

**METROPOLITAN PLANNING ORGANIZATION BOARD
EXECUTIVE COMMITTEE**

2:00p.m., January 10, 2018
Cape Coral Public Works Building
815 Nicholas Pkwy E, Cape Coral, FL
Green Room/A200



MEETING MINUTES

The meeting was called to order at 2:00 p.m. by Chair Rick Williams.

The roll was called. A quorum was present. Those MEC members in attendance included City of Cape Coral Councilmember Rick Williams, Fort Myers Beach Vice-Mayor Tracey Gore, City of Fort Myers Councilmember Mike Flanders, Village of Estero Mayor Jim Boesch, City of Bonita Springs Deputy Mayor Peter O'Flinn, City of Sanibel Vice-Mayor Mick Denham, and Lee County Commissioner Brian Hamman. Others in attendance included Nick Batos, MPO Legal Counsel Derek Rooney and MPO staff Don Scott and Calandra Barraco.

New Business

Agenda Item #1 - Public Comments on New Business Items

There were no public comments on new business items.

Agenda Item #2 - *Review and Approval of the December 13, 2017 Meeting Minutes

Mayor Jim Boesch motioned to approve the December 13, 2017 Meeting Minutes. Vice-Mayor Mick Denham seconded the motion. There were no objections. The motion passed unanimously.

Vice-Mayor Denham brought up the possible issue of two representatives from Sanibel serving as officers for the MPO, Vice-Mayor Denham as Vice-Chair and Mayor Kevin Ruane as Treasurer. Mr. Derek Rooney asked if another Board member was as proficient in accounting as Mayor Ruane. There was a brief discussion among the committee. Mr. Rooney said he would work on a solution and have more information before the end of the meeting.

Agenda Item #3 - *Review of the FY 2016/2017 MPO Audit

Mr. Andrew Laflin and Ms. Jackie Riechers with Clifton Larson Allen (CLA) presented an overview of the FY 2016/2017 year-end audit. Mr. Laflin reviewed several parts of the audit including the financial highlights, findings, and recommendations. He began with the schedule of expenditures on page 32 and then moved to page six with a discussion on management and analysis. Vice-Mayor Denham asked if it was a cause for concern that revenue was down. Mr. Scott replied that the near completion of TIGER was the main reason. Vice-Mayor Denham asked what the MPO revenue was. Mr. Scott responded PL funds total around \$700,000. Vice-Mayor Denham asked if the revenue would support expenses. Mr. Scott said yes. Mr. Laflin then referred to the findings on page 39 explaining material weaknesses were found but no major deficiencies. Vice-Mayor Tracey Gore asked who the MPO accountant is. Mr. Scott responded Goodwill. Vice-Mayor Denham asked what the recommendation was to correct the material deficiencies. Mr. Scott said there is an RFP that will go out soon for a new accountant as well as MPO financial data being recorded in QuickBooks. Vice-Mayor Denham asked if this was serious. Mr. Laflin said it was not, and it was corrected in the books. Mr. Scott explained how some of the invoices were applied to the wrong fiscal year. Mr. Laflin added CLA will work with the MPO to further develop the RFP and also to better prepare for the next audit. Mr. Laflin then referred to the management letter on page 45 and reviewed the findings. The committee discussed the hurricane and the new proposal that Mr. Scott handed out regarding emergency situations. Vice-Mayor Gore asked if someone in Cape Coral could sign now that all of the MPO Officers were further away. Mr. Scott said signers must be MPO Officers. Mr. Scott explained the history of CLA's role in assisting the MPO to determine procedures after the split from the Regional Planning Council. Deputy Mayor O'Flinn asked about electronic signatures. Mr. Scott responded he is open to the possibility. Vice-Mayor Denham asked the process for check requests. Mr. Scott explained. Mr. Laflin said there must be a record that shows document and review. Vice-Mayor Gore asked if electronic format like texting would be sufficient. Mr. Rooney noted that Florida Statutes are broad on this topic. Mr. Rooney asked if CLA required the MPO Treasurer to have a financial background. Mr. Laflin said they

would prefer it. Chair Williams asked if a vote was needed. Mr. Scott said a motion to accept the audit was what was done in the past.

Vice-Mayor Gore made the motion to accept the CLA audit. Deputy Mayor O'Flinn seconded the motion. There were no objections, and the motion passed unanimously.

Mr. Rooney brought up the Treasurer and Vice-Chair issue again mentioning his findings from the MPO Bylaws and recommending that the position of Treasurer and Vice-Chair could be consolidated into one person. Vice-Mayor Denham noted that Mayor Ruane only wants to attend the MEC meetings. Commissioner Hamman mentioned that the MPO Bylaws require the MPO Officers to be at all meetings. Mr. Rooney said he would speak with Mayor Ruane, with an agenda item to follow that discussion. He also mentioned the MPO Bylaws could be amended. Councilmember Flanders asked if the MPO ever had a staff accountant or CPA. Mr. Scott responded no, primarily because they don't want all controls to be internal and that it wouldn't be a full time job. The committee discussed the scenario of Mr. Scott being unavailable to assist with the MPO daily activities and where that would leave the MPO. Mr. Scott said he would develop an MPO plan to address coverage. Chair Williams thanked Mr. Laflin and Ms. Riechers for presenting.

Agenda Item #4 - *Provide Input on the Executive Director Evaluation

Mr. Derek Rooney, the MPO's legal counsel, compiled the results of the evaluations and gave a brief summary. Deputy Mayor O'Flinn commented that with such a small staff and massive responsibilities, Mr. Scott does a good job balancing everything. Mr. Rooney received additional evaluations from several committee members at the meeting and said he would amend his draft report if necessary. There was a brief discussion on salary increases for the MPO staff with Mr. Scott stating the last staff increase was in October 2015.

There was a motion made by Vice-Mayor Denham to accept the performance review of Mr. Scott as excellent. Vice-Mayor Gore seconded the motion.

Mayor Boesch asked when the salary item would come back. Mr. Scott said he would gather information regarding the MPO budget and comparative salaries and bring it back at the next meeting. Councilmember Flanders suggested also addressing the low staff to population ratio and cost of living issues. Vice-Mayor Gore mentioned there was a motion on the floor. Chair Williams asked for a vote.

There were no objections. The motion passed unanimously.

Mr. Scott mentioned the new UPWP would be up for approval by the MPO Board in May. Vice-Mayor Gore asked where MPO funding originates. Mr. Scott responded that most of the funding is Federal funding.

Agenda Item #5 - Review of the Lee County Mobility Measures from FDOT

Mr. Scott presented this agenda item to review the Lee County Mobility Measures that FDOT recently sent to the MPO. He said the Florida Department of Transportation has committed to provide mobility reports for each Metropolitan/Transportation Planning Organization in the state. He noted the MPOs can utilize systemwide performance measures to understand their existing conditions and identify mobility trends as this initiative continues. He showed a slide of a portion of the data that was provided in the agenda packet and reviewed some of the data including average speed at peak hour, sidewalk coverage, and bike lane coverage. He noted the data is from 2015 and that it makes everything on the state system look great. The committee discussed the data. Mr. Scott said the data would be used for the performance measures and also for the LRTP update. Councilmember Flanders asked if FDOT provided the data. Mr. Scott responded yes. The committee briefly discussed elements that may be missing from the data.

Agenda Item #6 - Update on Legislative Issues

Mr. Scott presented this agenda item as an overview on the status of MPO/Transportation related legislative issues. The MPOAC legislative update from December was attached to the agenda packet and Mr. Scott handed out the legislation related to these issues. He noted the legislative session begins on January 9th. He discussed issues pertaining to the MPO Board member cap and restructuring. He asked if the committee members could reach out to anyone on the legislative committees to stop this, mentioning that Representative

Caldwell was on one of the committees. Mayor Boesch said he would reach out to Representative Caldwell. The discussion continued on the reasoning behind this possible legislation. The committee then discussed legislation related to electric vehicles. The discussion returned to the MPO Board cap and restructuring. Councilmember Flanders mentioned the legislation related to texting while driving. Commissioner Hamman questioned how accurate the determination of texting while driving could be as many use their phones for GPS. Mayor Boesch mentioned there will be technology and new equipment that will be able to distinguish.

Other Business

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

There were no public comments on items not on the agenda. Mr. Nick Batos asked for clarification that it had been October of 2015 since MPO staff has received a raise. Mr. Scott responded yes.

Agenda Item #8 – Announcements

There were no announcements.

Agenda Item #9 - Information and Distribution Items

The information and distribution item included in the packet was the Big Carlos Pass Bridge save the date meeting. Mr. Scott mentioned the meeting is January 18, 2018 from 5 p.m. to 7 p.m. Vice-Mayor Gore asked if FDOT would attend. Mr. Scott said he was not certain. Vice-Mayor Gore asked about funding for the project. Mr. Scott noted they are trying to get Federal or state money for half of the cost. Vice-Mayor Gore then asked about the traffic study on San Carlos and why it was being delayed again. Mr. Scott thought it was possibly due to FDOT bringing another consultant in and that it was not ready due to this. Vice-Mayor Gore also mentioned the Connecticut Street sidewalk project asking if money had been set aside. Mr. Scott responded yes. Vice-Mayor Gore suggested there should be better communication among all parties involved. Vice-Mayor Gore then asked for committee input on the issue of electric bicycles. Vice-Mayor Denham said they are not permitted on the shared use pathways on Sanibel. Mr. Rooney noted the local governments have the authority to limit the use of these types of vehicles on sidewalks or pathways. Councilmember Flanders suggested law enforcement officers have more pressing issues to deal with. There were no further comments.

The meeting was adjourned at 3:38 p.m.

* Action Items + May Require Action

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