

**Collier Metropolitan Planning Organization  
Board of County Commission Chambers  
Collier County Government Center  
3299 Tamiami Trail East, 3rd Floor  
Naples, FL 34112  
December 9, 2022  
9:30 a.m.**

**\*\*HYBRID REMOTE – IN-PERSON AND VIRTUALLY VIA ZOOM**

**1. CALL TO ORDER**

**Chair Perry** called the meeting to order at approximately 9:30 a.m.

**2. ROLL CALL**

**Ms. Siegler** called roll and confirmed a quorum was present in the room.

**Members Present (in BCC Chambers)**

Council Member Paul Perry, City of Naples, Chair  
Council Member Greg Folley, City of Marco Island, Vice-Chair  
Commissioner Rick LoCastro, Collier County BCC District 1  
Commissioner Chris Hall, Collier County BCC District 2  
Commissioner Burt Saunders, Collier County BCC District 3  
Commissioner Dan Kowal, Collier County BCC District 4  
Commissioner William L. McDaniel, Jr., Collier County BCC District 5  
Council Member Tony Pernas, Everglades City  
Council Member Ted Blankenship, City of Naples

**Members Absent**

None

**MPO Staff**

Anne McLaughlin, Executive Director  
Dusty Siegler, Administrative Assistant

**FDOT**

L.K. Nandam, FDOT Secretary  
Wayne Gaither, Manager, District 1 Southwest Area Office (SWAO)  
Victoria Peters, Community Liaison

**Others Present**

Anthony Matonti, Bicycle & Pedestrian Advisory Committee Chair  
Michelle Arnold, Director, Collier County Public Transit Neighborhood Enhancement  
Scott Teach, Esq., Deputy County Attorney  
Trinity Scott, Department Head, Transportation Management Services Department  
Troy Miller, Manager, BCC Television Operations  
Wally Blain, Benesch

**Zoom Participants**

Lorraine Lantz, Collier County Transportation Planning

**3. PLEDGE OF ALLEGIANCE**

Chair Perry led the Pledge of Allegiance.

**4. APPROVAL OF THE AGENDA, PREVIOUS MINUTES AND CONSENT ITEMS**

**4.A. October 14, 2022 Meeting Minutes**

*Council Member Folley moved to approve the Agenda and Previous Minutes and Commissioner McDaniel seconded. Passed unanimously.*

**5. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

None.

**6. AGENCY UPDATES**

**6.A. FDOT**

**Secretary Nandam** commended our community for its response to the impacts of Hurricane Ian. FDOT is proud of how it handled its response. The FDOT Districts worked together; there were approximately 200 employees in the base camp at Fort Myers Airport. FDOT had the opportunity to assist Lee County, Sanibel Island and Pine Island with restoration of access. Secretary Nandam is proud of FDOT's team, workers, and the consulting contractors that helped; access was restored in record time. Resiliency is an important aspect of infrastructure; FDOT and the local agencies have been incorporating resiliency into their designs. What was revealed after the hurricane was, other than washout to the bridges and causeways, most of the structures fared well. FDOT did not find any issues with any of the bridges. The flooding, the wait for waters to recede, and washouts were the problems and not the structures themselves. Many traffic signal structures fared well. Our traffic and roadway designs show that we are prepared for impacts from an infrastructure perspective. Storm surge and washouts to the land is not something we can avoid. Secretary Nandam thanked the City of Naples and Collier County for their help to FDOT in restoring operations to traffic signals.

There will be a presentation later in the meeting on the new draft tentative work program. We have seen an increase in revenues and in federal funding (to FDOT and to the MPOs). One challenge now is the increase in bid prices and costs for projects. There was a balance in preparing the work program and a focus on protecting the projects that are already in the work program. Some projects could be brought on, but most of the focus is on protecting the current projects. Another challenge faced in the past few years is resurfacing needs, which have grown significantly. Allocations from State revenue have been going toward the resurfacing program. The upcoming work program is robust, however, FDOT was unable to bring major, big projects into the program. FDOT's work program and community liaison teams have worked hard with local staff in getting some key projects into the work program.

**Ms. Peters** stated that FDOT will have two formats available for the public information sessions for the new draft tentative work program. There will be an online public hearing the week of December 12 through December 16. The draft tentative work programs will be accessible online, and comments can also be submitted online. There will be an in-person public meeting on Wednesday, December 14, from 9 a.m. to 11 a.m., at the Southwest Area Office (District 1 Office located behind the Daniels Parkway rest area), Chris Williams Conference Room, with Mr. Gaither and Ms. Peters. The meeting will also be in a webinar format for those unable to attend in-person. Another meeting will be held simultaneously in the Polk

County area in the auditorium at FDOT's headquarters. The regional grant sessions that were cancelled due to Hurricane Ian have been rescheduled to Wednesday, January 18, from 9 a.m. to 11:30 a.m., in Bartow. That afternoon, FDOT will be hosting a Strategic Intermodal Systems (SIS) update from 1 p.m. to 3 p.m., in Bartow.

With respect to the I-75/Collier Boulevard improvement project, the contractor is finalizing its plans, public information sessions are being held, and a pre-construction information session is scheduled for March 7 at New Hope Ministries on Davis Boulevard. FDOT conducted an in-person noise wall meeting to obtain owners' preferences on noise wall patterns and color, and the results can be shared once all feedback has been received, which should be by December 15.

**Commissioner LoCastro** stated that the Commissioners have received many complaints since the hurricane about trash along I-75. There have even been suggestions by some that prisoners clean up the trash. Colonel Jim Bloom has advised that it is not an easy task to facilitate such an endeavor. Commissioner LoCastro asked what FDOT is doing to try to control the problem, and if there is anything that the County can do to try to help solve the problem. **Secretary Nandam** responded that the challenge is that after a contractor cleans up the trash, someone dumps more trash the following day. It is a continuous challenge. FDOT will talk to the contractor to see if they can do additional clearing and monitor additional dumping. Sarasota and Manatee Counties are having similar issues. There has been increased dumping of trash since the hurricanes. **Commissioner LoCastro** commented that some of the trash seems to be caused by the contractors not securing the back of the trucks and trash flying off. **Commissioner McDaniel** indicated that Immokalee has a successful program-the Weekend Warriors clean ditches and mow grass. Perhaps the Board of County Commissioners (BCC) can attempt to coordinate to have volunteers assist. **Commissioner LoCastro** commented that there may not be enough volunteers for a long enough amount of time to solve the problem. Additionally, many people who typically volunteer have needed to focus on their own home and issues since the hurricane. A combination of FDOT efforts and volunteers could be helpful. **Council Member Pernas** commented that trucks carrying debris typically must have a cover securing the debris. He has seen many debris trucks that are not secured with debris flying off the trucks; perhaps there is a way to require the trucks to secure the debris while driving. **Secretary Nandam** responded that FDOT will request that the contractors cover the debris when driving on the Interstate.

## **6.B. MPO EXECUTIVE DIRECTOR**

**Ms. McLaughlin** stated that the MPO has hired one new principal planner, Sean Kingston. He was working at the zoning and planning office and has approximately five years of experience working for the County. The second principal planner vacancy has been advertised and Ms. McLaughlin will provide a further update to the Board in February.

## **7. COMMITTEE CHAIR REPORTS**

### **7.A. CITIZENS ADVISORY COMMITTEE (CAC)**

#### **7.A.1. Citizens Advisory Committee Chair Report**

**Ms. McLaughlin** indicated that the Chair was not present, and the Chair report was included in the agenda packet.

**Chair Perry** informed Commissioners Hall and Kowal that, as a matter of practice, if a chair is not present to provide a verbal report, questions or comments can be directed to the MPO Executive Director. There is a presumption that Board Members have reviewed chair reports contained in the agenda packet

prior to the Board meeting.

## **7.B. TECHNICAL ADVISORY COMMITTEE (TAC)**

### **7.B.1. Technical Advisory Committee Chair Report**

**Ms. McLaughlin** indicated that the Chair report was included in the agenda packet, and the Chair was available via Zoom if there were any questions.

## **7.C. BICYCLE PEDESTRIAN ADVISORY COMMITTEE (BPAC)**

### **7.C.1. Bicycle and Pedestrian Advisory Committee Chair Report**

**Mr. Matonti** stated that BPAC is preparing for the update of the Bicycle/Pedestrian Master Plan. Another item BPAC focuses heavily on is its priority project list. At the last meeting, there was an informal workshop on the Master Plan update; it was highly productive. Members of the public and County staff also attended. A few important issues were brought up. One being that a core initiative of the MPO is, in a sense, regional transportation. For some time, BPAC's list of priority projects, which has been a good list, did not include very many regional project initiatives. It was suggested that BPAC potentially develop two types of priority lists moving forward—a local list and a regional list. BPAC would like the MPO to look at some of the additional available funding sources. Another issue that was brought up is that the scoring system used to determine priority may need some minor adjustments. BPAC worked very hard on the scoring system that was presented to the Board. There are members of BPAC who feel the scoring system should be adjusted. **Mr. Matonti** likes the current scoring system.

**Mr. Matonti** commented that in reviewing the Board agenda, he noticed that a representative would be able to serve on the Metropolitan Planning Organization Advisory Council (MPOAC). **Mr. Matonti** has worked with MPOAC in the past and it was very educational and worthwhile.

**Commissioner McDaniel** indicated that the Chair report in the agenda packet references a 2019 Master Plan and asked if it is time to review it. **Ms. McLaughlin** responded that MPO Staff is developing a scope of work for BPAC to review and comment on for an update to the Master Plan. It is not a requirement that the Plan be updated every five years, but updating it would keep it current, as it is incorporated into the next Long-Range Transportation Plan (LRTP) update. It makes sense to have the plans that are incorporated into the LRTP finalized a year earlier than the LRTP update to streamline the process. The proposed scope of work for the Master Plan update will end up before the Board. **Commissioner McDaniel** added that he would like members of BPAC to have an integral role in developing the updated Plan and not rely heavily on a consultant.

**Commissioner McDaniel** stated that education is a key component to the community working together successfully. An enormous amount of money is spent for a small percentage of our population to utilize our bicycle and sidewalk trails. **Commissioner McDaniel** would like to see BPAC take on an initiative of education in the school system to teach people how to properly cross the street, use pedestrian signals, and safely ride a bicycle. There are people who egregiously break laws related to this on a regular basis. **Commissioner McDaniel** supports an effort by the MPO and BPAC on the issue at a local level, and then perhaps something can be brought before the MPOAC or at a State level. **Mr. Matonti** responded that the issue has been being discussed by BPAC, including helmet safety and bicycle safety. There are officers on Marco Island providing children with helmets and properly fitting them. On the Master Plan update, there have been many local plans prepared outside of the MPO that could potentially be integrated into the updated Master Plan. **Ms. McLaughlin** brought this to the attention of BPAC. **Secretary Nandam**

stated that FDOT can bring resources to assist with the safety education endeavor. FDOT has a safety office that partners with schools and FDOT can partner with BPAC to assist. **Commissioner Hall** commented that he agrees that education is critical, not just for children, but also for seasonal residents. Electric bicycles can travel very fast and also present a safety issue.

**Commissioner LoCastro** thanked Mr. Matonti for continually showing up to Board meetings to provide a verbal report and answer questions, and for his thoroughness. Mr. Matonti and BPAC's efforts are noticed and appreciated. BPAC is getting a lot of notice and visibility in the community; it is an important committee. The MPO's advisory committees are important, and Commissioner LoCastro would like to see more engagement by the other committee chairs in attending Board meetings and providing updates on the work they are doing.

**Commissioner Hall** asked Mr. Matonti to elaborate on his previous statement about improving the scoring system/criteria. **Mr. Matonti** responded that the scoring has to do with connectivity to existing systems, crash data, and equity issues. Projects get scored based on points. When municipalities and the County fill out an application for certain projects, it is assigned a score. BPAC reviews scores provided for consistency and uses its scoring system to rank projects. Sometimes the priority rank on projects is increased if the project has had no movement. BPAC's priority list is then presented to the Board for approval and/or modification.

**Commissioner Kowal** stated that he has previous experience with bicycle/pedestrian/vehicle issues. Commissioner Kowal suggested the possibility of working together to prepare an ordinance. Florida Statutes related to bicycle/pedestrian safety refer to the local county. The County does not have an ordinance on bicycle/pedestrian traffic. Florida Statutes contain language related to bike lanes, flowing with traffic, *et cetera*. Commissioner Kowal agrees that helmet safety and education programs are important. In his time working with the Sheriff, he has seen accidents where approximately 80% of the time, accidents were caused because bicycles were on a sidewalk riding in the opposite direction of traffic on a positive divided median roadway (such as Airport-Pulling Road, Livingston Road or Vanderbilt Beach Road). **Chair Perry** indicated that the MPO does not have the capacity to create ordinances; it would be the responsibility of the respective cities and the County Commission.

**Commissioner Saunders** expressed that he likes Commissioner Kowal's idea, and the Board can request that Mr. Teach look into the issue and provide a proposed ordinance to the County Commission. Commissioner Saunders asked Mr. Teach if there is currently an ordinance in place. If not, what steps need to be taken to create one, and if so, what could be done to improve such an ordinance. **Mr. Teach** responded that to his knowledge, there is not an ordinance, but he would follow up. Preemption issues regarding State law would need to be evaluated. More specific direction would be needed if it is an available option. **Commissioner Saunders** suggested that the Board consider a motion requesting the County Commission to investigate the issue more thoroughly and report back to the County Commission on what can be done to make cyclists and pedestrians safer. **Commissioner Saunders** made such motion, commenting that this is the first time the MPO Board has made a motion requesting the County Commission to do something. **Commissioner Kowal** seconded the motion.

**Commissioner McDaniel** stated he would like BPAC to review such an ordinance, and that statistics provided by the County Attorney's Office and the Sheriff's Office be utilized to develop the ordinance. **Chair Perry** suggested an amendment to the motion to request the City attorneys, because of jurisdictional issues, to cooperate with the County attorney. **Commissioner Kowal** pointed out that the City of Naples has an ordinance that controls bicycle/pedestrian traffic on sidewalks. His understanding is that the County does not have an ordinance on the issue. **Mr. Teach** stated that after the Board meeting, he would investigate both County and City ordinances. If the City ordinance is something that can be mirrored at the County level, it may be relatively easy to bring back to the County Commission. County

Attorney staff will also look at other similar jurisdictions to see what they are doing. **Council Member Blankenship** requested that Mr. Teach let the City of Naples know if he discovers other best practices that are not currently being implemented by the City. Things seem to work best when there is consistency, when possible, between the City and the County. **Commissioner LoCastro** suggested, to keep consistency, that relevant Marco Island ordinances be looked into.

**Mr. Teach** asked for clarification on whether the Board desires for any proposed ordinance to be reviewed by BPAC and the MPO. **Commissioner Saunders** responded that would be a good way to proceed, but he does not want the process to move too slowly.

**Commissioner Saunders** stated he accepts the amendments to his motion brought up by Commissioner McDaniel and Chair Perry. *Commissioner Saunders' motion, as amended, and seconded by Commissioner Kowal, passed unanimously.*

## **7.D. CONGESTION MANAGEMENT COMMITTEE (CMC)**

### **7.D.1. Congestion Management Committee Chair Report**

**Ms. McLaughlin** indicated that the Chair was not present, and the Chair report was included in the agenda packet.

## **7.E. LOCAL COORDINATING BOARD (LCB)**

**Ms. McLaughlin** indicated that, since the LCB meeting just occurred two days prior, she would provide a verbal report. At their meeting, LCB: (i) approved an update to their Grievance Procedures; (ii) endorsed the re-designation of BCC as the Community Transportation Coordinator (CTC) (which is before the Board today); and (iii) endorsed grant applications for FTA §5310, §5311 and §5339 grants.

## **8. REGULAR BOARD ACTION (ROLL CALL REQUIRED)**

None.

## **9. REGULAR BOARD ACTION (NO ROLL CALL)**

### **9.A. Approve the Congestion Management Process (CMP) Origin and Destination Report and Corridor Fact Sheets**

**Ms. McLaughlin** explained that the CMP Origin and Destination (O&D) Report and Corridor Fact Sheets are the final deliverables under the MPO's contract with Benesch to update the CMP. The first deliverable was the update to the CMP itself, which the Board approved on April 8, 2022. CMC endorsed the Fact Sheets in September, subject to revisions that were subsequently made and incorporated. TAC and CAC endorsed the Report on November 28, and CMC endorsed the Report on November 16. Ms. McLaughlin introduced the MPO's consultant from Benesch, Mr. Blain.

**Mr. Blain** provided a presentation on the O&D Report and Corridor Fact Sheets. Benesch worked closely with technical staff and the CMC in preparing the CMP. The data source for the Report comes from data analytics provider, Replica. Replica gathers empirical, ground-truth data from various sources, in addition to individual data, and the data is processed through an activity-based model that simulates the whole of travel and mobility issues. The data is released quarterly, and the most current available data

when the Report began being generated was from the Spring of 2021 (March through May). Less detailed data is gathered more regularly and was relied on in other sections of the Report. The data combines mobile-source data, census, land use and consumer sources. The purpose of the study was to evaluate travel patterns in Collier County and assess sub-areas based on the Growth Management Plan (GMP). A key finding at the County-wide level, is that on an average weekday, approximately 1 million trips are made in Collier County. It is important to keep in mind that each stop is considered a trip. If someone is on their way somewhere, and stops at the store first, it is considered two trips. Approximately 115,000 trips enter the County and approximately 128,000 trips exit the County daily. **Commissioner McDaniel** commented that the Report refers regularly to the GMP [the County's Growth Management Plan] data source and asked if Mr. Blain has looked at the Collier Interactive Growth Model. **Mr. Blain** responded that the question would be addressed further on in the presentation. Mr. Blain continued that pass-through trips (trips that use roads in the County but do not start or stop in the County) were evaluated. The Interstate is largely used as a regional corridor for pass-through trips. U.S. 41, SR 29 and SR 82 are also widely used for pass-through trips. The Report includes tables detailing traffic as a percentage of total traffic. On I-75, there are approximately 15,000 to 20,000 daily pass-through trips.

Home to work trip patterns were also evaluated. Approximately 50% of the people who live in Collier County and work in Collier County work west of I-75. Approximately 10% of people who live in Collier County work in Lee County. The Report does not contemplate the number of people living in Lee County who travel to Collier County for work. Work from home trends in Collier County were also evaluated. In 2019, prior to the COVID pandemic, data for working from home was gathered from the census. In March of 2020, during the pandemic, the amount of people working from home increased significantly. More recently, there was a spike in people working from home (or home from work) due to Hurricane Ian. The data suggests there has been a shift in working patterns. On any given average weekday, approximately 16% of the workforce is working from home.

Sub-areas within Collier County were also evaluated from both an origin and destination perspective, as well as the home destination for trips. Four charts for each subarea were created to help understand trip start time, trip distance, trip duration and trip purpose. Mr. Blain explained, in response to Commissioner McDaniel's previous question, that Benesch used the County's Planning Communities Map and expanded some sections to include surrounding areas, as appropriate. For example, the City of Everglades City subarea did not include Chokoloskee or Plantation Island. For purposes of the Report, the City of Everglades City was expanded to include the additional areas. The City of Marco Island did not include Goodland or the Isles of Capri, so that subarea was expanded. Benesch also looked at the GMP to ensure consistency from a land-use and growth management planning perspective. The purpose was not to look at how that would affect the future in the Interactive Growth Model, but rather, so the information is available and can be used later as the County looks towards future planning in the Interactive Growth Model. A connection to the Model was made, but the Model itself was not specifically looked at. **Commissioner McDaniel** suggested that the Model be intertwined in future studies. The Model is an extremely accurate estimator of the population and its dispersal. It also has a land-use modeling component that allows for transitional uses with roadways to be accommodated for.

**Mr. Blain** continued that average trip lengths in sub-areas are shorter in areas with mixed use development, such as East Naples, Golden Gate City, Immokalee and South Naples. There were high intra-area trips (trips contained within sub-area) in Ave Maria, City of Marco Island, Immokalee, North Naples and South Naples. **Commissioner Saunders** asked for clarification on what areas are included in South Naples and East Naples respectively. **Mr. Blain** responded that South Naples, as it was originally defined in the planning communities, is west of Collier Boulevard, north of Tamiami Trail, and up to approximately Davis Boulevard. Benesch did expand the area to go across U.S. 41 and south of U.S. 41 to capture some communities. East Naples includes the Bayshore Gardens area and the Gateway Triangle area; it is just east of the City of Naples. **Commissioner LoCastro** commented that he has received feedback from

residents, such as in Fiddler's Creek, who do not feel like they are part of East Naples. Many residents east of Collier Boulevard feel they should have an identity outside of the East Naples designation. There is a footprint for South Naples. While it may not be an issue to many people, it is an issue at the town hall meetings that Commissioner LoCastro hosts. **Mr. Blain** thanked Commissioner LoCastro for sharing the local perspective and indicated that Fiddler's Creek was included in the South Naples sub-area for the Report. Mr. Blain pointed out that the sub-area map is contained in the Report and is on page 37 of the agenda packet.

Mr. Blain continued his presentation and discussed the Corridor Fact Sheets. Several years ago, the Transportation System Performance Report and Action Plan was completed. As part of the CMP, it looked at the congested corridor hotspots. It did not just contemplate traffic that is on a recurring basis; several factors were examined, including non-recurring reasons traffic would be congested. Other factors, including safety, were combined to create the inset map of Tier 1 and Tier 2 corridors. As a result of that, there were fifteen specific segments of roadway listed. Those fifteen segments were consolidated/combined into ten specific corridors for the Fact Sheets. The purpose of the Fact Sheets is to provide specific details about each of the corridors and to provide a communication or education piece. The first page on each of the Fact Sheets contains a general corridor overview map, a brief explanation of what congestion management is, and an explanation of how the MPO is evaluating the corridors. The analysis is contained on the inside of the two pages, including charts from the Replica data. The remaining data was gathered by RITIS, which was developed by the University of Maryland. It contains more specific information regarding traffic on the roadways as opposed to trips being made. There are several different graphics that illustrate the type of congestion, when it is happening, and the direction. One important thing specific to each corridor, are the issues that each corridor faces. Benesch worked closely with operations staff and the CMC to discuss issues and opportunities available for the corridors and to help frame strategies. On the back page of the Fact Sheets is a map illustrating upcoming projects and congestion reduction strategies. The Facts Sheets provide practitioners with a tool to address congestion and can be provided to the public for informational purposes. Importantly, the public can see that there is an evaluation being done on areas that are known to be a congestion problem. From the strategies developed, the CMC is then able to bring projects forward for prioritization and then to the Board for approval for funding in future years.

The Report will be used to coordinate with upcoming MPO plans and studies and to work with agency partners to inform land use and transportation studies. The Fact Sheets will be used for information and education for the public and to recommend strategies for upcoming priorities (call for projects). Mr. Blain offered to answer any questions.

***Commissioner McDaniel** moved to approve the Congestion Management Process (CMP) Origin and Destination Report and Corridor Fact Sheets and **Council Member Folley** seconded. Passed unanimously.*

**Chair Perry** requested that Ms. McLaughlin provide the Report and Fact Sheets to the cities for their consideration and use. **Ms. McLaughlin** responded that she would be happy to and pointed out that some City technical staff are aware of the Report and the Fact Sheets, in connection with being members of TAC.



**9.B. Approve the Transfer of up to \$2.5 Million in FY23 SU Funds to CAT Maintenance & Operations Facility Replacement Project**

**Ms. McLaughlin** explained that FDOT notified MPO Staff that there are approximately \$3.5 million, un-programmed funds in the MPO's SU (Federal Surface Transportation Block Grant Program) box for Fiscal Year 2023 (FPN No. 405016-1). Each year, the MPO receives an allocation (approximately \$5 million per year), which it can request the Board to program for projects. The "SU" funds are the classification of funding that the Board has the most authority over to make decisions about programming. The MPO's advisory committees are structured around the SU funds: BPAC advises as to priority for bicycle/pedestrian projects; CMC advises as to congestion management projects; and TAC and CAC are active in looking at other categories, such as bridge and safety. The Board has a policy of rotating between funding initiatives so that all the funds go to one category each year. Despite the effort to try to get funds programmed to project priorities, there are times the MPO ends up with a balance in the first fiscal year of the five-year Transportation Improvement Program (TIP). This can occur because of reconciliation of accounts at the Federal/State level as projects are finished or deferred. Some of the extra funds could be because of the new transportation law and the availability of new funds. It can be difficult for technical staff, on short notice, to advance construction projects. When un-programmed funds are available, staff needs to move quickly because of issues of fiscal constraint. If funds cannot be quickly assigned to a project and a memorandum of agreement entered (by the end of June of the current year), the spending authority could go to a different MPO. In instances like these, MPO Staff typically requests that the MPO Board transfer the funds to a transit priority. The Transit Priority List is adopted by the Board. Ms. McLaughlin's understanding is that the associated deadlines for transit to be able to utilize the funding are different. In the past, MPO Staff has requested the Board to transfer funds to transit to support the same maintenance building replacement project. The current projected cost for the project is just under \$8 million. The Board approved the transfer of \$3 million in FY 2022 to the project in February of 2022. MPO Staff requested the Board approve an addition of up to \$2.5 million, which would make the MPO's contribution to the project \$5.5 million. TAC and CAC voted to endorse the transfer of funds at their meetings on November 28.

**Chair Perry** inquired as to the constraints and criteria in determining how much of the \$2.5 million is actually transferred. **Ms. McLaughlin** responded that she is coordinating closely with Ms. Peters and FDOT to determine the makeup of the funds in the SU box. The funds come from different sources. Ms. Peters may be able to address the various constraints on those sources. Another constraint is the need to leave some funding in the SU box for potential cost overruns on projects between now and the end of Fiscal Year 2023. Approximately \$1 million has been subtracted from the balance to cover two cost overruns on County bike/ped projects the MPO is aware of; covering the cost overruns was brought to the Board previously. **Chair Perry** asked Ms. Peters if she had any comments. **Ms. Peters** stated that she has been working with the MPO on its SU box; there has been a Federal reconciliation and the amount in the box fluctuates with the fluctuation of the work program. There is extra funding in our current Fiscal Year (2023). The interest for the Collier Area Transit (CAT) replacement project was discussed. In order to use the funds, there needs to be both budget and budget authority. Sometimes there is budget but no budget authority. The project is much needed and still needs funding. **Secretary Nandam** added that after the federal bill was passed, it was determined how much funding each MPO would get, based on the population size. In the future years, it would not be an issue because the legislative process goes through the funding for projects that have been identified, and projects are programmed that fit the schedules for production and/or construction. This year, allocations were received late, after budgets were already approved. Then, FDOT had to go before the legislative budget committee to obtain budget authority. Budget authority was received in October. Now, there is a short time frame to be able to use the funds. The CAT replacement project is a great opportunity because it is already a priority and the Board had already agreed to allocate funds to it.

**Commissioner McDaniel** asked how long the Board has to make a decision on the potential transfer. He has not yet had an opportunity to see what else has been programmed in the SU box and determine what other priorities are designated, so he can make a decision regarding what he feels is an appropriate use of the funds. Commissioner McDaniel would like to have the opportunity to determine if the transfer is an appropriate prioritization. If the decision must be made quickly, he understands why the transfer is being requested. **Ms. Peters** responded that the time frame is short; FDOT does not know for sure when it will or will not have the budget authority. A transfer of the funds in the SU box would take a few months to clear (with the attached FTA approval). Typically, the deadline to transfer the funds is closer to June. When working with current fiscal year funds, we do not want to get too close to June/July (when the next fiscal year kicks off). Transfers like these are typically presented to boards in December and January so that the transfer can be timely acted upon. Ms. Peters does not like leaving too much money in the SU box as the work program fluctuations change the amount available, and sometimes there is more money and other times there is less. **Commissioner McDaniel** asked if it would be prudent to review the existing SU box and associated priorities prior to approving the requested transfer so that the Board is informed as to what the current priorities are, and whether there is sufficient time for such a review to take place. **Mr. Gaither** responded that FDOT had to move quickly; we are well into the current fiscal year. FDOT had to work closely with MPO Staff and County staff to ensure that the funding goes to projects that FDOT has budget for and can allocate the funds towards. **Secretary Nandam** added that he understands Commissioner McDaniel would like to review the current priorities to see if the SU funds might be applied elsewhere. There is a production process involved in projects and it can take some years to deliver a project. What FDOT is trying to do, is put money that is available in the current year toward projects that are already in design or construction. The choice is whether the money rolls into a future year, which has risk involved, or is used on a current priority project.

**Ms. McLaughlin** added that FDOT's upcoming work program presentation should show that a great deal of project priorities are now programmed in the Draft Tentative Work Program. If Ms. McLaughlin were aware of other projects that the funds could be used for, she would have informed the Board. **Ms. Peters** indicated that FDOT was able to address all bicycle/pedestrian priorities in the Draft Tentative Work Program during this cycle. There is one outstanding congestion management priority from the previous year that will be addressed when the cycle opens. Oftentimes, there is collaboration on buses during the cycle, which did not occur this cycle, and so the CAT replacement project is a great use of the funds. **Commissioner Hall** requested clarification that his understanding is correct, that there are certain funds available, there are certain projects qualified to receive the funds, and if the approximate \$2.5 million is not transferred to the CAT project, it is possible the funds could go to another MPO. **Ms. Peters** responded that it is possible the funds could be lost to another MPO, or the funds could roll forward (subject to legislative approval). **Ms. McLaughlin** clarified that the funds do not actually leave, but the budget authority does. The MPO likes to take full advantage of the amount of funds FDOT is willing to let the MPO spend in any given year. **Commissioner Saunders** stated that he did not see the point of taking any risk and the project is already a listed priority.

*Commissioner Saunders moved to approve the Transfer of up to \$2.5 Million in FY23 SU Funds to CAT Maintenance & Operations Facility Replacement Project and Council Member Pernas seconded. Passed 7:2 with Commissioner McDaniel and Commissioner Kowal dissenting.*

### **9.C. Adopt Collier County's Updated Transit Asset Management Plan Performance Targets**

**Ms. McLaughlin** explained that FTA published the final Transit Asset Management (TAM) Plan rule in 2016 (effective 2018), which requires public transit agencies to develop and implement transit asset management plans. Our public transit agency, Collier County, is required to update that Plan every four years. The County is required to set public transit targets and report them to the MPO annually to ensure coordination for investment and support of the transit provider's projects and services, and to ensure that they are programmed in the MPO's TIP. The MPO is required to include the targets as part of the planning efforts in the LRTP update. The MPO adopted the County's TAM Plan performance target on October 12, 2018. BCC approved an updated TAM Plan and performance targets in November of 2022. TAC and CAC endorsed the performance targets at their meetings on November 28. The targets and performance measures are included in the agenda packet (page 205). In summary, the updated targets do not change, in essence, what has already been endorsed by the MPO; it modifies and clarifies some of the detail on how the County reports asset management and the MPO's reference in its reporting to the new measures instead of the old ones.

**Council Member Folley** stated that in his observation, there is typically a disparity between bus occupancy and capacity. Council Member Folley inquired whether there is a periodic analysis of whether the buses (and what size buses) are needed. **Ms. McLaughlin** responded it is typically handled by BCC and MPO Staff could coordinate with Ms. Arnold to have someone provide a presentation with the information. **Ms. Arnold** stated that Collier County Public Transit Neighborhood Enhancement (PTNE) does analyze bus capacity on a regular basis (monthly) and modifications to improve efficiency of operations occur every six months. Ms. Arnold is happy to provide a presentation on background, how CAT operates, different performance measures, *et cetera*. **Council Member Folley** indicated that such a presentation would be beneficial. **Chair Perry** asked whether CAT uses different vehicles on the same route depending upon the demand at the time (buses during peak travel times and vans during non-peak times). **Ms. Arnold** responded that it is possible to do so, but not efficient. Ridership needs on each route are evaluated. For example, some routes are over-capacity at certain times, and therefore, CAT has more than one bus on the route. In the middle of the day, when there is less need, the buses will be reduced. There are some different sized buses on the fixed routes (from 29 feet to 40 feet). Sometimes buses are added or subtracted from routes and sometimes different sized buses are placed on routes. **Chair Perry** indicated he looks forward to a future presentation.

*Council Member Folley moved to adopt Collier County's Updated Transit Asset Management Plan Performance Targets and Commissioner McDaniel seconded. Passed unanimously.*

### **9.D. Nominate Collier County Board of County Commissioners (BCC) to Remain as the Community Transportation Coordinator (CTC)**

**Ms. McLaughlin** explained that the MPO is the designated planning agency for Collier County by the Florida Commission for the Transportation Disadvantaged (CTD), which is a State program. The CTC is responsible for ensuring coordinated transportation services are provided to the transportation disadvantaged population in a cost-effective and efficient manner. In accordance with Florida Statutes and Florida Administrative Code, CTD has a competitive procurement manual that allows the MPO to nominate a government agency to serve as the CTC. The BCC was designated as CTC for Collier County in 1999 and has continued to serve in that capacity. There are periodic requirements for CTC nomination to be refreshed. On October 11, 2022, the BCC approved a resolution requesting that BCC be re-designated as CTC. LCB and MPO must officially deem it is in the best interest of public health, safety and welfare for BCC to continue as CTC. LCB approved the nomination of BCC as CTC at its meeting on December 7. The MPO Board, as the designated planning agency, is requested to adopt a resolution recommending that

the BCC be re-designated as CTC, which will then be submitted to CTD. MPO Staff requested the Board to: nominate the BCC to remain as CTC; acknowledge that it is in the best interest of public health, safety and welfare of Collier County for BCC to remain as CTC; and authorize the Chair to sign Resolution 2022-10 (included in agenda packet).

*Commissioner LoCastro moved to Nominate Collier County Board of County Commissioners (BCC) to Remain as the Community Transportation Coordinator (CTC); acknowledge that it is in the best interest of public health, safety and welfare of Collier County for BCC to remain as CTC; and authorize the Chair to sign Resolution 2022-10. Council Member Folley seconded. Passed unanimously.*

**9.E. Adopt the Florida Department of Transportation (FDOT) Vision Zero Safety Performance Targets for Calendar Year 2023**

**Ms. McLaughlin** explained that the targets are required to be adopted every year. They are the only federal transportation performance measure that must be adopted on an annual basis. FDOT establishes the State safety targets as part of the Highway Safety Improvement Program. FDOT has informed the MPOs that it will maintain is Vision Zero Safety Performance Targets. The MPO has the option of adopting individual targets specific to the MPO, but Collier MPO has consistently elected to adopt FDOT's State-wide targets. Performance metrics for 2012 through 2019 are provided in the table included in the agenda packet. More up-to-date performance metrics are not available, but MPO Staff anticipates they will be available in February. As a practical matter, zero is difficult to achieve. Adopting FDOT's targets shows the MPO's support of FDOT's attempts to meet the targets. The MPO will coordinate on programming safety projects. If the Board were to adopt its own targets, they would have to be justified through studies and trend analysis, and the MPO would need to be able to defend why the targets were not being met (if that were the case). TAC and CAC voted to endorse FDOT's targets at their November 28 meeting.

**Council Member Folley** indicated the agenda packet includes a State-wide summary, but nothing specific to the County. **Ms. McLaughlin** responded that the information is available, but not included in the agenda packet. **Commissioner McDaniel** requested the information be provided at the next Board meeting.

*Commissioner McDaniel moved to Adopt the Florida Department of Transportation (FDOT) Vision Zero Safety Performance Targets for Calendar Year 2023 and Council Member Folley seconded. Passed unanimously.*

**9.F. Elect Representatives to Serve on the Metropolitan Planning Organization Advisory Council (MPOAC) Board for 2023**

**Ms. McLaughlin** explained that MPOAC has requested Collier MPO submit representative names by December 31. Commissioner McDaniel is the current MPOAC representative and former Commissioner Solis was the alternate. The MPOAC meets on a quarterly basis and most of the meetings are in Orlando, but one is in Miami to coincide with a related meeting. **Ms. McLaughlin** checked in with Commissioner McDaniel and he expressed a willingness to serve as the primary MPOAC representative. **Chair Perry** asked for clarification on the meetings in Miami. **Ms. McLaughlin** was unsure and indicated she would follow up and advise at the February meeting. **Commissioner Saunders** volunteered to be the alternate MPOAC representative. **Chair Perry** asked if both the primary and alternate are to attend the meetings or if generally, it is only one or the other. **Ms. McLaughlin** responded that there is only one vote. Generally, the primary attends and the alternate attends if the primary cannot. **Chair Perry** asked Mr. Teach if there is a risk of violating the Sunshine Law if both the primary and alternate attend a meeting. **Mr. Teach**

responded that if the meeting is noticed as multiple representatives of the same organization are going to be present, there would not be a Sunshine Law violation issue.

*Council Member Folley moved to elect Commissioner McDaniel as primary MPOAC representative and Commissioner Saunders as alternate MPOAC representative for 2023, and Commissioner Kowal seconded. Passed unanimously.*

#### **9.G. Approve 2023 MPO Meeting Calendar**

Chair Perry informed everyone that he will be unavailable for any meetings from January 2023, through April 2023. Council Member Folley has agreed, as Vice-Chair, to chair the MPO Board meetings during that time. Chair Perry inquired whether the meeting start time of 9:30 a.m., is agreeable, or whether the Board prefers to move the start time back to 9 a.m. Commissioner McDaniel suggested that the start time remain at 9:30 a.m., to allow representatives of FDOT to make it to the meetings.

*Council Member Pernas moved to approve the 2023 MPO Meeting Calendar and Commissioner McDaniel seconded. Passed unanimously.*

### **10. PRESENTATIONS (MAY REQUIRE BOARD ACTION)**

#### **10.A. FDOT Draft Tentative Work Program FY 2024-2028**

Ms. Peters explained that Fiscal Year 2028 is the new year added to the work program. FY 2023 does not appear in the Draft Tentative Work Program, as it is the current fiscal year.

[Ms. Peters played a video titled “FDOT Work Program Public Hearing 2022” for the Board.] Ms. Peters indicated the video is for information purposes and emphasizes the collaborative nature FDOT has with its partners to program and deliver priority projects. Ms. Peters thanked Ms. McLaughlin, staff, the Board, and Ms. Scott for their work.

FDOT was able to program all the bicycle/pedestrian priorities. Safety is also a focus. Some of Collier County’s priorities that FDOT was able to program in this work program cycle include: (i) Six-foot sidewalks in Immokalee, where there is high pedestrian usage and few pedestrian facilities, along South 2<sup>nd</sup> Street, South 3<sup>rd</sup> Street, South 4<sup>th</sup> Street, South 6<sup>th</sup> Street, and South 7<sup>th</sup> Street. The improvements include crosswalks, drainage, signage improvements and markings. (This project was also included in Immokalee CRA’s Community Walkability Study.) Design for the project is programmed in FY 2028; (ii) Bayshore CRA’s sidewalk project (MPO Board’s number two bike/ped priority), located in residential areas north and south of Tamiami Trail. The roadway segments currently have no existing sidewalks on either side; (iii) Everglades City’s Phase Four bike/ped improvements (FDOT managed project), which includes four segments of roadway. The improvements will offer two safe routes to the Everglades City School. The concept was developed by the Everglades City Bike/Pedestrian Committee in the Everglades City Bike/Pedestrian Master Plan; (iv) Immokalee Road shoulder improvement project, which will run along Immokalee Road from Livingston Road to Logan Boulevard. The project will ultimately assist the constrained corridor and help reduce congestion. Both phases of design and construction were programmed and funded. Design will commence in FY 2026 and construction is targeted for FY 2028; (v) the next phase of the Old US 41 PD&E project has been funded for design. The project is still underway in the PD&E phase, where alternatives and project specifics are still being worked out. Improvements may include the potential widening of the roadway to four lanes, as well as safety considerations for cyclists and pedestrians; and (vi) incorporation of the construction phase of Collier Boulevard (Manatee Road to north of Tower

Road) back into the work program. The project includes widening from four to six lanes, resurfacing the pavement, buffered bike lanes, and potentially sidewalks.

*Commissioner McDaniel made a motion to accept the Draft Tentative Work Program with the proviso that in February, 2023, the Board receives a delineated report of the SU box and the priorities. Commissioner Hall seconded. Passed unanimously.*

## 11. DISTRIBUTION ITEMS

### 11.A. Letter of Support for Miccosukee Tribe's Reconnecting Communities Pilot Grant Application

Item distributed. **Ms. McLaughlin** explained that the Tribe requested the MPO's letter of support related to safety improvements on Snake Road.

## 12. MEMBER COMMENTS

**Commissioner Hall** commented that the meeting was very informative.

**Council Member Pernas** thanked everyone for a great year and thanked MPO, FDOT, and County staff for their efforts and collaboration.

**Commissioner Saunders** thanked everyone for their hard work and wished everyone a safe and happy holiday season.

**Council Member Folley** commented that MPO Staff turnover over the year has been significant and commended Ms. McLaughlin for her ability to keep the MPO running smoothly amidst the changes.

**Commissioner McDaniel** wished everyone a Merry Christmas.

**Council Member Blankenship** informed everyone that Bob Middleton is now the Public Works Director for the City of Naples; it was recently announced by the City Manager.

**Commissioner Kowal** thanked everyone for the meeting, wished everyone a happy holiday and wished Ms. Peters a happy birthday.

**Chair Perry** welcomed Commissioners Hall and Kowal and the MPO's new principal planner, Sean Kingston, and wished Ms. McLaughlin luck in filling the other vacant principal planner position.

**Chair Perry** requested Mr. Teach to come to the floor to discuss the bicycle safety issue further. **Mr. Teach** stated that he performed some quick research. The County does have an ordinance (the County Pedestrian Safety Ordinance), but it is primarily concerned with median safety. Sidewalks are narrowly addressed. The ordinance could potentially be amended. The City of Naples' ordinance essentially prohibits the operation of bicycles, skateboards, and roller skates in certain areas, including the City's business districts and on public and private sidewalks. The County's ordinance does not expressly address sidewalks. It provides that a person may not obstruct the free use of sidewalks or crosswalks by other persons. A potential amendment could include bicycles and a definition of bicycles (to include electric bicycles, scooters, *et cetera*). The local definition of pedestrian is the same as the State's definition. Right now, bicycles are not allowed on sidewalks in the unincorporated areas, but there is no express prohibition. If there is an attempt to expressly prohibit, a potential violation could include a \$500 fine for a non-criminal

infraction. The Sheriff's Office has done a good job regulating medians; it is a safety issue. If a potential amended ordinance comes before the County Commission, Mr. Teach suggests a period of public education. Enforcement could potentially be difficult. A proposed amended ordinance could be crafted in an expedited fashion.

**Commissioner Kowal** commented that he does not want the ordinance to be so stringent as to not allow any bicycles on sidewalks. When children are learning to ride bicycles, the sidewalk is the safest place for them. Commissioner Kowal's primary concern is when cyclists are travelling against the flow of traffic, even on the sidewalk. Such instances are what causes impacts to the bicycles and vehicles. There are many areas with large sidewalks that can accommodate cyclists. Commissioner Kowal does not want to restrict cyclists on sidewalks. Applicable case law has ruled that, because Collier County does not have an ordinance that specifically addresses bicycles travelling on sidewalks, the cyclist is to be considered a pedestrian and subject to pedestrian laws. Pedestrians often have the right-of-way. However, many drivers are not looking to their right because they are on a positive controlled median roadway, and a cyclist will be travelling against the flow of traffic, causing collisions. A potential ordinance might be as simple as providing that if cyclists are going to be on sidewalks, they must travel with the flow of traffic, or, when the cyclists come to an intersection or busy driveway, they must dismount the bicycle and walk. **Chair Perry** commented that there are some places where it is impractical to travel with the flow of traffic, because one would have to cross several lanes of traffic to get to the other side (which is not possible when there is a barricade). Consideration needs to be given to the appropriate way to handle such instances. **Commissioner Kowal** stated that State Statutes allow cyclists to use the roadway if travelling with the flow of traffic. **Chair Perry** indicated that Council Member Blankenship has been working with FDOT to make it safe for both cyclists and pedestrians on bridge(s). Council Member Blankenship and FDOT may be able to provide some insight on best practices after that.

### 13. NEXT MEETING DATE

**13.A. Next Meeting Date - February 10, 2023 - 9:30 a.m. Board of County Commissioners Chambers, 3299 Tamiami Trail East, Naples, FL, 34112**

### 14. ADJOURN

*There being no further business, **Chair Perry** adjourned the meeting at approximately 11:43 a.m.*