

## **MINUTES OF THE LEE COUNTY METROPOLITAN PLANNING ORGANIZATION BOARD**

**Held on June 19, 2009**

The following members were present for the regular meeting of the Lee County Metropolitan Planning Organization Board on June 19, 2009 at the offices of the Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, Florida.

Commissioner Tammy Hall	Lee County Commission, District 4
Commissioner Brian Bigelow	Lee County Commission, District 2
Councilman Mike Flanders	City of Fort Myers
Councilman Warren Wright	City of Fort Myers
Councilman Randy Henderson	City of Fort Myers
Councilman Levon Simms	City of For Myers
Mayor Jim Burch	City of Cape Coral
Councilperson Gloria Tate	City of Cape Coral
Councilperson Dolores Bertolini	City of Cape Coral
Councilman Peter Brandt	City of Cape Coral
Councilman Jim Jennings	City of Sanibel
Mayor Ben Nelson	City of Bonita Springs

Others in attendance included: Mark Clark and Johnny Limbaugh with FDOT; David Hutchinson, Janice Yell and Ken Heatherington with SWFRPC; Dave Loveland with Lee County DOT; Heather Mazurkiewicz with the Lee CAC; Toni Ferrell and Margaret Banyan with BikeWalkLee; Don Eslick with ECCL; Steve Myers and Carmen Monroy with LeeTran; Persides Zambrano and Charles Pavlos with City of Cape Coral; Rosalie Berlin as a concerned citizen; Mike Curley with Seminole Gulf Rail; David Urich with Responsible Growth Management Coalition; Joel Rey with Tindale-Oliver and Associates; Norma and David Colver with Valoosa Riders Bicycle Club; Rick Williams a CAC Nominee; Doug Dietrich and Bill Sartoris with Sanibel Bicycle Club; Angela Terpsma with AJAX Paving Industries; Patrick Vanasse with RWA; Jed Schneck, Assistant Lee County Attorney; and Don Scott, Ron Gogoi and Meghan Marion, Lee County MPO Staff.

### **CALL TO ORDER**

The meeting was called to order at 9:02 a.m. by Chairman Mike Flanders.

Chairman Flanders led the Board in the Pledge of Allegiance.

### **ROLL CALL**

Ms. Marion called the roll.

Commissioner Frank Mann – absent  
Commissioner Tammy Hall - present  
Commissioner Ray Judah - absent  
Commissioner Brian Bigelow – present  
Commissioner Robert Janes - absent  
Councilman Warren Wright –absent  
Councilman Randy Henderson - present  
Councilman Mike Flanders - present

Mayor Jim Burch - present  
Councilperson Gloria Tate - present  
Councilperson Dolores Bertolini - present  
Councilman Peter Brandt - present  
Councilman Bob Raymond - absent  
Councilman Jim Jennings - present  
Mayor Ben Nelson - absent  
Councilman Levon Simms - present

Ms. Marion announced that a quorum was present.

**Agenda Item #1 - Minutes of May 15, 2009 MPO Meeting**

**MOTION BY COUNCILPERSON TATE TO APPROVE THE MINUTES OF THE MAY 15, 2009 MPO MEETING. SECONDED BY COUNCILPERSON BERTOLINI. MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #2 – Public Comment on items on the Agenda**

Mr. Bill Sartoris, president of Sanibel Bike Club and resident of Sanibel, commended the MPO for strong support of bicycle and pedestrian improvements over the last year. He urged the MPO Board to support the resolution from the BPCC and the CAC to coordinate bicycle/pedestrian and transit facilities within planning and design stages. He also urged the MPO Board to support the scope of work for the Bicycle Pedestrian Master Plan.

Mr. David Colver, member of the Bike Walk Lee and the Caloosa Riders Club of Lee County, stated that they support the BPCC resolution and the Bicycle Pedestrian Master Plan.

Councilman Wright arrived at 9:08 a.m.

Ms. Toni Ferrell stated that she supports the BPCC and CAC resolution. A copy of her entire statement is attached.

Mayor Nelson arrived at 9:12 a.m.

Ms. Margaret Banyan, a faculty of FGCU and a member of Bike Walk Lee, stated that by passing the BPCC resolution you will be addressing a lot of the bicycle pedestrian issues that Lee County currently has at hand. She urges the Board to adopt the scope of work for the Bicycle Pedestrian Master Plan because she feels it will be a safe coordinated and integrated network for bicyclist and pedestrians in the County.

Ms. Kate Gooderman, a resident of Lee County for 30 years, stated she is here to support the BPCC resolution and the Bicycle Pedestrian Master Plan.

Mr. David Urich stated that one of the big issues is the cost of retrofitting. If you do the whole system correctly the first time then it won't be so costly. He pleaded for the Board to do this Master Plan correctly the first time.

Mr. Don Eslick thanked FDOT for including of \$26 million in 2010/2011 for the widening of US 41 from San Carlos Park to Corkscrew in the TIP and urged the Board to approve this part of the TIP. He also supports the BPCC resolution and the Bicycle Pedestrian Master Plan.

Mr. Tom Albert stated that just crossing 41 they get half way across the intersection and the light changes. He stated that they would like to have the lights extended.

Mr. Don Bacon called in and stated that he supports bike paths for Lee County.

### **Agenda Item #3 – Citizens Advisory Committee Report**

Ms. Mazurkiewicz reviewed the highlights of the CAC meeting. She stated that in regards to the resolution when the CAC started this resolution they decided to go back to the original version and that they understand that the jurisdictions have some obstacles to overcome with the greenbook. She stated that the other issue that was raised is that the indirect rate that was charged to the MPO by the RPC, the CAC did pass a motion to have the table included in the UPWP with two members opposed because the rate seemed extremely high. The CAC also discussed having an agreement with Collier County regarding the urbanized area in the Southern part of Lee County that is counted as part of Collier County which means they are receiving a portion of Lee County's money.

### **Agenda Item #4 – Technical Advisory Committee Report**

Mr. Loveland stated that the TAC is not disagreeing with the concept of having a resolution. The TAC is agreeing that these issues need to be addressed before the plans are done so that we don't have to pay the high costs of retrofitting. The TAC would just like to see this resolution show some of the steps that the jurisdictions are already doing and some recognition of the state law requirements. Mr. Loveland suggested having a Joint TAC, CAC and BPCC meeting in July to come up with one resolution that all the committees agree on.

## **PUBLIC HEARING**

### **Agenda Item #5 – Endorsement of the Transportation Improvement Plan for FY 2009/2010 through FY 2013/2014**

Mr. Scott presented this item and stated that the DDR funds need to be changed to SU funds on page V-28. He stated that this does not reflect the last sweep of \$120 million.

Chairman Flanders opened the item for public comments.

No comments were received.

Chairman Flanders closed the item for public comments.

**MOTION BY COMMISSIONER HALL TO ENDORSE THE TRANSPORTATION IMPROVEMENT PLAN FOR FY 2009/2010 THROUGH FY 2013/2014 WITH THE CORRECTION OF THE FUNDING ON PAGE V-28 AND THE CORRECTION OF PAGE NUMBERS ON THE MAP. SECONDED BY MAYOR NELSON.**

Councilperson Bertolini emphasized that FDOT keep the Work Program funding for the Del Prado Project Widening.

Commissioner Bigelow stated that the County Commission will be restructuring their tolls and this could be a source of funding for future projects.

Ms. Marion called the roll.

**COMMISSIONER HALL – AYE  
COMMISSIONER BIGELOW – AYE  
COUNCILMAN WRIGHT – AYE  
COUNCILMAN HENDERSON - AYE  
COUNCILMAN FLANDERS – AYE  
MAYOR BURCH – AYE  
COUNCILPERSON TATE – AYE  
COUNCILPERSON BERTOLINI – AYE  
COUNCILMAN BRANDT – AYE  
COUNCILMAN JENNINGS – AYE  
MAYOR NELSON – AYE**

**MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #6 – Endorsement of a Section 5307 TIP Amendment to the FY 2008/2009 through FY 2012/2013 Transportation Improvement Plan**

Mr. Scott presented this item.

**MOTION BY COUNCILPERSON BERTOLINI TO ENDORSE THE 5307 TIP AMENDMENT TO THE FY 2008/2009 THROUGH FY 2012/2013 TIP TO ADD ADDITIONAL FUNDS TO PROJECT NUMBER 4101471 WHICH WILL CHANGE THE FUNDS FROM \$4.1 MILLION TO \$4.67 MILLION. SECONDED BY COUNCILPERSON TATE.**

Chairman Flanders opened the item for public comment.

No comments were received.

Chairman Flanders closed the item for public comment.

Ms. Marion called the roll.

**COMMISSIONER HALL – AYE  
COMMISSIONER BIGELOW – AYE  
COUNCILMAN WRIGHT – AYE  
COUNCILMAN HENDERSON - AYE  
COUNCILMAN FLANDERS – AYE  
MAYOR BURCH – AYE  
COUNCILPERSON TATE – AYE  
COUNCILPERSON BERTOLINI – AYE  
COUNCILMAN BRANDT – AYE  
COUNCILMAN JENNINGS – AYE  
MAYOR NELSON – AYE**

**MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #7 – Adoption of the 2014/2015 Transportation Priorities**

Mr. Scott presented this item.

Mr. Gogoi stated that the funding for the Stage 2 Countywide ATMS has been updated from \$6.4 million to a little over \$8 million.

Chairman Flanders opened the item for public comments.

No public comments were received.

Chairman Flanders closed the item for public comments.

**MOTION BY COMMISSIONER HALL TO APPROVE OF THE STP PRIORITIES AS AMENDED BY REMOVING THE OFF THE TOP PRIORITIES OF THE ALICO ROAD PAYBACK AND THE SR 82 PAYBACK AND ALSO REMOVING THE STAGE 1 IMPLEMENTATION OF THE COUNTYWIDE ATMS AND THE METRO EXTENSION AS THESE PRIORITIES ARE FUNDED NOW. ALSO CHANGING THE STAGE 2 COUNTYWIDE ATMS FUNDING FROM \$6.4 MILLION TO \$8 MILLION AND CHANGING THE NAME OF THE COGESTION MANAGEMENT, TRANSIT AND BICYCLE/PEDESTRIAN BOX TO BE CALLED THE MULTI-MODAL ENHANCEMENT BOX. SECONDED BY COUNCILPERSON TATE.**

Ms. Marion called the roll.

**COMMISSIONER HALL – AYE  
COMMISSIONER BIGELOW – AYE  
COUNCILMAN WRIGHT – AYE  
COUNCILMAN HENDERSON - AYE  
COUNCILMAN FLANDERS – AYE  
MAYOR BURCH – AYE  
COUNCILPERSON TATE – AYE  
COUNCILPERSON BERTOLINI – AYE  
COUNCILMAN BRANDT – AYE  
COUNCILMAN JENNINGS – AYE  
MAYOR NELSON – AYE**

**MOTION CARRIED UNANIMOUSLY.**

**NEW BUSINESS**

**Agenda Item #8 – Approval of a Resolution Requesting Local Jurisdictions and FDOT to Accommodate Bicycle/Pedestrian and Transit Facilities in Roadway Design and Construction Plans**

Mr. Scott presented this item.

Chairman Flanders asked if the Master Plan is inclusive of what resolution we adopt today.

Mr. Scott stated that no, it just happens that we are going through a Bicycle Pedestrian Master Plan.

Chairman Flanders asked if it would be okay if a resolution was not adopted today and if there would be sufficient time to hold a joint meeting as suggested previously so that the TAC, CAC and BPCC can meet and bring back one resolution.

Mr. Scott stated that there is a July BPCC meeting and we can turn that into a joint meeting to have this item addressed and brought back for the August meeting.

**MOTION BY MAYOR BURCH TO REQUEST THAT THE RESOLUTION GO TO A JOINT MEETING OF THE TAC, CAC AND BPCC AND ONE RESOLUTION COME BACK TO THE MPO BOARD FOR APPROVAL AT THEIR AUGUST MEETING. SECONDED BY COUNCILPERSON BERTOLINI.**

Councilman Henderson asked how do we manage to make sure that when these items are handed down to us they do not get watered down.

Mr. Loveland stated that when we talk about meeting federal requirements, a lot of those requirements come from FDOT.

**MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #9 – Approval of the Scope of Work for the Countywide Bicycle Pedestrian Master Plan**

Mr. Scott presented this item and stated that some time after July 1<sup>st</sup> the RFP will go out and that we are following the LAP process.

**MOTION BY COMMISSIONER HALL TO APPROVE THE SCOPE OF WORK FOR THE COUNTYWIDE BICYCLE PEDESTRIAN MASTER PLAN. SECONDED BY COUNCILPERSON TATE.**

Mr. Scott stated that several Sanibel residents (based on the question from Councilman Jim Jennings) were involved in developing the scope of work.

**MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #10 – Review and Approve the SR 78 Funding Outside the Work Program Agreement**

Mr. Scott presented this item.

**MOTION BY COUNCILPERSON BERTOLINI TO APPROVE THE SR 78 FUNDING OUTSIDE THE WORK PROGRAM AGREEMENT. SECONDED BY COMMISSIONER HALL. MOTION CARRIED UNANIMOUSLY.**

#### **Agenda Item #11 – Approval of the General Planning Consultants and Contracts**

Mr. Scott presented this item.

**MOTION BY MAYOR NELSON TO APPROVE THE GENERAL PLANNING CONSULTANTS AND CONTRACTS. SECONDED BY COMMISSIONER HALL. MOTION CARRIED UNANIMOUSLY.**

#### **Agenda Item #12 – Approval of the UPWP Revision**

Mr. Scott presented this item.

**MOTION BY COMMISSIONER HALL TO APPROVE THE UPWP REVISION OF ADDING AN ADDITIONAL TABLE THAT WAS REQUESTED BY THE RPC THAT SHOWS THE BREAK DOWN OF THE FRINGE AND INDIRECT COSTS THAT THE RPC CHARGES TO THE MPO. SECONDED BY MAYOR NELSON. MOTION CARRIED UNANIMOUSLY.**

#### **Agenda Item #13 – CAC Appointments**

**MOTION BY COUNCILPERSON BERTOLINI TO APPROVE THE CAC APPOINTMENT OF MR. RICK WILLIAMS TO REPRESENT THE CITY OF CAPE CORAL. SECONDED BY MAYOR BURCH. MOTION CARRIED UNANIMOUSLY.**

#### **Agenda Item #14 – Florida Transportation Commission Presentation on Transportation Challenges**

Mr. Scott introduced Mr. Joe Mazurkiewicz.

Mr. Mazurkiewicz gave the Florida Transportation Commission Presentation on Transportation Challenges.

#### **Agenda Item #15 – Update on the ARRA Funding**

Mr. Scott presented this item and stated that there is about \$300 million available for the state of Florida. Deadline is September 15, 2009 for submittal.

Chairman Flanders requested to see the city applications at the August meeting.

Mr. Scott stated that each jurisdiction can put in for projects as long as the maintaining agency agrees with it.

#### **Agenda Item #16 – Discuss the Cancellation of the July Meeting**

**MOTION BY COMMISSIONER HALL TO CANCEL THE JULY 17, 2009 MPO MEETING. SECONDED BY COUNCILPERSON BERTOLINI. MOTION CARRIED UNANIMOUSLY.**

## **OTHER BUSINESS**

### **Agenda Items #17 – Public Comments on Items not on the Agenda**

None.

### **Agenda Item #18 – LeeTran Report**

No report.

### **Agenda Item #19 – FDOT Report**

Mr. Limbaugh stated that they are still waiting to see what the district level affects will be from the \$120 million sweep. He stated that the Metro bid came in at \$30 million less than anticipated and FDOT is looking to break ground in August.

Councilperson Bertolini asked if the access funds could be allocated to SR 78.

### **Agenda Item #20 – Announcements**

None.

### **Agenda Item #21 – Topics for Next Meeting**

Mr. Scott stated that the Bicycle Pedestrian resolution will be coming back.

### **Agenda Item #22 – Information and Distribution Items**

Distributed in packet.

## **ADJOURNMENT**

Meeting was adjourned at 10:43 a.m.