

**MINUTES OF THE JOINT LEE COUNTY METROPOLITAN PLANNING ORGANIZATION
AND THE COLLIER METROPOLITAN PLANNING ORGANIZATION**

Held on October 16, 2009

The following members were present for the joint meeting of the Lee County Metropolitan Planning Organization and the Collier Metropolitan Planning Organization on October 16, 2009 at the Bonita Springs City Hall, Council Chambers, 9101 Bonita Beach Road, Bonita Springs, Florida.

Lee County

Commissioner Frank Mann	Lee County District 5
Commissioner Tammy Hall	Lee County District 4
Commissioner Brian Bigelow	Lee County District 2
Councilman Warren Wright	City of Fort Myers
Councilman Mike Flanders	City of Fort Myers
Mayor Jim Burch	City of Cape Coral
Councilperson Dolores Bertolini	City of Cape Coral
Councilman Peter Brandt	City of Cape Coral
Councilman Jim Jennings	City of Sanibel
Councilman Richard Ferreira	City of Bonita Springs

Collier County

Councilwoman Dee Sulick	City of Naples
Councilman William Willkomm, III	City of Naples
Commissioner Donna Fiala	Collier County District 1
Commissioner Frank Halas	Collier County District 2
Commissioner Thomas Henning	Collier County District 3
Commissioner Fred Coyle	Collier County District 4
Commissioner James Coletta	Collier County District 5

Those also in attendance included: Stan Cann, Johnny Limbaugh, Trinity Caudill-Scott, Mark Clark, Debbie Tower and Crystal Gorman with FDOT; Andy Getch with Lee DOT; Persides Zambrano with the City of Cape Coral; Steve Myers and Carmen Monroy with LeeTran; Michelle Arnold with Collier Area Transit; Theresa Bonness as a concerned citizen; Ellen Peterson with Calusa Sierra; Ellie Boyd with Responsible Growth Management Coalition; Michelle Avola, Maureen Bonness and Joe Bonness with Naples Pathways Coalition; Ian Mitchell with the Collier County BCC; Jack Meeker as a citizen of Estero; Brad Cornell with the Collier Audubon Society and Audubon of Florida; Ron Talone with David Plummer & Associates; Phil Douglas representing BCC and ECCL; Don Eslick representing ECCL; Frantz Calixte with Crown Taxi & Limo Services; David Hutchinson with SWFRPC; Susan Golden with SWFWDB; Jed Schneck with the Lee County Attorney's Office; Scott Teach with the Collier County Attorney's Office; Don Scott and Meghan Marion with Lee County MPO; and Phil Tindall, Tamika Seaton, Sue Faulkner and Lorraine Lantz with Collier MPO.

Agenda Item #1 – Call to Order / Roll Call

The meeting was called to order at 9:07 a.m. by Mr. Tindall of the Collier MPO.

Mr. Tindall discussed some housekeeping items and requested roll call votes for all the action items.

Ms. Seaton called the roll for the Collier County MPO.

Councilwoman Sulick – present
Councilman Willkomm – present
Commissioner Fiala – present
Commissioner Henning – present
Commissioner Coyle – present
Commissioner Halas – present
Commissioner Coletta – present
Councilman Trotter – absent
Mayor Hamilton – absent

Ms. Seaton announced that a quorum was present for the Collier MPO.

Ms. Marion called the roll for the Lee County MPO.

Commissioner Mann – present
Commissioner Hall – present
Commissioner Judah – absent
Commissioner Bigelow – absent
Commissioner Janes – absent
Councilman Wright – absent
Councilman Simms – absent
Councilman Flanders – present
Councilman Leonardo – absent
Mayor Burch – absent
Councilperson Tate - absent
Councilperson Bertolini – present
Councilman Brandt – present
Councilman Grill – absent
Councilman Raymond – absent
Vice-Mayor Acken – absent
Councilman Jennings – present
Vice-Mayor Ruane – absent
Mayor Nelson – absent
Councilman Ferreira – present

Ms. Marion announced that Lee County MPO did not have a quorum at this time.

Agenda Item #2 – Election of a Chairperson

Mr. Scott stated that at the last Joint MPO meeting the Lee County MPO chaired the meeting and requested that someone from Collier chair this meeting.

MOTION BY COMMISSIONER COLETTA TO ELECT COMMISSIONER HENNING AS CHAIRMAN. SECONDED BY COMMISSIONER FIALA. MOTION CARRIED AS COMMITTEE OF THE WHOLE.

Mr. Tindall suggested that the Joint MPO start the meeting with Agenda Item #5A and proceed as a committee of the whole as the committee had not attained a quorum.

Agenda Item #5A – Update on the Proposed Lee – Collier Transit Route Connection on US 41

Mayor Burch arrived at 9:10 a.m.

Steve Myers stated that LeeTran and CAT have put together an inter-local agreement that will allow for one or both of the agencies to run the Lee-Collier Transit Route connection on US 41. The inter-local agreement will require both the Lee and Collier Board of County Commissioners (BCC) to approve and execute the agreement. The agreement will be taken to the Lee BCC for consideration first. Mr. Myers anticipates placing it on the agenda within the next couple of weeks. He stated that they are still working on how to get the 50% match of funds from the FDOT Grant.

Michelle Arnold stated that FDOT was putting together a Joint Participation Agreement (JPA) with each agency for them to sign. Ms. Arnold also stated that CAT will be taking the inter-local agreement to the Collier BCC after it is approved by the Lcc BCC..

Mr. Scott announced that Lee County MPO has a quorum at this time and suggested returning to the scheduled agenda.

Agenda Item #3 – Public Comments on Items on the Agenda

Ellen Peterson stated that CR 951 is not required and that there are alternative projects that will meet their needs.

Ellie Boyd stated that she is in support of the 2009 CR951 Position Statement (attached) that was distributed and that she is opposed to the continuation of CR 951.

Phil Douglas stated that he is also here to support the position statement and that CR 951 should not be included in the 2035 LRTP Update.

Commissioner Bigelow arrived at 9:16 a.m.

Councilman Wright arrived at 9:17 a.m.

Don Eslick stated that the Density Reduction/Groundwater Resource (DRGR) segment of CR 951 is totally out of the question. He stated that he supports the position statement as well.

Maureen Bonness stated that the Collier MPO has been familiar with the River of Grass Greenways but is not sure that the Lee MPO has been given as much information so she brought information for distribution and stated that she was here for any questions that might come up.

Brad Cornell stated that he affirms the agreement and stated that the CR 951 extension is not needed anymore.

David Hutchinson congratulated both MPO's on the effort of regional coordination. He also stated that the future projections from the LRTP's will continue to project that there may be a need for these facilities.

Agenda Item # 4A – Approval of Amendments to the Bi-County Regional Pathway Map

Mr. Scott presented this item.

Mr. Tindall stated that this map will be brought back again in 2010 with the update of the Collier Bicycle Pedestrian Master Plan.

MOTION BY COMMISSIONER COLETTA TO APPROVE THE AMENDMENTS TO THE BI-COUNTY REGIONAL PATHWAY MAP AS RECOMMENDED BY THE JOINT PAC/BPCC, JOINT TAC'S AND THE JOINT CAC'S. SECONDED BY COMMISSIONER HALAS. MOTION CARRIED UNANIMOUSLY.

Agenda Item #4B – Adopt Joint Regional Enhancement Priorities

Mr. Tindal presented this item.

MOTION BY COMMISSIONER COLETTA TO APPROVE ADOPTION OF THE JOINT REGIONAL ENHANCEMENT PRIORITIES IN THE FOLLOWING PRIORITY ORDER: 1) A DESIGN PHASE FOR A REGIONAL PATHWAY ALONG US 41 IN COLLIER COUNTY FROM 6L'S FARM TO CR 92; 2) A PD&E STUDY FOR A REGIONAL PATHWAY ALONG US 41 IN COLLIER COUNTY FROM EAST OF CR 92 TO CR 29; 3) A DESIGN PHASE FOR OLD

US 41 FROM US 41 IN COLLIER COUNTY TO BONITA BEACH ROAD IN LEE COUNTY; AND 4) A PD&E STUDY FOR A REGIONAL PATHWAY ALONG SR 82 FROM DANIELS PARKWAY IN LEE COUNTY TO SR 29 IN COLLIER COUNTY. SECONDED BY COMMISSIONER HALAS.

COLLIER COUNTY

COUNCILWOMAN SULICK – AYE
COUNCILMAN WILLKOMM – AYE
COMMISSIONER FIALA – AYE
COMMISSIONER HENNING – AYE
COMMISSIONER COYLE – AYE
COMMISSIONER HALAS – AYE
COMMISSIONER COLETTA – AYE

LEE COUNTY

COMMISSIONER MANN – AYE
COMMISSIONER BIGELOW – AYE
COUNCILMAN WRIGHT – AYE
COUNCILMAN FLANDERS – AYE
MAYOR BURCH – AYE
COUNCILPERSON BERTOLINI – AYE
COUNCILMAN BRANDT – AYE
COUNCILMAN JENNINGS – AYE
COUNCILMAN FERREIRA – AYE

MOTION CARRIED UNANIMOUSLY.

Agenda Item # 4C – Adopt Updated Joint Regional Priorities for SIS or Statewide Discretionary Funding

Mr. Scott presented this item.

Mr. Tindall clarified that we are asking for adoption of three things: 1) the adoption of the updated SIS and State Discretionary Grant Priority list; 2) Staff direction to establish a set of needs based criteria in conjunction with the 2035 LRTP needs assessment; and 3) to bring back this item in the Spring of 2010 for Joint MPO Board consideration.

MOTION BY MAYOR BURCH TO 1) ADOPT THE UPDATED SIS AND STATE DISCRETIONARY GRANT PRIORITY LIST; 2) PROVIDE DIRECTION TO STAFF TO ESTABLISH A SET OF NEEDS BASED CRITERIA IN CONJUNCTION WITH THE 2035 LRTP NEEDS ASSESSMENT; AND 3) TO BRING BACK THIS ITEM IN 2010 FOR JOINT MPO BOARD CONSIDERATION. SECONDED BY COUNCILPERSON BERTOLINI.

Commissioner Fiala asked what the Collier County representative from the TAC was objecting to.

Mr. Scott replied that he wanted to know why the phases of the I-75 project were placed back at the top of the list over existing priorities.

LEE COUNTY

COMMISSIONER MANN – AYE

COMMISSIONER BIGELOW – AYE

COUNCILMAN WRIGHT – AYE

COUNCILMAN FLANDERS – AYE

MAYOR BURCH – AYE

COUNCILPERSON BERTOLINI – AYE

COUNCILMAN BRANDT – AYE

COUNCILMAN JENNINGS – AYE

COUNCILMAN FERREIRA – AYE

COLLIER COUNTY

COUNCILWOMAN SULICK – AYE

COUNCILMAN WILLKOMM – AYE

COMMISSIONER FIALA – AYE

COMMISSIONER HENNING – AYE

COMMISSIONER COYLE – AYE

COMMISSIONER HALAS – AYE

COMMISSIONER COLETTA – AYE

MOTION CARRIED UNANIMOUSLY.

Agenda Item # 4D – Review and Approve the LRTP Goals and Objectives

Mr. Tindall presented this item.

Commissioner Coyle stated that on page 1 under #9 the word Emphasis should be Emphasize.

MOTION BY COMMISSIONER HALAS TO APPROVE THE LRTP GOALS AND OBJECTIVES WITH THE CORRECTION OF CHANGING EMPHASIS ON PAGE 1 UNDER #9 TO EMPHASIZE. SECONDED BY COMMISSIONER FIALA.

Mayor Burch stated that he would be abstaining.

LEE COUNTY

COMMISSIONER MANN – AYE

COMMISSIONER BIGELOW – AYE

COUNCILMAN WRIGHT – AYE
COUNCILMAN FLANDERS – AYE
MAYOR BURCH – ABSTAINED
COUNCILPERSON BERTOLINI – AYE
COUNCILMAN BRANDT – AYE
COUNCILMAN JENNINGS – AYE
COUNCILMAN FERREIRA – AYE

COLLIER COUNTY

COUNCILWOMAN SULICK – AYE
COUNCILMAN WILLKOMM – AYE
COMMISSIONER FIALA – AYE
COMMISSIONER HENNING – AYE
COMMISSIONER COYLE – AYE
COMMISSIONER HALAS – AYE
COMMISSIONER COLETTA – AYE

MOTION CARRIED WITH MAYOR BURCH ABSTAINING.

Agenda Item # 5B – Status of the CR 951 PD&E Study

Mr. Scott stated that the Lee County DOT has taken the lead on this study and they have submitted the documents to FHWA and they are now on their second round of questions back from FHWA. He stated that the next step is to go to FHWA and have the document released so that they can start public comments on this project.

Commissioner Coletta stated that he feels it is important that we stay on top of this project. He reaffirmed his past statement that it needs to be built only if it can be built without having a negative effect on the environment.

Councilperson Bertolini asked if any revisions have been done based on comments received.

Mr. Scott replied that they have alternatives that have taken the environmental issues into account but at this time it is just a needs plan project. It has not been designed and it is not cost feasible.

Commissioner Mann stated that he would like to hold a joint meeting with the Collier MPO and review the complete project of CR 951 and see how we got to where we are today and what are all the options.

Commissioner Hall stated that the Lee County BOCC will be receiving a briefing from their staff on CR 951. She stated that Lee County will be better prepared to have that meeting to discuss CR 951.

Agenda Item # 5C – Discussion Regarding Regional Coordination on Future Stimulus Funding

Mr. Tindall stated that both MPO staffs would like to coordinate with each other and FDOT and come up with a possible list of projects for regional stimulus money.

Agenda Item # 5D – Discussion on the Status of Planning Studies for use in the Long Range Transportation Plan Update

Mr. Scott stated that this came up at the Lee MPO Board and from that we put together a list of current projects and their status and how they affect the LRTP.

Discussion about coordinating a Rail project together came up and the discussion centered on Lee County resolving issues with CSX first before Collier gets further involved.

Agenda Item # 6 – Florida Department of Transportation Report

Mr. Cann stated that the Federal Stimulus program is moving forward very well. He thanked the MPO's and jurisdictions for their cooperation through this process. He stated that the Bonita Beach Interchange is out to bid and there should be a notice to proceed by December 2, 2009. He stated that the Immokalee Road work is ongoing.

Mr. Tindall asked what the affects will be from the rescission notice dated September 28, 2009.

Mr. Cann replied that they are still figuring out what the affects will be and he will let us know.

Agenda Item # 7 – Transit Update

LeeTran stated no reports at this time.

CAT stated no reports at this time.

Agenda Item # 8 – Public Comments on Items not on the Agenda

No comments.

Agenda Item # 9 – Board Member Comments

Councilwoman Sulick asked Mr. Cann what the target date is for the opening of I-75.

Mr. Cann replied right at the first of the year.

Commissioner Bigelow stated that he would like to see the connection between Lee and Collier County whether it be transit or rail.

Mayor Burch thanked FDOT for advancing the money to continue the Del Prado Extension.

Councilman Ferreira stated that he is very concerned with the environmental sensitive areas and that he is concerned with CR 951. He stated that regarding rail he doesn't think that a 25 mph rail system is feasible but a high speed rail system is what is needed.

Councilman Wright is encouraged to hear such a unanimous voice on protecting the DRGR and he believes that rail is the answer to dealing with congestion in the future.

Councilman Flanders agreed with Commissioner Bigelow that we need to look at other modes of transportation and stated that he believes roundabouts and passive intersections are very effective.

Agenda Item # 10 – Information Items

Distributed in packet.

Agenda Item # 11 – Adjournment of Joint MPO Meeting

Meeting was adjourned at 10:23 a.m.

2009 CR951 Position Statement *

The undersigned organizations have long been concerned about the negative impacts of the extension of CR 951, including environmental impacts, its excessive cost to build and mitigate through a sensitive natural resource area and its disruption of existing communities. Because of these negative impacts, the availability of more cost effective alternatives and the lack of community benefit, we urge the MPO to remove this project from the Lee County Long Range Transportation 2030 Plan when it is revised during 2009. We also ask the Lee County Board of County Commissioners and other governmental decision-makers to assume that this action will be taken by the MPO as they make future land use, transportation and infrastructure decisions where the planned existence of this roadway would have an impact.

We believe the CR 951 extension should be removed from the Lee County MPO 2030 Transportation Plan for the following reasons:

1. CR 951 Extension Is No Longer A Critically-Needed Project

Significant improvements have been made to alleviate north-south traffic congestion, including road improvements that are slated for construction, under construction or already completed – including the Livingston-Imperial-Three Oaks corridor; six laning of US 41 except for 2.5 miles in Estero and the 6-laning of I-75, among others.

2. The Focus Should Be On 10-Laning I-75 Versus Proceeding With CR 951

From a planning, design and construction perspective adding lanes to I-75 will be much more cost effective and have less detrimental environmental impact than CR 951. The right-of-way for the ten lanes has already been acquired, making permitting easier, and enormous environmental mitigation costs associated with CR 951 can be avoided entirely.

3. The High Cost of CR 951 Causes It To Fail From A Fiscal Feasibility Perspective

While CR 951 is in the present 2030 Plan under the list of "Adopted Year 2030 Highway Element" projects, it has not been found fiscally feasible. The Plan states that the CR 951 project is to be "tested with tolls," and funding will be contingent upon the feasibility of tolling as a sufficient source of revenue to pay for Lee County's estimated \$330 million (in 2005 dollars) share of the total project cost. In retrospect this project should not have been included in the 2030 Plan with such a condition until the feasibility of the roadway had been tested for tolls.

Unless and until Federal, State and County governments replace their shrinking transportation funding sources, it is most likely that the additional four lanes on I-75 will be financed by the Southwest Florida Expressway Authority imposing tolls on those lanes, thus greatly reducing the feasibility of tolling CR 951. Without those tolls CR 951 is unlikely to ever be fiscally feasible. With decreased funding available, removal of CR951 will allow Lee County to focus on more essential transportation needs.

4. Use of Inappropriate Planning Area

When the Lee County Department of Transportation evaluated the need for the CR 951 Extension they selected a planning area that terminated at an inappropriate location, Alico Road, instead of terminating at the southern boundary of the Lehigh community, CR 82. As a consequence the proposed CR 951 fails to serve the needs of the Lehigh community and the region. The adoption of the Lehigh Plan and the County's commitment to proper planning for the DR/GR would suggest that the need for any further north-south transportation between I-75 and SR 29 until these plans have had time to be completed and implemented.

5. DR/GR Planning Effort Will Prevent Sprawl In The Area And Reduce The Need For CR 951

Lee County has embarked upon a comprehensive planning process for the DR/GR that will, if adopted as recommended and properly implemented, prevent urban sprawl development in the DR/GR. With proper planning for this portion of southeastern Lee County, it is highly unlikely that this large area will contribute to the need for a road like the proposed CR 951. Construction of CR 951 would conflict with

the vast majority of the goals and plans expressed in the Dover Kohl plan for the DR/GR that is the basis for the County's future planning for this area.

6. Completion Of The Lehigh Comprehensive Planning Study Will Reduce Urban Sprawl and the Need for CR 951

Implementation of the recently completed Lehigh Study will result in the creation of a far more self-sufficient community. Implementation of such sustainable planning will lessen the community's burden on the regional transportation network, including a decreased need for a north-south road immediately adjacent to I-75.

7. Impacts to Southern Critical CREW Boundaries

Based upon the assumption that CR 951 will be located along the Kehl Canal, the South Florida Water Management District is planning to sell as surplus lands that they own south and west of the proposed CR 951 alignment and modify the Southern Critical CREW boundaries. This plan is based upon the assumption that the road, when constructed, would sever these lands from the remainder of the CREW project. Removal of CR 951 from the 2030 Transportation Plan would permit this decision to be revisited and reversed and Southern Critical CREW could remain as previously designated.

8. Emphasis on Smart Growth Options for Transportation Planning

In recent years, emphasis has shifted to resource protection and public participation to help guide the transportation planning process, including upgrading existing infrastructure and focusing growth where infrastructure already exists. In addition, traditional transportation planning, which is based on serving the needs of an automobile-dependent society, is being replaced by a focus on transportation alternatives, including more mass transit options and transit-oriented communities. With the focus shifted to alternative transportation options and sustainable planning, there is a reduced need for projects such as the CR 951 extension.

Audubon of Florida
Audubon of Southwest Florida
Brooks Concerned Citizens
Collier County Audubon Society
Conservancy of Southwest Florida
Defenders of Wildlife
Estero Civic Association
Estero Council of Community Leaders
Florida Wildlife Federation

Grandezza Master Property Owners
Association
Responsible Growth Management Coalition
Sierra Club, Calusa Group
Stoneybrook Estero, Community
Development District
Stoneybrook Estero, Master Association
Board
Wildcat Run Community Association
Wildcat Run Country Club Association, Inc.

* In 2005, a group of environmental and growth management organizations agreed not to oppose the CR 951 extension, assuming the westernmost alignment was selected and a series of conditions were met. These organizations were concerned about environmental impacts associated with this project, but at the time, the no-build option was not being seriously considered. These groups were thus compelled to encourage the selection of the least impacting alternative. However, based upon current environmental, land use planning, economic and transportation information, these organizations have revisited their previous position and now support the position that the CR 951 extension is not needed and should be removed from the 2030 Transportation Plan.

These organizations were: Audubon of Florida, Collier County Audubon Society, Conservancy of Southwest Florida, CREW Trust, Defenders of Wildlife, Florida Panther Society, Florida Wildlife Federation, National Wildlife Federation, Responsible Growth Management Coalition and the Sierra Club, Calusa Group.

For further information please contact: Don Eslick, Chairman of the Estero Council of Community Leaders at (239) 273-9493, or Nicole Ryan, Governmental Relations Manager for the Conservancy of Southwest Florida at (239) 403-4220.