

**METROPOLITAN PLANNING ORGANIZATION BOARD
EXECUTIVE COMMITTEE**

1:30 p.m., October 13, 2021
Cape Coral Public Works Building
815 Nicholas Pkwy E, Cape Coral, FL
Green Room/A200



Meeting Minutes

The meeting was called to order at 1:30 p.m. by MPO Chair Katy Errington.

The roll was called and recorded by MPO staff. There was a quorum. Those MEC members in attendance included Village of Estero Mayor/MPO Chair Katy Errington; City of Fort Myers Councilmember Darla Betzer Bonk; City of Cape Coral Mayor John Gunter; Lee County Commissioner Kevin Ruane; and City of Sanibel Vice-Mayor Richard Johnson. Others in attendance included MPO Legal Counsel Derek Rooney; Cape Coral Police Department Officers; John Majka, a member of the public; and MPO staff Don Scott and Calandra Barraco.

New Business

Agenda Item #1 - Public Comments on New Business Items

Mr. John Majka, a member of the public, gave a public comment on public comment opportunities and the SR 80 projects.

Agenda Item #2 - *Review and Approval of the September 8, 2021 Meeting Minutes

Mayor John Gunter made the motion to approve the September 8, 2021 Meeting Minutes. Vice-Mayor Richard Johnson seconded the motion. There were no objections, and the motion passed.

Agenda Item #3 - +Provide Input into the Recommended Agenda Format Changes

Mr. Don Scott presented this agenda item to provide input on proposed agenda format changes. Mr. Scott provided a Power Point presentation in which he reviewed the agenda format progression. He noted in the past, the MPO Board agendas had the first agenda item listed under the new business items for public comments on all the new business items at one time. He added there was no consent agenda item section at that time and if there were public hearing items, public comments were taken for each public hearing item. He continued this was later changed to have public comment opportunities at each agenda item. He said after the last MPO Board meeting, suggestions were made to change the public comment format to help avoid having same/similar comments being made on each agenda item. He asked for comments and direction from the committee. Mr. Scott's Power Point presentation, with examples of the agenda format progression, can be viewed here: [Agenda Format Change Presentation](#). Mr. Derek Rooney recommended one public comment period with time limits at the beginning of the meeting to avoid confusion and maintain the flow of business being conducted. Chair Errington clarified the recommendation was for no comment after individual items. Mr. Rooney said only after the public hearing items as to avoid disruption of meeting and confusion. Commissioner Ruane noted that he was Chair of the MPO Board in 2014 when the agenda was changed to take comment after each agenda item and explained that was how the City of Sanibel conducted business. Vice-Mayor Johnson commented on the importance of providing a chance for the public to be heard, cutting down on confusion, allowing comments within time frame, and including time for comments on non-agenda items. Councilmember Forbes asked what the time limit was. Chair Errington replied three minutes. Mr. Scott added the overall limit was ten minutes and provided a history related to the overall limit. Mayor Gunter said he agreed with allowing public comments at each item and suggested edits to the agenda format to reflect that. Mr. Rooney mentioned public

comment on consent agenda items. Chair Errington asked for clarification. Mr. Rooney explained the consent agenda items are action items. Chair Errington referred to the format of the agendas and meeting processes from the Village of Estero. Commissioner Ruane commented on the agenda format and meeting processes for the Lee County Commission and provided additional suggestions for the meeting agenda format similar to those provided by Mayor Gunter that include comments at each agenda item and an opportunity to comment on non-agenda items. Chair Errington referred to the approval of the minutes on the consent agenda. Commissioner Ruane explained the process at most meetings and consent agenda items. Mr. Rooney commented on the public request to speak process at the Village of Estero. Commissioner Ruane noted that generally public comment requests to speak that are filled out on cards are taken first and then there is an opportunity for those to speak who did not fill out cards. Mr. Rooney commented on the public attendance at Estero meetings and the free flow of conversation at other entity meetings. Commissioner Ruane mentioned the League of Cities was an entity that allowed more free flow of conversation with regard to public speaking. Chair Errington commented on wanting to ensure the public have an opportunity to speak.

Commissioner Kevin Ruane made the motion to change the format of the Executive Committee and MPO Board agendas to include public comment at each agenda item as well as include an opportunity at the end of the agenda for public comment on items not on the agenda. Vice-Mayor Richard Johnson seconded the motion.

Vice-Mayor Johnson mentioned transparency. Chair Errington said she wanted to ensure the public is given adequate time with three minutes per comment at each agenda item and items not on the agenda as well. Councilmember Forbes said this could be tried for several meetings and then changed if it needed. Commissioner Ruane noted this format has worked for seven years and ensures ease for the Chair adding that the MEC meetings usually last ninety minutes and the MPO Board around two hours. Mr. John Majka, a member of the public, gave a public comment regarding public comment. Commissioner Ruane noted that the amount of people present to speak under public comment will be taken into consideration adding public comment will not be suppressed or excluded. Chair Errington said the changes are intended make the process better. Vice-Mayor Johnson added public comment is not for questions and answers.

There were no objections, and the motion passed unanimously.

Agenda Item #4 - Information on the Current Transportation Project Cost Estimates

Mr. Scott presented this agenda item to provide information on the Current Transportation Project Cost Estimates. He provided a Power Point presentation that included slides with information on background, national highway cost index, issues, bid trend, consumer price index, monthly oil price, construction by year, average deviation from bid, and supply chain summary. His presentation can be viewed here: [Project Cost Estimates Presentation](#) He asked if there were any comments. The committee briefly discussed hyperinflation, adding a margin to bid estimates, putting contingencies in place, variability on supply side, allocation of funds, airport example, budgets, FDOT process, upcoming projects at risk, additional funding to cover current projects, challenge of planning to the 2045 LRTP horizon, growing deficit, factoring inflation, delays in project completion, example of bridge, using box funds for other items, and accounting for freed up funding.

Agenda Item #5 - Updated Information on the Proposed Federal Infrastructure Bill and Reauthorization

Mr. Scott presented this agenda item on updated information on the Proposed Federal Infrastructure Bill and Reauthorization. He mentioned the recent activity with relation to the bill including the Senate extension and subsequent signing into law by the President. He added, a furlough of the USDOT employees lasted about two days and for now the federal transportation funds will keep

flowing, at least until October 31, 2021. He said, as an example, with the previous federal transportation bill, there were nine extensions over a period of two years and nine months. He reviewed the items in the forty-eight page bill analysis document relating to the MPO. The bill analysis can be found at the following link: [Federal Bill Analysis](#) Mr. Scott said additional information will come back if the bill passes. He added staff is working with FDOT to adjust the plan to speed up the process. Vice-Mayor Johnson asked if the link in the agenda is for the referenced bill analysis document. Mr. Scott replied yes. Chair Errington asked about wildlife crossings. Mr. Scott explained.

Agenda Item #6 - MPOAC Legislative Policy Positions for 2022

Mr. Scott presented this agenda item on the MPOAC legislative policy positions for the 2022 session that were approved at the last MPOAC meeting. Mr. Scott reviewed the policy positions that were attached to the agenda packet, posted to the MPO website, and shown as slides at the meeting. They can also be accessed at the following link: [MPOAC Legislative Policy Positions](#) He said most of these legislative items are the same as previous years with the main focus being on requests for increases or changes to funding to make the sources more flexible and reliable for the future. Chair Errington asked if there were enough grant writers. Mr. Scott said consultants have been used in the past and gave the example of the TIGER Grant.

Agenda Item #7 - Overview of the October 22nd MPO Board Meeting Agenda

Mr. Scott presented this agenda item as an overview of the October 22 MPO Board Agenda. Mr. Scott mentioned the agenda was already shortened due to the Horizon Council meeting being held on the same day, but now that the FDOT draft tentative Work Program will not be ready, he requested the committee cancel the meeting. He said the Work Program will be presented at the November MPO Board meeting.

Commissioner Kevin Ruane motioned to cancel the October 22, 2021 MPO Board meeting. Vice-Mayor Richard Johnson seconded the motion. There were no objections, and the motion passed unanimously.

Other Business

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

Mr. John Majka, a member of the public, gave a public comment on the SR 80 projects. His public comment was accompanied by a presentation that can be viewed here: [John Majka Presentation](#) Commissioner Ruane asked if a hard copy of the presentation was available. MPO staff noted a link to the public comment presentation will be included in the minutes.

Agenda Item #9 – Announcements

Mr. Scott announced the October 22, 2021 MPO Board meeting was cancelled.

Agenda Item #10 - Information/Distribution and Follow up Items from the Last Meeting

Mr. Scott referred to the information on Florida's Transportation Sources that was included in the agenda packet and posted to the MPO website. Mr. Scott also provided a short Power Point presentation that included information on electric vehicles in Florida, taxes and fees in Florida, Trip funding, and additional items. Mr. Scott's presentation can be viewed here: [Follow Up Items](#) Mr. Scott also mentioned discussion with a Collier MPO Board member regarding coordination between Collier, Lee, and Charlotte MPO Board members. Mr. Scott further explained the meeting was suggested to include two members from each Board with no voting, only discussion. Commissioner Ruane said he liked the idea. Mr. Scott said he could invite the Collier MPO Board member to the

next MEC meeting for further discussion. Commissioner Ruane agreed. Vice-Mayor Johnson asked if the concept was a working group to bring information back to the individual Boards. Mr. Scott replied yes, for the Executive Committee and the MPO Board. Commissioner Ruane mentioned it has been successfully done in the past. Mr. Scott said he would invite the Collier MPO Board member to the next MPO Board meeting and go from there. Chair Errington asked if there was additional discussion. Commissioner Ruane motioned to adjourn the meeting. Vice-Mayor Johnson seconded the motion but asked for a short discussion regarding public comment before adjournment. He said public comment is an opportunity for the public to speak and share views. He continued that public comment was not a time for question and answer of the Executive Committee, the MPO Board, or MPO staff. He added that although he wants to hear public comment, it is not a good use of time or appropriate for the Board to be interrogated. Chair Errington agreed. Mr. Rooney added that members of the public can provide information before the meetings. Chair Errington said while public comments are encouraged, Robert's Rules of Order allow for comments and not questions and answers.

The meeting was adjourned at 2:44 p.m.

An audio recording of the meeting can be accessed here: <https://soundcloud.com/user-390911534/10-13-2021-mecwma?si=12c0e5ef12124fb28effad453e4f0e07>

* Action Items + May Require Action

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