

## Meeting Minutes

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**The virtual Zoom meeting was called to order at approximately 2:05 p.m. by MPO Chair/City of Bonita Councilmember Fred Forbes.**

**The roll was recorded by MPO staff.** There was a quorum. Those MEC members in attendance included Lee County Commissioner Brian Hamman; City of Sanibel Mayor Kevin Ruane; City of Fort Myers Councilmember Gaile Anthony; Village of Estero Mayor William Ribble; City of Bonita Springs Councilmember/MPO Board Chair Fred Forbes; and City of Cape Coral Mayor Joe Coviello. Others in attendance included MPO Legal Counsel Derek Rooney; John Majka, a member of the public; Diana Giraldo with Streets Alive of Southwest Florida; L. K. Nandam, Wayne Gaither, and Michael Tisch with FDOT; Jessica Smith with HDR; Jorge Sotolongo with Graph Code; and MPO staff Don Scott and Calandra Barraco.

### **New Business**

#### **Agenda Item #1 - Public Comments on New Business Items**

Ms. Diana Giraldo with Streets Alive gave a public comment on her funding request to address bike ped safety in Lee County. She gave a brief background of herself, discussed the need for bike ped outreach, and reviewed her bike ped safety budget and plan. She added that her request was for \$200,000 per year for the next five years. Ms. Giraldo's plan can be accessed here:

<http://leempo.com/wp-content/uploads/Agenda-Item-1-Diana-Giraldo-Public-Comment.pdf>

Mr. Scott then reviewed a letter written by Ms. Jodi Walborn in support of a Lee County budget for bike ped safety. The letter can be accessed here: [http://leempo.com/wp-content/uploads/2020/05/Letter-to-MPO-executive-board-from-Jodi-Walborn-Support-of-a-Lee-County-budget-for-bike\\_ped-safety.pdf](http://leempo.com/wp-content/uploads/2020/05/Letter-to-MPO-executive-board-from-Jodi-Walborn-Support-of-a-Lee-County-budget-for-bike_ped-safety.pdf)

Mr. John Majka, a resident of Lee County, gave a public comment on his SR 80 pathway projects realignment request.

#### **Agenda Item #2 - \*Review and Approval of the March 11, 2020 Meeting Minutes**

Councilmember Anthony made the motion to approve the minutes, and Mayor Ruane seconded the motion. Mr. Scott noted there was public comment on the minutes and showed an email written by Mr. John Majka regarding the minutes that had been sent/received at 12:11 p.m. on the day of the meeting, Wednesday, May 13, 2020. The letter can be accessed here: <http://leempo.com/wp-content/uploads/John-Majka-E-mail.pdf> Councilmember Anthony asked for direction. Mr. Scott advised to pass the minutes as written. There was a brief discussion as to who was chairing the meeting. Councilmember Forbes said he was, and a discussion on the minutes could proceed. The committee read the email from Mr. Majka that was posted on the screen. Mayor Ruane commented on the minutes and concerns. Mr. Scott explained the CAC letter that Mr. Majka refers to in his email. Mr. Majka asked if he could comment/clarify. Councilmember Anthony asked for advice from the MPO attorney. Mr. Derek Rooney gave his opinion and suggested that additional written comments could be submitted by Mr. Majka and adoption could be pushed off until next meeting. Councilmember Anthony asked for a copy of the email. Councilmember Anthony and Mayor Ruane withdrew their motion and second respectively. This item will be tabled until the next meeting. Ms. Barraco alerted the committee to a typed virtual meeting comment sent to all of the committee members from Ms. Giraldo asking for feedback on her public comment and a motion. Chair Forbes asked if there was

any discussion on Ms. Giraldo's public comment. Councilmember Anthony asked if there was usually time given to digest material before comment. Mr. Rooney noted the committee is not required to comment on public comment. Mr. Rooney said it could be raised in comments by committee members at the end of the meeting or requested to be brought back at a future meeting as an agenda item. Mr. Scott noted that this subject was also on the agenda for Friday's meeting. Mayor Ruane commented noting that walk-on items are difficult to digest, understand, and make decisions on immediately. The committee agreed the item will be further discussed at Friday's MPO Board meeting.

### **Agenda Item #3 - +Review and Comment on a Proposed Emergency Resolution for Virtual Meetings and Document Revisions to Cover Future Events**

Mr. Don Scott presented this agenda item for review and comment on a Proposed Emergency Resolution for Virtual Meeting and Document Revisions to Cover Future Events. The MPO staff has been working on language revisions to various MPO documents to address current and future Committee meetings and outreach activities during emergency events. He referenced the resolution, that was attached to the agenda packet and posted on the website, for the Committee's review and input prior to being approved at the MPO Board meeting on May 15<sup>th</sup>. He said that virtual actions will have to be brought back for ratification at the next in person meeting of the MPO Board with a quorum in the room. Mr. Scott asked if there were any comments or additions or if Mr. Rooney had anything to add. Mr. Rooney mentioned the current executive order that allows virtual meetings to continue through July 7, 2020 with virtually approved items requiring ratification after the fact. Chair Forbes asked if they could still meet in person if the facility was large enough. Mr. Rooney replied yes. Mayor Ruane noted Sanibel continues to meet in person. Mr. Scott said the current issue is the Cape building is still not open to the public. Mayor Ruane clarified that Mr. Scott meant the Public Works building as Council Chambers was still open for public meetings. Mayor Coviello commented that the Cape Council Chambers could be used if available and to contact the Cape Clerk, Ms. Kimberly Bruns for reservation requests. He added that mics might be an issue for the MPO Board. Mayor Ruane clarified this would just be for the Executive Committee. Mayor Coviello said the Green Room could still be used as well. Chair Forbes commented the only issue to deal with is the Friday Board meetings. Mayor Ruane said the Executive Committee could meet first, and he wasn't sure about accommodating the MPO Board. Councilmember Anthony, Commissioner Hamman, and Chair Forbes agreed. Mayor Coviello suggested wearing masks if meeting in the Lee County building. Commissioner Hamman added the recommendation is wearing a mask in addition to social distancing. Commissioner Hamman continued that the Zoom virtual meeting platform could be used for this MPO Board meeting and then the situation could be reevaluated in thirty days. Mayor Ribble and Councilmember Anthony agreed. The resolution and PIP language shown at the meeting can be accessed here: <http://leempo.com/wp-content/uploads/Agenda-Item-3-Resolution-PIP-Language.pdf>

### **Agenda Item #4 - Follow up Information on the Good Wheels Managed Transportation Disadvantaged Program Discussions**

Mr. Scott presented this agenda item for the purpose of following up on previous Good Wheels Managed Transportation Disadvantaged Program discussions. He noted at the last meeting there was a discussion about following up on the discussion items that were raised regarding Good Wheels and its abrupt closing. He added staff was able to find several years of audits and referenced the FY 2016/2017 audit that was attached to the agenda packet and posted on the website. He commented on the lien amounts outlined on page 17, and on pages 36 and 37 are the auditor notes. He added the notes include statements that Good Wheels Inc. needs more unrestricted revenues and that was included over several years of audits. He also mentioned a note for the FY 2016 audit stated that there were less than 30 days of operating expenses available and the 2017 audit included a note that the Board should consider fundraising opportunities. Mayor Ruane commented on the audits. Commissioner Hamman said he requested Lee County staff draft a letter to the Inspector General to

look into the operations of Good Wheels and where the funding went. Mayor Ruane said he appreciates the effort. Councilmember Anthony agreed. Commissioner Hamman added that LeeTran was able to pick up all of the trips, and they brought over a scheduler from Good Wheels to assist. Mr. Scott noted that next week the Lee County Commissioners will decide whether to extend the services. The presentation for this agenda item can be accessed here: <http://leempo.com/wp-content/uploads/Agenda-Item-4-Good-Wheels-Information.pptx> Chair Forbes moved to the next agenda item.

**Agenda Item #5 - Status of the Long Range Plan Development Activities and Provide Input on Future Tasks**

Mr. Scott presented this agenda item as a discussion on the Status of the Long Range Plan development activities and to seek input on future tasks. He noted the MPO postponed the first public workshop that was scheduled for last month, and we are currently working on options for virtual meetings, as necessary. Mr. Scott gave a Power Point presentation that included information on LRTP activities, 2045 E + C map, Cost Feasible map, modeling alternatives, future tasks/issues, Lee County fuel tax revenue projections, and questions/comments. Commissioner Hamman asked what type of input is needed. Mr. Scott asked if they wanted to relook at the growth factor. Commissioner Hamman commented on the recovery, noting there are extreme opinions but they are taking the middle ground approach. Mr. Scott said he could bring back the most recent numbers. Chair Forbes suggested looking at the middle ground. Councilmember Anthony said the City of Fort Myers is beginning to look at data and begins budget planning on May 18. Mayor Ruane inquired on the time frame. Mr. Scott replied August. Mayor Ruane added that Sanibel took a midstream approach, and he would like a month or two of information post COVID. He asked for this to be brought back at the next meeting. Mr. Scott commented on the CIPs and the first five years of the Long Range Plan. The presentation used for this agenda item can be accessed here: <http://leempo.com/wp-content/uploads/Agenda-Item-5-LRTP-Development-Activities.pptx>

**Agenda Item #6 - Information on Traffic and Crash Data through the Shutdown**

Mr. Scott presented this agenda item on the Traffic and Crash Data through the Shutdown. He showed a Power Point presentation that included slides on statewide data over several weeks, FDOT real time report, District 1 I-75 Lee County data over several weeks, crash injury charts from 2019 and 2020 (see below), motor vehicle injury/fatality trends, pedestrian injury/fatality trends, and bicycle injury/fatality trends. Chair Forbes asked if there were any questions. There were none. Chair Forbes commented that the seasonal residents have extended their stays due to unfavorable conditions in the north. The presentation from this agenda item can be accessed here: <http://leempo.com/wp-content/uploads/Agenda-Item-6-Traffic-and-Crash-Data.pptx>

March 14, 2019 to April 14, 2019	Totals
Crashes	<b>2197</b>
All Injuries	<b>497</b>
Incapacitating Injuries	<b>44</b>
Fatalities	<b>10</b>

March 14, 2020 to April 14, 2020	Totals
Crashes	<b>1045</b>
All Injuries	<b>234</b>
Incapacitating Injuries	<b>24</b>
Fatalities	<b>7*</b>
*2 additional reported on April 15th	

**Agenda Item #7 - Transportation Legislation Review**

Mr. Scott presented this agenda item on the Transportation Legislation Review. He gave a Power Point presentation with slides that reviewed the status of transportation legislation that was discussed earlier this year and listed below by what passed and is awaiting approval by the Governor and what did not get approved by the Florida House and Senate.

## What Passed

- **Impact Fees SB 1066** – The bill prohibits the application of a new or increased impact fee to any pending permit applications, provides that impact fee credits are assignable and transferable at any time after their establishment within the same impact fee district or adjoining district.
- **State Infrastructure SB 7018** - Requires the Public Service Commission, in coordination with the Department of Transportation and the Department of Agriculture and Consumer Services, to develop and recommend a plan for the development of electric vehicle charging station infrastructure along the State Highway System. The bill directs DOT to plan, design and construct staging areas for emergencies as part of the turnpike system that will be used as staging areas for emergency supplies.
- **Transportation Network Companies HB 1039** - Establishes a regulatory framework for digital advertising on transportation network company vehicles and luxury ground transportation network company vehicles. The bill preempts local governments that are currently collecting revenue from the regulation of digital advertising on vehicles. The bill is effective upon becoming law.
- **Electric Bicycles HB 971** - Creates regulation governing the operation of e-bikes and provides that an e-bike or an operator of an e-bike must be afforded all the rights and privileges of a bicycle. The bill authorizes an e-bike to operate where bicycles are allowed including, but not limited to, streets, highways, roadways, shoulders and bicycle lanes. However, local Jurisdictions are authorized to regulate the operation of e-bikes in the certain areas.
- **Public Financing of Construction Projects SB 178** - Requires public entities to conduct a sea-level impact projection study on construction projects by a municipality, county or any other public agency that is using state-appropriated funds for the project. The bill requires the DEP to develop rules establishing standards for conducting the study and specifies required components to be addressed in the rules. Also, DEP must also approve and publish copies of all studies for at least 10 years. The bill authorizes DEP to bring a civil action to seek injunctive relief to cease construction or seek recovery of state funds expended on a coastal project if construction commences without complying with requirements for the study and review.
- **Commercial Service Airports HB 915** - Revises several provisions to enhance transparency and accountability for large-hub commercial service airports. The bill requires that at least once every seven years the auditor general conduct operational and financial audits of the state's large-hub commercial service airports. The bill also requires the members of the governing bodies of large-hub commercial service airports to submit the more detailed financial disclosure (Form 6) to the Commission on Ethics. The governing body of each commercial service airport is required to establish and maintain a website containing specified information including meeting notices, agendas, approved budgets and certain documents submitted to the Federal Aviation Administration.
- **School Bus Safety HB 37** - Revises civil penalties for certain violations relating to not stopping for a school bus. This bill doubles the current penalties.

## Transportation Bills that did not pass or died in Committee

- The requirement of pedestrian midblock crosswalks to be controlled by a pedestrian or full signal.
- Peer to peer car sharing requirements that included record keeping, insurance requirements etc.
- Aviation fuel tax that included repealing provisions and the tax on fuel.
- Express lanes bill that would have prohibited express toll lanes on SR 826 in Miami.

Mr. Scott showed additional slides on acceleration of state projects, Federal Cares Act, Federal Ongoing Proposals, and questions/comments. The presentation for this agenda item can be accessed here: <http://leempo.com/wp-content/uploads/Agenda-Item-7-Transportation-Legislation.pptx> Chair Forbes asked if there were any comments. There were none. Mayor Coviello left the virtual meeting at 3:00 p.m.

## **Agenda Item #8 - Overview of the May 15<sup>th</sup> MPO Board Meeting Agenda**

Mr. Scott presented this agenda item as an Overview of the May 15<sup>th</sup> MPO Board Meeting Agenda. Mr. Scott referred to the agenda that was included in the packet and shown as a slide during the virtual meeting. Mr. Scott reviewed the agenda items including consent agenda, UPWP, SR 865 presentation, LRTP freight scope, LRTP bike ped scope, PIP public comment period, and the TIP draft. He added that Mr. Majka commented on the SR 80 projects that are on the TIP. The May 15<sup>th</sup> Board agenda can be accessed here: <http://leempo.com/wp-content/uploads/Agenda-Item-8-MPO-Agenda-Sheet.pdf>

### **Other Business**

## **Agenda Item #9 - Public Comments on Items Not on the Agenda**

Mr. John Majka asked if the TIP items would be voted on at the next MPO Board meeting. Mr. Scott replied no, they will be up for final approval in June. Mr. Majka thanked everyone and said he had two distinct agendas. He said his first agenda was to keep his driveway access on SR 80 and his second agenda was to get the two projects on SR 80 re-aligned. He further explained his earlier public comment on the minutes. Chair Forbes asked if there was any other public comment. There was none.

## **Agenda Item #10 – Announcements**

There were no announcements.

## **Agenda Item #11 - Information and Distribution Items**

**The Information and Distribution Items included the I-75 Kick off meeting information.** Mr. Scott also mentioned the extension of M-Cores and the two virtual meetings that he had attended. Ms. Giraldo commented on the Ride and Walk of Silence that would be held virtually on May 20, 2020 at 7 p.m. on Facebook. Ms. Barraco noted that even though this was technically either an announcement or public comment, it would be included under Agenda Item #11 – Information and Distribution Items as that was where it had actually chronologically taken place in the meeting. Chair Forbes asked if there were any other items for this agenda item. There were none. Several committee members motioned to adjourn.

**The virtual Zoom meeting was adjourned at 3:09 p.m.**

**Complete Audio of this meeting can be accessed at: <https://soundcloud.com/user-390911534/05-13-2020-mec>**

\* Action Items    + May Require Action

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