	1.30%
2029	\$3,429,970	1.29%
2030	\$3,473,770	1.28%
2031	\$3,517,787	1.27%
2032	\$3,562,012	1.26%
2033	\$3,606,441	1.25%
2034	\$3,651,067	1.24%
2035	\$3,695,884	1.23%
2036	\$3,740,885	1.22%
2037	\$3,786,064	1.21%
2038	\$3,831,413	1.20%
2039	\$3,876,927	1.19%
2040	\$3,922,597	1.18%

Note: -0.5% average annual growth through 2025 and -1.0% average annual growth in fuel tax per capita from 2025 to 2040 and 1.9% average annual population growth

Table 4 presents the annual revenue projections for the 6-cents of 1st local option fuel tax through 2040. Currently, the county retains just over 50 percent of the revenues, while the cities retain the remaining amount. Table 4 assumes that this current distribution will continue through 2040.

Table 4
Lee County
1st Local Option Fuel Tax Revenue Projections

Year	Projected Revenues			Annual Growth
	County (50.49%)	Cities (49.51%)	Total	
2014	\$8,304,329	\$8,143,143	\$16,447,472	-
2015	\$8,333,867	\$8,172,109	\$16,505,976	0.36%
2016	\$8,365,169	\$8,202,803	\$16,567,972	0.38%
2017	\$8,400,750	\$8,237,694	\$16,638,444	0.43%
2018	\$8,441,498	\$8,277,651	\$16,719,149	0.49%
2019	\$8,494,203	\$8,329,332	\$16,823,535	0.62%
2020	\$8,563,295	\$8,397,083	\$16,960,378	0.81%
2021	\$8,659,362	\$8,491,286	\$17,150,648	1.12%
2022	\$8,784,078	\$8,613,581	\$17,397,659	1.44%
2023	\$8,928,945	\$8,755,636	\$17,684,581	1.65%
2024	\$9,084,197	\$8,907,875	\$17,992,072	1.74%
2025	\$9,246,668	\$9,067,192	\$18,313,860	1.79%
2026	\$9,365,664	\$9,183,878	\$18,549,542	1.29%
2027	\$9,487,118	\$9,302,975	\$18,790,093	1.30%
2028	\$9,610,240	\$9,423,708	\$19,033,948	1.30%
2029	\$9,733,915	\$9,544,981	\$19,278,896	1.29%
2030	\$9,858,217	\$9,666,871	\$19,525,088	1.28%
2031	\$9,983,130	\$9,789,360	\$19,772,490	1.27%
2032	\$10,108,638	\$9,912,432	\$20,021,070	1.26%
2033	\$10,234,723	\$10,036,069	\$20,270,792	1.25%
2034	\$10,361,368	\$10,160,256	\$20,521,624	1.24%
2035	\$10,488,553	\$10,284,973	\$20,773,526	1.23%
2036	\$10,616,262	\$10,410,203	\$21,026,465	1.22%
2037	\$10,744,475	\$10,535,927	\$21,280,402	1.21%
2038	\$10,873,172	\$10,662,126	\$21,535,298	1.20%
2039	\$11,002,334	\$10,788,781	\$21,791,115	1.19%
2040	\$11,131,942	\$10,915,873	\$22,047,815	1.18%

Note: -0.5% average annual growth through 2025 and -1.0% average annual growth in fuel tax per capita from 2025 to 2040 and 1.9% average annual population growth

Table 5 presents the annual revenue projections for the 5-cents of 2nd local option fuel tax through 2040. Currently, the county retains just over 50 percent of the revenues, while the cities retain the remaining amount. Table 5 assumes that this current distribution will continue through 2040.

**Table 5
Lee County
2nd Local Option Fuel Tax Revenue Projections**

Year	Projected Revenues			Annual Growth
	County (50.49%)	Cities (49.51%)	Total	
2014	\$6,129,014	\$6,010,052	\$12,139,066	-
2015	\$6,150,815	\$6,031,429	\$12,182,244	0.36%
2016	\$6,173,918	\$6,054,083	\$12,228,001	0.38%
2017	\$6,200,179	\$6,079,834	\$12,280,013	0.43%
2018	\$6,230,253	\$6,109,325	\$12,339,578	0.49%
2019	\$6,269,151	\$6,147,468	\$12,416,619	0.62%
2020	\$6,320,144	\$6,197,472	\$12,517,616	0.81%
2021	\$6,391,047	\$6,266,998	\$12,658,045	1.12%
2022	\$6,483,094	\$6,357,259	\$12,840,353	1.44%
2023	\$6,590,013	\$6,462,102	\$13,052,115	1.65%
2024	\$6,704,597	\$6,574,462	\$13,279,059	1.74%
2025	\$6,824,509	\$6,692,046	\$13,516,555	1.79%
2026	\$6,912,333	\$6,778,166	\$13,690,499	1.29%
2027	\$7,001,972	\$6,866,066	\$13,868,038	1.30%
2028	\$7,092,843	\$6,955,173	\$14,048,016	1.30%
2029	\$7,184,121	\$7,044,679	\$14,228,800	1.29%
2030	\$7,275,862	\$7,134,639	\$14,410,501	1.28%
2031	\$7,368,055	\$7,225,042	\$14,593,097	1.27%
2032	\$7,460,686	\$7,315,876	\$14,776,562	1.26%
2033	\$7,553,743	\$7,407,127	\$14,960,870	1.25%
2034	\$7,647,213	\$7,498,782	\$15,145,995	1.24%
2035	\$7,741,083	\$7,590,830	\$15,331,913	1.23%
2036	\$7,835,338	\$7,683,256	\$15,518,594	1.22%
2037	\$7,929,966	\$7,776,047	\$15,706,013	1.21%
2038	\$8,024,951	\$7,869,188	\$15,894,139	1.20%
2039	\$8,120,279	\$7,962,666	\$16,082,945	1.19%
2040	\$8,215,936	\$8,056,466	\$16,272,402	1.18%

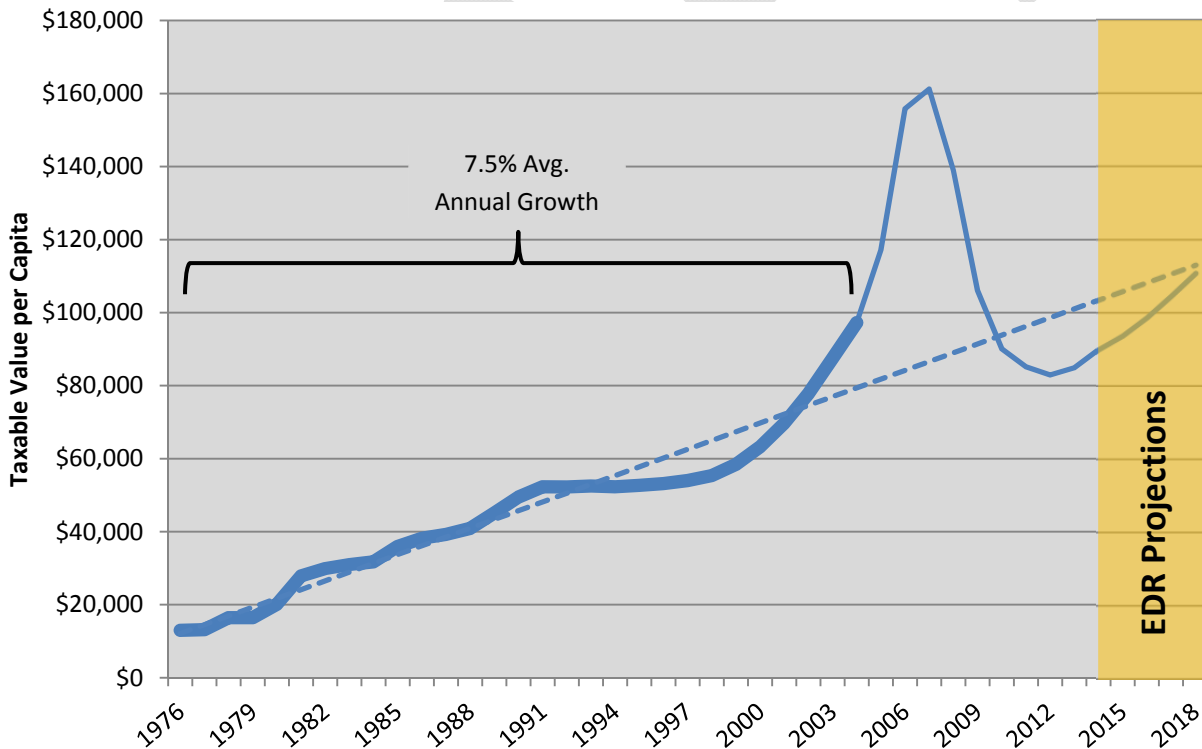
Note: -0.5% average annual growth through 2025 and -1.0% average annual growth in fuel tax per capita from 2025 to 2040 and 1.9% average annual population growth

Ad Valorem (Property) Tax:

Currently, Lee County imposes a countywide millage of 4.1506 mils. In 2013, this millage accounted for approximately \$226 million in tax revenue. To project future revenues, a review of historical and projected growth in the countywide taxable value was conducted.

Figure 11 illustrates the trend in historical taxable values per capita for in Lee County as well as the projected increase in taxable value through 2018 (provided by the Florida Legislature’s Office of Economic and Demographic Research). As shown, the taxable value per capita has increased by an annual average of 5.2 percent since 1976. Due to the economic boom and recession in the mid-2000s, there was significant volatility in taxable values. Given this volatility, the annual index for total taxable value during a more stable time period (1976 to 2004) was also reviewed. Between 1976 and 2004, the taxable value per capita in Lee County increased at an average annual rate of 7.5 percent. Over the same time period (1976 to 2004), the taxable value per capita for all of Florida averaged 6.4 percent annual growth.

Figure 11
Lee County – Taxable Value Per-Capita Trend



Source: *Florida Property Valuations and Tax Databook (historical)* & *The Florida Legislature’s Department of Economic and Demographic Research’s Ad Valorem Revenue Estimating Conference Report (projections)*

Table 6 provides the projected ad valorem revenues for 1-mil in Lee County through 2040. Based on the trends observed in Figure 10, it was estimated that the taxable value per capita levels will continue to increase through 2040. The projections in Table 6 reflect an average annual increase on 5.2 percent in the taxable value per capita, based on the historical trend previously discussed. This growth rate is consistent with the 5-yr projections provided by the Economic and Demographic Research Department. Additionally, the projected revenues reflect an increase due to expected population growth in Lee County of approximately 1.9 percent annually through 2040.

Table 6
Lee County
Ad Valorem Tax (1 mil) Revenue Projections

Year	Projected Revenues	Annual Growth
2014	\$58,390,661	-
2015	\$61,955,248	6.10%
2016	\$65,750,478	6.13%
2017	\$69,812,779	6.18%
2018	\$74,170,129	6.24%
2019	\$78,908,681	6.39%
2020	\$84,107,690	6.59%
2021	\$89,923,535	6.91%
2022	\$96,444,250	7.25%
2023	\$103,650,873	7.47%
2024	\$111,494,134	7.57%
2025	\$119,989,541	7.62%
2026	\$129,144,887	7.63%
2027	\$139,012,383	7.64%
2028	\$149,635,282	7.64%
2029	\$161,052,633	7.63%
2030	\$173,324,200	7.62%
2031	\$186,512,577	7.61%
2032	\$200,684,847	7.60%
2033	\$215,912,893	7.59%
2034	\$232,273,736	7.58%
2035	\$249,849,889	7.57%
2036	\$268,729,746	7.56%
2037	\$289,007,985	7.55%
2038	\$310,786,009	7.54%
2039	\$334,172,407	7.52%
2040	\$359,283,459	7.51%

Note: 5.2% average annual growth in taxable value per capita and 1.9% average annual population growth

Comparative Analysis

This section provides a comparison of sales, fuel, and ad valorem taxes, including trade-off scenarios and pros and cons related to these scenarios.

Sales Tax vs. Ad Valorem Tax

As mentioned previously, Lee County is eligible to adopt a local discretionary sales surtax. Typically, counties pursue local government infrastructure surtax if not eligible for the small county surtax, for which Lee is not eligible. The local government infrastructure surtax offers flexible spending options that can extend outside of transportation, unlike the charter county and transportation system surtax. The local government infrastructure surtax will be used for comparison purposes in the following analysis.

Since Lee County does not currently collect a local option sales tax, the 2013 revenues were based on the estimated potential revenues provided in the Local Government Financial Information Handbook. Based on these estimates and Lee County’s ad valorem tax levied per mil, the countywide millage could be reduced by approximately 1.16 mils if a 1.0 percent sales tax was adopted. As shown in Table 7, the individual cities in Lee County could further reduce their millage rates with their individual sales tax revenue allocations. In addition to the countywide millage reduction, the cities millage reductions range from 0.19 mils to 1.96 mils. The variation in millage reductions results from population-based distribution of sales tax revenues. Cities with high taxable values and low population (Sanibel and Ft. Myers Beach) do recognize the benefits of the revenue trade-off as much as cities with lower property values and higher populations (Cape Coral and Ft. Myers).

Table 7
Sales Tax Adoption vs. Millage Reduction

Tax	Taxable Value (2013)⁽¹⁾	Taxes Levied per mil⁽²⁾	Sales Tax Revenue (1.0%)⁽³⁾	Millage Reduction⁽⁴⁾
Lee County	\$54,631,753,411	\$54,631,753	\$63,558,443	1.16
Bonita Springs	\$7,017,575,509	\$7,017,576	\$5,285,716	0.75
Cape Coral	\$9,520,558,825	\$9,520,559	\$18,653,502	1.96
Ft Myers	\$4,206,426,920	\$4,206,427	\$7,586,680	1.80
Ft Myers Beach	\$2,502,999,103	\$2,502,999	\$747,142	0.30
Sanibel	\$4,103,369,213	\$4,103,369	\$771,960	0.19
Countywide	-	\$81,982,683	\$96,603,443	1.18

(1) Source: Florida Legislature’s Department of Economic and Demographic Research

(2) Taxable value (Item 1) divided by 1,000 (millage is assessed per 1,000 resident)

(3) Source: Local Government Financial Information Handbook

(4) Sales Tax Revenue (Item 3) divided by the taxes levied per mil (Item 2)

Sales Tax vs. Fuel Tax

Sales tax revenues are based on a percentage of the purchase price and, therefore, are automatically adjusted for inflation/deflation. Compared to fuel taxes, sales tax revenues are a much more reliable and consistent source of revenue, as well as being more lucrative.

Since Lee County does not currently collect a local option sales tax, the 2013 revenues were based on the estimated potential revenues provided in the Local Government Financial Information Handbook. Based on these estimates, Lee County could eliminate all 12 pennies of fuel tax if a 1.0 percent sales tax was adopted. As shown in Table 8, a sales tax would generate significantly more revenue than the adopted 12 pennies of fuel tax currently do. With the adoption of a sales tax and elimination of all local option fuel taxes, the county and all of the cities, with the exception of Sanibel, would receive more revenue than they each receive currently. As fuel tax revenues per capita continue to decline and sales tax revenues per capita continue to increase, Sanibel would begin to experience the benefits of a sales tax (in terms of revenue generated) after approximately 15 years.

Table 8
Sales Tax Adoption vs. Fuel Tax Reduction

Tax	Fuel Tax Revenue (11/12 Pennies)⁽¹⁾	LOFT per Penny⁽²⁾	Sales Tax Revenue (1.0%)⁽³⁾	Fuel Tax Reduction (Pennies)⁽⁴⁾
Lee County	\$17,426,256	\$1,452,188	\$63,558,443	43.77
Bonita Springs	\$1,303,439	\$118,494	\$5,285,716	44.61
Cape Coral	\$7,163,175	\$651,198	\$18,653,502	28.64
Ft Myers	\$4,019,417	\$365,402	\$7,586,680	20.76
Ft Myers Beach	\$292,843	\$26,622	\$747,142	28.06
Sanibel	\$1,435,506	\$130,501	\$771,960	5.92
Countywide	-	\$2,744,405	\$96,603,443	35.20

- (1) Source: Local Government Financial Information Handbook
- (2) Fuel tax revenue (Item 1) divided by 12 pennies for Lee County and 11 pennies for each city
- (3) Source: Local Government Financial Information Handbook
- (4) Sales Tax Revenue (Item 3) divided by local option fuel tax per penny (Item 2)

Florida Case Studies

This section provides a review of peer jurisdictions in Florida and their current local option sales tax programs.

Charter County and Regional Transportation System Surtax:

As previously mentioned, only three counties have currently this local option sales tax in place, and all three have adopted it at a rate of 0.5%. In most cases, adoption has been tied to a specific project or transportation-related issue.

- Duval (Jacksonville) County: The Charter County sales tax was adopted by voters in 1988 in exchange for the Jacksonville Transit Authority (JTA) removing all toll booths on the JTA roadway and bridge improvements. This sales tax has been used to build roads and bridges in Duval County, to fund mass transit, and to plan and design future transportation facilities to ease people and freight movement through Duval and the surrounding counties. This sales tax will continue to be collected until repealed.
- Hillsborough County: Currently, Hillsborough County does not collect the charter county surtax. In 2010, the County sought to add a 1.0% surtax to help fund the county's roadway system and for an expansion of a light rail system. Hillsborough County elected to let the adoption to be decided upon by the voters. This measure was defeated with 58% of voting "no". Major opponents argued that the actual light rail routes to be funded had not even been decided upon at the time of the vote and that light rail in general would be a wasteful use of tax money that could be utilized for better projects.
- Miami-Dade County: This sales tax was adopted by voters in 2002 to support the People's Transportation Plan (PTP). The PTP is a publicly supported transportation program established to develop an integrated mass transportation network. A portion of this sales tax is also used for roadway improvements in the County and its municipalities. This sales tax will continue to be collected until repealed.
- Pinellas County: Currently, Pinellas County does not collect the charter county surtax. Later this year, in November, the adoption of this sales tax will go to referendum. Pinellas County is looking to adopt the charter county surtax as part of the "Greenlight Pinellas Plan" that will increase bus service, increase frequency, increase coverage, and increase hours of operation. Additionally, if adopted, the Pinellas Suncoast Transit Authority (PSTA) millage of 0.7305 mils will be eliminated.
- Polk County: Currently, Polk County does not collect the charter county surtax. In 2010, the County sought to add a 0.5% transit surtax to help fund the mass transit system throughout the

county. The goal was to unify the existing transit systems into a single county-wide transit system under one authority to help ensure services and funding. This measure was defeated with 62% of voting “no”.

- Walton County: This sales tax was adopted by voters in 2012 for the specific purpose of funding the expansion of the Clyde B. Wells Bridge on Highway 331 and the 4-laning of the road up to I-10. This sales tax is supposed to sunset once enough revenue has been generated for these improvements. The entire project is estimated to be completed by 2017.

Local Government Infrastructure Surtax:

This section details the current local option sales tax programs for select peer counties that have adopted the local government infrastructure surtax.

- Charlotte County: This sales tax (1.0%) was originally implemented in 1995 and was renewed in 1999, 2003, and 2009 with the current levy set to expire at the end of 2014. Over the past few years, approximately 90 percent of the sales tax revenues have been used for transportation-related expenditures in the County, but if re-adopted in 2015, this allocation for transportation would likely to be cut in half.
- Hillsborough County: This sales tax (0.5%) was originally implemented in 1996 with the current levy set to expire in 2026. Referred to as the “community Investment Tax” (CIT), revenues are designated for construction of new public school facilities, public safety, transportation, water, wastewater, reclaimed water, stormwater, community stadiums, parks, libraries, museums, and government facilities.
- Indian River County: This sales tax (1.0%) was originally implemented in 1989 and renewed in 2004 with the current levy set to expire at the end of 2019. Currently, local option sales tax revenues are allocated to emergency services, facilities management, law enforcement, parks & recreation, stormwater management, and transportation capital improvements. However, if the sales tax is renewed in 2019, it is possible that a significant portion of the revenues will be dedicated to the Indian River Lagoon rehabilitation project, resulting in a more limited amount of funding for other program services..
- Pasco County: This sales tax (1.0%) was originally implemented in 2005 and was extended in 2013 with the current levy set to expire at the end of 2024. Commonly referred to as the “Penny for Pasco”, renewal in 2012 was supported by 70% of the voters in Pasco County to provide business incentives for qualified industries that create high-paying jobs, to fund the purchase of law enforcement, fire, and rescue vehicles, to construct transportation projects (including intersection improvements, sidewalks and pedestrian safety projects, new bicycle/pedestrian trails, and several public transportation projects), to retrofit and equip

schools with new technology (as well as repairs), and to protect water resources through the purchase of environmental lands.

- Pinellas County: This sales tax (1.0%) was originally implemented in 1990 and has been extended twice (10 more years each time). Commonly referred to as the “Penny for Pinellas”, the current levy is set to expire at the end of 2019. Revenues from this tax are dedicated to capital improvement projects such as facilities, stormwater improvements, preservation land purchases, roads, bridges, public safety, parks and community centers.

Millage Reduction Analysis:

This section presents the ad valorem vs. sales tax “trade-off” analysis for each peer county, similar to the analysis previously provided for Lee County (Table 7).

Table 9
Charlotte County: Sales Tax Adoption vs. Millage Reduction

Jurisdiction	Taxable Value (2013) ⁽¹⁾	Taxes Levied per mil ⁽²⁾	Sales Tax Revenue (1.0%) ⁽³⁾	Millage Reduction ⁽⁴⁾
Charlotte County	\$12,033,676,513	\$12,033,677	\$18,386,653	1.53
Punta Gorda	\$2,312,248,641	\$2,312,249	\$1,995,291	0.86
Countywide	-	\$14,345,926	\$20,381,944	1.42

(1) Source: Florida Legislature’s Department of Economic and Demographic Research

(2) Taxable value (Item 1) divided by 1,000 (millage is assessed per 1,000 resident)

(3) Source: Local Government Financial Information Handbook

(4) Sales Tax Revenue (Item 3) divided by the taxes levied per mil (Item 2)

Table 10
Hillsborough County: Sales Tax Adoption vs. Millage Reduction

Jurisdiction	Taxable Value (2013) ⁽¹⁾	Taxes Levied per mil ⁽²⁾	Sales Tax Revenue (1.0%) ⁽³⁾	Millage Reduction ⁽⁴⁾
Hillsborough County	\$63,953,297,744	\$63,953,298	\$141,531,377	2.21
Plant City	\$1,521,738,343	\$1,521,738	\$4,447,312	2.92
Tampa	\$22,483,231,302	\$22,483,231	\$43,098,837	1.92
Temple Terrace	\$1,164,371,768	\$1,164,372	\$3,128,452	2.69
Countywide	-	\$89,122,639	\$192,205,978	2.16

(1) Source: Florida Legislature’s Department of Economic and Demographic Research

(2) Taxable value (Item 1) divided by 1,000 (millage is assessed per 1,000 resident)

(3) Source: Local Government Financial Information Handbook

(4) Sales Tax Revenue (Item 3) divided by the taxes levied per mil (Item 2)

Table 11
Indian River County: Sales Tax Adoption vs. Millage Reduction

Jurisdiction	Taxable Value (2013) ⁽¹⁾	Taxes Levied per mil ⁽²⁾	Sales Tax Revenue (1.0%) ⁽³⁾	Millage Reduction ⁽⁴⁾
Indian River County	\$12,860,457,144	\$12,860,457	\$13,701,891	1.07
Fellsmere	\$88,367,863	\$88,368	\$583,356	6.60
Indian River Shores	\$2,392,161,099	\$2,392,161	\$436,734	0.18
Orchid	\$378,008,979	\$378,009	\$46,490	0.12
Sebastian	\$827,296,184	\$827,296	\$2,458,028	2.97
Vero Beach	\$2,126,491,259	\$2,126,491	\$1,704,918	0.80
Countywide	-	\$18,672,782	\$18,931,417	1.01

(1) Source: Florida Legislature’s Department of Economic and Demographic Research

(2) Taxable value (Item 1) divided by 1,000 (millage is assessed per 1,000 resident)

(3) Source: Local Government Financial Information Handbook

(4) Sales Tax Revenue (Item 3) divided by the taxes levied per mil (Item 2)

Table 12
Pasco County: Sales Tax Adoption vs. Millage Reduction

Jurisdiction	Taxable Value (2013) ⁽¹⁾	Taxes Levied per mil ⁽²⁾	Sales Tax Revenue (1.0%) ⁽³⁾	Millage Reduction ⁽⁴⁾
Pasco County	\$19,410,535,830	\$19,410,536	\$40,699,819	2.10
Dade City	\$253,237,700	\$253,238	\$583,388	2.30
New Port Richey	\$485,001,111	\$485,001	\$1,345,706	2.77
Port Richey	\$243,914,025	\$243,914	\$238,573	0.98
St. Leo	\$38,000,899	\$38,001	\$123,964	3.26
San Antonio	\$47,286,946	\$47,287	\$102,374	2.16
Zephyrhills	\$587,456,961	\$587,457	\$1,197,992	2.04
Countywide	-	\$21,065,434	\$44,291,816	2.10

(1) Source: Florida Legislature’s Department of Economic and Demographic Research

(2) Taxable value (Item 1) divided by 1,000 (millage is assessed per 1,000 resident)

(3) Source: Local Government Financial Information Handbook

(4) Sales Tax Revenue (Item 3) divided by the taxes levied per mil (Item 2)

Table 13
Pinellas County: Sales Tax Adoption vs. Millage Reduction

Jurisdiction	Taxable Value (2013) ⁽¹⁾	Taxes Levied per mil ⁽²⁾	Sales Tax Revenue (1.0%) ⁽³⁾	Millage Reduction ⁽⁴⁾
Pinellas County	\$56,132,296,777	\$56,132,297	\$67,668,906	1.21
Belleair	\$583,745,723	\$583,746	\$374,083	0.64
Belleair Beach	\$396,523,197	\$396,523	\$150,810	0.38
Belleair Bluffs	\$163,344,488	\$163,344	\$197,607	1.21
Belleair Shore	\$102,804,596	\$102,805	\$10,517	0.10
Clearwater	\$7,744,499,832	\$7,744,500	\$10,406,487	1.34
Dunedin	\$1,761,446,375	\$1,761,446	\$3,406,487	1.93
Gulfport	\$655,254,633	\$655,255	\$1,159,975	1.77
Indian Rocks Beach	\$777,942,194	\$777,942	\$395,792	0.51
Indian Shores	\$647,647,628	\$647,648	\$137,109	0.21
Kenneth City	\$116,886,454	\$116,886	\$481,377	4.12
Largo	\$3,291,266,711	\$3,291,267	\$7,494,199	2.28
Madeira Beach	\$861,696,005	\$861,696	\$414,415	0.48
North Redington Beach	\$383,305,077	\$383,305	\$137,688	0.36
Oldsmar	\$1,048,013,097	\$1,048,013	\$1,312,715	1.25
Pinellas Park	\$2,595,873,248	\$2,595,873	\$4,756,168	1.83
Redington Beach	\$331,867,790	\$331,868	\$137,398	0.41
Redington Shores	\$492,360,661	\$492,361	\$205,326	0.42
Safety Harbor	\$966,743,858	\$966,744	\$1,628,519	1.68
St. Petersburg	\$12,568,336,804	\$12,568,337	\$23,723,524	1.89
St. Pete Beach	\$2,063,714,343	\$2,063,714	\$900,616	0.44
Seminole	\$976,236,263	\$976,236	\$1,661,711	1.70
South Pasadena	\$434,856,383	\$434,856	\$480,605	1.11
Tarpon Springs	\$1,316,566,478	\$1,316,566	\$2,264,084	1.72
Treasure Island	\$1,300,698,703	\$1,300,699	\$647,915	0.50
Countywide	-	\$97,713,927	\$130,154,033	1.33

(1) Source: Florida Legislature's Department of Economic and Demographic Research

(2) Taxable value (Item 1) divided by 1,000 (millage is assessed per 1,000 resident)

(3) Source: Local Government Financial Information Handbook

(4) Sales Tax Revenue (Item 3) divided by the taxes levied per mil (Item 2)

FDOT LETTER ON THE MAINTENANCE OF SIDEWALKS AND PATHWAYS

RECOMMENDED ACTION: To be determined when we receive the letter from FDOT addressing the issue.

This item is a follow up to the previous discussions on the issue that we were dealing with in regards to FDOT maintaining concrete sidewalks in State road right-of-way but discussing that they would not maintain asphalt sidewalks/pathways within State right-of-way. The FDOT staff has indicated that there will be a letter coming to us that sounds like it will bring this item to a conclusion. We have asked FDOT to try and get a copy to us prior to the Executive Committee meeting.

STAFF PRESENTATION ON THE PROJECT SCHEDULING AND ONLINE RFP PROCESS

DISCUSSION ITEM:

In response to current project activities and prior discussions of the Executive Committee on these issues, staff has moved forward to obtain some software upgrades and training to help us provide better reporting capabilities and to also move us to an online Request for Proposal system (as was brought up during the Legal Services procurement process). At the Executive Committee meeting, staff will provide an overview of these improvements and will seek input on what the Executive Committee may want to see in the way of reports.

PROJECT SCHEDULE FOR THE IMPLEMENTATION OF THE TIGER PROJECTS

DISCUSSION ITEM:

The MPO staff have been holding weekly meetings with the Federal Highway Administration (FHWA) to keep the project moving towards a successful implementation. **Attached** is the latest version of the TIGER grant agreement that also includes the updated schedule information and staff will also go through the different iterations of the agreement that have occurred based on input from USDOT that has led us to this version. Listed below are some of the major activities that have occurred over the last few weeks and staff will provide the latest information at the meeting:

- The Construction Engineering and Inspection Request for Proposal closed on April 28th with seven firms submitting Letters of Interest. The selection committee ranked the firms on May 12th and asked the top four to make a presentation and answer questions on May 27th. Based on the results of presentation/Question and Answer meeting on May 27th, the selection committee ranked the firms: 1. Atkins, 2. High Spans, 3. URS and 4. AIM.
- The environmental determination (Categorical Exclusion) was signed on May 12th.
- The draft agreement is currently being reviewed by USDOT and staff is providing additional back up information, as requested.

1. Award No.
DTFH6114G00006

2. Effective Date
See No. 17, below

3. CFDA No.
20.933

4. Awarded To
Lee County Metropolitan Planning Organization
P. O. Box 150045
Cape Coral, FL 33915-0045
DUNS: 078286488
TIN: 80-0756648

5. Sponsoring Office
Federal Highway Administration
Office of Acquisition Management
HCFA-32, Mail Stop E65-101
1200 New Jersey Ave, S.E.
Washington, DC 20590

6. Period of Performance
Effective Date of Award -
October 15, 2018

7. Total Amount
Base - Phase 1: \$ **10,473,900**

Total Government Share: \$ **13,210,918**
Total Recipient Share: \$ **10,473,900**
Total Value: \$ **13,210,918**

8. Type of Agreement
Grant

9. Authority
Further Continuing Appropriations Act, 2013
(Pub.L. 113-6, March 26, 2013)

10. Procurement Request No.
70-71-14021

11. Amount Funds Obligated
\$10,473,900.00

12. Submit Payment Requests To
See Section 4.1, Page 10

13. Payment Office
See Section 4.1, Page 10

14. Accounting and Appropriation Data
1540C57E50.2014.070RTDG500.7001000000.41011.61006600 – increase \$10,473,900.00

15. Description of Project
“Lee County Complete Streets Initiative

RECIPIENT
16. Signature of Person Authorized to Sign

FEDERAL HIGHWAY ADMINISTRATION
17. Signature of Agreement Officer

Signature Date
Name: **Stephen McIntosh**
Title: **Chairman Lee County MPO**

Signature Date
Name: **Stephanie Curtis**
Agreement Officer:

**UNITED STATES OF AMERICA
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
WASHINGTON, DC 20590**

**GRANT AGREEMENT UNDER THE
CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS
ACT, 2013 (DIVISION F, TITLE XIII, Pub. L. 113-6, MARCH 26, 2013)
FOR THE NATIONAL INFRASTRUCTURE INVESTMENTS
DISCRETIONARY GRANT PROGRAM
(FY 2013 TIGER DISCRETIONARY GRANTS)**

LEE COUNTY METROPOLITAN PLANNING ORGANIZATION

LEE COUNTY COMPLETE STREETS INITIATIVE

FHWA FY 2013 TIGER Grant No. [#]

This agreement (the “Agreement” or “Grant Agreement”) reflects the selection of the **Lee County Metropolitan Planning Organization** (“Grantee” or “Recipient”) as a Recipient of a grant awarded under the provisions of the Further Continuing Appropriations Act, 2013 (Pub. L. 113-06, March 26, 2013), regarding National Infrastructure Investments (the “Act”). The grant program under the Act is referred to as “FY 2013 TIGER Discretionary Grants” or “TIGER Discretionary Grants.”

SECTION 1. TERMS AND CONDITIONS OF THE GRANT

- 1.1 This Agreement is entered into between United States Department of Transportation (“DOT” or the “Government”) and the Grantee. This Agreement will be administered by the Federal Highway Administration (also referred to herein as “FHWA” or the “Government”).
- 1.2 This Grant is made to the Grantee for the project as described in the Grantee’s Technical Application (the “Project”), titled **Lee County Complete Streets Initiative** and the negotiated provisions on the Project’s material terms and conditions, including the Project’s scope, assurance/confirmation that all required funding has been obtained and committed, and the timeline for completion of the Project.
- 1.3 The Government, having reviewed and considered the Grantee’s Application and finding it acceptable, pursuant to the Act awards a TIGER Discretionary Grant in the amount of **Ten Million Four Hundred Seventy-Three Thousand Nine Hundred Dollars (\$10,473,900)**, for the entire period of performance (referred to as the “Grant”). This Grant is the total not-

to-exceed amount of funding that is being provided by the Government under this Grant Agreement. For urban projects, the Grantee hereby certifies that not less than Two Million Six Hundred Eighteen Thousand Four Hundred Seventy Five Dollars (\$2,618,475) in non-Federal funds are committed to fund the Project in order to satisfy the Act's requirement that at least twenty percent (20%) of the Project's costs are funded by non-Federal sources. The Government's liability to make payments to the Grantee under this Grant Agreement is limited to those funds obligated by the Government under this Agreement as indicated herein and by any subsequent amendments agreed to in writing by all parties.

1.4 The Grantee agrees to abide by and comply with all terms and conditions of this Agreement and to abide by, and comply with, all requirements as specified in the Exhibits and Attachments, identified in paragraphs 1.5 and 1.6, which are considered as integral parts of this Agreement. Each Exhibit and Attachment identified below is deemed to be incorporated by reference into this Agreement as is fully set out herein.

1.5 This Agreement shall also include the following Exhibits as integral parts hereof located at: http://ops.fhwa.dot.gov/freight/infrastructure/tiger/fy2013_gr_exhbt_tmp/index.htm

- Exhibit A Legislative Authority
- Exhibit B General Terms and Conditions
- Exhibit C Applicable Federal Laws and Regulations
- Exhibit D Grant Assurances
- Exhibit E Responsibility and Authority of the Grantee
- Exhibit F Reimbursement of Project Costs
- Exhibit G Grant Requirements and Contract Clauses
- Exhibit H Quarterly Progress Reports: Format and Content

1.6 This Grant Agreement shall also include the following Attachments as integral parts hereof:

- Attachment A Statement of Work
- Attachment B Estimated Project Schedule
- Attachment C Estimated Project Budget
- Attachment D Performance Measurement Table

1.7 In the case of any inconsistency or conflict between the specific provisions of this Grant Agreement, the Exhibits, and the Attachments, such inconsistency or conflict shall be resolved as follows: First, by giving preference to the specific provisions and terms of this Grant Agreement; second, by giving preference to the provisions and terms of the Exhibits; and, finally by giving preference to the provisions and terms in the Attachments.

SECTION 2. GRANTEE AND PROJECT INFORMATION

Grantee, in accordance with the requirements of the TIGER Discretionary Grant Program, provides the following information:

2.1 Project's Statement of Work Summary (for further information see Attachment A):

The Lee County Complete Streets Initiative Project will complete three loops (totaling approximately 7 miles) that will serve major portions of Lee County including Fort Myers, Cape Coral and other parts of the County. Together, the three segments will form an integrated system of walking, bicycling, and transit facilities that connect major commercial and residential facilities, providing commuters and others the freedom to move around Lee County without the need for an automobile.

2.2 Project's Schedule Summary (for further information see Attachment B):

Completion of NEPA:	May 12, 2014
[Planned] Release of RFP/PS&E Approval:	June 2, 2014
Planned Award of CEI	July 10, 2014
Planned Design/Build Contract Award:	August 25, 2014
Planned Start Date for Design/Survey:	September 29, 2014
Planned Start Construction Date:	June 26, 2015
Planned Project Construction Substantial Completion and Open to Traffic Date:	September 16, 2016

2.3 Project's Budget Summary (for further information see Attachment C): .

TIGER Grant Funds and Additional Sources of Project Funds:

TIGER Discretionary Grant Amount:	\$10,473,900	79%
State Funds (if any):	\$2,206,649*	17%
Local Funds (if any):	\$530,369**	4%

Total Project Cost: \$13,210,918 100%

*State funds noted are from (DS) State primary highways/PTO funds, (DDR) District Dedicated revenue, (DIH) District In-House funding and (DPTO) State Public Transportation Organization funds

**Local funds (LF) are from Lee County

If there are any cost savings or if the contract award is under the engineer's estimate, 23 C.F.R. 630.106(f) shall not apply to any match for the TIGER Discretionary Grant amount, and the Grantee's funding amount and percentage share may be reduced, provided that the Grantee's share of the costs under the Act may not be reduced below 20% for urban area projects.

2.4 Project's State and Local Planning Requirements: **The project was included in the Bicycle Pedestrian Element of the MPO's Long Range Transportation Plan (LRTP) that was adopted on December 8, 2010. The project was also included in the MPO's Bicycle Pedestrian Master Plan that was adopted on May 20, 2011 which was also added to the MPO's LRTP through an LRTP amendment that was adopted on May 20, 2011. On November 21, 2014, the Transportation Improvement Program was amended to include the funding of the TIGER Design Build criteria package.**

2.5 Project's Environmental Approvals and Processes:

Environmental Documentation Type, Titles and Date:

Environmental Decision Type and Date: **Categorical Exclusion – May 12, 2014**

Name of Agency and Office Approving each Environmental Decision Document

**Federal Highway Administration
545 John Knox Road, Suite 200, Tallahassee, FL 32303**

2.6 Grantee's and any Sub-Grantee's Dun and Bradstreet Information:

Dun and Bradstreet Data Universal Numbering System (DUNS) No. of the Grantee: **078286488**

Name of any First-Tier Sub-Grantees or Sub-Recipients (if applicable – to be reported if/when identified. If not applicable please note is N/A): **Lee Trans Dun #013461611**

2.7 Grantee's Designation of Official Contact (to whom all communications from Government will be addressed):

Donald Scott

**Executive Director
Lee County MPO
P.O. Box 150045, Cape Coral, FL 33915-0045
239-330-2241
dscott@leempo.com**

**Johnny Limbaugh
Transportation Planner
Lee County MPO
P.O. Box 150045, Cape Coral, FL 33915-0045
239-330-2242
jlimbaugh@leempo.com**

Notwithstanding paragraph 5.3 of this Grant Agreement, the Grantee may update the contact information listed in this paragraph by written notice (formal letter) to the Government without the need for a formal amendment to this Agreement.

SECTION 3. REPORTING REQUIREMENTS

Subject to the Paperwork Reduction Act, and consistent with the purposes of the TIGER Discretionary Grant Program, Grantee agrees to collect data necessary to measure performance of the Project and to ensure accountability and transparency in Government spending. Grantee further agrees to submit periodic reports to the Government that contain data necessary to measure performance of the Project and to ensure accountability and transparency in Government spending.

- 3.1 **Project Outcomes and Performance Measurement Reports:** Grantee shall collect the data necessary to track and report on each of the performance measures identified in the Performance Measurement Table in Attachment D and report results of the data for each measure to the Government periodically, according the reporting schedule identified in Attachment D. Furthermore, Grantee agrees to provide an initial Pre-project Report and a final Project Outcomes Report to the Government.
 - 3.1.1 The Pre-project Report shall consist of current baseline data for each of the performance measures specified in the Performance Measurement Table in Attachment D. The Pre-project Report shall include a detailed description of data sources, assumptions, variability, and the estimated level of precision for each measure. Grantee shall submit the report to the Government by August 26, 2015. Grantee shall represent that the data in the Pre-project Report is current as of May 26, 2015.
 - 3.1.2 Grantee shall submit interim Project Performance Measurement Reports to the Government for each of the performance measures specified in the Performance Measurement Table in Attachment D following Project completion. Grantee shall submit reports at each of the intervals identified for the duration of the time period specified in the Performance Measurement Table in Attachment D. Grantee shall represent that the data in

each of the interim Project Performance Reports is current as of the final date of the reporting interval.

- 3.1.3 The Project Outcomes Report shall consist of a narrative discussion detailing Project successes and/or the influence of external factors on Project expectations. Grantee shall submit the Project Outcomes Report to the Government by October 28, 2022 which includes an *ex post* examination of project effectiveness in relation to the Pre-project Report baselines. Grantee shall represent that the data in the Project Outcomes Report is current as of September 16, 2022.
- 3.1.4 Grantee shall submit each report via email to each of the Government contacts identified in paragraph 3.5 of this Agreement and, additionally, to outcomes@dot.gov. The email shall reference and identify in the email subject line the TIGER Grant Number and provide the number of the Performance Measures report submitted, e.g., Re: FHWA FY 2013 TIGER Discretionary Grant No. [#] - Performance Measure Report No. 1 or 2 or 3, etc.
- 3.2 **Project Progress and Monitoring Reports:** Consistent with the purposes of the TIGER Discretionary Grant Program, to ensure accountability and transparency in Government spending, the Grantee shall submit quarterly progress reports and the Federal Financial Report (SF-425) to the contacts designated by the Government in section 3.5, as set forth in Exhibit H, Quarterly Progress Reports: Format and Content, to the Government on a quarterly basis, beginning on the 20th of the first month of the calendar year quarter following the execution of the Agreement, and on the 20th of the first month of each calendar year quarter thereafter until completion of the Project. The initial report shall include a detailed description, and, where appropriate, drawings, of the items funded.
 - 3.2.1 The Grantee shall submit all required reports and documents to the Government electronically, referencing the Grant number, to the contacts designated by the Government in section 3.5.
- 3.3 **Annual Budget Review and Program Plan:** The Grantee shall submit an Annual Budget Review and Program Plan to the Government via e-mail 60 days prior to the end of each Agreement year. The Annual Budget Review and Program Plan shall provide a detailed schedule of activities, estimate of specific performance objectives, include forecasted expenditures, and schedule of milestones for the upcoming Agreement year. If there are no proposed deviations from the approved Estimated Project Budget, the Annual Budget Review shall contain a statement stating such. The Grantee will meet with the Government to discuss the Annual Budget Review and Program Plan. If there is an actual or projected project cost increase, the annual submittal should include a written plan for providing additional sources of funding to cover the project budget shortfall or supporting documentation of committed funds to cover the cost increase.
- 3.4 **Closeout Process:** Closeout occurs when all required project work and all administrative procedures described in Title 23 (or 49 C.F.R. Part 18 or Part 19, as applicable) are completed, and the Government notifies the Grantee and forwards the final Federal assistance payment, or when the Government acknowledges Grantee's remittance of the

proper refund. Within 90 days of the Project completion date or termination by the Government, the Grantee agrees to submit a final Federal Financial Report (SF-425), a certification or summary of project expenses, and third-party audit reports.

- 3.5 All notices or information required by this Agreement should be addressed and sent to all the Government contacts as follows:

HCFA Contact Designated as Official Contact (AO/AS for this project):

Sarah Berman
Agreement Officer
Federal Highway Administration
Office of Acquisition and Grants Management
HCFA-32, Mail Stop E65-101
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(202) 366-4233
Sarah.Berman@dot.gov

and

Brandon Lorthridge
Agreement Specialist
Federal Highway Administration
Office of Acquisition and Grants Management
HCFA-32, Mail Stop E65-101
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(202) 366-5507
Brandon.Lorthridge@dot.gov

and

Derek Fusco, P.E.
District 6 Transportation Engineer
Federal Highway Administration
545 John Knox Road, Suite 200, Tallahassee, FL 32303
(850)-553-2236
derek.fusco@dot.gov

and

FHWA TIGER Program Manager
Federal Highway Administration
Office of Freight Management and Operations
1200 New Jersey Avenue, SE

Room E84-444
Washington, DC 20590
(202) 366-0857
FHWA-TIGER.Reports@dot.gov

and

OST TIGER Discretionary Grants Coordinator
United States Department of Transportation
Office of the Secretary
1200 New Jersey Avenue, SE
Washington, DC 20590
(202) 366-8914
TIGERGrants@dot.gov

Notwithstanding paragraph 5.3 of this Grant Agreement, the Government may update the contact information listed in this paragraph by written notice (formal letter) to the Grantee without the need for a formal amendment to this Agreement.

SECTION 4. SPECIAL GRANT REQUIREMENTS

THE FOLLOWING LANGUAGE IS TO BE USED FOR LOCAL PROJECTS WHERE THE GRANT IS BEING ADMINISTERED THROUGH HAAM. IIT MAY BE SUPPLEMENTED WITH ANY OTHER SPECIAL GRANT REQUIREMENTS APPLICABLE ON THIS PARTICULAR PROJECT.

4.1 PAYMENT

The Recipient may request reimbursement of costs incurred in the performance hereof as are allowable under the applicable cost provisions as prescribed by 49 C.F.R 18.22: 2 C.F.R. Part 225, “Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)” not-to exceed the funds currently available as stated herein. Requests should be made no more frequently than monthly.

Payments by Reimbursement: Requests for payments by reimbursement will be submitted to the payment office via DELPHI eInvoicing System. When requesting reimbursement of costs incurred and credit for cost share incurred, the Recipient will submit supporting cost detail electronically with the SF 270, Request for Advance or Reimbursement (or SF 271, Outlay Report and Request for Reimbursement for Construction Programs), to clearly document all costs incurred. Cost detail includes a detailed breakout of all costs incurred including direct labor, indirect costs, other direct costs, travel, etc. Identify the Federal share and the Recipient’s cost share portions as applicable.

The Agreement Officer/Specialist (AO/AS) reserves the right to withhold processing requests for reimbursement until sufficient detail is received. In addition, reimbursement

will not be made without Agreement Officer's Representatives (AOTR) review and approval to ensure that progress on the Agreement is sufficient to substantiate payment. After AOTR approval, the AO/AS will certify and forward the request for reimbursement to the payment office via DELPHI eInvoicing System.

DELPHI eInvoicing System Registration and Information

The Recipient must have Internet access to register and use the DELPHI eInvoicing System. Prompt registration for DELPHI eInvoicing System is important in order to reduce the possibility of delayed payments.

All persons accessing the DELPHI eInvoicing System will be required to have their own unique user ID and password. It is not possible to have a generic ID and password for a Recipient.

To register for DELPHI eInvoicing System Recipients must eAuthenticate and activate an account by contacting their AO/AS and providing the **full name, title, phone number and e-mail address for the appropriate point(s) of contact (POC) who will submit payment requests.** Within two weeks the POC should receive an invite to sign up for the system. The POC will also receive a form to verify their identity. The POC must complete the form, and present it to a Notary Public for verification. The POC will return the notarized form to:

DOT Enterprise Service Center
FAA Accounts Payable, AMZ-100
PO Box 25710
Oklahoma City, OK 73125

When the form is received and validated the Recipient POC will receive a unique user ID and password via e-mail. POCs should contact their AO/AS with any changes to their system information.

A tutorial for the eAuthentication and account activation process can be found here:
<http://www.dot.gov/cfo/delphi/grant-recipient/eauthentication-user-tutorial-final.ppt>

Recipients registered with other DOT Agencies, such as Federal Aviation Administration or Federal Railroad Administration, must also apply for access with FHWA in order to request payment from FHWA.

The DELPHI eInvoicing website <http://www.dot.gov/cfo/delphi-einvoicing-system.html> provides all training, user guides, Frequently Asked Questions and Help Desk information that a Recipient needs to use the system, including:

- Web-based training at <http://www.dot.gov/cfo/delphi/web-based-training/grant-recipient/lessons/index.html> ,

- Desktop User's Manual at <http://www.dot.gov/cfo/delphi/grant-recipient/grant-recipient-desktop-guide-final.pdf>,
- Several Quick Reference Guides (QRGs) at <http://www.dot.gov/cfo/delphi-training-system.html>,
- QRG for Creating a Standard Invoice at <http://www.dot.gov/cfo/delphi/grant-recipient/grant-recipient-qrg-creating-standard-invoice.pdf>,
- QRG for Creating a Credit Memo at <http://www.dot.gov/cfo/delphi/grant-recipient/grant-recipient-qrg-creating-credit-memo.pdf>.

Account Management: The Recipient should contact their AO/AS when POCs have left their organization or are no longer will be submitting invoices, with the **full name, title, phone number, e-mail address, and user ID** of the POC. The user ID will then be removed. If a user ID becomes inactive/times out due no activity, the Recipient should contact their AO/AS with the **full name, title, phone number, e-mail address, and user ID** of the POC to be reactivated. *Note: To prevent being timed out due to no-activity, users should login once within 45 days of their last login.*

Waivers

The Department of Transportation Financial Management officials may, on a case by case basis, waive the requirement to register and use the DELPHI eInvoicing System. Waiver request forms can be obtained on the DELPHI eInvoicing website (<http://www.dot.gov/cfo/delphi-einvoicing-system.html>) or by contacting the AO/AS. Recipients must explain why they are unable to use or access the Internet to register and enter payment requests.

All waiver requests should be sent to:

Director of the Office of Financial Management
 US Department of Transportation,
 Office of Financial Management B-30, Room W93-431
 1200 New Jersey Avenue SE
 Washington DC 20590-0001

or

DOTElectronicInvoicing@dot.gov.

The Director of the DOT Office of Financial Management will confirm or deny the request within approximately 30 days.

If a Recipient is granted a waiver, the Recipient should submit all hard-copy SF 270s (or SF 271) directly to:

DOT/FAA
P.O. Box 268865
Oklahoma City, OK 73125-8865
Attn: Brandon Lorthridge

The requirements set forth in these terms and conditions supersede previous financial invoicing requirements for FHWA Recipients.

- 4.2 The Grantee shall have entered into obligations for services and goods associated with the Project prior to seeking reimbursement from the Government.
- 4.3 The Grantee shall ensure that the funds provided by the Government are not misappropriated or misdirected to any other account, need, project, line-item, or the like.
- 4.4 Any Federal funds not expended in conjunction with the Project will remain the property of the Government.
- 4.5 Financial Management System: By signing this agreement, the Grantee verifies that it has, or will implement, a financial management system adequate for monitoring the accumulation of costs and that it complies with the financial management system requirements of 49 C.F.R. Part 18. The Grantee's failure to comply with these requirements may result in agreement termination.
- 4.6 Allowability of Costs: Determination of allowable costs will be made in accordance with the applicable Federal cost principles, e.g., 2 C.F.R. Part 225, OMB Circular A-87. Disallowed costs are those charges determined to not be allowed in accordance with the applicable Federal cost principles or other conditions contained in this Agreement.
- 4.7 Notwithstanding the provisions set out in section 5.3 of this Grant Agreement, the Grantee shall promptly notify the Agreement Officer in writing of any necessary or proposed changes or amendments to the Project's budget or schedule information set out in Attachment B and/or Attachment C. Further, the Grantee shall provide proposed revised and updated versions of those Attachments to the Agreement Officer, no later than 14 calendar days later.
- 4.8 SUBGRANTS AND SUBCONTRACTS

Unless described in the application and funded in the approved award, the Recipient shall obtain prior written approval from the AO before awarding any subgrant and subcontract relating to any work undertaken under this award. This provision does not apply to the purchase of supplies, material, equipment, or general support services of a value less than \$150,000.

The following subcontracts are currently approved under the grant agreement award:

None

Approval of each subcontract and subgrant is contingent upon a price fair and reasonableness determination and approval by the AO for each proposed subgrantee and subcontractor. Consent to enter into any subcontract and subgrant will be issued through a formal amendment to this Agreement.

4.9 There are no other special grant requirements for this Project.

SECTION 5. TERMINATION, EXPIRATION, AND MODIFICATION

5.1 Subject to terms set forth in this Agreement, the Government reserves, in its sole discretion, the right to terminate this Agreement and all of its obligations associated with this Agreement, unless otherwise agreed to in a signed writing between the Grantee and the Government, if any of the following occurs:

5.1.1 The Grantee fails to obtain or provide any non-TIGER Discretionary Grant contribution or alternatives approved by the Government as provided in this Agreement and in accordance with paragraphs 2.2 and 2.3, and the change has been consented to by the Government in writing consistent with the requirements of FHWA (including by email);

5.1.2 The Grantee fails to begin construction before October 30, 2015;

5.1.3 The Grantee fails to begin expenditure of Grant funds by November 30, 2015;

5.1.4 The Grantee fails to meet the conditions and obligations specified under this Agreement including, but not limited to, a material failure to comply with schedule in paragraph 2.2 even if it is beyond the reasonable control of the Grantee, or after giving the Grantee a reasonable opportunity to cure such failure; or,

5.1.5 The Government, in its sole discretion, determines that termination of the Agreement is in the public interest.

5.2 Funds made available under this Agreement shall be obligated by Grantee on or before September 30, 2014. Funds made available under this Agreement, once obligated, are available for liquidation and adjustment through September 30, 2019, the "Grant Termination Date." Unless otherwise agreed to by the parties, this Agreement shall terminate on the Grant Termination Date.

5.3 Either party (the Government or the Grantee) may seek to amend or modify this Agreement prior to the Grant Termination Date by written notice (formal letter) to the other party and in accordance with 49 C.F.R. Parts 18.43 and 18.44. The Grant Agreement may be amended or modified only on the mutual written agreement by both parties. Changes to Attachments B and C (Estimated Project Schedule and Estimated Project Budget) do not require modification through the process in this paragraph if such modifications do not affect the dates or amounts in paragraphs 2.2 and 2.3.

SECTION 6. AWARD AND EXECUTION OF GRANT AGREEMENT

6.1 **Counterparts:** This Agreement may be executed in counterparts, which shall constitute one document. This Agreement shall be executed in triplicate; each countersigned original shall be treated as having identical legal effect.

6.2 **Effective Date:** The Agreement shall be effective when fully executed by authorized representatives of the Grantee and the Government; provided, however, that the Grantee shall execute this Agreement, and then submit three (3) original signed copies of the Agreement to the Government for execution. When signed and dated by the authorized official of the Government, this instrument will constitute an Award under the Act.

6.3 **Survival:** Notwithstanding anything to the contrary contained herein, the provisions of this Agreement relating to reporting requirements set forth in Section 3 of this Agreement shall survive the expiration or earlier termination of this Agreement.

EXECUTION BY THE GOVERNMENT

Executed this _____ day of _____, 201_.

Signature of Government's Authorized Representative

Name of Government's Authorized Representative

Title

EXECUTION BY Lee County Metropolitan Planning Organization

By signature below, the Grantee/Recipient acknowledges that it accepts and agrees to be bound by this Agreement.

Executed this _____ day of _____, 201_ .

Signature of Grantee's Authorized Representative

Name of Grantee's Authorized Representative

Title

ATTACHMENT A STATEMENT OF WORK

The Lee County Complete Streets Initiative Project will complete three loops (totaling approximately 7 miles) that will serve major portions of Lee County including Fort Myers, Cape Coral and other parts of the County. Together, the three segments will form an integrated system of walking, bicycling, and transit facilities that connect major commercial and residential facilities, providing commuters and other the freedom to move around Lee County without the need for an automobile.

The Lee County Metropolitan Planning Organization will be designing and constructing sidewalks, pathways, paved shoulders and bus shelters filling in gaps through a design build project. The project phases include the Design, Construction and Construction Engineering Inspection of the following segments:

Tour De Parks –

Three Local funded Segments:

- LeeTran Passenger Amenities
- Bike lanes along Daniels Parkway from Six Mile to I-75
- Pathway along Colonial from Metro Parkway to Veronica Shoemaker

Five TIGER funded Segments:

- Pathway along Daniels Parkway from Six Mile Cypress to I-75
- Pathway along Colonial Boulevard from Veronica Shoemaker to East of Winkler Avenue
- Pathway along Daniels Parkway from I-75 to Treeline Avenue
- Paved shoulders along Six Mile Cypress from Metro Parkway to Daniels Parkway
- Pathway along Daniels parkway from Treeline Avenue to the Red Sox Stadium

Major activities include:

- Design and survey
- Mobilization and site preparation
- Maintenance of traffic
- Earthwork
- Constructing boardwalks
- Drainage and utilities
- Paving and sidewalks
- Signing and marking

University Loop-

Three TIGER funded Segments:

- Paved Shoulders on Corkscrew Road from Woodlands Road to Ben Hill Griffin Parkway
- Pathway along FGCU entrance road from Ben Hill Griffin to FGCU Boulevard
- Install bike storage facility

Major activities include:

- Design and survey
- Mobilization and site preparation
- Maintenance of traffic
- Earthwork
- Drainage and utilities
- Paving, sidewalks and bike storage
- Signing and marking

Bi_County Connector-

Five Local Funded Segments:

- Lighting along US 41 from Coconut Road to San Carlos Boulevard
- Widening of US 41 to include sidewalks and bike lanes from Corkscrew to San Carlos
- Bike Lanes on US 41 from San Carlos to Alico
- Design of bike lanes and sidewalks on Bonita beach Road from West of US 41 to Old 41
- Service funding for LinC Bus route from US 41/Coconut Point to US 41/Immokalee Road

Five TIGER funded Segments:

- Sidewalk along Constitution Boulevard from US 41 to Constitution Circle
- Sidewalk along Constitution Circle from Iris to Sanibel Boulevard
- Sidewalk along Sanibel Boulevard from Iris to Lee Road
- Sidewalk along Lee Road from Sanibel Boulevard to Alico Road
- Installation of Bus Shelters

Major activities include:

- Design and survey
- Mobilization and site preparation
- Maintenance of traffic
- Earthwork
- Drainage and utilities
- Paving and sidewalks
- Installation of bus shelters
- Signing and marking

.

ATTACHMENT B ESTIMATED PROJECT SCHEDULE

Completion of NEPA:	May 12, 2014
Planned Release of Design/Build RFP:	June 26, 2014
Planned Design/Build Contract Award:	August 24, 2014
 <u>Tour De Parks:</u>	
Planned Start of Design/Survey	September 29 , 2014
Planned Completion of Design/Survey:	August 28, 2015
Planned Mobilization/Site Prep. Start Date:	August 31, 2015
Planned Mobilization/Site Prep. Completion Date:	September 25, 2015
 Planned Start of Maintenance of Traffic:	September 28, 2015
Planned Completion of Maintenance of Traffic:	September 16, 2016
 Planned Start of Earthwork:	September 28, 2015
Planned Completion of Earthwork:	January 15, 2016
 Planned Start of Boardwalks:	November 2, 2015
Planned Completion of Boardwalks:	April 22, 2016
 Planned Start of Drainage/Utilities Work:	December 21, 2015
Planned Completion of Drainage/Utilities Work:	March 11, 2016
 Planned Start of Paving/Sidewalks:	March 14, 2016
Planned Completion of Paving/Sidewalks:	July 8, 2016
 Planned Start of Signing and Marking:	July 11, 2016
Planned Completion of Signing and Marking:	September 16, 2016
 [Planned Project] Construction Substantial Completion and Open to Traffic Date:	September 16, 2016
Planned Project Closeout Date:	February 17, 2017

University Loop:

Planned Start of Design/Survey:	September 29, 2014
Planned Completion of Design/Survey:	June 23, 2015
Planned Start of Mobilization/Site Prep:	June 26, 2015
Planned Completion of Mobilization/Site Prep:	July 22, 2015
Planned Start of Maintenance of Traffic:	July 20, 2015
Planned Completion of Maintenance of Traffic:	March 31, 2016
Planned Start of Earthwork:	July 20, 2015
Planned Completion of Earthwork:	October 9, 2015
Planned Start of Drainage/Utilities Work:	September 2, 2015
Planned Completion of Drainage/Utilities Work:	October 7, 2015
Planned Start of Paving/Sidewalks:	October 9, 2015
Planned Completion of Paving/Sidewalks:	February 5, 2016
Planned Installation of Bike Storage:	January 8, 2016
Planned Completion of Bike Storage:	February 5, 2016
Planned Start of Signing and Marking:	February 8, 2016
Planned Completion of Signing and Marking:	March 31, 2016
Planned Construction Substantial Completion:	March 31, 2016
Planned Project Closeout Date:	September 30, 2016

Bi-County

Planned Start of Design/Survey:	September 29, 2014
Planned Completion of Design/Survey:	July 3, 2015
Planned Start of Mobilization/Site Prep:	July 6, 2015
Planned Completion of Mobilization/Site Prep:	July 31, 2015
Planned Start of Maintenance of Traffic:	August 3, 2015
Planned Completion of Maintenance of Traffic:	June 3, 2016
Planned Start of Earthwork:	August 3, 2015
Planned Completion of Earthwork:	November 2, 2015

Planned Start of Drainage/Utilities Work:	October 26, 2015
Planned Completion of Drainage/Utilities Work:	December 18, 2015
Planned Start of Paving/Sidewalks:	December 21, 2015
Planned Completion of Paving/Sidewalks:	April 8, 2016
Planned Installation of Bus Shelters:	January 8, 2016
Planned Completion of Bus Shelters:	March 18, 2016
Planned Start of Signing and Marking:	April 11, 2016
Planned Completion of Signing and Marking:	June 3, 2016
Planned Construction Substantial Completion:	June 3, 2016
Planned Project Closeout Date:	December 9, 2016

**ATTACHMENT C
ESTIMATED PROJECT BUDGET**

Activity	FY13 TIGER Funds	Local Funds (LF)**	State Funds (DDR, DS, DIH & DPTO)*	Project Cost
Tour De Parks:				
LeeTran Passenger Amenities			\$371,749	\$371,749
Daniels Bike Lanes		\$228,000		\$228,000
Colonial Pathway			\$18,185	\$18,185
Design/Survey	\$1,060,332			\$1,060,332
Mobilization/Site Prep	\$729,167			\$729,167
MOT	\$261,852			\$261,852
Earthwork	\$995,556			\$995,556
Boardwalks	\$1,085,648			\$1,085,648
Drainage/Utilities	\$341,399			\$341,399
Paving/Sidewalks	\$1,404,291			\$1,404,291
Signing & Marking	\$187,689			\$187,689
University Loop:				
Design/Survey	\$217,309			\$217,309
Mobilization/Site Prep.	\$135,074			\$135,074
MOT	\$52,889			\$52,889
Earthwork	\$202,222			\$202,222
Drainage/Utilities	\$47,704			\$47,704
Paving/Sidewalk/Bike Storage	\$515,284			\$515,284
Signing & Marking	\$60,926			\$60,926
Bi-County Connector:				
US 41 Lighting			\$62,354	\$62,354
US 41 Widening			\$841,361	\$841,361
US 41 Bike Lanes			\$10,000	\$10,000
Bonita Beach Rd		\$302,369		\$302,369
Service Dev. Grant			\$903,000	\$903,000
Design/Survey	\$294,921			\$294,921

Mobilization/Site Prep	\$180,769			\$180,769
MOT	\$58,171			\$58,171
Earthwork	\$188,773			\$188,773
Drainage/Utilities	\$501,053			\$501,053
Paving/Sidewalks	\$368,277			\$368,277
Bus Shelters	\$139,480			\$139,480
Signing & Marking	\$145,114			\$145,114
CEI for entire project	\$1,300,000			\$1,300,000
Total LCSI	\$10,473,900	\$530,369	\$2,206,649	\$13,210,918

* District Dedicated Revenue (DDR), State Primary Highways (DS), District In-House funding (DIH), and State Public Transportation Organization funds (DPTO)

**Lee County local funds (LF)

ATTACHMENT D PERFORMANCE MEASUREMENT TABLE

Study Area: The study area includes the three major links of the Lee County Complete Streets Initiative which includes the Bi-County Connector, the University Loop and the Tour De Parks segments in Lee County, FL. The annual data will be collected along the roadways throughout the corridor and the daily count and survey data will be collected at pre-selected spots throughout the corridor each year over the reporting period.

Table 1: Performance Measurement Table

Measure	Description of Measure	Measurement Period	Reporting Period
Average Daily Bicycle and Pedestrian Counts	Average daily bicycle and pedestrian counts by conducting hourly counts at key locations within the study area.	<p style="text-align: center;">Baseline Measurement: Average Daily Count</p> <p style="text-align: center;">Base: Current as of May 26, 2015</p> <p style="text-align: center;">Interim Performance Measures: Current as of September 15, 2017</p>	<p style="text-align: center;">Baseline Measurement: August 26, 2015</p> <p style="text-align: center;">Interim Performance Measures: For a period of 5 years beginning November 3, 2017</p>

<p>Annual Non-Vehicle (Bike and Pedestrian_ Crash Rates by Type and Severity</p>	<p>Reporting of bicycle and pedestrian fatalities and injuries.</p>	<p>Baseline Measurement: Annual Bicycle Pedestrian crash rates by type and severity</p> <p>Base: Current as of May 26, 2015</p> <p>Interim Performance Measures: September 15, 2017</p>	<p>Baseline Measurement: August 26, 2015</p> <p>Interim Performance Measures: For a period of 5 years beginning November 3, 2017</p>
<p>Transit Passenger Counts</p>	<p>Daily boarding and alighting counts by route and time of day for transit stops in the study area</p>	<p>Baseline Measurement: Current as of May 26, 2015</p> <p>Interim Performance Measures: Current as of September 15, 2017</p>	<p>Baseline Measurement: August 26, 2015</p> <p>Interim Performance Measures: For a period of 5 years beginning November 3, 2017</p>
<p>Customer Survey</p>	<p>Survey data on the trip purpose (work, recreation, shopping, exercise or school) along with trip length</p>	<p>Baseline Measurement: Current as of May 26, 2015</p> <p>Interim Performance Measures: Current as of September 15, 2017</p>	<p>Baseline Measurement: August 26, 2015</p> <p>Interim Performance Measures: For a period of 5 years beginning November 3, 2017</p>

EXECUTIVE DIRECTOR CONTRACT EXPIRING FEBRUARY 2015

RECOMMENDED ACTION: Discuss the extension of the Executive Directors contract.

The contract with the Executive Director expires on January 30, 2015 and by July 1st of the year before the ending of the agreement, the terms of the agreement can be extended by mutual written agreement of the MPO and the Employee (section 2B on the **attached** agreement). The agreement has been sent to the MPO attorney to review and provide any comments prior to the Executive Committee meeting.

