

**METROPOLITAN PLANNING ORGANIZATION BOARD
EXECUTIVE COMMITTEE**

2:00 p.m., September 12, 2018
Cape Coral Public Works Building
815 Nicholas Pkwy E, Cape Coral, FL
Green Room/A200



MEETING MINUTES

The meeting was called to order by Commissioner Brian Hamman at 2:04 p.m., as Chair Tracey Gore and Vice-Chair Mick Denham were both absent. Commissioner Hamman suggested electing an MEC member that was present to Chair the meeting.

Mayor Jim Boesch made the motion to elect Commissioner Brian Hamman to Chair the meeting. Councilmember Jessica Cosden seconded the motion. There were no objections, and the motion carried unanimously.

The roll was called. There was a quorum. Those MEC members in attendance included City of Cape Coral Councilmember Jessica Cosden, City of Bonita Springs Councilmember Fred Forbes as alternate, Village of Estero Mayor Jim Boesch, and Lee County Commissioner Brian Hamman. Others in attendance included 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 August 8, 2018 Meeting Minutes

Councilmember Fred Forbes motioned to approve the August 8, 2018 Meeting Minutes. Mayor Jim Boesch seconded the motion. There were no objections. The motion passed unanimously.

Agenda Item #3 - Overview of the Preliminary FDOT Office of Inspector General Audit Findings/Recommendations

Mr. Don Scott presented this agenda item as an overview of the preliminary FDOT Office of the Inspector General Audit findings and recommendations. He said the audits of the MPOs in Florida stemmed from the issues raised at Lake-Sumter MPO, and all MPOs in Florida will now be audited. He added that Lee County MPO and Tallahassee were the first two being reviewed. He noted the FDOT Office of Inspector General (OIG) has been conducting an audit on the MPO since last December. He added staff from the OIG office conducted an in person interview back in February, and staff has been providing requested items for review as they have been requested since December. He said the audit is not complete yet, as their report needs to be reviewed by management and then submitted to the MPO for comments before it gets finalized. He commented that about two weeks ago the MPO staff had a teleconference call with OIG staff to follow up on some additional questions, and as part of that call we had a preliminary discussion regarding the findings and recommendations. He reviewed the items below that were raised:

- There were questions regarding the LeeTran charges that included more hours for a quarterly billing period than could be charged within a quarter (the charges are due to the timesheets which go from Thursday to Wednesday and it does include days that are before the quarter starts/or ends but the totals for the year are not over the amounts).
- There were costs accrued (about \$8,300 in consulting services, phone and internet charges) to a grant prior to the approval of the grant on July 1st of that year

- The Executive Director needs to have his timesheets signed off by someone that is not a subordinate or under contract to the MPO.
- The car allowance in the MPO Director's contracts throughout the state need to be revised as there is no back up mileage being reported.
- The inventory check list needs to include additional information on condition, usage and where the inventory is specifically located (this was updated and sent to them prior to completion based on a question asked so this may or may not be in the final report).
- The MPO needs to develop specific federal funding allowability policies for the existing MPO's policies and procedures manual (instead of just saying that the MPO follows federal requirements for 2 CFR 200).

Mr. Scott noted once the final report is received, we will have two weeks to comment. Mr. Derek Rooney mentioned they could be incorrect about the contract regarding mileage as Mr. Scott is technically not a state employee. Mayor Boesch questioned the federal policies. Mr. Scott said the MPO has a policy that states we follow 2CFR 200, but the OIG would like it to be more comprehensive. He noted that staff is already working on a draft. Mr. Rooney commented that the MPO could probably adopt policies from another non-profit. Mr. Scott mentioned the sign off on his timesheet would need to be done by a Board member. Commissioner Hamman asked if this could be done electronically. Mr. Scott replied yes, and CRI may have changes for timesheets as well. Mr. Scott also noted his car allowance may change. He added that he does not charge for mileage in Lee, Collier, or Charlotte due to his allowance. Mayor Boesch asked if the MPO uses the federal reimbursement rate. Mr. Scott replied no, the MPO uses the state amount. He added that we could adopt to use the federal amount through MPO Board approval. Commissioner Hamman noted the county uses the federal amount. Mayor Boesch said he would support the MPO using the federal amount. Mr. Scott also noted that he gave OIG an updated inventory list which was more in line with what they asked for, so that may no longer be in the findings report. There was a brief discussion on the issues from Lake-Sumter MPO. Commissioner Hamman asked the time frame for the report. Mr. Scott said it should be sent to the MPO within the next few weeks. He said staff will answer the report and then present the final report at an MPO Board meeting.

Agenda Item #4 - Follow up on the Strategic Intermodal System (SIS) Cost Feasible Plan Discussions

Mr. Scott presented this agenda item as a follow up to the discussions about the 2045 SIS Cost feasible Plan at the last meeting. He noted some more research was done on the items and questions that were raised about I-75. He said one of the questions that was raised at the last meeting was about the proposed east of I-75 parallel road in Sarasota that FDOT mentioned as part of their Committee presentations. He referred to the Needs Plan map from the Sarasota Manatee MPO Long Range Plan, that was attached to the agenda packet and shown as a slide at the meeting, that shows the proposed four lane roadway, noting portions of the roadway in dark blue have been built with other sections in blue dash to be built in the future. He also commented that the first thing mentioned when staff asked questions about the roadway was that it was planned to be built to facilitate future development in this area of the County. He then showed a slide on heavily congested roadways and an I-75 expected failure analysis slide from FDOT. He also handed out and reviewed draft questions that may be asked at the SIS presentation. Mayor Boesch commented that projected growth for Lee County is double the growth factor that FDOT used. Mr. Scott also handed out crash data and discussed crash statistics for I-75. Mr. Scott noted that during the I-75 PD&E study, they will look at a possible Del Prado extension. Commissioner Hamman asked about the delivery of the questions at the meeting. Mr. Scott said that he could provide them to FDOT in advance of the meeting so that they could prepare answers. Commissioner Hamman agreed. He asked if there were any other questions that should be added. Councilmember Forbes asked how much right of way will be needed. Mr. Scott said he was unsure. Mayor Boesch suggested bringing up the tolling concept to reduce funding issues. There was a brief discussion on tolling I-75. Mr. Scott said he would add a question on tolling options. Councilmember Forbes questioned the impacts on the developments that are directly adjacent to I-75. Mr. Scott said

the ponds used to be shared, but there may be liability issues with that now. Mayor Boesch commented the process shouldn't be reactive. Mr. Scott noted the population in Lee County is projected to reach one million by 2040. Mayor Boesch said funding is an important issue and the process should be started now. Mr. Rooney asked if the ten lanes would be elevated. Mr. Scott replied no, they will all be level with a transit envelope in the center. Commissioner Hamman asked Mr. Scott if he added the toll feasibility question. Mr. Scott replied yes. Commissioner Hamman asked if a motion was needed to send the questions to FDOT. Mr. Scott replied no, the direction of the committee to send the questions was all that was needed. Mayor Boesch suggested involving the TAC and the CAC to get the process started. Councilmember Cosden asked if this was coming up at the September Board meeting. Mr. Scott replied yes. Commissioner Hamman suggested letting FDOT present, answer questions, and then the MPO Board will decide the next steps.

Agenda Item #5 - Update on the FDOT Multi-use Pathway Maintenance Requirements

Mr. Scott presented this agenda item as an update on the FDOT Multi-use Pathway Maintenance Requirements. He said, as discussed previously, the construction of multi-use pathways within State owned rights-of-way will now require the execution of a maintenance agreement, which was **attached** to the agenda packet, between FDOT and the local entity. He continued, determining who will maintain the multi-use path will now have to be decided during the planning of the facilities. He added if local entities decide to opt out of multi-use pathway maintenance responsibilities like pavement markings, bike/ped signals, lighting, guard rails, trail amenities, etc., FDOT will, most likely, only build an eight foot concrete sidewalk facility instead. Mr. Scott then discussed a list of current projects that will be impacted including SR 82, SR 80, and SR 31. Commissioner Hamman asked if this is changing mid-project. Mr. Scott replied yes, explaining that originally existing projects were not to be impacted but they are now. Mr. Rooney noted the projects would have been changed from inception if they would have known the agreement would change after the fact. Mr. Scott said Mr. Gogoi compiled a list of project costs for retrofitted sidewalks, noting retrofitting sidewalks is expensive. Commissioner Hamman asked the MPO's role in this. Mr. Scott said the projects will need to be adjusted on the MPO side. Mr. Scott then showed a pedestrian priority needs map for Lee County. Commissioner Hamman asked if the MPO would recommend changing projects so that FDOT would maintain. Mr. Scott replied yes, noting the bike/ped master plan lists needs to be changed. Commissioner Hamman asked the process. Mr. Scott said it will go to the BPC first, then the MPO will adjust, and then it will go to the Board for approval. Mr. Scott continued that Lee County staff provided comments to FDOT, and FDOT asked for the marked up agreement to better determine what the issues are. Mr. Scott said he also asked what is being done in other areas. Mr. Rooney commented that this process could be to standardize contracts/agreements for possible outsourcing. Commissioner Hamman asked if there were any additional comments. There were none.

Agenda Item #6 - +Discuss the Request to Change the MPO Meeting Calendar for the Work Program Presentations

Mr. Scott presented this agenda item to discuss the request from FDOT to change the previously approved meeting calendar to accommodate the Work Program presentations that have been delayed until December. Mr. Scott said the FDOT Work Program hearing and presentation was originally scheduled for October and as such the MPO schedule included cancelling the December meeting. He added that FDOT staff recently requested that the MPO revise the meeting schedule to include December meetings to accommodate the work program public hearing and meeting presentations. He said FDOT Central Office has revised the work program schedules across the state from the previously planned October time frame to December, noting this might have something to do with the elections. He said the December date, per the bylaws, is Friday December 21, noting that staff looked at moving the date up by a week to December 14 but that conflicts with the Collier MPO Board meeting. He said this would be a conflict for FDOT staff presenting the work program. He said there is an option to present in the afternoon on December 14. Commissioner Hamman asked if December

13 would also be possible. Mr. Scott said he would consult with FDOT staff. Commissioner Hamman noted there may be a problem achieving quorum at a December 21 meeting. Mayor Boesch asked about cancelling the November 16th meeting. Commissioner Hamman asked if a motion was needed. Mr. Rooney commented that it would be acceptable for the Executive Committee to decide this.

Mayor Jim Boesch made the motion to cancel the November meeting. Councilmember Forbes seconded the motion. There were no objections, and the motion passed unanimously.

Mayor Boesch then added that Mr. Scott will get back to the committee with the December date.

Agenda Item #7 - Overview of the MPO Board Agenda

Mr. Scott handed out the agenda for the MPO Board meeting on September 21, 2018. He discussed the items on the agenda including the TDSP update and an award for Michael Flanders. There was a brief discussion on the longest running MPO Board members. Mr. Scott continued his review of the agenda mentioning the roll forward approval for the Transportation Improvement Program, addition of 5305 funding to the UPWP, transit performance targets, SIS presentation, and the possible changes to the 2018 meeting calendar. There was a brief discussion on the Citizen Advisory Committee membership and processes regarding removal of members for non-attendance.

Other Business

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

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

Agenda Item #9 - Announcements

There were no announcements.

Agenda Item #10 - Information and Distribution Items

The information and distribution items included a handout on possible SIS presentation questions, a SWIFT SunGuide Quarterly Operations Report, and the September 21 MPO Board Agenda

Mayor Jim Boesch made the motion to adjourn the meeting. Councilmember Cosden seconded the motion. There were no objections, and the motion passed unanimously.

The meeting was adjourned at 3:02 p.m.

* Action Items + May Require Action

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