

METROPOLITAN PLANNING ORGANIZATION BOARD

9:00 a.m., Friday, November 18, 2022
Lee County Administration East Building
2201 Second Street, Room 118
Fort Myers, FL 33901



Meeting Minutes

The meeting was called to order at 9:02 a.m. by MPO Board Vice-Chair/Lee County Commissioner Cecil Pendergrass. The Pledge of Allegiance was recited.

The roll was called by MPO staff. A quorum was present. Lee County MPO Board Members in attendance included Lee County Commissioners Cecil Pendergrass and Brian Hamman; City of Cape Coral Mayor John Gunter; City of Sanibel Councilmember Michael Miller; City of Cape Coral Councilmembers Tom Hayden, Keith Long, and Dan Sheppard; City of Fort Myers Councilmember Johnny Streets Jr.; Village of Estero Mayor Katy Errington; and City of Bonita Springs Councilmembers Laura Carr and Fred Forbes.

Others in attendance included the following – L. K. Nandam, Wayne Gaither, Victoria Peters, and Steven Andrews with FDOT; Lee County MPO staff Don Scott, Ron Gogoi, and Calandra Barraco; Derek Rooney with Gray Robinson; Robert Codie and Dawn Huff with LeeTran; Lee County IT staff; LCSO deputy; members of the public Bruce Ackerman, Robert Hancik, Jerry Newmin, and Barry Freedman; Dave Loveland and Randy Cerchie with Lee County; Kristin Caruso and Jay Winter with Scalar; and Laura Everitt with Benesch.

Agenda Item #1 - Public Comments on Consent Agenda Items

Vice-Chair Pendergrass asked if there were public comments on consent agenda items. There were no public comments on Consent Agenda Items.

Agenda Item #2 - *Consent Agenda

- A. Approval of the September 16, 2022 Meeting Minutes

Councilmember Laura Carr made the motion to approve the September 16, 2022 Meeting Minutes. Councilmember Fred Forbes seconded the motion. There were no objections, and the motion passed unanimously.

- B. Approve the TIGER Project Data Collection Scope of Services

Mayor John Gunter made the motion to approve the TIGER Project Data Scope of Services. Commissioner Brian Hamman seconded the motion. There were no objections, and the motion passed unanimously.

Agenda Item #3 - Public Comments will be taken on Each New Business Item

Public comments were taken at each new business item.

New Business

Agenda Item #4 - *Adoption of the 2022 Highway Safety Targets

Mr. Ron Gogoi presented this agenda item for the Adoption of the 2022 Highway Safety Targets. Mr. Gogoi provided a Power Point presentation that included slides with information on the Statewide and MPO Safety Performance Targets for 2023, Five Year Rolling Averages Data, Average Annual Fatalities, Average Annual Serious Injuries, Average Annual Fatality Rates, Average Annual Serious Injury Rates, and Average Annual Non-Motorized Fatalities and Serious Injuries. The presentation

can be viewed here: [Highway Safety Targets](#) The MPO Board discussed causes for decreasing trends in the past, increasing number of vehicle miles travelled (VMT), increasing number of vehicles on roadways, poor driver behavior as a cause of most crashes, initiatives in the past that possibly led to decreases, Dangerous by Design report, outreach and education conducted previously, economic downturn/recession of 2007/2008 that led to fewer drivers on roadway and decrease in VMT and crashes, large impact of VMT on crashes, taking population increases into account, nationwide increase in fatalities, importance of viewing each crash report, current use of outreach, public service announcement from Lee Health, speeding and reckless driving, importance of enforcement, no texting while driving laws, distracted driving as a factor, increased workforce on local roadways for the next few years due to Hurricane Ian recovery efforts, difficulty in proving distracted driving, and lower than actual numbers report for distracted driving as a result. Vice-Chair Pendergrass asked if there was any public comment on this item. There was none.

Councilmember Michael Miller made the motion to adopt the 2022 Highway Safety Targets. Commissioner Brian Hamman seconded the motion. There were no objections, and the motion passed unanimously.

Agenda Item #5 - *Approval of the SUN Trail Priorities

Mr. Gogoi presented this agenda item for the approval of the SUN Trail Priorities. Mr. Gogoi provided a Power Point presentation that included slides with information on recommended Lee MPO SUN Trail Priorities table, Kismet Parkway project, Estero Boulevard project, and the Caloosahatchee Downtown Multimodal Alternative project. Mayor John Gunter asked for a clarification on the route of the Caloosahatchee project. Mr. Gogoi explained the study area and the area of sub-standard sidewalks. Mayor Gunter asked about studying a continuation of the trail up US 41. Mr. Gogoi said this would also be studied, and he reviewed other related Lee County projects and possibilities. Councilmember Carr asked about the funding match for the project. Mr. Gogoi replied that MPO PL (planning) funds would be used. Vice-Chair Pendergrass asked if there were any public comments. There were none. The presentation can be viewed here: [SUN Trail Priorities](#)

Councilmember Fred Forbes made the motion to approve the SUN Trail Priorities. Councilmember Laura Carr seconded the motion. There were no objections, and the motion passed unanimously.

Agenda Item #6 - +Consideration of the CAC's Recommendation that the MPO Board Support Enacting Legislation that Increases Registration Fees for Electric and Hybrid Vehicles

Mr. Don Scott presented this agenda item for Consideration of the CAC's (Citizen Advisory Committee) Recommendation that the MPO Board Support Enacting Legislation that Increases Registration Fees for Electric and Hybrid Vehicles. He provided a Power Point presentation that included slides with information on State Transportation Trust Fund, Fuel Consumption in Florida, Fuel Consumption Growth Rate in Florida, Projected Electric Vehicle Sales, Average Fuel Efficiency, Electric Vehicle (EV) Impacts to Market Share, Gasoline Displacement by Plug-In EVs, EV Impacts on Transportation Revenue, Florida Driver Averages, EV/Hybrid Fees by State, CAC Resolution, and CAC member comments. The presentation can be viewed here: [CAC EV Recommendation](#) The MPO Board discussed prior legislation relating to EVs, Lee County discussion on possible use of franchise fee from FPL for roadway projects, small relative proportion of EVs to internal combustion engine vehicles projected to be on roadways by 2040, possibility of other alternative fuels emerging, discussions on local level and not state level to address this, avoidance of creating another tax, disposal of batteries and fees, saltwater impact on batteries especially after storm events, recent news articles on electric vehicle fires, necessity of using large amounts of water to extinguish EV fires and related high cost, other vehicles like golf carts and delivery trucks being made with lithium batteries, reasons for objections by two Technical Advisory Committee (TAC) members, concern with specificity of resolution, bringing MPO Board comments back to CAC, environmental issues, possibility of differing regulations in neighboring counties, and use of electricity by EV owners. Vice-Chair Pendergrass asked if there were any public comments. There were none.

Agenda Item #7 - Federal Certification Review Close Out Presentation

This item was tabled to the January 20, 2023 MPO Board Meeting.

Agenda Item #8 - Burnt Store Road Project Development & Environment Study Presentation

Mr. Steven Andrews with FDOT introduced Ms. Kristin Caruso with Scalar, the consultant for this project, who then presented this agenda item on the Burnt Store Road Project Development and Environmental (PD&E) Study. Ms. Caruso provided a Power Point presentation that included slides with information on the project description, project background, main design considerations, project alternatives, evaluation matrix, public involvement, project timeline, transportation project development process, action items, and contact information. The MPO Board discussed the cost of right-of-way, impact that right-of-way acquisition could have on project time frame, differing levels of right-of-way acquisitions for different project alternatives, possible elevation impacts on water flow in Cape Coral, use of pipes and canals to reflect natural flow and avoid impacts, shared-use pathway on bridge, efforts to shorten right-of-way acquisition time, number of units in Burnt Store community, including left turn option in design concept, steering away from super street concept, accidents in area, FDOT conducting project for Lee County, coordination between FDOT and Lee County DOT, converting project to design/build to compress schedule, starting right-of-way process if funding is available, potential grant opportunities, current stage of PD&E in project process, design stage and working with Burnt Store residents at that phase, delay of project due to Hurricane Ian, project completion time frame, possible alternatives for left turn out, and FDOT working with Lee County Long Range Plan for Burnt Store with the ability to plan around issues. Vice-Chair Pendergrass asked if there were any public comments on this item and noted the public comment time was limited to three minutes per speaker. Mr. Jerry Newmin provided a public comment on the Burnt Store project. Mr. Robert Hancik provided a public comment on the Burnt Store project. The Burnt Store presentation can be viewed here: [Burnt Store PD&E](#)

Agenda Item #9 - LeeTran Bus Stop and Facilities ADA Assessment Plan

Ms. Laura Everitt with Benesch presented this agenda item on the LeeTran Bus Stop and Facilities ADA Assessment Plan. She provided a Power Point presentation that included slides with information on ADA purpose, study purpose, study objectives, minimum ADA bus stop requirements, signage requirements, bus stop examples photographs, transit facilities photographs, data collection, weighting and prioritization, results, costs, implementation plan, and conclusion. The MPO Board discussed the estimated cost, time frame, right-of-way, plan to invest a portion of the total each year to bring the system into compliance, documenting progress to satisfy ADA, possibility of completing the same types of upgrades with one vendor to accelerate the project time frame and save money, removal of some stops, funding sources, prioritization, impacts of Hurricane Ian, collaboration with local governments, prior lawsuits related to ADA, consideration of avoidance of litigation costs in larger picture, and delays in construction process. Vice-Chair Pendergrass asked if there were any public comments. There were none. The LeeTran presentation can be viewed here: [LeeTran ADA Assessment Plan](#)

Agenda Item #10 - Review and Comment on the Proposed Draft 2045 LRTP Amendments

Mr. Scott presented this agenda item for the review of and comment on the Proposed Draft 2045 LRTP Amendments. He provided a Power Point presentation that included slides with information on Corkscrew area map and data, cost feasible roadway projects map, and cost feasible project tables. The presentation can be viewed here: [LRTP Amendments](#). Mr. Scott noted this item would come back at the January MPO Board meeting. Vice-Chair Pendergrass asked if there were any public comments or questions on this agenda item. There were none.

Other Business

Agenda Item #11 - Public Comments on Items not on the Agenda

Vice-Chair Pendergrass asked if there were any public comments on items not on the agenda. Mr. Bruce Ackerman provided a public comment on the Rail Trail project. Vice-Chair Pendergrass asked for a status report on the Rail Trail project. Mr. Scott provided a quick report on the current status.

Agenda Item #12 - LeeTran/TD Report

There was no additional report from LeeTran.

Agenda Item #13 - FDOT Report

Mr. L.K. Nandam with FDOT commented on Hurricane Ian related projects and impacts, work program, increased bids, and supply chain issues. Ms. Victoria Peters with FDOT presented the FDOT report that included information on the work program status and related public involvement, rescheduling of grant sessions, and upcoming public workshops for SR 78 and SR 31. Ms. Peters wished everyone a Happy Thanksgiving.

Agenda Item #14 - Announcements

Vice-Chair Pendergrass asked if there were any announcements. Mr. Scott noted the next MPO Board meeting would be in January as there was no December meeting scheduled. Mayor Errington mentioned an article in the Wall Street Journal regarding an award being given to Mr. Derek Rooney. Councilmember Carr wished everyone a Happy Thanksgiving.

Agenda Item #15 - Information and Distribution Items

Mr. Scott mentioned the information and distribution items included a public meeting notice for SR78 and SR 31.

The meeting was adjourned at 10:38 a.m.

An audio recording of the meeting can be accessed here: [MPO Board November 18, 2022](#)

^Roll Call Vote *Action Items +May Require Action

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