

**METROPOLITAN PLANNING ORGANIZATION BOARD
EXECUTIVE COMMITTEE**

2:00p.m. September 14, 2016
Cape Coral Public Works Building
815 Nicholas Pkwy E, Cape Coral, FL
Green Room/A200



MEETING SUMMARY

The meeting was called to order.

The roll was called by Mr. Limbaugh, Lee County MPO staff. Councilman Flanders, Councilman Williams, and Mayor Batos were in attendance. The meeting was short a quorum.

Also in attendance were Mr. Scott and Mr. Limbaugh with Lee County MPO and Mr. Rooney with Gray Robinson.

New Business

Agenda Item #1 - Public Comments on New Business Items

No public present. There were no public comments on new business items.

Agenda Item #2 - Update on the 2016 Sales Tax Referendums in other Florida Communities and Committee Discussion on Transportation Needs

Mr. Scott reported on the status of the transportation related ballot measures that are currently being discussed/worked on in other communities in Florida. He also provided additional information on these ballot measures at the meeting:

- **Broward County** – There are now two measures that will be on the November ballot, one is for .5 percent sales tax for the County that will be used for transportation projects, enhanced bus service, light rail, traffic signal timing over thirty years. The other is for .5 percent sales tax for the Cities that will be split by population for twenty years that will be used to buy land, City Hall construction, fire trucks, improve drainage and repave roads. The final ten years will be shared with the County receiving forty percent (for a total of 70%) of the revenues with the Cities splitting 20% for the last ten years. This is expected to raise \$12.6 billion over thirty years but both sales tax referendums have to pass or both fail.
- **Duval County** – Extension and repurposing of the current infrastructure sales tax to cover pension costs. The extension proposes .5 percent to pay down a pension deficit of \$2.7 billion which could go through 2060. Current polling indicates that 41% approve of the ballot, 33% oppose the ballot and 26% are currently undecided. There is a current lawsuit against the amendment related to confusing ballot language.
- **Marion County** – Sales tax referendum for public safety equipment and transportation capital and road rehabilitation projects. This ballot measure was approved in March (55% voting for it) and it is projected to raise \$166 million over four years.
- **Hillsborough County** – The County Commission voted 4-3 to reject putting a thirty year .5% sales tax on the ballot for transportation infrastructure this year.
- **Palm Beach** – Working on a ten year 1% sales tax increase to be used on infrastructure split between the School Board, County and the Cities. This is projected to raise \$2.7 billion with 20% of the funding going to the Cities, 30% to the County and 50% to the School Board. The funding will be used for parks, road resurfacing, drainage improvements, bridges, pathways, lighting, buildings and low income housing improvements. The School Board is working on a list of projects and costs after pressure on the media requesting transparency.
- **Highlands County** – A .5 percent sales tax referendum was approved on August 30th election by a vote of 60% to 40%. This referendum was for schools and it will be used for capital projects including school construction and renovations, vehicles, technology etc. The sales tax is for a twenty-year period.

In addition, Mr. Scott discussed how other communities are defining transportation needs for their ballot measures.

Mr. Rooney stated the population updates are once a year. He also said that with approximately 3000 additional registered voters the cities could enact a referendum. He then corrected his statement to reflect it is population

and not registered voters that are counted. Mr. Scott said the county is also growing and the numbers may not be as close as they think.

Mr. Scott stated that both Palm Beach and Broward will be voted on in the November election. There was a brief discussion on each referendum and how they differ including the percentage requested and the intended use of funds.

Mr. Scott suggested the municipalities involved should formulate a needs list. The question was posed as to whether it is the responsibility of the elected officials or the transportation experts to decide the most urgent projects. Mr. Limbaugh said all involved parties should make lists of their priorities and then meet, review, and decide which of the needs will be addressed with the money. Mr. Scott said time aspects of projects should also be considered.

Mr. Scott proposed that staff would have discussions with the transportation departments of the municipalities to let them know this may be coming up and gauge their responses. It could be a topic for the MPO Board after that. A brief discussion ensued about the process that other counties have followed and staff said they would look into that. It was also suggested that a list of priorities should be prepared to present to the County Commissioners to show need. Mr. Rooney stated that without an interlocal agreement, the County would get half and then the cities would split the other half according to predetermined formulas. There was a comment that some of the smaller cities would not be getting as much if it is based on population. Mr. Limbaugh said they would still be getting more, almost double, than normal gas tax money they receive currently. There was also a concern that the smaller areas do not have the transportation needs and could the money be used for projects like beach renourishment. Staff suggested because of all these questions and concerns it would be necessary to prepare the lists of needs and then meet to discuss/evaluate.

A proposal was made to bring this topic up at the MPO Board meeting on Friday.

Agenda Item #3 - Review of Sample Performance Data Analysis

Mr. Limbaugh included the Florida DOT's Mobility Performance book in the agenda packets. He explained that the MPOs are now required to develop targets and have performance measures to evaluate how they are moving towards those targets. He provided sample analysis of some of the commonly used performance measures and discussed how we may want to illustrate our conditions. One of the goals could be to reduce commute times since our area, with average commute times around 30 minutes, is one of the top five in the state. The performance measures could help with the marketing of the tax as well. The measures will show how the projects tie back and what the benefits of the projects will be.

A suggestion was made to speak with the school district and see when and if they plan to propose a tax referendum. It is a possibility that there could be coordination. A question was posed as to whether or not this would be beneficial to gain a larger vote.

Agenda Item #4 - Review of the Revised Executive Director Employment Agreement

Mr. Scott reviewed proposed changes to the employment agreement following discussions last month.

The MPO Attorney and staff have reviewed the items that needed to be revised or further investigated and listed below are the proposed revisions to the agreement (also attached to the agenda packet):

- Change the expiration date to January 30, 2019 to match a two-year extension.
- Change the salary to the current salary of \$108,326
- Address the termination due to disability clause to be consistent with FMLA as follows:
Termination Due to Death or Disability. This Agreement shall immediately terminate upon the death of the Employee. In the event that Employee becomes disabled with a serious health condition that prevents the Employee from safely performing the essential functions of the Employee's position, with or without reasonable accommodation, for a total period of ninety (90) days within any three hundred and sixty-five (365) day period, this Agreement may be terminated by the MPO. If this Agreement is terminated due to the death or disability of employee, Employee and/or Employee's estate shall not be entitled to any

Severance Pay, but would be entitled to payment for any paid leave that has been accrued but has not been used through the date of termination.

We are working on a clean version of the agreement for review that takes into account these proposed changes and the previous amendment and will provide that at a future meeting.

A question was asked as to the salary of the executive director and if it is compatible with other salaries for that position around the state. Mr. Scott responded that around the state there are those that make a whole lot more money but his salary is compatible when you start looking at national survey numbers.

Agenda Item #5 - MPO Projects Update

Mr. Scott gave an update on the current projects that include the TIGER project, the Round-a-bout study, and the Cape Coral Bicycle Pedestrian Master Plan study. The TIGER grant has Daniels under way, near the interstate is completed, one of the bridges is in, Colonial is complete, bus shelters are complete, and F.G.C.U. is down to punch list. Broward came over and discussed their TIGER grant. We are at 87% of the contract time and 82% of the contract value. The Wayfinding group met and they reviewed the sign package. Now they are reviewing the sign locations. The next step is to determine the number, cost, and maintenance agreements. The grant actually goes through February but adding the signs will add time to the project schedule.

The designs in the Roundabout study were being worked on over the summer so we should be seeing those soon. Aerial pictures taken by drones during times of congestion are being added to the study. There will also be an analysis of these pictures.

There was a public meeting regarding the Master Plan this past month. The final presentation will be in early fall to the City Council.

Other Business

Agenda Item #6 - Public Comments on Items Not on the Agenda

There were no public comments on items not on the agenda.

Agenda Item #7 - Announcements

MPO has a new staff member, Administrative Assistant, Calandra Barraco.

There is an MPO Board meeting on Friday, September 16 at the Cape Coral City Council Chambers.

In 2017, the MPO Board meetings will be at the downtown location of the Lee County Admin East Facility, 2201 Second Street.

The Joint Lee/Collier MPO Board meeting will be October 21 in Bonita Springs at the Center for Performing Arts, 10150 Bonita Beach Road.

The Joint Lee/Charlotte MPO Board meeting will be November 18 in Punta Gorda at Burnt Store Presbyterian Church, 11330 Burnt Store Road.

Agenda Item #8 - Information and Distribution Items

There were no additional information and distribution items other than those attached to the agenda packet.

The meeting was adjourned.

* 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.