

TECHNICAL ADVISORY COMMITTEE

Lee County Metropolitan Planning Organization
Thursday, December 6, 2018
City of Cape Coral Public Works Building
815 Nicholas Parkway East, Cape Coral, FL 33990
9:30 a.m.



Meeting Minutes

The meeting was called to order by Vice-Chair David Murphy at 9:35 a.m.

The roll was called. There was a quorum at 10:00 a.m. Those members in attendance included Andy Getch with the Lee County Department of Community Development; David Murphy with Lee County Department of Transportation; Levi McCollum with LeeTran; Richard Perdue with the Lee County School Board Transportation District; Persides Zambrano with the City of Cape Coral; Craig Chandler with the City of Sanibel Department of Planning; Matt Feeney with the City of Bonita Springs; Eric Ortman with the Collier MPO; Gary Harrell with the Charlotte County-Punta Gorda MPO; and Mike Cook with Lehigh Acres Municipal Services Improvement District (LA-MSID). Others in attendance included Don Scott and Calandra Barraco with the Lee County MPO; FDOT's D'Juan Harris and Michael Tisch; and John Majka.

Agenda Item #1 - Public Comments on Items on the Agenda

Mr. John Majka commented on Agenda Item #8, Discuss the SR 80 Shoreland Drive to Buckingham Road Sidewalk Project. He said he was at the meeting to learn more about the project. He added there was nothing in the Work Program for the north side of SR 80 and most projects state street limits. He said he would like more clarity. Mr. D'Juan Harris with FDOT responded the project is still in the Work Program with construction scheduled for 2021. Mr. Majka asked if the funding was federal. Mr. Harris replied yes.

Agenda Item #2 - LeeTran Report

Mr. Levi McCollum with LeeTran gave the LeeTran report. He said seasonal service begins January 3, 2019 for Routes 410 and 490 and the tram on Fort Myers Beach. He said the tram on Fort Myers Beach will still run fare free. Vice-Chair Murphy asked if the tram will be expanded. Mr. McCollum said there are now three vehicles, but the third vehicle will only be used as a backup until the following season. Vice-Chair Murphy asked about the other two routes mentioned. Mr. McCollum said the 410 was the Fort Myers Beach Trolley and the 490 was the Beach Park and Ride at Summerlin Square. Vice-Chair Murphy asked if there were any questions. There were none.

Agenda Item #3 - FDOT Report

Mr. D'Juan Harris with FDOT gave the FDOT report. He introduced the new FDOT Southwest Area Office Liaison Mr. Michael Tisch. Ms. Persides Zambrano asked what the official title of Mr. Harris would now be. Mr. Harris said it is LAP/JPA Project Manager. Mr. Harris also announced the epublic hearing for the new Draft Tentative Work Program was being held on the swflroads website and comments could be submitted through December 28, 2018. Mr. Harris also mentioned Ms. Zambrano had contacted FDOT's David Agacinski regarding a funding shortfall for the SUN Trail Kismet project that was due to roadway work not being covered under SUN Trail funding. Mr. Harris said funding was taken from the MPO's current year. Mr. John Majka said there are issues with the time for the epublic hearing on the swflroads website. Vice-Chair Murphy noted, as a point of meeting order, that the general public may speak under the public comments section, but only members of the committee may participate in the general discussions. He suggested Mr. Majka bring up any more concerns under Agenda Item #10, Public Comments on Items not on the Agenda. Vice-Chair Murphy moved to Agenda Item #6 as the committee had not yet reached a quorum.

New Business

Agenda Item #6 - +Review and Comment on the FDOT FY 2019/2020 through FY 2023/2024 Tentative Work Program

Mr. D’Juan Harris with FDOT presented this agenda item for the review of and comment on the Draft Tentative FDOT Work Program for FY 2019/2020 through FY 2023/2024. The Draft Tentative Work Program was attached to the agenda packet. The PowerPoint presentation given by Mr. Harris can be viewed here: http://leempo.com/wp-content/uploads/2018/11/BPAC_Presentation-Condensed.pptx Mr. Harris said this document covers the fiscal years 2020 through 2024 and is developed consistent with FDOT’s plans and project priorities, the MPO’s project priorities, and the available funding. He showed slides that included the Five Year Work Program development process and the development process and phases. He also reviewed the projects on the Summary of Changes spreadsheet that included those projects that had been added, deferred, or deleted. He provided additional information on websites and contacts. He asked if there were any questions. Mr. Eric Ortman asked about the PD&E on US 41 and Bonita Beach. Mr. Harris replied the cost was \$1.1 million and the PD&E is programmed for FY 2019/2020. Mr. Scott noted that Collier has half the population of Lee County and almost the same amount of funding. Ms. Zambrano said there was very little added for the new year. Mr. Scott added that project funding was down and project costs were up. He mentioned there were also many projects that had PD&Es funded but no funding for construction. Mr. Gary Harrell asked about the Burnt Store project. Mr. Scott said FDOT can’t sign off on the PD&E unless the next phase is funded. Vice-Chair Murphy noted the Burnt Store project is funded with toll proceeds. Mr. Richard Perdue arrived at 10:00 a.m. and quorum was reached. Vice-Chair Murphy asked what the large Collier projects were. Mr. Ortman replied there is an interchange project for \$100 million. Mr. Scott added the I-75 resurfacing project was a large project and it is funded with toll proceeds. Mr. Scott said there was now a quorum and the agenda items that required a vote could now be taken.

Agenda Item #4 - *Review and Approval of the October 4, 2018 TAC Meeting Summary

Mr. Mike Cook made the motion to approve the October 4, 2018 Meeting Summary. Ms. Persides Zambrano seconded the motion. There were no objections, and the motion carried unanimously.

Agenda Item #5 - *Approval of an Amendment to the Transportation Improvement Program for the I-75/Corkscrew Road Project

Mr. Don Scott presented this agenda item for approval of an Amendment to the Transportation Improvement Program (TIP) to revise the I-75/Corkscrew Road project length and cost to match what is currently being designed/constructed. The revised TIP sheet was attached to the agenda packet and shown as a slide at the meeting. Mr. Scott said the FY 2018/2019 through FY 2022/2023 TIP is being amended to update the I-75/Corkscrew Road project length and cost to match the actual project length that is being revised from .983 to 1.392 miles and the project cost that is being revised from \$5,559,433 to \$7,057,740. Vice-Chair Murphy asked if this project was beginning in August. Mr. Scott responded that it is starting in 2019.

Ms. Persides Zambrano made the motion to approve the Amendment to the Transportation Improvement Program for the I-75/Corkscrew Road project. Mr. Andy Getch seconded the motion. There were no objections, and the motion passed unanimously.

Agenda Item #7 - Review of the 2015 Base Year Data for the Transportation Model Update

Mr. Scott presented this agenda item for the review of the 2015 base year data that is being used for the Regional Transportation Model update. He said FDOT’s consultant that has been working on the

update of the Regional Transportation model has updated the base year model data files for each Traffic Analysis Zone with 2015 data in preparation for the development of the next District One Regional Model. He added this data is now available for review, and he included some information from the large data file in the packet. He asked the committee to review the numbers and see if they make sense. He gave the example of the hotel data not lining up and said he sent an email questioning that. He pointed out the traffic analysis zones are now renumbered to match changes that were requested by each of the MPOs and this makes it difficult to compare. Mr. Scott said he would send a link to the files if anyone would like to review the specific data for their community. Mr. Ortman asked if Mr. Scott found other numbers that didn't match up. Mr. Scott replied yes. Ms. Zambrano suggested the methodology changed. Mr. Getch said the census was used in 2010 but questioned the data used for 2015. Mr. Scott said he would have more information and updates when he has a better idea of how to proceed.

Agenda Item #8 - +Discuss the SR 80 Shoreland Drive to Buckingham Road Sidewalk Project

Mr. Scott presented this agenda item for discussion on the SR 80 Shoreland Drive to Buckingham Road project in preparation of the project discussion at the next MPO Board meeting. Mr. Scott said the SR 80 sidewalk project from Shoreland Drive to Buckingham Road (north side of the road) came up at the last MPO Board meeting from a public comment received at the meeting by Mr. John Majka regarding the impacts to driveway access to two businesses within the project limits. Mr. Scott added the MPO Board gave direction to bring back an agenda item for the next meeting to provide the background and project history. He reviewed a list of milestones for the project going back to when it was first included as priority back in 2005, that was also attached to the agenda packet. Mr. Scott said the project is scheduled to be constructed in 2021. Vice-Chair Murphy asked if FDOT will go back to the old maintenance agreements. Mr. Harris replied no. Mr. Scott said the new policy is statewide. Vice-Chair Murphy asked if Collier had the same issue. Mr. Ortman replied yes and some planned projects may go back to sidewalks. Mr. Scott added that SR 82 is going back to eight foot sidewalks. Ms. Zambrano asked the rationale. Mr. Scott said he is unsure, but mentioned there are other counties choosing to take on the maintenance responsibilities and we will monitor how that plays out. Mr. Scott said he started bringing the changes to the BPC and when the priorities are updated he will bring them back to the other committees. Mr. Scott then introduced Mr. Majka to provide additional information regarding his concerns. Mr. Scott said he met Mr. Majka at the SR 78 PD&E public meeting, noting that a PD&E was not required for SR 80 as right-of-way was not an issue. Mr. Getch asked how old the driveway was. Mr. Majka said he found a permit from 1964. There was a brief discussion on the driveway issue presented by Mr. Majka. Vice-Chair Murphy asked the MPO's role in this. Mr. Scott said the MPO Board decides if projects get done, they do not decide the specific design criteria. Mr. Majka asked if the TAC knew this project would impact the driveways. Vice-Chair Murphy said no, this forum is just for the approval of projects. Vice-Chair Murphy noted that FDOT always has the right to their right-of-way. He added the TAC doesn't make recommendations on driveways, that is between FDOT and the business owners. Mr. Majka said that other business owners along SR 80 will be allowed to keep their existing setups by entering into a lease agreement with FDOT, and he is only asking to continue to use his driveway as is. Vice-Chair Murphy asked what the TAC could do for Mr. Majka. Mr. Scott said they could provide comments, noting this will go to the MPO Board. Vice-Chair Murphy suggested helping FDOT and Mr. Majka coordinate. Mr. Majka discussed a letter written by Commissioner Mann that was being used against him in legal proceedings with FDOT. Mr. Getch stated, as a point of order, that this is not the purpose of the TAC. Vice-Chair Murphy asked for direction. Mr. Scott said he would take any comments and provide them to the MPO Board. Ms. Zambrano noted this is the first time in eighteen years that she has dealt with an unhappy FDOT customer and suggested Mr. Majka trust the system. Vice-Chair Murphy asked for recommendations. Mr. Harris informed the committee that FDOT cannot comment as there is currently an administrative hearing scheduled which includes some type of arbitration. In light of this information, Ms. Zambrano suggested the TAC abstain from intervening in the issue. Vice-Chair Murphy asked if there were any additional comments. Mr. Getch noted the area is in the

suburban future land use category in the Lee Plan although at the time the highway was constructed sidewalks may not have been part of the design, the MPO has a long history of recommending the sidewalk project. Mr. Majka said that was his problem. Vice-Chair Murphy said it was time to move on to the next agenda item.

Agenda Item #9 - Review of the Federal Certification Report

Mr. Scott presented this agenda item for the review of the Federal Certification Report. He said the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) held a certification review of the Lee County MPO on April 30th and May 1st and have now released their report. He added there is one corrective action that was identified in the report relating to how we show the financial plan and fiscal constraint in the Long Range Plan. He continued this corrective action also includes a need to change how we show the Existing plus Committed projects that will need to be addressed by March 1, 2019. He added FHWA staff is planning on giving a certification review closeout presentation at the January 18, 2019 MPO Board meeting. Mr. Harrell asked if it is a population of over 200,000 that requires this. Mr. Scott replied yes. Mr. Scott said the new process was much simpler than the old. The Certification letter and report from the FHWA on the 2018 TMA Certification review were both attached to the agenda packet.

Other Business

Agenda Item #10 - Public Comments on Items not on the Agenda

Mr. Scott said there was one public comment from Mr. Thomas Kanell. He continued that Mr. Kanell made an eleven minute video in response to the LeeTran presentation given at the October meeting. Mr. Scott noted that the Executive Committee doesn't see doing an analysis on the system unless LeeTran is involved. He said Ms. Nora Demers would like CUTR to do the analysis but CUTR wants a government agency involved. Mr. Getch asked if the link to the video could just be forwarded. Vice-Chair Murphy referenced a three minute public speaking time limit and polled the members. The members decided unanimously to have the link emailed. Vice-Murphy said that Mr. Kanell or Ms. Demers could come to the next meeting to present under public comment. Mr. Majka spoke again on his issue with SR 80 indicating that he would like fifteen minutes to speak with Lee County. Vice-Chair Murphy referenced the administrative hearing and suggested speaking with the commissioner about retracting his statement.

Agenda Item #11 – Announcements

Mr. Scott wished everyone a Merry Christmas. Vice-Chair Murphy wished everyone a Happy New Year.

Agenda Item #12 - Topics for next meeting

The topics suggested for next meeting on January 3, 2019 included the LRTP updates.

Agenda Item #13 - Information and Distribution Items

There were no information and distribution items.

The meeting was adjourned at 10:42 a.m. *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 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.