

**Collier Metropolitan Planning Organization
Board of County Commission Chambers
Collier County Government Center
3299 Tamiami Trail East, 3rd Floor
Naples, FL 34112
April 14, 2023
9:30 a.m.**

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

1. CALL TO ORDER

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

2. ROLL CALL

Commissioner Saunders moved to allow Council Member Perry to participate via Zoom. Commissioner McDaniel seconded. Passed unanimously.

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

Members Present (in BCC Chambers)

Council Member Greg Folley, City of Marco Island, Chair
Commissioner Rick LoCastro, Collier County BCC District 1
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 Present Virtually Via Zoom

Council Member Paul Perry, City of Naples

Members Absent

Commissioner Chris Hall, Collier County BCC District 2, Vice-Chair

MPO Staff

Anne McLaughlin, Executive Director
Sean Kingston, Principal Planner
Dusty Siegler, Senior Planner

FDOT

John Kubler, Interim FDOT Secretary
Michelle Peronto, District 1 Transit Administrator
Wayne Gaither, Manager, District 1 Southwest Area Office (SWAO)
Victoria Peters, Community Liaison

Others Present

Alison Bickett, TAC Vice-Chair
Andy Wells-Bean
Andrea Halman
Arlina Karuli, Commute With Enterprise, Account Executive

Michelle Avola-Brown, Executive Director, Naples Pathways Coalition (NPC)
Omar DeLeon, Public Transit Manager, Collier Area Transit
Scott Teach, Esq., Deputy County Attorney
Trinity Scott, Department Head, Collier County Transportation Mgmt. Services
Troy Miller, Manager, BCC Television Operations

Zoom Participants

Anthony Matonti, BPAC Chair
Ron Gogoi, Lee MPO
Wally Blain, Benesch

3. PLEDGE OF ALLEGIANCE

Chair Folley led the Pledge of Allegiance.

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

4.A. March 10, 2023 Meeting Minutes

4.B. RECOMMENDATION TO APPROVE THE SELECTION COMMITTEE'S RANKING OF REQUEST FOR PROFESSIONAL SERVICES ("RPS") NO. 22-8025, LONG RANGE TRANSPORTATION PLAN 2050, AND AUTHORIZE STAFF TO BEGIN CONTRACT NEGOTIATIONS WITH THE TOP-RANKED FIRM, SO THAT PROPOSED AGREEMENTS MAY BE BROUGHT BACK FOR THE BOARD'S CONSIDERATION AT A SUBSEQUENT MEETING

Commissioner McDaniel moved to approve the Agenda, the Previous Minutes, and the Selection Committee's Ranking and authorize staff to begin contract negotiations and Commissioner Saunders seconded. Passed unanimously.

5. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

None.

6. AGENCY UPDATES

6.A. FDOT

Ms. Peters stated that FDOT has two upcoming speed management workshops from 8:30 a.m. to 4 p.m. on May 1 in Bradenton and on May 18 in Bartow. Ms. Peters provided an update on the proposed improvements to the Collier Boulevard/I-75 interchange. The improvements include the proposed reconstruction of the interchange, converting from a diamond interchange to a modified diamond interchange, construction of two new fly-over ramps, construction of two new loop-ramps, emergency stopping sites on off-ramps, noise walls, resurfacing within the interchange limits, and a new shared use path.

6.B. MPO EXECUTIVE DIRECTOR

Ms. McLaughlin announced that Ms. Siegler was promoted to Senior Planner in the MPO.

7. COMMITTEE CHAIR REPORTS

7.A. CITIZENS ADVISORY COMMITTEE (CAC)

7.A.1. Citizens Advisory Committee Chair Report

Ms. McLaughlin indicated that the CAC Chair was not present; the chair report included in the agenda packet is short. CAC did not have any formal action at its last meeting but did have input on the draft bike/ped safety ordinance.

7.B. TECHNICAL ADVISORY COMMITTEE (TAC)

7.B.1. Technical Advisory Committee Chair Report

Ms. Bickett indicated that TAC reviewed and commented on the draft bike/ped safety ordinance at its last meeting, resuming its discussion from the prior meeting. TAC voted that the MPO Board consider an educational campaign for all users rather than an enforcement campaign for reasons similar to those expressed by BPAC. TAC reviewed a draft FY24-28 Transportation Improvement Program (TIP). It is anticipated that TIP project sheets will be available in May.

7.C. BICYCLE PEDESTRIAN ADVISORY COMMITTEE (BPAC)

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

Mr. Matonti complimented the members of BPAC for their diligence and expressed that BPAC's diversity provides for an array of perspectives. Mr. Matonti stated that at the last BPAC meeting, BPAC continued its review and comment on the draft bike/ped safety ordinance. BPAC thoughtfully considered the draft bike/ped ordinance. At the last BPAC meeting, there was attendance by TAC, CMC, NPC, Traffic Operations, Transportation Planning, and the Sheriff's Office, and input. BPAC came to the following conclusion on the draft bike/ped safety ordinance:

The issues presented regarding the Draft Pedestrian and Cyclist Safety Ordinance give BPAC concern because this ordinance would require too many exceptions to make it tenable. Enforcement and education would be difficult; and the current system does not provide the infrastructure required. Exceptions, some of which are listed below, point to a lack of infrastructure to support the recent trend toward micro mobility.

- *Roadways with speed limits over 30 mph that do not have bike lanes and right lanes are less than 14' wide.*
- *Shared Use Paths*
- *Greenways*
- *Off roadway trails*
- *Buffered bikeways / Separated bike lanes (two-way design)*
- *Cyclist under 16 years old, and families with underage cyclists*
- *Shared use pathways (two-way design)*

- *Greenways*
- *Off roadway trails*
- *Buffered bikeways / separated bike lanes (two-way design)*
- *Sidewalk on right side of road is not continuous, is obstructed or when reasonably necessary to avoid any condition or potential conflict, including, but not limited to, a fixed or moving object, animal, or surface hazard, which makes it unsafe*
- *Roadways that only have a sidewalk on one side*
- *Under the direction of law enforcement officer and school safety guards*

7.D. CONGESTION MANAGEMENT COMMITTEE (CMC)

7.D.1. Congestion Management Committee Chair Report

None. CMC has not met since the last MPO Board meeting.

7.E. LOCAL COORDINATING BOARD (LCB)

7.E.1. Local Coordinating Board Chair Report

None. LCB has not met since the last MPO Board meeting.

8. REGULAR BOARD ACTION (ROLL CALL REQUIRED)

9. REGULAR BOARD ACTION (NO ROLL CALL)

9.A. Approval of a Work Order for Capital Consulting Solutions to Prepare an Update to the Bicycle and Pedestrian Master Plan (BPMP)

Ms. McLaughlin provided an overview of the procurement process to select Capital Consulting Solutions to perform the BPMP Update, funding, advisory committee approval of the scope of work, and the proposed work order. At the request of the MPO Board, safety education for all users and public outreach was added to the scope of work.

Council Member Pernas moved to approve Work Order for Capital Consulting Solutions to Prepare an Update to the Bicycle and Pedestrian Master Plan and authorize the Chair to sign the Work Order and Commissioner Saunders seconded. Passed unanimously.

9.B. Approval of a Work Order for Collier MPO General Staff Support Services

Ms. McLaughlin provided an overview of the procurement process to select Jacobs Engineering Group to perform general staff support on as-needed basis, funding, and the proposed work order. Ms. McLaughlin indicated that some of the work may include amending the TIP and the Long-Range Transportation Plan, depending on what happens with the Moving Florida Forward Infrastructure Initiative, and work related to the updated 2020 census data.

Commissioner Saunders moved to approve Work Order for Jacobs Engineering Group to complete Collier MPO General Staff Support Services and authorize the Chair to sign the Work Order and Commissioner McDaniel seconded. Passed unanimously.

9.C. Approval of a Work Order for Capital Consulting Solutions to Complete the Transportation Disadvantaged Service Plan (TDSP) Major Update

Ms. McLaughlin provided an overview of the procurement process to select Capital Consulting Solutions to perform the TDSP Major Update, funding, advisory committee approval of the scope of work, and the proposed work order. MPO Staff works closely with Collier Area Transit staff on the Update. **Chair Folley** commented that the funding is provided by Federal government, and **Ms. McLaughlin** responded that the MPO's planning funds are utilized and reimbursement is provided.

Commissioner LoCastro moved to approve Work Order for Capital Consulting Solutions to complete the TDSP Major Update and authorize the Chair to sign the Work Order and Council Member Pernas seconded. Passed unanimously.

9.D. Adopt FDOT's Pavement and Bridge (PM2) and System (PM3) Performance Targets for the National Highway System

Ms. McLaughlin indicated that this item was brought to last month's Board meeting and deferred because the Board had questions. FDOT has provided additional information and MPO Staff requested that FDOT provide an update to the Board.

Ms. Peters provided information regarding the performance targets, pavement condition, bridge condition, the metrics and components used to determine "good," "fair" and "poor" conditions, and replacement.

Council Member Blankenship thanked Ms. Peters and indicated that the information was very helpful. Council Member Blankenship indicated he previously spoke with Mr. Gaither regarding U.S. 41 in the City of Naples, and the 2021 condition is still rated fair, but there is a question of whether it should be rated as poor in the future, since FDOT plans to address it and there are issues. Council Member Blankenship would like to make sure the public is aware of what is going on. FDOT plans to provide a further update at the upcoming City Council meeting. Anyone interested should be able to watch the meeting and learn more. **Mr. Gaither** confirmed that FDOT does have a drainage project on U.S. 41 lined up from Fifth Avenue to Golden Gate Parkway. There is a schedule for the drainage project to begin in FY 2029; resurfacing of U.S. 41 will be addressed around the same time frame. FDOT will be discussing the drainage project at the City Council meeting on April 19.

Commissioner LoCastro indicated that the portion of Collier Boulevard approaching the Jolley Bridge, San Marco Road (C.R. 92), and the bridge to Goodland, along with the stretch to U.S. 41, sustained damage from Hurricane Ian. There are severe dips in the roadways in those areas, which are causing some safety concerns. Commissioner LoCastro asked if FDOT has plans to address the issues soon, and wonders if FDOT can at least perform an assessment. **Ms. Peters** indicated she would follow up.

Council Member Blankenship moved to adopt FDOT's PM2 and PM3 Performance Targets for the NHS and Commissioner Saunders seconded. Passed unanimously.

10. PRESENTATIONS (MAY REQUIRE BOARD ACTION)

10.A. FDOT District One Commute Connector Program

Ms. Peronto and Ms. Karuli provided a presentation regarding the Commute Connector Program and discussed the essence and goals of the program, what the program does, educating the public regarding vehicle pooling, the benefits to employers and employees, ride matching and incentives, the regional vanpool program, the current available vanpools in District 1, the impacts of Hurricane Ian on the program, some of the current vanpool accounts in Collier County, positive environmental impacts from the program, and program opportunities.

Commissioner McDaniel indicated that the Board could help by informing employers of the program. There are many agricultural companies that could utilize the program. **Ms. Karuli** indicated that if employers visit the website, commutewithenterprise.com, they can view information and connect with Ms. Karuli directly.

10.B. Report on Advisory Committee Reviews of the Draft Bicycle-Pedestrian Safety Ordinance

Ms. McLaughlin indicated that much of her report was encapsulated in the TAC and BPAC chair reports, and indicated that she could answer any questions the Board had. **Chair Folley** reiterated that the advisory committees' recommendation was for education rather than enforcement. **Commissioner McDaniel** indicated agreement.

Ms. Avola-Brown stated that she appreciates the MPO Board's intent to try to make it safer for cyclists and pedestrians, but the Ordinance would not work given the exceptions necessary. Ms. Avola-Brown expressed that something does need to be done to make things safer and discussed the recent death of a visitor to Naples killed while riding in a bike lane. The driver only got a traffic ticket for leaving their lane. Requiring pedestrians or cyclists to operate on roads would not be a good scenario. A fully connected, multi-use pathway system is needed. Section 316.125, Florida Statutes, which requires drivers to stop at crosswalks, driveways, et cetera, is not enforced enough. Ms. Avola-Brown has shared with the commissioners a schedule of programmed segments of the Paradise Coast Trail, which will contribute to connection. By 2045, there will still not be a fully connected pathway system. Collier County has done a good job in recent years adding multi-use pathways when roads are added or improved, but the pathways are not connected. Ms. Avola-Brown suggested stronger enforcement of Section 316.125, more education, and potentially speed limits for electric bicycles on sidewalks. Speeding motorists in vehicles are causing far more damage than electric bicycles.

Mr. Wells-Bean stated that he commutes approximately 3.5 miles with his two children to school every day on electric bicycles. He and his children are able to use a multi-use path. The draft Ordinance would require that he and his children cross the road regularly and interact with cars more. Mr. Wells-Bean indicated that he was glad the Ordinance is not being contemplated by the MPO Board. Mr. Wells-Bean suggested that infrastructure and education should be focused on rather than additional restrictions. **Commissioner LoCastro** asked Mr. Wells-Bean about his experience in using electric bicycles, and **Mr. Wells-Bean and Commissioner LoCastro** discussed Mr. Wells-Bean's route, how he conducts himself on the electric bicycles, challenges with drivers sometimes not yielding or stopping at crosswalks and intersections, and challenges with drivers seeing electric bicycles when they are travelling fast. **Commissioner LoCastro** asked if there is a law requiring cyclists to dismount at crosswalks. **Commissioner Kowal** responded that Florida Statutes provide that a pedestrian is not allowed to leave a sidewalk or a position of safety without making sure it is safe to enter a roadway. Commissioner Kowal indicated that Collier County does not have an ordinance that specifically regulates bicycles. In his previous

experience as a sheriff, when there was an accident and subsequent legal proceedings, the case law held that if a county did not have an ordinance regulating bicycles, the cyclists must be treated as pedestrians under the law. The ordinance could have been as simple as requiring cyclists to stop at roadways/intersections prior to leaving an area of safety.

Commissioner McDaniel commented that the premise of education in lieu of regulation is the key to success and encouraged everyone to help educate others to follow the law, stop at intersections and pay attention. Laws cannot protect against a lack of common sense or not paying attention.

10.C. Update on MPO Activities Related to the US Census Release of Urban Area Data

Ms. McLaughlin stated that the PL distribution formula is going before the MPOAC, which is going to make the decision about the distribution formula. The formula is being reviewed by the MPOAC Policy and Technical Committee, which is inclusive of most MPO directors and which Ms. McLaughlin has been participating in. There has not yet been consensus on the distribution formula. There has been general consensus that \$800,000 would be taken off the top to fund the MPOAC. Percentage splits between the base allocation and population bases for the MPOs are being evaluated. The percentage splits are in five percent increments ranging from 25/75 to 50/50 splits. At the last Policy and Technical Committee meeting on April 3, various scenarios were evaluated. Under some scenarios, smaller MPOs would lose PL funds and under others, smaller MPOs would gain PL funds. When asked, Ms. McLaughlin suggested the MPOAC look at the 60/40 split (scenario 4) because it does not take funding away from Collier MPO. Collier MPO is very fiscally frugal and has not grown or requested more money, but Ms. McLaughlin feels that reduction in funding to Collier MPO would make it hard for Collier MPO to function. The PL allocation formula is an exercise required by all of the MPOs and FDOT after a new decennial census. Ultimately, FHWA makes the final decision. The MPOAC is taking a due diligence approach to the exercise. It is hard to move forward at this time because there has not yet been a determination on allocation. The MPOAC Governing Board and Staff Advisory Committee will be meeting at the end of April, and there is an opportunity for MPOAC members to weigh in. It appears that a final decision is postponed until the MPOAC's July meeting. Scenario 1 (70/30 split) is the formula which Collier and Lee MPOs are operating under now. Smaller MPOs, because they are not Transportation Management Areas (TMA), do not have access to SU funds the way that Collier MPO does, and it is very difficult for smaller MPOs to pay for the large-ticket items, such as the Long-Range Transportation Plan. The base amount, right now, is approximately \$350,000. The effort is to find a balance so that the smaller MPOs get enough funding to function and the larger MPOs do not have to give up too much funding. Collier MPO falls in the middle; it is a TMA, but a small one. FDOT Central Office has been helping the MPOAC and has done analysis of the population splits by county. We now have the information about the urban area population that overlaps the Lee/Collier areas. There would be an approximate 70% to Collier and 30% to Lee split. For Collier County, that works out to an urban population of approximately 298,000. This would impact the distribution no matter what the MPOAC decides.

Ms. McLaughlin has been speaking with the Lee MPO director, and it is recognized that a PL allocation is not moving as quickly as desired at the MPOAC level. The directors would like to be able to get to the point where distribution of SU, TA, and other funds that are distributed based on urban area population can be discussed. The directors have a meeting with Mr. Gaither next week to discuss the issues. Ms. McLaughlin would like to be able to provide the Board with what the distribution of such funds would look like to get the Board's feedback. MPO staff would like to be in a position to schedule a joint meeting with Lee MPO this summer.

Commissioner McDaniel asked if there is an assertion that the MPOAC needs more money, and **Ms. McLaughlin** confirmed that there was. The MPOAC's amount of funding has been capped for many years. MPOAC had a cost analysis done for what it costs to run the MPOAC, its initiatives, and dues for

associated memberships. **Commissioner McDaniel** asked if the MPOAC reimburses the staff liaisons that attend the MPOAC meetings. **Ms. McLaughlin** responded that MPO staff is reimbursed through PL funding in the Unified Planning Work Program (UPWP). **Commissioner McDaniel** expressed that there should be a discussion regarding how the MPOAC operates and associated expenses, and whether some expenses can be reduced, and indicated he would follow up on that regard in the future. **Ms. McLaughlin** indicated that she would be happy to discuss more detail with Commissioner McDaniel or any other Board members.

Chair Folley indicated that he would be attending the MPOAC Weekend Institute that weekend.

10.D. Update on 2045 Long Range Transportation Plan (LRTP) Amendment related to the Moving Florida Forward Infrastructure Initiative

Ms. McLaughlin indicated that the last day of the Legislature session is May 5. It is currently unknown what the final funding will be for the Initiative and what projects in the LRTP would need to be adjusted. FDOT anticipates getting the information to the MPOs as quickly as possible. The work order for Jacobs Engineering Group, which was approved earlier in the meeting, will be of great help. It will enable the MPO to get expert assistance quickly on putting an amendment together. If an amendment would need to be processed expeditiously, the MPO's Public Participation Plan does allow for MPO Staff to bring an expedited matter before the Board directly, if necessary. MPO Staff is prepared to act once the outcome of the Initiative is known.

11. DISTRIBUTION ITEMS

11.A. Administrative Modification to the FY 2023-2027 Transportation Improvement Program (TIP) - Adding Collier Area Transit Operating Assistance US 41 Corridor

Mr. Kingston provided a brief background and the item was distributed.

11.B. Administrative Modification to the FY 2023-2027 Transportation Improvement Program (TIP) – Change to Work Summary for Amendment #2 to the TIP

Mr. Kingston provided a brief background and the item was distributed.

11.C. Letter of Support for Moving Florida Forward Infrastructure Initiative

Ms. McLaughlin provided a brief background and the item was distributed.

12. MEMBER COMMENTS

Commissioner LoCastro commented to FDOT that litter alongside the roads remains a problem and indicated that more regular monitoring and cleanup is needed. Both the County and FDOT have been working on the issue. Commissioner LoCastro's understanding is that inmate assistance for cleanup is not regularly done, at least not in Collier County District 1. I-75, U.S. 41 and Collier Boulevard are important entry points for Collier County and it is important that the roads do not have litter. Some areas are far worse than they were a year ago or a few months ago. Commissioner LoCastro asked Mr. Gaither for the status of FDOT's cleanup efforts. **Mr. Gaither** responded that inmate assistance is not an available option for FDOT because there is no longer a contract in place for such services. FDOT has litter pickup that is scheduled for both standalone and at regular intervals prior to mowing. FDOT has had additional services

in Collier County and has the Interstate in the area inspected at least on a weekly basis. Larger litter items require scheduling to pick up. FDOT picked up approximately 25 tons of trash per month in January and February. Comparatively, five years ago, FDOT was picking up approximately 10 tons of trash per quarter. There is much more litter being discarded on the sides of the roads now. Enforcement is an issue that FDOT is working on. FDOT is working with FHP and enforcement is an important component. There was recently a press conference to address trash pickup. In addition to personal belongings coming out of the back of trucks, construction debris is also coming off construction vehicles. Such materials should be very well secured and can become roadway hazards. FDOT does have concerns regarding safety for personnel that have to clean up the litter. Education is always an important component and FDOT continues in that pursuit as well. **Commissioner McDaniel** asked why there is not an agreement with the sheriff's department for inmate assistance to pick up litter. **Mr. Gaither** responded that there was an issue regarding available personnel for the sheriff's department and financial constraints. **Commissioner McDaniel** asked if a cost benefit analysis of having inmate assistance versus hiring a private contractor was performed. **Commissioner LoCastro** commented that his understanding from the sheriff's department was that the assistance was not regular and was not a program, and further, there were personnel and safety concerns. Commissioner LoCastro expressed that his preference would be to have regularly scheduled and consistent trash pickup, and to let the commissioners know if additional funding is needed and perhaps can be reallocated. The trash pickup is necessary and important for the community. **Mr. Gaither** indicated he would follow up with FDOT staff regarding additional ideas to address the litter problem and report back.

Council Member Blankenship mentioned that legislation was recently passed for a new program for non-motorized use trails and shared use paths in the approximate amount of \$250 million. It may be a good opportunity for Collier County to obtain funding to accelerate pathway development. **Chair Folley** suggested that MPO Staff keep the Board up to date on potential opportunities, and **Ms. McLaughlin** agreed.

Commissioner Kowal commented that he has received many complaints regarding trash on I-75, and indicated that there used to be a weekend work program for people on probation to assist with picking up litter on the side of the road. Commissioner Kowal indicated it may be an option.

Chair Folley commented that there was an accident on Collier Boulevard just over the Jolley Bridge over the weekend with a low-speed vehicle, which are authorized by Florida law in areas where the speed limit is less than 35 mph. Chair Folley wondered if FDOT has an existing opinion or position on low-speed vehicles and requested an update regarding how it works across the State, including whether there are areas that regulate low-speed vehicles more strictly. **Mr. Gaither** indicated that he could provide an update at a future meeting. The allowance of low-speed vehicles on roadways that are less than 35 mph are by local ordinances. In many areas, the sheriff's department is not in favor, primarily because they are not regulated vehicles. There is a proposed bill that would regulate who can operate a golf cart on a roadway; a licensed, of-age driver. FDOT typically allows local governments to establish the enforcement of the vehicles that can be on roadways. Having low-speed vehicles on roads over 35 mph poses significant safety issues. **Chair Folley** indicated that his understanding is that low-speed vehicles are different than golf carts and individuals as young as 14 are currently permitted to drive golf carts, but that low-speed vehicles must have a licensed driver as the operator. Chair Folley indicated that any future updates on the topic from FDOT would be appreciated.

13. NEXT MEETING DATE

13.A. Next Meeting Date – May 12, 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 Folley** adjourned the meeting at approximately 11:29 a.m.*