

**METROPOLITAN PLANNING ORGANIZATION BOARD
EXECUTIVE COMMITTEE**

2:00p.m., November 9, 2016
Cape Coral Public Works Building
815 Nicholas Pkwy E, Cape Coral, FL
Green Room/A200



Meeting Summary

The meeting was called to order by Commissioner Brian Hamman at 2:06 p.m.

The roll was called by Johnny Limbaugh, Lee County MPO.

Those in attendance included MEC Committee members Commissioner Brian Hamman, Mayor Kevin Ruane, and Councilman Rick Williams. Others in attendance were Lee County MPO staff Don Scott and Johnny Limbaugh and Lee County MPO attorney Derek Rooney.

New Business

Agenda Item #1 - Public Comments on New Business Items

There were no public comments as no members of the public were present.

Commissioner Brian Hamman suggested to move the only action item, Agenda Item #2, to the end of the agenda to see if quorum was obtained.

Agenda Item #3 - Update on the 2016 Sales Tax Referendums in other Florida Communities

Mr. Don Scott reported on the results of the transportation related measures that were voted on November 8th. These included the results of the Broward County and Palm Beach County referendums that we have been watching. The Broward County portion of the referendum passed with 51.1% approval but the City portion did not pass. Comments from the Broward voting public regarding this varied from not trusting the government with more money to not understanding the referendum. Palm Beach County did pass.

Listed below is some additional information on National ballot measures this year:

- There are 70 transportation ballot measures being pursued this year across the Country seeking a total of \$175 billion in funding.
- Nearly one third of California's 58 counties are seeking a transportation ballot measure on November 8th (based on state law, approval in California requires a 2/3rds majority).
- The percentage of transportation ballot measures that have passed in recent years across the Country (the average approval percentage since 2000 has been 70%):

2004=76%
2006=77%
2008=78%
2010=61%
2012=68%
2013=86%
2015=70%

There was a short discussion on New Jersey and their recent approval of a 23 cent gas tax.

Mr. Scott stated there may be a new stimulus package out there.

A member asked how we position ourselves for the next opportunity. Mr. Scott replied that we should have projects that are ready but we need to determine exactly what is a "construction ready" project.

Another comment was made that a federal lobbyist said there is a bill to renew TIGER grants for high growth areas if there are matching funds available.

Mr. Scott said that having projects ready from an environmental standpoint can take a very long time.

A quorum was met at 2:10 p.m. when Councilwoman Tracey Gore arrived.

Agenda Item #2 - *Review and Approval of the October 11, 2016 Meeting Minutes

A motion was made by Mayor Ruane to approve the minutes. The motion was seconded by Councilman Rick Williams. There was no discussion and no objections. The motion carried.

Agenda Item #4 - +Discussion on the Research of Options for Updating Regional Coordination Agreements

Mr. Don Scott presented, as a follow up to the discussion at the Joint Lee and Collier MPO meeting, that staff is seeking input on some of the options that we might want to pursue for updating our regional agreements. Attached to the agenda packet were the current regional agreements with the Collier MPO and the Charlotte County-Punta Gorda MPO. The Collier agreement is out of date as many of the references are for the 2035 Long Range Plan update and we did not update the 2040 Plan consistent with the way the 2035 update process is described in the agreement. Changes to the agreement should include, at a minimum, the process we follow to get our regionally required items addressed by both MPO's so that we can continue to seek regional discretionary funding. Listed below are some of the items to get input on that will help us put together the framework for an updated regional agreement:

- Do we set it up to have a smaller group of representatives with alternates similar to the Executive Committee set up?
- Do we define a limited/specific number of voting items that this group deals with that includes the regional roadway network, regional non-motorized network, TRIP priorities, regional enhancement priorities, SIS priorities?
- Do we continue to have Joint Committee meetings that make recommendations to the Joint group (like what we do with Collier which is not how we do it with Charlotte)?
- Should we consider covering the coordination of Charlotte and Collier within the same regional agreement (and possibly Hendry County through the Heartland TPO)?

There was a discussion on difficulty of obtaining quorum. This leads to the inability for both Counties to vote at the same time.

There was a brief discussion on the fact that Lee County will always out vote Collier since we have a higher population and thus more representatives.

The agreement needs to go forward since it is this year's money.

There was a consensus that Joint meetings are beneficial and productive since the members can hear the comments from the other groups. A suggestion was made to do a joint

workshop/symposium where presentations would be given and then discussion could follow but voting would be done in individual meetings.

A suggestion was made that urgent issues should be included to get the attention and attendance of elected officials.

TRIP dollars require us to have these agreements and meetings.

A suggestion was made to add the wording "as needed" to the meeting frequency of the regional coordination agreements between Lee/Collier and Lee/Charlotte.

Agenda Item #5 - Review of the Revised Executive Director Employment Agreement

At the September Executive Committee meeting, the Committee reviewed updated parts of the Executive Director Employment Agreement and we are now bringing back a clean version, attached to the agenda packet, for Committee review prior to bringing it to the MPO Board. The MPO Attorney, Derek Rooney, reviewed the updated document and only addressed a few minor typos but had no additional revisions.

A question was asked as to how long Mr. Scott has been in his current position. Mr. Scott responded it has been ten years in April, 2017.

Another question was posed as to the term of the agreement. The term is two years.

The last time Mr. Scott received a raise was asked. The last raise was October of last year.

A question was asked about vacation time. Mr. Scott stated that all employees have paid time off that is banked and it expires at the end of each calendar year at a cap of 420 hours carried over.

An explanation of the severance portion was requested. There is no severance pay but accrued PTO shall be paid plus three months' aggregate salary. Florida Statue has max set at 20 weeks.

The percentage of increase was questioned. It was 4% last year but may be 3% going forward. There are no bonuses.

This will now go to the Board for vote.

A committee member complimented Mr. Scott on his helpfulness and thanked him.

Agenda Item #6 - MPO Projects Update

Mr. Scott gave an update on the current projects that include the TIGER project, the Cape Coral Bicycle Pedestrian Master Plan study, the Round-a-bout study, and the Fort Myers Beach Bicycle Pedestrian Master Plan study.

The TIGER project segment of Daniels from I 75 to Treeline is pretty much completed but they still have a few walk through items. Treeline to Stadium and FGCU are punch list items. Daniels from Six Mile to I 75 is completing paving, sod, and gravity wall. The current status of the project is 94% of contract time has elapsed and 92% of money has been spent with 621 of 661 calendar days. The contract expires December 4, 2016.

A question was asked about what happens if the project is not completed by the contract expiration date. Mr. Limbaugh responded they will go into liquidated damages and they will start paying us to do their work.

Mr. Scott stated we are trying to do some Wayfinding signs and we are still trying to get costs and maintenance costs for those so we can take it to the local jurisdictions and discuss maintenance.

The Round-a-bout Study is near the end but we are still trying to get some aerial photographs of the intersections and see if it meets safety requirements to receive special funding.

Cape Coral Committee of the Whole had a presentation and some questions were raised and those questions will be addressed with a final presentation to Council at the beginning of 2017. The questions raised were regarding the \$65 million of projects that were identified since the City of Cape Coral only receives about \$2 million in grants each year. They questioned specifically if it would take 30 years to be funded with grants only or if there were other ways to fund.

Fort Myers Beach Council each gave a name for a person to serve on a project committee for the Fort Myers Beach Bicycle Pedestrian Master Plan. A consultant was just selected. They will be given guidelines and a scope. Mr. Gogoi will most likely be dealing with the project.

A brief discussion on the FDOT Fort Myers Beach meeting followed.

Other Business

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

There were no public comments on items not on the agenda since no members of the public were present.

Lee County MPO attorney, Derek Rooney, found the Bills referenced earlier to extend TIGER. There has been a Bill filed and it is a block grant program. It is an investment program so there may be a matching component.

A comment was posed about the Matanzas Pass bridge and if reconstruction would take ten years. Mr. Scott answered that it would take at least that for design and construction even though it is in PD&E now.

A comment about a ferry across the Caloosahatchee was made. It would be a cheaper alternative to bridge replacement or reconstruction. The County could use a vendor and have a trial pilot program to test for 90 days and track results. The County could also use LeeTran to obtain a FDOT grant for a startup loop.

Agenda Item #8 - Announcements

There were no announcements.

Agenda Item #9 - Information and Distribution Items

There were no information or distribution items with the exception of those included in the agenda packet.

The meeting was adjourned by Commissioner Brian Hamman at 3:13 p.m.

* 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.