

## AGENDA

---

### **Call to Order**

### **Roll Call**

### **New Business**

1. Public Comments will be Taken at Each Item
2. \*Review and Approval of the October 13, 2021 Meeting Minutes (Calandra Barraco)
3. \*Review and Approve the Safety Outreach Scopes of Services (Don Scott)
4. +Discuss and Provide Direction on Recommendations for Regional Coordination between the Lee and Collier MPO Boards (Don Scott)
5. Follow up on the US 41 Caloosahatchee Bridge TIP Amendment and the Request to bring it back to the January MPO Board Meeting (Don Scott)
6. Information on the Priorities, Federal Funding and Project Schedules (Don Scott)
7. Overview of the January 21<sup>st</sup> MPO Board Meeting Agenda (Don Scott)

### **Other Business**

8. Public Comments on Items Not on the Agenda
9. Announcements
10. Information/Distribution Items

### **Adjournment**

\* Action Items    + May Require Action

---

Public participation is solicited without regard to race, color, national origin, sex, age, disability, religion, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Calandra Barraco with the Lee County MPO at 239-330-2243 or by email at [cbarraco@leempo.com](mailto:cbarraco@leempo.com) at least seven (7) days prior to the meeting. If you are hearing or speech impaired call (800) 955-8770 Voice / (800) 955-8771 TDD. 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 they have been discriminated against because of race, color, national origin, sex, age, disability, religion, or familial status may file a complaint with the Lee County MPO Title VI Coordinator, Calandra Barraco, at 239-330-2243, or in writing at P.O. Box 150045, Cape Coral, Florida 33915-0045.

**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 22<sup>nd</sup> 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

---

Public participation is solicited without regard to race, color, national origin, sex, age, disability, religion, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Calandra Barraco with the Lee County MPO at 239-330-2243 or by email at [cbarraco@leempo.com](mailto:cbarraco@leempo.com) at least seven (7) days prior to the meeting. If you are hearing or speech impaired call (800) 955-8770 Voice / (800) 955-8771 TDD. 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 they have been discriminated against because of race, color, national origin, sex, age, disability, religion, or familial status may file a complaint with the Lee County MPO Title VI Coordinator, Calandra Barraco, at 239-330-2243, or in writing at P.O. Box 150045, Cape Coral, Florida 33915-0045.

## **REVIEW AND APPROVE THE SAFETY OUTREACH SCOPES OF SERVICES**

**ACTION ITEM:** Review and approve the draft scopes of services for conducting safety outreach to help reduce fatalities, injuries and crashes (**attached are both scopes**).

The MPO's budget includes funding for safety outreach activities to educate and push for improved safety and user behavior to help reduce fatalities, injuries and crashes. This funding was included in the budget following discussions at an Executive Committee meeting prior to putting the original UPWP budget together. There are two different entities that are working on this effort, the first is led by StreetsAlive that is focusing on outreach to motorists, bicyclists and pedestrians through a media outreach program. The second is led by LeeHealth and is focusing on the 4 D's (drunk, drugged, distracted and drowsy driving) and aggressive driving.

### PROJECT BACKGROUND

Lee County's fatalities, injuries and crashes are increasing and as part of that trend the MPO has various partners that are working on reducing crashes through outreach activities. The outreach activities include using a myriad of media sources and using FDOT and locally developed materials to help reach out to our residents and visitors to reduce crashes. The focus of this current effort is bicycle, pedestrian and motor vehicle safety awareness and education countywide.

### TASKS

#### 1. KICKOFF MEETING

Streets Alive will meet with MPO and FDOT staff to outline the outreach activities and how it will be rolled out to determine how the MPO and Streets Alive will accomplish the tasks.

#### 2. DEVELOP A MARKETING AND PUBLIC OUTREACH CAMPAIGN

StreetsAlive will work with the MPO, FDOT and the local media to develop a bicycle, pedestrian and motor vehicle awareness outreach campaign to reduce the crash incidents in Lee County. The materials will also be developed in Spanish for distribution as well. The focus of the outreach will be on bicycle and pedestrian safety. The materials that will be used for the outreach will start with the already designed materials from FDOT but will be translated into dynamic outreach materials for TV and radio. The intent of this outreach is to address motorist, cyclist and pedestrian behavior as this plays a big factor in the safety of our roadways.

#### 3. TRAIN THE TRAINER INITIATIVE

A train the trainer program is planned for key community partners (Blue Zones, Calusa Riders, City of Bonita Springs, ECCL Safety Council, Cape Coral Police Department, Collaboratory and Goodwill) that will be led by certified LCI trainer. This is meant to train the community partners on delivering messages and bicycle pedestrian education in a dynamic way and to increase our local capacity for hands on education moving forward. The motor vehicle/bicycle/pedestrian training will be conducted for 10 community partners using a training platform.

#### 4. PUBLIC OUTREACH

StreetsAlive and the Lee MPO, in collaboration with community partners, will work with the local print and digital media to determine the best ways to make an impact with the safety messages as well as reaching a large segment of the public. An education and safety outreach website/web pages will be put together to get out the messages as well as providing a one stop location for interactive maps and documents.

### 5. PROJECT DELIVERY

A library of the digital and print media outreach materials will be completed for review prior to distribution. Proposed outreach cost estimates will be developed following the MPO's procurement requirements. The MPO and community partners will also try to get free or increased opportunities with purchase media outreach as part of this project. The outreach is planned for December through June of this fiscal year. As part of this project, outreach metrics (how many, who is being reached, was the method of outreach/materials used found to be effective and what comments were received throughout the project) will be collected and reported to help shape future outreach activities as well as helping to determine effectiveness of the various methods. The follow up results of the outreach will be put into short report for future presentations.

Estimated Cost: \$47,000.



## **Public Outreach Scope for Vision Zero (decreasing fatalities/crashes)**

### **Project Background:**

Lee Health Trauma Center is looking to have the area youth help us educate the public on better road safety. Lee County continues to rank poorly on the Dangerous by Design 2021. As of Tuesday Oct. 2021 we had 97 deaths on Lee County roadways. The Trauma Center, Local Law Enforcement agencies, Bike/Ped. groups, LCMPO and others have been working on educating the public on driving safer. The current strategies we have been using do not seem to be working, as we continue to have fatalities on our roadways. The 4Ds and aggressive driving play a large factor in our roadway deaths. We would like to have area youth groups (SADD, Boys and Girls Clubs, Explorers etc.) work with us to develop PSA's on the different driving topics to be aired on local television stations, radio etc. We need to try new approach to educating the public to make a change. WE are striving for Vision Zero (bringing down the fatalities/injury rate) for Lee County.

The undertaking of this project is a partnership among Lee MPO, Lee Health Trauma Center, Lee County Injury Prevention Coalition, and Drug Free Coalition of Southwest Florida. We would like to have the PSA's completed and being aired by the end of January at the latest.

### **Tasks:**

#### **1. Kickoff Meeting**

We will meet with the Cape Coral SADD group, Lehigh SADD group, FMPD Palls group and go over the data we have for the 4D's and aggressive driving. The students will review the data that has been collected over the past 5 years. We will look at each issue in the various zip codes and work with the students in those areas.

#### **2. PSA Development**

The students will come up with ideas on educating the general public, teens, adults, older adults in the community. They can come up with their ideas and do some video of it either on their mobile phones or with their media department. If they do not have this Wink will have their production work with them. If they use their phones or media department when completed it can be sent over to the production group at Wink and they will make it look professional.

If the youth think of other ideas to get the message out, we will work with them on that as well. Social media, press releases. We believe the youth of our community are creative and can get the message out to the public to effect change. This has been proven with SADD group of Cape Coral and the #refuse campaign. That message has gained national attention.

### **3. Public Outreach**

Once the PSA's has been developed and completed, it will begin airing on local channels. The target group will be all drivers. It will focus on Drunk, Drugged, Distracted, Drowsy driving as well as aggressive driving. We believe parents and grandparents as well as other teens will listen to their peers to hear the message.

### **4. Media Outreach**

Once we are ready to launch the PSA;s we will get a press release out and work with the media to promote people to watch for the PSA's. Teens may be able to give an interview before hand on why it was important to provide these messages and what they hope to accomplish.

### **5. Video Shoot**

The students will coordinate with a local television media company to complete the video. The local media company will make sure the video looks professional but maintains the youth ideas and message.

### **6. Project Delivery:**

The video for the PSA's will be completed and will begin airing on the television during prime time. We will pay a certain fee to the media company and they will give us 2 for 1 bonus increasing the number of times the message is heard. The outreach will be developed following the MPO's procurement requirements. As part of this project, outreach metrics will be collected and reported (number of times, estimated audience and comments received) to help shape future outreach activities and effectiveness. The follow up results will be put together in a short report for future presentations.

The project is estimated to cost \$45,000.

**DISCUSS AND PROVIDE DIRECTION ON RECOMMENDATIONS  
FOR REGIONAL COORDINATION BETWEEN THE  
LEE AND COLLIER MPO BOARDS**

**RECOMMENDED ACTION:** Provide direction on recommendations for regional coordination between the Lee and Collier MPO Boards.

At a recent Collier MPO Board meeting, one of the MPO Board members discussed some options for improving coordination between the Lee and Collier MPO Boards. The two MPOs have a coordination agreement (**attached**) that calls for the two MPO Boards to meet on a yearly basis. The two MPO Boards have not met jointly since 2017, following two consecutive years where a quorum was not attained (once by Collier for a meeting held in Bonita and once by Lee for a meeting in held Collier County). The MPO TAC, CAC and BPCC have met jointly over the last few years, with the most recent meetings held in October of 2021.

The Collier MPO Board member, Commissioner McDaniel, has floated some ideas to improve this coordination that includes for instance, having a much smaller subcommittee of each Board that would meet on a more regular basis and report those discussions, recommendations, and issues back to each of the MPO Boards at their regular meetings for discussion/action. Per our discussion at the last meeting, staff has invited Commissioner McDaniel to attend the Executive Committee meeting to outline his recommendations for regional coordination moving forward.

**INTERLOCAL AGREEMENT FOR JOINT REGIONAL  
TRANSPORTATION PLANNING AND COORDINATION BETWEEN  
THE COLLIER AND LEE COUNTY MPOS**

**AMENDED March 20, 2009**

This INTERLOCAL AGREEMENT (hereinafter the Agreement) is made and entered into as of March 20, 2009 by and between the Collier Metropolitan Planning Organization (hereinafter the Collier MPO) and the Lee County Metropolitan Planning Organization (hereinafter the Lee County MPO).

**Whereas**, the Lee County and Collier Metropolitan Planning Organizations (MPOs) are the duly designated and constituted agencies responsible for carrying out the metropolitan transportation planning and programming processes for the Cape Coral and Bonita Springs-Naples Urbanized Areas; and

**Whereas**, the 2000 Census, while identifying distinct and separate Bonita Springs-Naples and Cape Coral Urbanized Areas, also determined that the Naples Urbanized Area had expanded into the metropolitan planning area of the Lee County MPO to become the Bonita Springs-Naples Urbanized Area; and

**Whereas**, the elected and appointed officials comprising the policy boards of the Collier MPO and the Lee County MPO recognize the benefits of regional cooperation; and

**Whereas**, on October 17, 2002, at a joint meeting, the members of the Collier MPO and Lee County MPO voted unanimously for staff not to pursue consolidation of the MPOs or alter their common metropolitan planning area boundary; and

**Whereas**, on October 17, 2002, at a joint meeting, the members of the Collier MPO and Lee County MPO voted unanimously for staff to coordinate transportation planning and policy activities in this bi-county region to promote regional transportation solutions and enhance overall regional transportation system efficiency using a straightforward, resourceful method; and

**Whereas**, by Joint Resolution 2003-1 adopted on February 14, 2003 by the Collier MPO and on March 21, 2003 by the Lee County MPO the parties agreed that the MPOs would continue coordination efforts by having a member of each MPO's staff serve as a voting member of the other's technical advisory committee and by holding joint MPO policy board meetings at least annually, and when necessary to resolve otherwise irresolvable differences; and

**Whereas**, staff and policy board members from both the Collier and Lee County MPOs also already coordinate regional transportation issues through participation in the Metropolitan Planning Organization Advisory Council (MPOAC), the District One Coordinated Urban Transportation Studies (CUTS) Committee, and the Southwest Florida Regional Planning Council (SWFRPC); and

**Whereas**, the Collier and Lee County MPOs are currently cooperating with each other in the development of a single bi-county travel demand model for use in the 2035 updates of both their long range transportation plans; and

**Whereas**, the Collier MPO and Lee County MPO both received letters from the District One Secretary in October 2003 asking them to enter into a more formal interlocal agreement to develop a joint long range transportation plan, joint regional priorities, a joint regional public involvement process, and a joint regional model, and specifying time frames for their completion; and

**Whereas**, at their October 17, 2003 joint meeting, the Collier and Lee County MPOs directed their staffs to develop such an agreement; and

**Whereas**, the Collier and Lee County MPOs executed such an agreement on January 27, 2004 and amended it in January 2006; and

**Whereas**, certain provisions of the amended agreement now need updating;

**NOW, THEREFORE**, in consideration of the covenants made by each party to the other and of the mutual benefits to be realized by the parties hereto, the Collier MPO and Lee County MPO hereby agree as follows:

**Section 1. Authority.** This Interlocal Agreement is entered into pursuant to the general authority of Sections 339.175, Florida Statutes, relating to metropolitan planning organization, and 163.01, Florida Statutes, relating to interlocal agreements.

**Section 2. Purpose.** The purpose of this Agreement is to promote and establish a forum for communication and coordination between the Collier and Lee County MPOs and to foster joint regional cooperation and conduct regarding transportation planning in accordance with Section 339.175, Florida Statutes, 23 C.F.R. 450.312, and the goals and requirements of the Transportation Equity Act for the 21<sup>st</sup> Century and its successor legislation. More specifically, this Agreement establishes the commitment by the parties to develop joint regional transportation planning products and processes for the bi-county region of Collier and Lee Counties and provides targeted timeframes for the accomplishment of these products and processes. This Agreement incorporates the provisions of and supersedes Joint Resolution 2003-1 of the Collier and Lee County MPOs.

**Section 3. Staff-level Coordination.** Each party will continue to maintain a representative of the other party's staff agency as a voting member of its Technical Advisory Committee.

**Section 4. Joint Meetings and Quorum Requirements.** Joint meetings of the governing boards, and advisory committees of the Collier and Lee County MPOs will be held at least annually. Quorum requirements for each MPO's Technical Advisory Committee at the joint

meetings will be ½ its membership after leaving out the FDOT, SWFRPC and MPO staff representatives from the quorum calculations. However, during voting on any items, while the FDOT and SWFRPC representatives will each have a single vote, MPO representatives will abstain from voting as they provide the administrative support at these meetings. Quorum requirements for each MPO's Citizens Advisory Committee at the joint meetings will be seven (7) for the Lee CAC and four (4) for the Collier CAC.

**Section 5. Planning Products and Timeframes.** The parties hereby agree to coordinate and collaborate in good faith and with due diligence to develop the following joint regional planning products by the target dates set out by each product described below:

**(a) Joint Regional Transportation Model**

The parties are working together to develop a coordinated update to the bi-county model to 2035 using the same consultant. The 2035 Long Range Transportation Plans are targeted to be completed by December 2010.. The standing joint Model Coordination Committee, comprising representatives of the Collier MPO, Lee County MPO, Collier County Department of Transportation, Lee County Department of Transportation, a City representative from each MPO, Southwest Florida Regional Planning Council, and FDOT, will oversee and coordinate the development, validation, use, maintenance, and future improvement of this model. The parties agree to continue to support and coordinate all travel demand modeling activities through this committee, which will continue to meet at least twice a year to maintain and update the joint model.

**(b) Joint Regional Long Range Transportation Plan (LRTP)**

The parties will continue to maintain and update as necessary the Joint Regional Multi-Modal Transportation System. The system will continue to remain a component of each MPO's LRTP and will continue to identify a two-tiered network of regionally significant transportation corridors, facilities, and services. The first order network comprises those corridors, facilities, and services that are of importance and concern to both parties. The second order network comprises the remaining corridors, facilities, and services deemed regionally significant. This system may subsequently be reconsidered and revised as necessary, at the request of either MPO.

During the development of each MPO's 2035 LRTP update, the parties agree to identify where improvements to the first order network may be needed, to propose and test appropriate alternative system improvements, and update the current joint regional long range transportation plan addressing those needs. The parties further agree to incorporate this regional plan in the updates of their own LRTPs, and to agree on any

refinements or modifications to the regional plan that either MPO may wish to include in its LRTP prior to or concurrent with the adoption of their LRTPs. The joint regional long range transportation plan shall be published in and adopted as part of each MPO's LRTP. The target date for adoption of the initial LRTPs thus coordinated is December 2010.

The parties agree that subsequent amendments to their LRTPs affecting the joint regional long range transportation plan must be approved by both MPOs' governing boards.

**(c) Joint Regional Project Priorities**

On the basis of the Joint Regional Multi-Modal Transportation System addressed in paragraph 5(b) above, the MPOs agree to continue adopting priorities for funding unprogrammed improvements on the identified first order network that will be competing for statewide discretionary funding within the next six fiscal years, and include said projects in the respective MPO's project priorities adopted in the summer. The MPOs also agree to continue adopting priorities jointly for improvements to transportation facilities and services on the identified first and second order networks that are competing for funding through the state's Transportation Regional Incentive Program (TRIP). Both sets of Joint Regional Project Priorities must be adopted by each MPO's governing board. Either MPO governing board may require that the Joint Regional Project Priorities be reconsidered at any time. This collaboration and the products developed will recur each subsequent year during the duration of this Agreement and will be a continuing obligation and commitment.

**(d) Joint Regional Public Involvement Process Component**

The parties will collaborate to maintain the Joint Regional Public Involvement Component which shall continue to be included in each MPO's existing Public Involvement Plan. This Joint Regional Component prescribes public notice and outreach actions and measures to assure public access and involvement for all joint regional activities including development of the Joint Regional Long Range Transportation Plan component and annual regional priority list within the bi-county area. Any amendments to this Joint Regional Public Involvement Process Component must be approved by both MPO's governing boards'.

**(e) Joint Regional Web Page**

The parties will collaborate to maintain the Collier and Lee County MPO Joint Regional Web Page. The Web Page is hosted in the Lee County MPO Web Site, and maintained and updated as necessary by Lee County MPO staff. A link to this web page will continue to be provided in the Collier MPO Web Site.

**Section 6. Staff Services and Costs.** The directors and staffs of each MPO will be responsible for development and maintenance of the joint regional products identified in this Agreement, subject to review and final approval by each MPO governing board. In this regard, each MPO will cooperate to assign and share equitably the needed staff resources to accomplish these regional efforts as specified in their respective Unified Planning Work Programs (UPWP). The cost of staff or consultant services provided by one party for the mutual benefit of both parties shall be split between the parties in proportion to their annual allocations of FHWA planning funds as shown in their latest adopted Unified Planning Work Programs. Similarly, direct costs for the joint regional efforts and products identified in this Agreement will be split between the parties in proportion to their annual allocations of FHWA planning funds.

Either party may also provide staff services to, or provide for the use of its consultants by, the other party, in which event the benefiting party shall reimburse the party providing the services for its full cost of the services rendered, including any associated direct expenses and any applicable share of personnel benefits and allocated indirect costs. The parties agree to invoice each other at the end of each monthly or quarterly accounting period for all expenses thus incurred on the other's behalf during that period. The parties further agree, as may be necessary in order to carry out the terms and commitments of this Agreement, to cooperate in seeking federal, state and local funding for the joint regional products to be developed.

**Section 7. Conflict Resolution.** The parties to this Agreement concur that if an issue is otherwise irresolvable, their staffs will organize a joint meeting of the MPO governing boards to resolve said matter. If the parties are unable to resolve the issue at the joint meeting, they agree to submit the issue to the Southwest Florida Regional Planning Council for non-binding arbitration. Notwithstanding any such resolution process, the parties to this agreement do not waive their respective rights to seek declaratory judgment as provided in Chapter 86, Florida Statutes.

**Section 8. Duration of Agreement.** This Agreement shall have an initial term of five (5) years, commencing on the date first above written, and shall automatically renew at the end of five (5) years for an additional five (5)-year term and every five years thereafter unless terminated or rescinded as set out in Section 10, herein. Prior to the end of each five (5)-year term, the parties shall reexamine the terms hereof for possible amendment. However, the failure to amend or reaffirm the terms of this Agreement shall not invalidate or otherwise terminate this Agreement.

**Section 9. Modification.** This Agreement may be modified at any time, but only by a new or addendum interlocal agreement duly signed by both parties.

**Section 10. Termination-Rescission.** This Agreement shall continue in force unless terminated with or without cause by either party by providing thirty (30) days written notice to the other party.

**Section 11. Liability.** The parties agree that nothing created or contained in this Agreement shall be construed, interpreted or inferred to establish any joint liability amongst or between one or more of the parties by the actions or omissions of its individual employees or



agents acting pursuant to the terms of this Agreement. In this regard, each party agrees that it shall be solely responsible and bear its own cost of defending any claim or litigation arising out of the acts or omissions of its employees or agents for actions or omissions in carrying out the terms and provisions of this Agreement. Finally, pursuant to Section 768.28, Florida Statutes each party agrees to indemnify, hold harmless and defend the other party against any claims or causes of action based upon the individual acts or omissions of its employees or agents.

**Section 12. Notice.** Any notice provided for herein, including the written notice referenced in Section 10 above, shall be provided by Certified Mail, Return Receipt Requested, to the other party's representatives listed below at the following addresses:

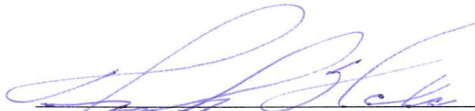
Director  
Collier MPO  
2885 South Horseshoe Drive  
Naples, Florida 34104

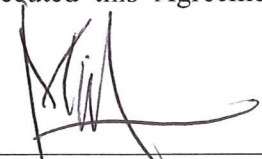
Director  
Lee County MPO  
1926 Victoria Avenue  
Fort Myers, Florida 33901-3414

Notice shall be deemed received on the first business day following actual receipt of the notice. The parties will promptly notify the other in writing of any change to their respective addresses.

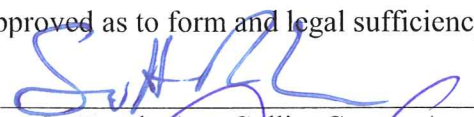
As required by Section 163.01(11), Florida Statutes, this Interlocal Agreement and all future amendments hereto shall be filed with the Clerks of the Circuit Courts of Collier and Lee Counties, Florida.

IN WITNESS WHEREOF, the parties herein have executed this Agreement by their duly authorized officials as of the day and year written below.

  
\_\_\_\_\_  
Commissioner Halas, Chair  
Collier MPO  
March 20, 2009

  
\_\_\_\_\_  
Michael Flanders, Chair  
Lee County MPO  
March 20, 2009

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Scott R. Teach, Asst Collier County Attorney

  
\_\_\_\_\_  
Jed Schneck, Lee County MPO Attorney

## **FOLLOW UP ON THE US 41 CALOOSAHATCHEE BRIDGE TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT**

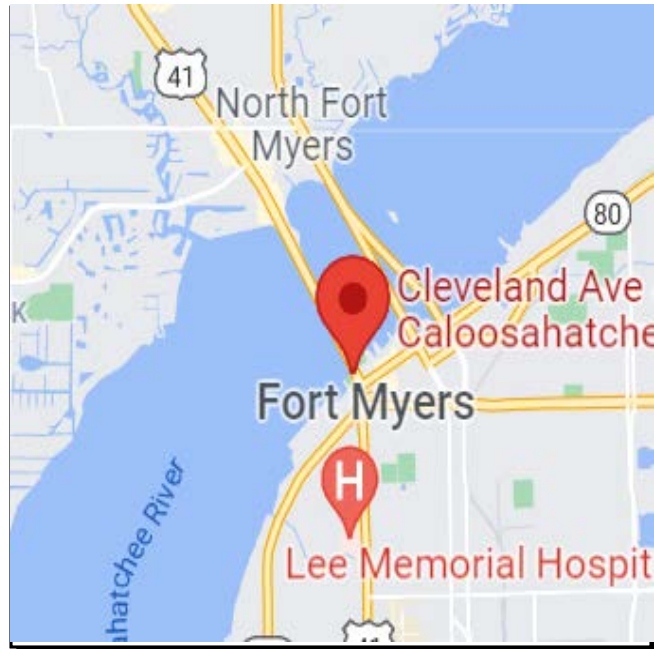
### **DISCUSSION ITEM:**

At the last MPO Board meeting, direction was made to bring back the US 41 Caloosahatchee Bridge TIP amendment to the January MPO Board meeting (the TIP amendment that included a design phase for the addition of a sidewalk to the US 41 Caloosahatchee Bridge). In addition, a comment was made about including a discussion of this item at the Executive Committee meeting. Following the November MPO Board meeting, FDOT staff indicated that the MPO could have the additional time to determine the outcome of this project (**attached** is the proposed TIP project amendment page).

The project is proposed to be funded with FDOT ARPA (American Rescue Plan Act) funds. FDOT received \$2 billion in ARPA funds for revenue replacement to the Transportation Trust Fund to offset losses associated with the Covid-19 pandemic. Of the total, \$1.75 billion must be used on State Highway System projects and the department shall place a priority on restoring funding for projects in the Work Program that were deferred or deleted under Executive Order 20-275 issued on October 23, 2020. The remaining \$250 million must be allocated for grants for port operations as defined in section 311.09 of Florida Statutes. From a review of the work program instructions, over \$1 billion of the funding is planned to be spent/obligated to projects in FY 2022 that ends on June 30, 2022.

**US 41 OVER THE CALOOSAHATCHEE BRIDGE**

**Project Number: 4490151**



**From:** US 41 at Caloosahatchee Bridge      **Work Summary:** SIDEWALK

**To:**

**Lead Agency:** MANAGED BY FDOT

**Length:** 1.000

**LRTP #:**

Phase	Fund Source	2021/22	2022/23	2023/24	2024/25	2025/26	Total
PE	ARPA	360,000	0	0	0	0	<b>360,000</b>
PE	DIH	50,000	0	0	0	0	50,000
<b>Total</b>		<b>410,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>410,000</b>

**Prior Cost < 2021/22:** 0

**Future Cost > 2025/26:** 0

**Total Project Cost:** 410,000

**Project Description:** Design of a Pedestrian Facility for the US 41 Caloosahatchee Bridge

## **DISCUSSION ON THE PRIORITIES, FEDERAL FUNDING AND PROJECT SCHEDULES**

### **DISCUSSION ITEM:**

There have been recent discussions about what projects are federal eligible and production ready, so staff wanted to take the opportunity to provide information on the project priorities, schedules and federal funding eligibility issues. Of the major projects on the current federal and state funding priority list (**attached**), very few of the projects are ready for the next phase of funding. The Big Carlos Bridge replacement recently received the PD&E (Project Development and Environment) approval sign off and is currently funded with 50% local and 50% federal funding (\$15 million in federal funds attributed to our MPO area and \$10 million in federal funds that can be used in any area). There are five projects that currently have a PD&E study underway (US 41/Bonita, Burnt Store Road, SR 31, SR 78 and Old US 41) with the Old US 41 project further along than the others. The Old US 41 design phase could be programmed in 2023, if additional federal funding becomes available.

The design phase for the SR 31 project is now included in the FDOT tentative work program in FY 2024. The PD&E study for the US 41/Six Mile Cypress intersection is programmed to start in FY 2024 and the average PD&E study time frame is running about four years. The Metro projects are funded for right of way in FY 2023 and 2024, so construction could be funded in the 2026/2027 time frame, if additional funding becomes available. From a review of the preliminary plan for the US 41/SR 78 Displaced intersection, a PD&E study will need to be programmed as it shows additional right of way needs. The ATMS (Advance Traffic Management System) project is the final phase of the signal interconnection system that can be funded for design at any time funding is available but the construction funds need to be identified as well as the technology changes quickly.

For the bicycle pedestrian, intersection and transit bus replacement projects funded with the multi-modal box funds, this box is usually set at \$5 million per year but it was lowered to \$3.5 million for three years to cover the federal funding repayment for the Big Carlos Bridge. There are currently 26 projects that are being built with federal funds under the Local Agency Program (LAP) process by the local jurisdictions. As part of the LAP process, two years are required between the design and construction phase, impacting how fast projects can be implemented (or what can be done quickly with funding coming in the current or first few years). There are more opportunities with the bus replacements to do it quickly with federal funding but there have been notices recently that indicate that orders are being put off due to manufacturing and delivery issues. Staff will provide a more information on the funding and timing as part of the presentation.

**2021 FEDERAL AND STATE FUNDED PRIORITIES  
ADOPTED ON MAY 14, 2021**

2021 Priority	2020 Priority	FM #	Project	From	To	Improvement Type	Length (miles)	Next Phase	PDC Estimate (in \$1,000)
1	1	4299601	Partial Funding for County Traffic Operations Center <sup>1</sup>						\$43.5
2	2	1957641	Multi-Modal Enhancement Box <sup>1</sup>						\$3,500
3	3		Big Carlos Bridge Replacement			Bridge	0.4	CST	\$5,000
4			US 41 Caloosahatchee Bridge Pedestrian Infrastructure			Sidewalk	1.0	PE/CST	\$13,800
5	4	4443281	US 41 at Six Mile Cypress Parkway			Intersection	1.0	PE	\$2,000
6	5	4443214	US 41 at Bonita Beach Road			Bypass/Intersection	1.0	PE	\$1,110
7	6	4369281	Burnt Store Road	Van Buren Pkwy	Charlotte Co/l	2L to 4L	5.5	PE	\$8,320
8	7	4313344	SR 730 (Metro Pkwy)	S. of Colonial	Winkler Ave	Partial CFI	1.0	CST	\$37,700
9	8	4313342	SR 730 (Metro Pkwy)	S. of Daniels	N. of Daniels	Partial CFI	0.6	CST	\$20,600
10	9	4313343	SR 730 (Metro Pkwy)	N. of Daniels	S. of Colonial	4L to 6L	2.9	CST	\$28,200
11	10	4419421	SR 31	SR 80	SR 78	2L to 4L	1.4	PE	\$4,000
12	11	4449371	SR 78	I-75	SR 31	2L to 4L	3.3	PE	\$4,500
13	12	4353471	Old US 41	US 41	Bonita Beach Road	Add lanes/reconstruct	2.7	PE	\$1,770
14	13		US 41/SR 78 Displaced Intersection Improvement			Intersection	0.5	PD&E/PE	\$600
15	14	4126363	Countywide ATMS			Phase III Implementation		PE	\$1,200

Lower to match commitment of SU funds for the next three years  
\$5 million per year of SU funds for three years matched with \$10 million in SA for the bridge CST, starting in 2026

**Notes:**

<sup>1</sup>The top two priorities are set asides that the Lee County MPO request annually from off the top of SU funds allocated to the Lee County urbanized area. The multi-modal box funds include \$1.5 million annually for bus replacements, .95 million in congestion management funding and \$2.5 million in bicycle pedestrian projects consistent with the LRTP.

PL = Planning phase

PE = Design phase

ROW = Right-of-way phase

PD&E = Project Development & Environment phase

CST = Construction phase

**OVERVIEW OF THE JANUARY 21<sup>ST</sup> MPO BOARD MEETING AGENDA**

**DISCUSSION ITEM:**

The MPO staff will provide an overview of the January 21<sup>st</sup> MPO Board meeting agenda.

## INFORMATION AND DISTRIBUTION

- a. [Proposed Florida House and Senate transportation related bills for the 2022 legislative session](#)