

MINUTES OF THE LEE COUNTY METROPOLITAN PLANNING ORGANIZATION BOARD

Held on May 15, 2009

The following members were present for the regular meeting of the Lee County Metropolitan Planning Organization Board on May 15, 2009 at the offices of the Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, Florida.

Commissioner Frank Mann	Lee County Commission, District 5
Commissioner Tammy Hall	Lee County Commission, District 4
Commissioner Ray Judah	Lee County Commission, District 3
Commissioner Robert Janes	Lee County Commission, District 1
Councilman Mike Flanders	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 Bob Raymond	Town of Fort Myers Beach
Councilman Jim Jennings	City of Sanibel
Mayor Ben Nelson	City of Bonita Springs

Others in attendance included: Trinity Caudill-Scott, Carlos Bonilla and Johnny Limbaugh with FDOT; David Hutchinson and Ken Heatherington with SWFRPC; Dave Loveland with Lee County DOT; Heather Mazurkiewicz with the Lee CAC; Darla Letourneau, Toni Ferrell, Angela Wolf and Dan Moser with BikeWalkLee; Don Eslick with ECCL; Steve Myers with LeeTran; Persides Zambrano and Terri Hall with City of Cape Coral; Rosalie Berlin, Jack Meeker and Doug Dietrich as concerned citizens; Katie LaGrone with NBC-2; John Rowell with Consul-Tech; Jed Schneck, Assistant Lee County Attorney; and Don Scott, Ron Gogoi and Meghan Marion, Lee County MPO Staff.

CALL TO ORDER

The MPO Board toured the test Hybrid Bus in the parking lot before the meeting.

The meeting was called to order at 9:10 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 – present
Commissioner Tammy Hall - present
Commissioner Ray Judah - present
Commissioner Brian Bigelow – absent
Commissioner Robert Janes - present
Councilman Warren Wright –absent
Councilman Randy Henderson - absent
Councilman Mike Flanders - present

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

Ms. Marion announced that a quorum was present.

Agenda Item #1 - Minutes of April 17, 2009 MPO Meeting

MOTION BY COUNCILPERSON BERTOLINI TO APPROVE THE MINUTES OF THE APRIL 17, 2009 MPO MEETING. SECONDED BY COMMISSIONER JANES. MOTION CARRIED UNANIMOUSLY.

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

Darla Letournea, a representative of BikeWalkLee urged the MPO Board to support the Staff recommendation to amend the TIP to include the Bicycle Pedestrian Master Plan which was initiated by this body back in September. She stated that by supporting this amendment you will have the scope for this Master Plan before at the June 19, 2009 MPO Board meeting for approval. She stated that they strongly support the creation of this countywide master plan. She stated that she also urges the MPO to approve the resolution brought before them by the Citizen's Advisory Committee that requires FDOT District One and local jurisdictions in Lee County to accommodate bicycle pedestrian facilities in the design plans and that this resolution is on the June 19, 2009 agenda, requiring action as well. She continued by reading a letter from Lori Parham, the State Director of AARP, supporting the BikeWalkLee mission. The letter is attached.

Toni Ferrell, architect, business owner and resident of Fort Myers and a founding member of BikeWalkLee stated that she supports amending the TIP to include the Bicycle Pedestrian Master Plan. Her statement is attached. Ms. Ferrell also read a statement by Cindy Bear, whom is also in support of amending the TIP to include the Bicycle Pedestrian Master Plan.

Doug Dietrich, Sanibel resident, stated that he is supportive of the interagency Master Plan for Bicycle Pedestrian Facilities. He stated that there needs to be connectivity or people will not be able to walk or ride. He stated that the Master Plan can show new pathways, sidewalks, etc.

Don Eslick from ECCL stated that he is in support of amending the TIP to include the Bicycle Pedestrian Master Plan. He encourages the MPO Board to continue to look at various modes of transportation.

Agenda Item #3 – Citizens Advisory Committee & Technical Advisory Committee Reports

Ms. Johnston stated that the CAC has been very active in bringing together the resolution supporting Bicycle Pedestrian facilities but did decide at their May 7, 2009 meeting that some revisions needed to be made to the resolution because some of it was too specific based on the fact that jurisdictions follow different manuals. The CAC does not want to slow things down

while those changes are addressed and would still like to see this resolution on the June 19, 2009 MPO agenda for action.

Mr. Loveland gave the TAC report. He stated that the TAC recommended approval of the TIP Amendments and the TD Grant Application. He stated that it is important for you to know that the TIP that you adopt reflects the FDOT Work Program and it is subject to some additional changes because the Legislature did some last minutes sweeping of about \$120 million out of the State Transportation Trust Fund. He suggested that as part of agenda #9 or part of the FDOT report you should pose some questions to FDOT like have they yet determined the impact of the sweep and how will this effect Stimulus Funds? He stated that the TAC spent a lot of time on the CAC resolution and stated that they suggested it go through the BPCC since it has not been seen by them yet and then brought back through the TAC and CAC with revisions.

PUBLIC HEARING

Agenda Items #4 – Amendments to the FY 2008/2009 through FY 2012/2013 Transportation Improvement Program to add the Metro/Winkler Intersection Modification, LeeTran Bus Replacement, Countywide Bicycle/Pedestrian Master Plan and SR 82/Columbus Blvd. Projects

Mr. Scott presented the amendments to the FY 2008/09 through FY 2012/13 TIP.

Commissioner Judah asked for a clarification from Mr. Myers regarding the transit bus replacements. He asked if these replacements will be hybrid or diesel.

Mr. Myers stated that they are hybrid.

MOTION BY COMMISSIONER JUDAH TO APPROVE THE AMENDMENTS TO THE FY 2008/2009 THROUGH FY 2012/2013 TRANSPORTATION IMPROVEMENT PROGRAM TO ADD THE METRO/WINKLER INTERSECTION MODIFICATION, LEETRAN BUS REPLACEMENT, COUNTYWIDE BICYCLE/PEDESTRIAN MASTER PLAN AND SR 82/COLUMBUS BLVD. PROJECTS CONTINGENT UPON THE LEETRAN BUS REPLACEMENTS BEING REPLACED WITH HYBRID VEHICLES. SECONDED BY MAYOR NELSON.

Chairman Flanders opened the item for public comments.

No Comments were received.

Chairman Flanders closed the public hearing and opened up the motion for discussion.

Mayor Burch would like to amend the motion to state that if it comes down between two smaller buses or one large bus, we go with the two smaller buses.

Commissioner Judah replied that he would be okay with that if it met the needs of LeeTran.

Mr. Myers stated that we prefer that option be left open. He stated that LeeTran has been granted Stimulus Funding to replace their aging fleet. He would like to be flexible to what vehicles are needed to be replaced each year. He would prefer to have the flexibility and stated that the decision will be back to the BOCC for final approval.

Commissioner Judah thanked BikeWalkLee for supporting the Bicycle Pedestrian Master Plan.

Discussion ensued.

Mr. Limbaugh asked if the new facility would accommodate the new technology coming online and what is the facility schedule.

Mr. Myers stated that as we get into final design all those issues will be addressed.

ROLL CALL

**COMMISSIONER MANN – AYE
COMMISSIONER HALL – AYE
COMMISSIONER JUDAH – AYE
COMMISSIONER JANES – AYE
COUNCILMAN FLANDERS – AYE
MAYOR BURCH – AYE
COUNCILPERSON TATE – AYE
COUNCILPERSON BERTOLINI – AYE
COUNCILMAN BRANDT – AYE
COUNCILMAN RAYMOND – AYE
COUNCILMAN JENNINGS – AYE
MAYOR NELSON – AYE
COUNCILMAN SIMMS – AYE**

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

Agenda Item #5 – Presentation on Reducing Congestion in Lee County Study Conducted by the Reason Foundation

Mr. Swenson gave the presentation on Reducing Congestion in Lee County Study Conducted by the Reason Foundation. He stated that it was not approved by any government nor paid for with any local, state, federal or tax payer's dollars.

Agenda Item #6 – Approval of the Transportation Disadvantaged Grant Application

MOTION BY COMMISSIONER JUDAH TO APPROVE THE TRANSPORTATION DISADVANTAGED GRANT APPLICATION. SECONDED BY COMMISSIONER JANES. MOTION CARRIED UNANIMOUSLY.

Agenda Item #7 – Adopt a Resolution Authorizing the Chair to Execute the Bicycle/Pedestrian Master Plan Local Agency Program Agreement

MOTION BY COMMISSIONER JUDAH TO ADOPT RESOLUTION 09-06 AUTHORIZING THE CHAIR TO EXECUTE THE BICYCLE/PEDESTRIAN MASTER PLAN LOCAL AGENCY PROGRAM AGREEMENT. SECONDED BY COMMISSIONER JANES. MOTION CARRIED UNANIMOUSLY.

Agenda Item #8 – Draft Charlotte County/Punta Gorda and Lee County MPO’s Interlocal Agreement

Mr. Scott stated that this is similar to the interlocal agreement that we currently have with Collier MPO. He stated that staff is looking for comments. He stated that Charlotte doesn’t want to have regular meetings but to leave it open to meet when we have items that need to be addressed.

Agenda Item #9 – Distribution of the Draft FY 2009/2012 – FY 2013/2014 Transportation Improvement Program to Start the Public Review Process

Mr. Scott stated that this is to get the TIP out for review and it does not include the changes from the revenue estimating conference.

Mr. Limbaugh stated that we don’t know the affects of the \$120 million cuts on Lee County yet.

MOTION BY MAYOR BURCH TO WRITE A LETTER TO THE GOVERNOR EXPLAINING TO HIM IN LAYMAN’S TERMS WHAT IS EXACTLY HAPPENING HERE AND WHAT THEY ARE JEOPARDIZING. SECONDED BY COMMISSIONER JUDAH. MOTION CARRIED UNANIMOUSLY.

Mr. Scott asked if something happens on the transportation side does it affect all the other stimulus funds (energy, human services etc.).

Mr. Limbaugh replied that he is unsure.

OTHER BUSINESS

Agenda Items #10 – Public Comments on Items not on the Agenda

Ms. Mazurkiewicz stated that she was going to ask them to write a letter to the Governor asking him to veto the \$120 million raid of the Transportation Fund. She read a letter from the Florida Transportation Commission asking the Governor to veto the \$120 million raiding of the Transportation Trust Fund.

Mr. Meeker appealed to the Board on actions taken by the South Florida Water Management District. He stated that they are pressuring FDOT to put additional culverts under I-75. He stated that it will come into his community, the Brooks, and they are concerned about additional flooding. He stated that they think this is a needless waste of transportation dollars. He stated that no one has been able to show them the need for this and they don’t see any benefit in this.

Agenda Item #11 – LeeTran Report

Mr. Myers stated that they received the 2009 allocation for their JARC and New Freedom Funds.

Agenda Item #12 – FDOT Report

Commissioner Mann stated that in regards to the Interlocal Agreement with Charlotte County/Punta Gorda MPO the agreement states that we have worked closely with each other. He stated that he doesn’t remember working closely with them on anything that had to do with

the Babcock Ranch. He stated that he would like to sit on the committee when we start working closely with them.

Mr. Limbaugh stated that the Metro Extension project's federal authorization has been approved and we will be opening the gates on that on June 17, 2009. The smaller projects have also received authorization as of May 5, 2009. Also he talked about the US 41 signing and striping of the bike lanes and that the request to include them will be incorporated into the plans. He stated that the money has been approved for the SR 78 funding outside the work program.

Agenda Item #13 – Announcements

None.

Agenda Item #14 – Topics for Next Meeting

Mr. Scott stated we have priorities, TIP, SR 78 resolution, and a lot more items coming back in June.

Agenda Item #15 – Information and Distribution Items

Mr. Scott stated that he also included a portion of HB 1021's language that is disturbing to him and it might need to be addressed when we update the LRTP.

MOTION BY COMMISSIONER MANN TO WRITE A LETTER FROM THE MPO BOARD PARALLELING WHAT THE LEE COUNTY BOCC HAS ALREADY WRITTEN REGARDING VETOING THE HB 360 AND HB 227. SECONDED BY COMMISSIONER JUDAH. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Meeting was adjourned at 10:30 a.m.