

1400 Colonial Blvd., Suite 1
Fort Myers, FL 33907



P: 239.938.1813 | F: 239.938.1817
www.swfrpc.org

COUNCIL MEETING AGENDA

March 16, 2017

9:00am – 11:30am

Mission Statement:

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

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	d) Estero Bay Agency on Bay Management Committee – Mr. James Beaver	
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Two or more members of the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program, respectively, for consideration.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting should contact the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (239) 338-2550; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD.

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f) Legislative Affairs Committee – Mr. Don McCormick	
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g) Quality of Life & Safety Committee – Mayor Willie Shaw	
h) Regional Transportation Committee – Ms. Margaret Wuerstle	
i) Interlocal Agreement/Future of the SWFRPC Committee – Chair Jim Burch	
j) Water Quality and Water Resources Management- Vice Mayor Mick Denham	
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NEXT SWFRPC MEETING DATE: APRIL 20, 2017

Two or more members of the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program, respectively, for consideration.

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SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL MEMBERSHIP

OFFICERS

Councilman Jim Burch, Chair

Mr. Thomas Perry, Vice-Chair

Councilman Forrest Banks, Secretary

Mayor Willie Shaw, Treasurer

CHARLOTTE COUNTY

COLLIER COUNTY

Commissioner Joe Tiseo, Charlotte BCC

Commissioner Bill McDaniel, Collier BCC

Commissioner Ken Doherty, Charlotte BCC

Commissioner Penny Taylor, Collier BCC

Councilwoman Lynne Matthews, City of Punta Gorda

Councilman Reg Buxton, City of Naples

Mr. Donald McCormick, Governor Appointee

(City of Marco Island Vacancy)

Ms. Suzanne Graham, Governor Appointee

Mr. Robert "Bob" Mulhere, Governor Appointee

(Governor Appointee Vacancy)

GLADES COUNTY

HENDRY COUNTY

Commissioner Donna Storter-Long, Glades BCC

Commissioner Karson Turner, Hendry BCC

Commissioner Donald Strenth, Glades BCC

Commissioner Mitchell Wills, Hendry BCC

Councilwoman Pat Lucas, City of Moore Haven

Vice-Mayor Michael Atkinson, City of Clewiston

Mr. Thomas Perry, Governor Appointee

Commissioner Julie Wilkins, City of LaBelle

Mr. Mel Karau, Governor Appointee

LEE COUNTY

SARASOTA COUNTY

Commissioner Frank Mann, Lee BCC

Commissioner Mike Moran, Sarasota BCC

Commissioner Cecil Pendergrass, Lee BCC

Commissioner Charles Hines, Sarasota BCC

Councilman Jim Burch, City of Cape Coral

Councilmember Debbie McDowell, City of North Port

Councilman Forrest Banks, City of Fort Myers

Councilman Fred Fraize, City of Venice

Councilmember Anita Cereceda, Town of Fort Myers Beach

Mayor Willie Shaw, City of Sarasota

Vice-Mayor Mick Denham, City of Sanibel

Mr. Felipe Colon, Governor Appointee

Councilman Greg DeWitt, City of Bonita Springs

(Governor Appointee Vacancy)

Councilman Jim Wilson, Village of Estero

Ms. Laura Holquist, Governor Appointee

(Governor Appointee Vacancy)

EX-OFFICIO MEMBERS

Jon Iglehart, FDEP

Sarah Catala, FDOT

Phil Flood, SFWMD

Tara Poulton, SFWMD

STAFF

Margaret Wuerstle, Executive Director

Beth Nightingale, Legal Consultant

James Beever

Nichole Gwinnett

Rebekah Harp

Charles Kammerer

Timothy Walker

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (SWFRPC) ACRONYMS

ABM - Agency for Bay Management - Estero Bay Agency on Bay Management

ADA - Application for Development Approval

ADA - Americans with Disabilities Act

AMDA -Application for Master Development Approval

BEER - Bureau of Economic Business and Research at the University of Florida

BLID - Binding Letter of DRI Status

BLIM - Binding Letter of Modification to a DRI with Vested Rights

BLIVR -Binding Letter of Vested Rights Status

BPCC -Bicycle/Pedestrian Coordinating Committee

CAC - Citizens Advisory Committee

CAO - City/County Administrator Officers

CDBG - Community Development Block Grant

CDC - Certified Development Corporation (a.k.a. RDC)

CEDS - Comprehensive Economic Development Strategy (a.k.a. OEDP)

CHNEP - Charlotte Harbor National Estuary Program

CTC - Community Transportation Coordinator

CTD - Commission for the Transportation Disadvantaged

CUTR - Center for Urban Transportation Research

DEO - Department of Economic Opportunity

DEP - Department of Environmental Protection

DO - Development Order

DOPA - Designated Official Planning Agency (i.e. MPO, RPC, County, etc.)

EDA - Economic Development Administration

EDC - Economic Development Coalition

EDD - Economic Development District

EPA – Environmental Protection Agency

FAC - Florida Association of Counties

FACTS - Florida Association of CTCs

FAR - Florida Administrative Register (formerly Florida Administrative Weekly)

FCTS - Florida Coordinated Transportation System

FDC&F -Florida Department of Children and Families (a.k.a. HRS)

FDEA - Florida Department of Elder Affairs

FDLES - Florida Department of Labor and Employment Security

FDOT - Florida Department of Transportation

FHREDI - Florida Heartland Rural Economic Development Initiative

FIAM – Fiscal Impact Analysis Model

FLC - Florida League of Cities

FQD - Florida Quality Development

FRCA -Florida Regional Planning Councils Association

FTA - Florida Transit Association

IC&R - Intergovernmental Coordination and Review

IFAS - Institute of Food and Agricultural Sciences at the University of Florida

JLCB - Joint Local Coordinating Boards of Glades & Hendry Counties

JPA - Joint Participation Agreement

JSA - Joint Service Area of Glades & Hendry Counties

LCB - Local Coordinating Board for the Transportation Disadvantaged

LEPC - Local Emergency Planning Committee

MOA - Memorandum of Agreement

MPO - Metropolitan Planning Organization

MPOAC - Metropolitan Planning Organization Advisory Council

MPOCAC - Metropolitan Planning Organization Citizens Advisory Committee

MPOTAC - Metropolitan Planning Organization Technical Advisory Committee

NADO – National Association of Development Organizations

NARC -National Association of Regional Councils

NOPC -Notice of Proposed Change

OEDP - Overall Economic Development Program

PDA - Preliminary Development Agreement

REMI – Regional Economic Modeling Incorporated

RFB - Request for Bids

RFI – Request for Invitation

RFP - Request for Proposals

RPC - Regional Planning Council

SHIP -State Housing Initiatives Partnership

SRPP – Strategic Regional Policy Plan

TAC - Technical Advisory Committee

TDC - Transportation Disadvantaged Commission (a.k.a. CTD)

TDPN - Transportation Disadvantaged Planners Network

TDSP - Transportation Disadvantaged Service Plan

USDA - US Department of Agriculture

WMD - Water Management District (SFWMD and SWFWMD)



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104 West Jefferson Street, Tallahassee, FL 32301-1713 • 850.224.3427

Regional Planning Council Functions and Programs

March 4, 2011

- **Economic Development Districts:** Regional planning councils are designated as Economic Development Districts by the U. S. Economic Development Administration. From January 2003 to August 2010, the U. S. Economic Development Administration invested \$66 million in 60 projects in the State of Florida to create/retain 13,700 jobs and leverage \$1 billion in private capital investment. Regional planning councils provide technical support to businesses and economic developers to promote regional job creation strategies.
- **Emergency Preparedness and Statewide Regional Evacuation:** Regional planning councils have special expertise in emergency planning and were the first in the nation to prepare a Statewide Regional Evacuation Study using a uniform report format and transportation evacuation modeling program. Regional planning councils have been preparing regional evacuation plans since 1981. Products in addition to evacuation studies include Post Disaster Redevelopment Plans, Hazard Mitigation Plans, Continuity of Operations Plans and Business Disaster Planning Kits.
- **Local Emergency Planning:** Local Emergency Planning Committees are staffed by regional planning councils and provide a direct relationship between the State and local businesses. Regional planning councils provide thousands of hours of training to local first responders annually. Local businesses have developed a trusted working relationship with regional planning council staff.
- **Homeland Security:** Regional planning council staff is a source of low cost, high quality planning and training experts that support counties and State agencies when developing a training course or exercise. Regional planning councils provide cost effective training to first responders, both public and private, in the areas of Hazardous Materials, Hazardous Waste, Incident Command, Disaster Response, Pre- and Post-Disaster Planning, Continuity of Operations and Governance. Several regional planning councils house Regional Domestic Security Task Force planners.
- **Multipurpose Regional Organizations:** Regional planning councils are Florida's only multipurpose regional entities that plan for and coordinate intergovernmental solutions on multi-jurisdictional issues, support regional economic development and provide assistance to local governments.
- **Problem Solving Forum:** Issues of major importance are often the subject of regional planning council-sponsored workshops. Regional planning councils have convened regional summits and workshops on issues such as workforce housing, response to hurricanes, visioning and job creation.
- **Implementation of Community Planning:** Regional planning councils develop and maintain Strategic Regional Policy Plans to guide growth and development focusing on economic development, emergency preparedness, transportation, affordable housing and resources of regional significance. In addition, regional planning councils provide coordination and review of various programs such as Local Government Comprehensive Plans, Developments of Regional Impact and Power Plant Ten-year Siting Plans. Regional planning council reviewers have the local knowledge to conduct reviews efficiently and provide State agencies reliable local insight.

- **Local Government Assistance:** Regional planning councils are also a significant source of cost effective, high quality planning experts for communities, providing technical assistance in areas such as: grant writing, mapping, community planning, plan review, procurement, dispute resolution, economic development, marketing, statistical analysis, and information technology. Several regional planning councils provide staff for transportation planning organizations, natural resource planning and emergency preparedness planning.
- **Return on Investment:** Every dollar invested by the State through annual appropriation in regional planning councils generates 11 dollars in local, federal and private direct investment to meet regional needs.
- **Quality Communities Generate Economic Development:** Businesses and individuals choose locations based on the quality of life they offer. Regional planning councils help regions compete nationally and globally for investment and skilled personnel.
- **Multidisciplinary Viewpoint:** Regional planning councils provide a comprehensive, multidisciplinary view of issues and a forum to address regional issues cooperatively. Potential impacts on the community from development activities are vetted to achieve win-win solutions as council members represent business, government and citizen interests.
- **Coordinators and Conveners:** Regional planning councils provide a forum for regional collaboration to solve problems and reduce costly inter-jurisdictional disputes.
- **Federal Consistency Review:** Regional planning councils provide required Federal Consistency Review, ensuring access to hundreds of millions of federal infrastructure and economic development investment dollars annually.
- **Economies of Scale:** Regional planning councils provide a cost-effective source of technical assistance to local governments, small businesses and non-profits.
- **Regional Approach:** Cost savings are realized in transportation, land use and infrastructure when addressed regionally. A regional approach promotes vibrant economies while reducing unproductive competition among local communities.
- **Sustainable Communities:** Federal funding is targeted to regions that can demonstrate they have a strong framework for regional cooperation.
- **Economic Data and Analysis:** Regional planning councils are equipped with state of the art econometric software and have the ability to provide objective economic analysis on policy and investment decisions.
- **Small Quantity Hazardous Waste Generators:** The Small Quantity Generator program ensures the proper handling and disposal of hazardous waste generated at the county level. Often smaller counties cannot afford to maintain a program without imposing large fees on local businesses. Many counties have lowered or eliminated fees, because regional planning council programs realize economies of scale, provide businesses a local contact regarding compliance questions and assistance and provide training and information regarding management of hazardous waste.
- **Regional Visioning and Strategic Planning:** Regional planning councils are conveners of regional visions that link economic development, infrastructure, environment, land use and transportation into long term investment plans. Strategic planning for communities and organizations defines actions critical to successful change and resource investments.
- **Geographic Information Systems and Data Clearinghouse:** Regional planning councils are leaders in geographic information systems mapping and data support systems. Many local governments rely on regional planning councils for these services.

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Invocation

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Pledge of Allegiance

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Minutes

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**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
FEBRUARY 16, 2017 MEETING**

The meeting of the Southwest Florida Regional Planning Council was held on February 16, 2017 at the offices of the Southwest Florida Regional Planning Council-1400 Colonial Boulevard, Suite #1 in Fort Myers, Florida. Chair Burch called the meeting to order at 9:02 AM. Mayor Shaw then led an invocation and the Pledge of Allegiance. Ms. Nichole Gwinnett conducted the roll call and noted that a quorum was present.

MEMBERS PRESENT

Charlotte County: Commissioner Ken Doherty, Commissioner Joe Tiseo, Councilwoman Lynne Matthews, Mr. Don McCormick, Ms. Suzanne Graham

Collier County: Commissioner Bill McDaniel, Councilman Reg Buxton, Mr. Bob Mulhere

Glades County: Mr. Thomas Perry

Hendry County: Mr. Mel Karau

Lee County: Commissioner Frank Mann, Commissioner Cecil Pendergrass, Councilman Jim Burch, Councilman Forrest Banks, Vice-Mayor Mick Denham, Councilman Greg DeWitt,

Sarasota County: Commissioner Michael Moran, Mayor Willie Shaw, Commissioner Debbie McDowell

Ex-Officio: Mr. Phil Flood-SFWMD, Mr. Jon Iglehart-FDEP

MEMBERS ABSENT

Charlotte County: None

Collier County: Commissioner Penny Taylor

Glades County: Commissioner Donna Storter-Long, Commissioner Donald Strenth, Councilwoman Pat Lucas

Hendry County: Commissioner Karson Turner, Commissioner Mitchell Wills, Commissioner Julie Wilkins, Vice-Mayor Michael Atkinson,

Lee County: Councilmember Jim Wilson, Councilwoman Anita Cereceda, Ms. Laura Holquist

Sarasota County: Commissioner Charles Hines, Councilman Fred Fraize, Mr. Felipe Colón

Ex-Officio: Ms. Tara Poulton-SWFWMD, Ms. Sarah Catala-FDOT

AGENDA ITEM #4 PUBLIC COMMENTS

No public comments were made at this time.

AGENDA ITEM #5 AGENDA

There were no changes made to the February 16, 2017 agenda.

AGENDA ITEM #6 MINUTES OF THE DECEMBER 15, 2016 MEETING

A motion was made by Councilman Banks to approve the December 15, 2016 and January 19, 2017 minutes. The motion was seconded by Mr. Perry and passed unanimously.

AGENDA ITEM #7 DIRECTOR'S REPORT

Ms. Wuerstle explained that she is looking into improving the Council's sound system. She heard complaints about the audio quality from those participating by phone. She then explained that the new list of the Council's standing committees was in the Council packet. Councilmembers can request to be added or removed from any committee. Also attached in the packet was a memo from Sarasota County's attorney regarding their withdrawal from the Council. Ms. Wuerstle stated that she and Ms. Nightingale will continue to research this issue and report back to the Council when they have a full recommendation. FRCA's annual report was then handed out to those in attendance. The report included a write-up on the Promise Zone. A list of bills that will be monitored by FRCA was also given out and noted that none of the bills impact the RPCs. Ms. Wuerstle stated that the two bills in the packet and would be presented under the Legislative Affairs Committee. A new list of endangered and threatened species list was also given to the Council.

Ms. Wuerstle went on to explain that the Promise Zone Steering Committee would be meeting directly after the Council meeting and noted that progress was being made with the hiring of VISTA volunteers. Mr. Stoltzfus added that over \$2 million in grant funding has been awarded to applications included in the Promise Zone since the designation was given and there are \$3.5 million in grants that are either pending or soon to be submitted. It was reiterated that the SWFRPC is one of only four rural Promise Zones in the nation and the only RPC in the nation to receive a designation.

Commissioner Tiseo asked about Sarasota County's status as a voting member of the RPC. Ms. Wuerstle explained that Sarasota County is still a voting member and is still paying their dues for 2017. Ms. Nightingale added that Sarasota County's wish is to not belong to any RPC rather than

join Tampa Bay. Commissioner Moran clarified that Sarasota County's wish is to not belong to any RPC, but the State will have a say on the issue.

AGENDA ITEM #8(a) GRANT ACTIVITY SHEET

This item was for informational purposes only.

AGENDA ITEM #9 CONSENT AGENDA

A motion was made by Mr. Mulhere to approve the consent agenda as presented. The motion was seconded by Commissioner McDaniel and passed unanimously.

AGENDA ITEM #10 REGIONAL IMPACT

AGENDA ITEM #10(a) Palmer Ranch Increment XXV Assessment

Mr. Trescott presented the item. Vice Mayor Denham asked if the project will be connected to the central server. Mr. Trescott and Mr. Paulmann, representing the applicant, confirmed that it would. Commissioner Tiseo asked what the Council considers "workforce housing". Mr. Trescott explained that market rate is considered workforce housing. Mr. Paulmann added that Sarasota County is working towards 140% of AMI (Area Median Income) and most of this project is at 120% AMI. The Master Development Order for this project required 1,155 units of affordable housing (roughly 11%) and over 2,000 affordable housing units have already been provided.

Chair Burch asked if this project mitigates or exacerbates connectivity issues with I-75. Mr. Trescott explained that Palmer Ranch has done improvements to relieve traffic and he does not believe that this project exacerbates I-75 traffic. He added that FDOT has reviewed and signed-off on this project. Mr. Paulmann further discussed the area's roadway connectivity. Vice-Mayor Denham commented that I-75 in this area is a disaster. Mr. Paulmann stated that the roads developed by Palmer Ranch even out any impacts created by the development. Chair Burch asked what would happen to Sarasota County DRIs if the County is able to pull out of the RPC. Mr. Paulmann believes that these projects would still come to the SWFRPC and the RPC would still make recommendations, but Sarasota County would not have a say in the Council's discussions or decisions. Commissioner Tiseo pointed out that DRIs are required to have a traffic impact update component and the impacts of this project would be addressed in that update.

Councilman Banks asked for clarification on the workforce housing definition and asked if this was a development for the working class rather than retirees. Mr. Gillespie from AG Spanos explained that they open the community to the working class, retirees, and whoever else may want to live there. They expect monthly rent to range between \$1,000 a month for a one-bedroom to \$2,000 a month for their largest three-bedrooms. Mr. Paulmann added that further roadway improvements are on the horizon to elevate traffic by 2035. They are working with FDOT and Sarasota County

to accelerate this timetable. Chair Burch was concerned about the idea of one county taking away transportation department funding from the rest of the counties to fix problems that they create. Mr. Paulmann examined that in this instance, all roadways are Sarasota County roads, funded by the developer. Commissioner McDowell asked about the buffer between the development and the preserves. Mr. Paulmann explained the buffer and added that this parcel does not back up to Oscar Scherer Park. Mr. Trescott added that this project is great of example of how the DRI process works for large projects and several studies list Palmer Ranch as one of the ten best developments in the State.

A motion was made by Mr. Mulhere to approve the Palmer Ranch Increment XXV Assessment as presented. The motion was seconded by Councilman Banks and passed unanimously.

Vice-Mayor Denham asked that the Council considers more clearly defining low-market rate housing at a future meeting. Mr. Mulhere explained that every County and municipality has slightly different definitions of affordable housing. He added that most counties are currently experiencing a shortfall of rental housing, which drives the price up and an increase in rental units available will drive prices down. Chair Burch explained that Cape Coral was ground zero for vacancies in 2009 and the market largely determines this issue. Commissioner McDaniel added that the market has everything to do with the issue. Collier County recently had a study done on their housing needs. He adds that it is not the government's job to manipulate the market, but to provide for accessibility. Councilman Banks reported that he went to visit a CRA in Miami and explained that they had saved up \$20 million and leveraged that into a \$60 million bond with Wells Fargo. One project had the Alonzo Mourning Foundation build 184 units and the CRA gave \$7 million of the \$21 million required to build them. These units are subsidized and that is the only way to provide workforce housing independent of the market. Vice-Mayor Denham commented that the CRA's project was a true affordable housing project and the projects reviewed by the SWFRPC are not affordable housing.

AGENDA ITEM #11 COMMITTEE REPORTS

AGENDA ITEM #11(a) Budget & Finance Committee

Mayor Shaw presented the December 2016 financials. Chair Burch asked if the Council is in a stronger position than last year. Ms. Wuerstle explained that for the year-to-date, the Council has a \$2,200 surplus compared to a deficit at this time last year and the reserves are strong.

AGENDA ITEM #11(b) Economic Development Committee

Councilman Banks announced that Mr. Alan Reynolds is the new chairman of the Southwest Florida Economic Development Alliance. The Committee will be meeting with FDOT on March 24th to discuss the regional transportation plan. The plan is a component of the economic development overlay map.

AGENDA ITEM #11(c)
Energy & Climate Committee

No report was given at this time.

AGENDA ITEM #11(d)
Estero Bay Agency on Bay Management (EBABM) Committee

This item was for informational purposes only.

AGENDA ITEM #11(e)
Executive Committee

No report was given at this time.

AGENDA ITEM #11(f)
Legislative Affairs Committee

Mr. McCormick reminded the Council that the decision was made to keep a low profile this legislative session and not make any requests. He also added that any Senate bill must have a House companion bill to pass. Ms. Wuerstle provided a list of proposed bills that FRCA will be monitoring. She highlighted HB 333 regarding the Rural Economic Development Initiative and SB 286 regarding human trafficking education in public schools. She believes HB 333 proposes positive changes. Human trafficking is a key Promise Zone issue. Chair Burch sees these bills as an example of good work by the legislature. Mayor Shaw applauded Dr. Brooke Bello and the More Too Life organization for their great work with human trafficking in Sarasota. He requested that they present at a future Council meeting. Mr. Perry clarified that the Council is not discouraging meeting with State Representatives or Senators to express opinions.

AGENDA ITEM #11(g)
Quality of Life & Safety Committee

Mayor Shaw stated that he wishes for his Committee to meet with the Promise Zone task force and coordinate quality of life efforts.

AGENDA ITEM #11(h)
Regional Transportation Committee

Ms. Wuerstle reiterated that there is a meeting with the MPO directors and FDOT District 1 Secretary on March 24, 2017.

AGENDA ITEM #11(i)
Interlocal Agreement/Future of the SWFRPC Committee

Chair Burch is still having conversations about the interlocal agreement, but he is not ready to bring recommendations to the Council at this time.

AGENDA ITEM #11(j)
Water Quality and Water Resources Management

Vice-Mayor Denham stated that the most contentious and expensive bills of this legislative session will be water related. There is a Senate and House bill proposed. The Senate bill deals with moving water south. The House bill allows water to be stored up to 19 feet in the dike. Representative Francis Rooney is pushing hard at the federal level to get the WRDA (Water Resources Development Act) passed. He stated that he believes that most of it will be funded in the next 3-4 years. He is running for re-election because he believes there will finally be some resolution to the water issue in the next 4 years and he wants to be there to see it. Vice-Mayor Denham met with Representative Rooney this past week and there has never been somebody at the federal level who understands the water quality issue better than he does. He thinks he will be a great ally for this region. Chair Burch also wished to give Representative Clawson credit for exposing the problems related to this issue. He also stressed that making this an economic issue will make people listen. Vice-Mayor Denham added that the Florida League of Cities put together a group of 163 communities who are working in this issue. Mr. McCormick pointed out that this effort has full bipartisan support in Florida. Councilman Buxton stated that Representative Rooney expects the President to be in Florida in October and there may be a resolution then.

AGENDA ITEM #12
NEW BUSINESS

AGENDA ITEM #12(a)
FDEP: Revolving Loan Program

Mr. Thomas Montgomery gave a presentation on FDEP's Revolving Loan Program to improve the quality and quantity of water. Chair Burch added that Cape Coral has made great use of this program. He asked how the bonds affect credit ratings. Mr. Montgomery explained that it should not affect the local sponsor. The SRF interest rates are lower than any previous funding that the sponsor has seen. Chair Burch stated that this is a great program for pre-platted communities. Mr. Montgomery clarifies that there is not match requirement for the SRF.

AGENDA ITEM #13
STATE AGENCIES COMMENTS/REPORTS

Mr. Iglehart thanked Mr. Montgomery for his presentation.

Mr. Flood reminded everyone that we are in the dry season and it has been dryer than normal thus far. On March 2 the Water Resources Advisory Commission will be meeting in Collier County. Chair Burch asked about red tide. Mr. Flood explained that red tide is naturally occurring and forms off-shore, but factors such as fertilizers and nutrients can accelerate red tide. Lake levels are currently at 13.5 feet, a little lower than normal. Releases are being made to the Caloosahatchee River.

Mr. Jim Kelter of the Game Commission introduced himself. He stated that he plans on attending the Council meetings from now on and will be commenting on dredge and fill applications.

**AGENDA ITEM #14
COUNCIL LEGAL CONSULTANT'S COMMENTS**

No report was given at this time.

**AGENDA ITEM #15
COUNCIL MEMBER'S COMMENTS**

Mr. McCormick pointed out that Western Michigan University at Kalamazoo has entered into an agreement with Florida Southwest College and wants to expand their services in Charlotte County.

Commissioner McDowell acknowledged the presence of Ms. Cheryl Cook, former Commissioner. Ms. Cook stated that she appreciates the gesture, but asked that Commissioner McDowell not do that again.

Councilman Banks announced that the City of Fort Myers had adopted the White Paper on the water quality issue.

Chair Burch thanked everyone for putting up with his first meeting as Chair.

**AGENDA ITEM #16
ADJOURNMENT**

A motion was made by Mr. Mulhere to adjourn the meeting. The motion was seconded by Mayor Shaw and passed unanimously.

The meeting adjourned at 10:36 a.m.

Councilman Forrest Banks, Secretary

The meeting was duly advertised in the February 6, 2017 issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 43, Number 24.

Agenda Item

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Director's Report

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EXECUTIVE DIRECTOR'S REPORT: March 16, 2017

Mission Statement:

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

1. Management / Operations

a. Budget

- January Financials
- 2016 Audit

2. Resource Development and Capacity Building

- Annual report presentations to Collier County and Charlotte County
- Western Michigan University Symposium in Charlotte County
- Groundbreaking for Florida Culinary Accelerator and Ribbon Cutting for Woodstock's Market in Immokalee
- Annual World Congress of Ocean-2017, Shenzhen, China
- FRCA Update
- Promise Zone Update
 - Vista Volunteers
 - \$2 Million awarded in grants
 - \$3 Million pending

3. Second Quarter FY 2016-2017 (January 1, 2017 to March 31, 2017)

- Grants Awarded: Approximately \$625,016 revenue not yet added to the current budget including:
 - ✓ DEO grant for Labelle Marketing Brochure \$20,000 Approved
 - ✓ The Promise Zone designation was approved for Hendry County, Glades County and Immokalee
 - ✓ EPA Wetland Mitigation Strategy, \$146,067 (over 2 years)
 - ✓ HMEP, \$60,349
 - ✓ Pelican Cove Climate Adaptation Plan, \$20,000
 - ✓ EDA Technical Planning Grant - CEDS, \$300,000 (over 3 years)
 - ✓ City of Cape Coral Climate Change Resiliency Strategy - \$30,600



- ✓ Sarasota Pelican Cove Resiliency - \$20,000
- ✓ Approximately \$25,000 in extension/carryover of last year grants
- ✓ USDA Rural Business Development Grant for relocation of utilities in Clewiston -\$3000 for grant preparation
- Grants Under Development
 - ✓ EPA Environmental Education local grants program \$91,000
 - ✓ Kresge grant for City of Clewiston public art placemaking grant
 - ✓ USDA Farmers Market Planning Grant for Clewiston
 - ✓ USDA Farmers Market and local Food Promotion Program: Regional Farmers Market Analysis
- Grants Pending: \$950,655 approximately
 - ✓ NEA, Artworks grant for a Regional Strategy for Enhancing Public Art, \$75,000
 - ✓ NOAA Mangrove impacts and Restoration; \$174,959
 - ✓ Farms to School grant ; \$88,696
 - ✓ Brownfields grant; \$600,000
 - ✓ FHERO -Regional Rural Development Grant; \$12,000

--- Agenda --- Item

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The 6th Annual World Congress
Of Ocean

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The 6th Annual World Congress of Ocean-2017 (WCO-2017)

Theme: Our Ocean, Our Future

Venue: Nov. 3-5, 2017 | Shenzhen, China

Website: <http://www.bitcongress.com/wco2017/>

Dear Jim Beaver,

We are honored to announce that the 6th Annual World Congress of Ocean (WCO-2017) will be hold during Nov. 03-05, 2017 in Shenzhen, China, with the theme "Our Ocean, Our Future". On behalf of the organizing committee, I am writing to you to propose a Speech as the Speaker about **Digital Ocean**. We believe that your participation will add great value for WCO-2017.

If the suggested thematic session is not your current focused core, you may look through the whole sessions and transfer another one that fit your interest. Here is a direct link for program: <http://www.bitcongress.com/wco2017/programlayout.asp> If there is any problem or concerns about the conference, please feel free to contact me.

WCO-2016 is held in Qingdao last year, which has achieved good results. WCO-2017 will be holding simultaneously with Aquaculture and Fisheries-2017 in Shenzhen. The WCO-2012, WCO-2013, WCO-2014 and WCO-2015 also successfully held in Dalian, Hangzhou, Dalian and Qingdao. Participants from the international enterprises, academic and research institutions enjoyed the three days scientific program. Depending on the warmly support and good suggestions from all of the participants, we are confident in organizing WCO-2017 which would be better and more successful than WCO-2016.

WCO-2017 plans to shoot for 150+ oral presentations as below:

Part 1: Opening Ceremony

Part 2: Plenary Lecture

Part 3: High-end Dialogue

Part 4: Project Matchmaking

Opening Ceremony & Plenary Lecture

Stream 1: Ocean Economy & Law

Stream 2: Ocean Renewable Energy

Stream 3: Coastal Engineering

Stream 4: Offshore Engineering

Stream 5: Green Port and Shipping

Stream 6: Marine Management and Environment Protection

Stream 7: Oceanography

Marine Biotechnology Symposium

Shenzhen, a major city of Guangdong Province, located at the border with the Hong Kong Special Administrative Region. As one of the major coastal cities in China, Shenzhen is setting its sights on boosting the city's blue economic development in the bay area. At present, the marine engineering, marine biology, marine aquaculture & marine information technology is walking in the forefront in the city; and next, Shenzhen will integrate manufacture and the advantages of the electronic information industry, strengthen the professional talent introduction and cultivation and local Marine education and cultural construction to provide long-term power for marine sustainable development. Shenzhen will play an important role in the 21st Century Maritime Silk Road initiative.

We look forward to your active support and participation in Shenzhen for this influential event !

Sincerely Yours,

Mr. David Zhang

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Staff Summaries

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Agenda Item

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Grant Activity Sheet (Information Only)

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Status	Type	Funding Agency	Grant Name	Project Mgr.	Project Name	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
App In Progress	Grant	EDA - Economic Development Administration	Public Works and Economic Adjustment Program	Jason Stoltzfus	Management of Promise Zone Initiative	N/A				\$ 329,348.00	\$ 230,543.00			Management and coordination of the Southwest Florida Promise Zone initiative.	\$98,805
App In Progress	Grant	USDA - US Dept. of Agriculture	Farmers Market and Local Food Promotion Program	Jason Stoltzfus	Clewiston Regional Farmers Market	3/27/2017				\$100,000	\$100,000			Products of this study will include a market analysis, site assessment, vendor outreach, site assessment, financial analysis, and a written plan.	\$0
Pending	Grant	EPA-Environmental Protection Agency	FY17 Brownfields Assessment Program	Jason Stoltzfus	Southwest Florida Brownfields Coalition	12/22/2016	12/22/2017			\$ 600,000.00	\$ 600,000.00			Brownfield assessments and cleanup planning throughout Promise Zone region.	\$0
Pending	Grant	USDA - US Dept. of Agriculture	Farm to School Grant Program	Jason Stoltzfus	Opportunity Buy Program	12/8/2016	12/6/2016			\$ 128,856.00	\$ 88,696.00			Develop and coordinate an Opportunity Buy Program for Collier, Glades, and Hendry County school districts.	\$40,160
Pending	Grant	NOAA - National Oceanic and Atmospheric Administration	NOAA RESTORE Act Science Program	Jim Beaver	Mangrove Impacts and Restoration	9/27/2016	9/27/2016			\$ 174,959.00	\$ 174,959.00	10/1/2016	9/30/2017	Mapping, chapters in final report, location of mangrove heart attack areas.	
Pending	Grant	NEA - National Endowment for the Arts	Our Town	Jason Stoltzfus	Fish-on-Parade	9/26/2016	9/26/2016			\$ 94,884.00	\$ 94,884.00			"Fish on Parade" initiative, fush sculptures and fish banners.	\$94,885
Awarded & Ongoing	Grant	EDA - Economic Development Administration	Economic Development Support for Planning Organizations	Margaret Wuerstle	2017-2019 EDA Planning Grant	N/A	12/1/2016	1/6/2017		\$ 300,000.00	\$ 210,000.00	1/1/2017	12/31/2019	CEDS Plan, Annual Reports, CEDS Working Committee	\$90,000
Awarded & Ongoing	Contract	DEP-Department of Environmental Protection	City of Cape Coral Climate Change Resiliency Strategy	Jim Beaver	City of Cape Coral Climate Change Resiliency Strategy			8/25/2016	8/25/2016	\$30,000	\$15,600	10/1/2016	9/30/2017	The City of Cape Coral Climate Change Vulnerability Assessment and The City of Cape Coral Climate Change Resiliency Strategy (CCRS) Plan	\$15,000
Awarded & Ongoing	Grant	CTD - FL Commission for the Transportation Disadvantaged		Nichole Gwinnett	FY16-17 TD Planning Agreement		5/19/2016			\$60,349	\$60,349	10/1/2016	12/31/2017	TDSP Update, LCB, CTC Evaluation, Quarterly Reports, etc.	\$0
Awarded & Ongoing	Contract	Pelican Cove	N/A	Jim Beaver	Pelican Cove Climate Adaptation Plan	N/A	8/30/2016		9/27/2016	\$20,000	\$20,000	N/A	N/A	1: Vulnerability Assessment; 2: Climate Adaptation Plan	\$0
Awarded & Ongoing	Grant	EPA - Environmental Protection Agency	Wetland Program Development Grants	Jim Beaver	Wetland Mitigation Strategy	4/30/2016	4/28/2016	6/15/2016	10/6/2016	\$220,000	\$220,000	1001/2016	9/30/2018	Development of a regional improved model watershed scale master wetland mitigation strategy for restoration, protection and public projects.	\$55,000

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Awarded & Ongoing	Grant	FDEO - Florida Department of Economic Opportunity	Community Planning Technical Assistance Grant	Margaret Wuerstle	City of Labelle Tourism Marketing Brochure		5/2/2016			\$20,000	\$30,000	1/1/2017		Design, create, and distribute a tourism marketing brochure.	\$0
Awarded & Ongoing	Grant	DEM - FL Div. of Emergency Management		Nichole Gwinnett	FY16-17 HMEP Planning and Training Grant				10/1/2016	\$60,390	\$60,390	10/1/2016	9/30/2017	HMEP related projects and trainings	\$0
Awarded & Ongoing	Grant	EPA- Environmental Protection Agency		Jim Beever	Developing a Method to Use Ecosystem Services to Quantify Wetland Restoration Successes	3/17/2015	3/17/2015	8/5/2015	9/15/2015	\$234,071	\$174,071	10/1/2015	9/30/2016	Products of the study will include updated valuations of the ecosystem services provided by existing conservation lands in the CHNEP; an updated conservation lands mapping of the project study area; a documentation and quantification of the ecosystem services provided by each habitat type, etc.	\$60,000
Awarded & Ongoing	Grant	DEM - FL Div. of Emergency Management		Nichole Gwinnett	FY15-16 LEPC Agreement	6/30/2015	5/15/2015	6/11/2015	6/11/2015	\$48,000	\$48,000	7/1/2015		Staff support to the LEPC, Plan Development and Exercise, Technical Assistance and Training Coordination/Planning.	\$0
Awarded & Ongoing	Contract	Glades County		Tim Walker	Glades County Small Quantity Generators (SQG)				5/17/2012	\$3,900	\$3,900	5/17/2012	5/16/2017	The goal of the assessment, notification, and verification program is to inform Small Quantity Generators (SQGs) of their legal responsibilities, limit the illegal disposal of hazardous waste, and identify the location of waste operators for an update to State officials. Also, local knowledge of hazardous wastes is useful for land development planning, emergency protective services, health care and water quality management.	\$0

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Awarded & Ongoing	Contract	EPA/CHNEP - Charlotte Harbor National Estuary Program		Jim Beaver	Mangrove Loss Project	4/4/2014	4/4/2014	12/19/2014		\$243,324	\$60,000	Oct 2014	Dec-16	Report, transect information, presentations, articles	\$63,800
Awarded & Ongoing	PO	SFRPC- South Florida Regional Planning Council		C.J. Kammerer	Train the Trainers Grant				1/25/2016	\$10,000	\$10,000	1/1/2016	3/31/2017	Trainers and Tools: Building Coastal Flood Hazard Resiliency in Florida's Regional Planning Council Communities.	\$0
Awarded & Ongoing	Grant	DEM - FL Div. of Emergency Management		Tim Walker	Collier Hazard Analysis FY16-17				42552	\$9,693	\$9,693	8/16/2015	6/30/2016		
Awarded & Ongoing	Grant	HUD-U.S. Department of Housing and Urban Development		Jason Stoltzfus	Promise Zone Designation	2/23/2016	2/23/2016			Technical Assistance	Technical Assistance	6/1/2016	5/30/2026	Rural designation of a Promise Zone for Immokalee in Collier County, Glades County, and Hendry County	\$0
Complete	PO	USDA - US Dept. of Agriculture	Rural Business Development Grant (RBDG)	Jason Stoltzfus	City of Clewiston Utilities Relocation Project	11/30/2016			10/27/2016	\$300,000	\$300,000	10/27/2016	11/30/2016		
Complete	Grant	EDA - US Economic Development Administration		Margaret Wuerstle	EDA Planning Grant	1/22/2013	12/18/2013	4/18/2014	4/21/14	\$270,000	\$189,000	1/1/2014	12/31/2016	CEDS Plan, Annual Reports, CEDS Working Committee	\$81,000
Complete	PO	EDA - Economic Development Administration		Jennifer Pellechio	Immokalee Culinary Accelerator	5/20/2016	5/19/2016			\$1,600,000	\$5,000				N/A

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Complete	PO	SBA - Small Business Administration	Program for Investment in Microentrepreneurs (PRIME)	Jason Stoltzfus	Southwest Florida Enterprise Center Commercial Kitchen Bakery	5/18/2016	5/18/2016				\$5,000	5/5/2016	5/18/2016		N/A
Complete	PO	DOE - Department of Energy	SOLSMART	Jennifer Pellechio	SolSmart Advisors		5/18/2016			N/A	N/A				
Complete	Grant	DEM - FL Div. of Emergency Management		Nichole Gwinnett	FY16-17 LEPC Agreement	6/30/2016	4/6/2016			\$59,000	\$59,000	7/1/2016	6/30/2016	Staff support to the LEPC, Plan Development and Exercise, Technical Assistance and Training Coordination/Planning.	\$0
Complete	Grant	CTD - FL Commission for the Transportation Disadvantaged		Nichole Gwinnett	FY15-16 Glades-Hendry TD Agreement			7/1/2015		\$38,573	\$38,573		6/30/2016	Update of TDSP, CTC Evaluation, Staff Support, LCB Quarterly Meetings, Committee Meetings, Update By-Laws and Grievance Procedures	\$0
Complete	Grant	DEM - FL Div. of Emergency Management		Nichole Gwinnett	FY15-16 HMEP Planning and Training Grant				9/28/2015	\$73,922	\$73,922	10/1/2015	9/30/2016	HMEP related projects and trainings	\$0
Complete	PO	USDA - US Dept. of Agriculture	Rural Business Development Grant	Jason Stoltzfus	Immokalee Culinary Accelerator		3/29/2016			\$120,000	\$3,000				N/A
Complete	Grant	DEO - FL Dept. of Economic Opportunity		Margaret Wuerstle	Community Planning Technical Assistance Grants-City of Fort Myers		6/15/2015			\$30,000		10/1/2015	5/31/2016	Educational Program Curriculum, Community Preference Analysis and Visual Preference Assessment, Report results	
Complete	PO	FDEO - Florida Department of Economic Opportunity	Community Planning Technical Assistance Grant	Jennifer Pellechio	Murdock Village Community Redevelopment Plan		5/2/2016			\$40,000	\$500			A vision, market analysis and graphical representations of economic GIS maps that will be incorporated in the Murdock Village Community Redevelopment Plan and	\$0
Complete	PO	Northeast Florida Regional Council	Statewide Regional Evacuation Study Program	Tim Walker	Statewide Regional Evacuation Study Program Update						\$14,200	4/15/2016	6/30/2017	An updated summary document that includes key information on demographics, vulnerability and hazard risk, using a document template and map templates provided	N/A
Complete	Grant	Visit Florida		Jennifer Pellechio	OUR CREATIVE ECONOMY Marketing	2/9/2015	2/9/2015	6/25/2015	6/26/2015	\$5,000	\$2,500	7/1/2015	6/15/2016	TBD	\$2,500
Complete	Grant	City of Bonita Springs		Jim Beever	Spring Creek Restoration Plan					\$50,000	\$50,000	Jan 2015	May 2016	The Spring Creek Vulnerability Assessment and The Spring Creek Restoration Plan	\$0
Complete	Grant	DEO - FL Dept. of Economic Opportunity		Margaret Wuerstle	Clewiston Main Street Revitalization Plan		6/16/2015	8/3/2015		\$25,000			5/31/2016	Outreach materials, Public meetings, Develop community	

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Complete	Grant	DEM - FL Div. of Emergency Management		Tim Walker	Collier Hazard Analysis FY15-16				7/1/2015	\$9,693	\$9,693	8/16/2015	6/30/2016		
Complete	Grant	DEO - FL Dept. of Economic Opportunity		Jennifer Pellechio	Southwest Florida Rail Corridor Preservation Plan		6/16/2015	8/3/2015		\$39,000			5/31/2016	Comprehensive Plan language, GIS maps of the rail corridor, Stakeholder meetings and public involvement activities	
Complete	PO	TBRPC - Tampa Bay Regional Planning Council		Rebekah Harp	2016 Disaster Planning Guide			1/28/2016		\$4,000	\$4,000	2/5/2015	4/30/2016	2015 Disaster Planning Guide for 8 counties English and Spanish	\$0
Complete	Contract	DOE - US Dept. of Energy		Rebekah Harp	Solar Ready II		3/22/2013	7/18/2013		\$140,000	\$90,000	7/1/2013	1/1/2016	Recruit local governments to review and adopt BMPs. Host stakeholder meetings and/or training programs, providing technical assistance to local governments as needed, and tracking any policy adoptions and local government feedback.	\$50,000
Complete	Grant	DEM - FL Div. of Emergency Management		Nichole Gwinnett	FY14-15 HMEP Planning Grant Modification			9/11/2015		\$13,000	\$13,000	10/1/2015	12/13/2015	Trainings	\$0
Complete	Grant	EDA - US Economic Development Administration		Jennifer Pellechio	Advanced Manufacturing in West Central Florida An Ecosystem Analysis Supporting Regional Development		12/26/2013	9/3/2014		\$116,514	\$58,257			SWOT Analysis, Web Survey, REMI, Regional website, branding strategy, brochures	\$30,584

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Complete	Grant	EPA - US Environmental Protection Agency		Jim Beever	A Unified Conservation Easement Mapping and Database for the State of Florida	4/15/2013	4/8/2013	6/3/2013		\$294,496	\$148,996	10/1/2013	9/30/2015	GIS database with Conservation Easements	\$145,500
Complete	Grant	EPA - US Environmental Protection Agency		Jim Beever	WQFAM					\$160,000	\$160,000	10/1/2011	9/30/2015	Extension 2014-2015	\$0
Complete	Grant	DEM - FL Div. of Emergency Management		Nichole Gwinnett	FY14-15 HMEP Planning				2/4/2015	\$22,000	\$22,000	10/1/2014	9/30/2015	Major Planning Project; travel coordination for LEPC Chairman; LEPC program coordination and quarterly reports.	\$0
Complete	Contract	NADO- National Association of Development Organizations		Jennifer Pellechio	CEDS Resiliency Section Technical Assistance										
Complete	Grant	CTD - FL Commission for the Transportation Disadvantaged		Nichole Gwinnett	Glades-Hendry TD Planning Agreement FY2014-15			5/16/2014		\$38,573	\$38,573	7/1/2014	6/30/2015	Update of TDSP, CTC Evaluation, Staff Support, LCB Quarterly Meetings, Committee Meetings, Update By-Laws and Grievance Procedures.	\$0
Complete	Contract	DEM - FL Div. of Emergency Management		Nichole Gwinnett	Title III (LEPC) FY14-15			7/1/2014	9/24/2014	\$42,000	\$42,000	7/1/2014	6/30/2015	LEPC Program Coordination; attendance during four (4) local quarterly meetings; attendance during four (4) state quarterly meetings; quarterly reports; quarterly news articles/updates; annual	\$0

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Complete	Grant	DEM - FL Div. of Emergency Management		Tim Walker	Collier Hazard Analysis			12/5/2014		\$8,042	\$8,042	12/23/2014	6/15/2015	There are 4 deliverables stipulated with the contractual agreement.	\$0
Complete	PO	TBRPC - Tampa Bay Regional Planning Council		Rebekah Harp	Tampa Bay RPC Graphics and Publications			10/21/2014	10/21/2014			10/21/2014	5/29/2015	As needed publication and graphic design, including FOR (Future of the Regions) award materials and annual report.	\$0
Complete	Grant	Visit Florida		Margaret Wuerstle	Our Creative Economy: Video - Southwest Florida Regional Strategy for Public Art	2/18/2014	2/18/2014	5/14/2014	7/17/14	\$10,000	\$5,000	7/1/2014	5/31/2015		\$5,000

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Complete	Grant	DEO - FL Dept. of Economic Opportunity		Margaret Wuerstle	Agriculture Tours to Promote Assets and Economic Development in the City of LaBelle	6/6/2014	5/7/2014	8/26/2014		\$25,000	\$20,000	12/1/2014	5/31/2015	City of LaBelle Agriculture Tour Plan	\$0
Complete	PO	TBRPC - Tampa Bay Regional Planning Council		Rebekah Harp	2015 Disaster Planning Guide			1/28/2015		\$4,000	\$4,000	2/5/2015	3/1/2015	2015 Disaster Planning Guide for eight counties in English and Spanish.	\$0
Not Awarded	Grant	FDEO - Florida Department of Economic Opportunity	Community Planning Technical Assistance Grant	Margaret Wuerstle	Strategic Economic Opportunity Plan for the Southwest Florida Rail Corridor		5/2/2015			\$39,000	\$39,000			steps for implementing the goals and objectives identified within the plan for protecting the corridor and bringing economic growth to the community.	\$0

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Not Awarded	Grant	NEA - National Endowment for the Arts	Art Works	Jason Stoltzfus	A Regional Strategy for Enhancing Public Art & Cultural Venues	7/28/2016	7/28/2016			\$75,000	\$75,000				\$75,000
Not Awarded	Grant	USDA - US Dept. of Agriculture	Farmers Market and Local Food Promotion Program	Jason Stoltzfus	Clewiston Regional Farmers Market	5/12/2016	5/12/2016			\$100,000	\$100,000			Products of this study will include a market analysis, site assessment, vendor outreach, site assessment, financial analysis, and a written plan.	\$0
Not Awarded	Grant	FDEO - Florida Department of Economic Opportunity	Community Planning Technical Assistance Grant	Jennifer Pellechio	City of Cape Coral Development Opportunity Map		5/2/2016			\$40,000	\$40,000			The creation of an economic development interactive opportunity map for the City of Cape Coral. The map will include shovel ready commercial and industrial sites with relevant information.	\$0
Not Awarded	Grant	FDEO - Florida Department of Economic Opportunity	Community Planning Technical Assistance Grant	Margaret Wuerstle	Economic Impact Study of Lake Okeechobee Discharges		5/2/2016			\$28,000	\$28,000			A report on the direct and indirect economic impact of Lake Okeechobee discharges on Lee County tourism and the impact on declines in Lee County residential property values.	\$0
Not Awarded	Grant	FDEO - Florida Department of Economic Opportunity	Community Planning Technical Assistance Grant	Margaret Wuerstle	City of Clewiston Downtown District Façade Program		5/2/2016			\$30,000	\$30,000			An inventory of all downtown structures, identification of key structures in need of façade improvements, development of criteria for selecting buildings for improvements, work with property owners to coordinate, design and implement renovations.	\$0
Not Awarded	Grant	Aetna Foundation		Jason Stoltzfus	Cultivating Healthy Communities	4/14/2016	4/13/2016			\$100,000	\$100,000			Implement portions of the Clewiston Neighborhood Revitalization plan, including: street lighting, awnings, painting and landscaping.	\$0
Not Awarded	Grant	EPA- Environmental Protection Agency		Jennifer Pellechio	Brownfields 2016	12/18/2015	12/18/2015			\$280,000	\$280,000			10 ASTM-AAI compliant Phase I ESAs, 1 Generic Quality Assurance Project Plan, 4 SQAPPs, 4 Phase II ESAs, 4	
Not Awarded	Grant	USDA - US Dept. of Agriculture		Margaret Wuerstle	Farm to School	5/20/2015	5/20/2015	11/19/2015							
Not Awarded	Grant	DEO - FL Dept. of Economic Opportunity		Jennifer Pellechio	Growing Markets for Small Farmers		6/17/2015				\$25,000			Identify needs of local farmers, identify sellers for the market, produce a map and marketing materials, Implement action plan	

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Not Awarded	Grant	Wal-Mart		C.J. Kammerer	GoodWheels	7/17/2015	7/16/2015	9/10/2015			\$50,000			Run transpiration routes between Clewiston and Belle Glade	
Not Awarded	Grant	DEO - FL Dept. of Economic Opportunity		Jennifer Pellechio	SWF "Know Your Zone" Public Education Campaign		6/17/2015	8/7/2015			\$30,000			Design a logo, Prepare education program and curriculum, introduce campaign and schedules, Create Disaster Planning Guide, Present to schools	
Not Awarded	Grant	DEO - FL Dept. of Economic Opportunity		Jennifer Pellechio	Strategic Opportunity Plan for Immokalee		5/26/2015	8/7/2015			\$25,000			Task 1: Demographics & Economic Study; Task 2: Community Vision & Stakeholder Engagement ; Task 3: Goal Development (with Steering Committee) ; Task 4: Implementation Guide and Strategic Action Plan (3 – 5 years)	
Not Awarded	Grant	DEO - FL Dept. of Economic Opportunity		Jennifer Pellechio	Hendry County Regional Laborshed/Workforce Assessment		6/17/2015	8/7/2015			\$25,000			Hire consultant, Meeting with Hendry County, Draft Material for Hendry presentation, Final assessment and recommendations	
Not Awarded	Grant	EDA - US Economic Development Administration		Jennifer Pellechio	EDA- North Port	6/12/2015	6/12/2015	8/3/2015							
Not Awarded	Grant	NOAA - National Oceanic and Atmospheric Administration		Jim Beever	Measuring and Forecasting Future Ecosystem Services in the CHNEP Study Area	3/17/2015	3/17/2015			\$400,000				Products of the study will include updated valuations of the ecosystem services provided by existing conservation lands in the CHNEP; an updated conservation lands mapping of the project study area; a documentation and quantification of the ecosystem services provided by each habitat type, etc.	
Not Awarded	Grant	Florida Humanities Council		Jennifer Pellechio	Public Art Field Guide and Map Viewer for Lee County	3/11/2015	3/5/2015	5/11/2015		\$15,000	\$15,000			TBD	\$0
Not Awarded	Grant	Artplace America		Margaret Wuerstle	ArtPlace - "OUR CREATIVE ECONOMY"	3/12/2015	3/11/2015			\$3,000,000	\$3,000,000			TBD	\$0

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Not Awarded	Grant	EPA - US Environmental Protection Agency		John Gibbons	Environmental Workforce Development Job Training	2/3/2015	2/3/2015			\$200,000	\$200,000			OSHA 29 CFR 1910.120 40-Hour HAZWOPER and other training.	\$0
Not Awarded	Grant	NEA - National Endowment for the Arts		Margaret Wuerstle	Our Creative Economy - A Regional Strategy for Southwest Florida's Public Art and Cultural Venues	1/15/2015	1/14/2015			\$400,000	\$200,000			• Asset Mapping • A Regional Strategy for Enhancing Public Art: A SWOT • Southwest Florida's Public Art and Cultural Venues Field and Tour Guide	\$113,472
Not Awarded	Contract	NACo - National Association of Counties		Jennifer Pellechio	NACo County Prosperity Summit	10/3/2014	10/3/2014			\$0	\$0			Summit	\$0
Not Awarded	Grant	EPA - US Environmental Protection Agency		Dottie Cook	Southwest Florida Brownfields Coalition	12/19/2014	12/19/2014	5/27/2015		\$600,000	\$600,000				\$0
Not Awarded	Grant	Southwest Florida Community Foundation		Nichole Gwinnett	SWFRPC & RC&DC Collaboration	9/30/2014	9/30/2014			\$25,000	\$25,000			Provide information to the non-profit community about collaborative models that have succeeded in our area and to share proven effective practices for non-profits working together.	\$0
Not Awarded	Grant	USDA - US Dept. of Agriculture		Dottie Cook	Southwest Florida Rural Promise Zone	11/21/2014	11/21/2014			Technical Assistance	Technical Assistance			Rural designation of a Promise Zone for Immokalee in Collier County, Glades County, and Hendry County	\$0
Not Awarded	Grant	Dreyfus Foundation - The Max and Victoria Dreyfus Foundation		Beth Nightingale	"Our Creative Economy - A Regional Strategy for Southwest Florida Public Art, Festivals and Cultural Venues"					\$20,000	\$20,000			1. complete the Lee County public art descriptions (name of artist, year of creation, material, and significance); 2. provide QR Codes for Lee County's public art assets which will drive traffic to the Guide and direct users to other public art assets and venues; and 3. Create and promote a photo share site to encourage making art (photography) from art (public art assets and venues).	\$0

Agenda Item

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Consent Agenda

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Consent Agenda Summary

Agenda Item #10(a) - Intergovernmental Coordination and Review

The attached report summarizes the project notifications received from various governmental and non-governmental agencies seeking federal assistance or permits for the period beginning February 1, 2017 and ending February 28, 2017.

RECOMMENDED ACTION: Approval of the administrative action on Clearinghouse Review items

Agenda Item #10(b) – Glades-Hendry LCB Membership Certification

Pursuant to Chapter 427, Florida Statutes, Rule 41-2, Florida Administrative Code, and at the request of the respective counties, the Southwest Florida Regional Planning Council is the Designated Official Planning Agency for the Transportation Disadvantaged (TD) Program in Glades County and in Hendry County, which is now a joint service area. As the Planning Agency, the Council is responsible for the appointment of members to serve on the Local Coordinating Board.

The individuals listed below have been recommended to serve on the Local Coordinating Board. The Certification form provided in Attachment A lists the full membership of the Joint Local Coordinating Board and highlights the new nominees' name or other changes in bold. The Planning Agency must certify the Local Coordinating Board membership each fiscal year and any time the Local Coordinating Board membership changes.

RECOMMENDED ACTION:

1. Appoint the following:
 - A. Appoint Commissioner Emma Byrd as a representative of Hendry County BCC.
 - B. Appoint Commissioner Mitchell Wills as the alternate Hendry County BCC
 - C. Appoint Pamela Barr as the alternate for FDOT.
 - D. Appoint Shelby Yelvington as a representative of the Florida Department of Elder Affairs.
 - E. Make additional appointments that may be announced.
2. Authorize the Chairman to endorse the LCB certification form for the LCB provided in Attachment A.

Agenda Item #10(c) – Glades-Hendry LCB TDSP Annual Update

The Southwest Florida Regional Planning Council (SWFRPC) is required to submit an Annual Update of the Glades-Hendry Joint Service Area Transportation Disadvantaged Service Plan (TDSP) to the Florida Commission for the Transportation Disadvantaged (CTD). The TDSP is a multi-year plan required by the CTD that calls for an annually updated tactical plan coordinated with other transportation planning documents.

The TDSP contains development, service and quality assurance components related to the delivery of the Transportation Disadvantaged Program. The CTD requires a TDSP in order to meet the requirements to maintain eligibility for state funding. Attached is the latest version of the TDSP taking into account the comments that were received at the December 7, 2016 Glades-Hendry Joint Local Coordinating Board meeting. The final document approved through the Glades-Hendry Joint Local Coordinating Board (March 1, 2017) and SWFRPC (March 16, 2017) is due to the CTD by June 30, 2017.

RECOMMENDED ACTION: Endorsement of the FY16-17 Glades-Hendry Joint Service Area Transportation Disadvantaged Services Plan (TDSP) Minor Update.

Agenda Item #10(d) – Hendry County Comp Plan Amendment (DEO 17-1ESR)

Hendry County DEO 17-1ESR consists of text amendments to the Hendry County Comprehensive Plan including, codification of amendments adopted in 2015-2016, amendments relating to Legislative changes, reorganizing and renumbering goals, objectives and policies (GOPs), and relocating 2010 data and analysis to a separate document.

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Hendry County.

Agenda Item #10(e) – Hendry County Comp Plan Amendment (DEO 17-2ESR)

Hendry County DEO 17-2ESR is a County initiated comprehensive plan future land use map amendment to redesignate approximately 38.75 acres from Residential-Low Density (RLD) Future Land Use Category (FLUC) to Residential-Medium Density (RMD) FLUC. The subject properties are located in North LaBelle. The subject area consists of 17 parcels primarily developed with mobile homes. It is surrounded by existing mobile home parks, platted mobile home subdivisions and individually subdivided lots to the north and west, commercial uses and mobile homes to the east. South of the subject area is Nobles Road then large undeveloped parcels and large lot site built single family residences. The Future Land Use Designation to the east is Commercial, to the north and west is Residential-Medium Density and to the South is Residential-Low Density. The parcels within the subject area are zoned RG-1M which allows mobile homes. The property owners have relied on the ability to have mobile homes on their property. Since the Residential-Low Density FLUC prohibits mobile homes this has created an inconsistency with the existing land use pattern and the future land use designation. The 2008 Evaluation and Appraisal Report (EAR) and subsequent EAR based amendments recommended that this area be designated as Residential-Medium Density.

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Hendry County.

Agenda Item #10(f) – Sarasota County Comp Plan Amendment (DEO 17-1ESR)

Sarasota County DEO 17-1ESR is a privately-initiated Comprehensive Plan Amendment (CPA) to revise the Future Land Use (FLU) Map for the 17.96+ acres acre property, located at the southeast quadrant of Honore Avenue and DeSoto Road from Medium Density Residential (MEDR) (≥ 5 du and ≤ 9 du/acre) to High Density Residential (HDR) (≥ 9 du and ≤ 13 du/acre), for up to 233 units. The project is located within the Urban Service Boundary. The CPA has a companion rezone petition (RZ No. 16-16). The property is surrounded by HDR, MEDR and Moderate Density Residential (MODR) FLUs.

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County.

Agenda Item #10(g) – Sarasota County Comp Plan Amendment (DEO 17-2ESR)

Sarasota County DEO 17-2ESR is a County-initiated Amendment to Maps 10-8 and 10-9 of the Year 2040 Future Thoroughfare Plan of the Future Land Use Chapter, Table 10-5 of the Transportation Chapter, all in Volume I, and Table 14-2 of the Capital Improvements Chapter in Volume II, to add an I-75 overpass and connector road between the future Lakewood Ranch Boulevard and Cattlemen Road.

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County.

Agenda Item #10(h) – Sarasota County Comp Plan Amendment (DEO 17-3ESR)

Sarasota County DEO 17-3ESR is a privately-initiated Comprehensive Plan Amendment (CPA) to revise the Future Land Use (FLU) Map for +32.7 acres, located east of I-75 and north of Richardson Road from Major Employment Center (MEC) to Moderate Density Residential (MODR) (> 2 du and < 5 du/acre). The project is located within the Urban Service Boundary. The CPA has a companion Rezone Petition No. 16-18.

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County

--- Agenda --- Item

9a

Intergovernmental Coordination and
Review

9a

9a

Project Review and Coordination Regional Clearinghouse Review

The attached report summarizes the project notifications received from various governmental and non-governmental agencies seeking federal assistance or permits for the period beginning February 1, 2017 and ending February 28, 2017.

The staff of the Southwest Florida Regional Planning Council reviews various proposals, Notifications of Intent, Preapplications, permit applications, and Environmental Impact Statements for compliance with regional goals, objectives, and policies of the Regional Comprehensive Policy Plan. The staff reviews such items in accordance with the Florida Intergovernmental Coordination and Review Process (Chapter 29I-5, F.A.C.) and adopted regional clearinghouse procedures.

Council staff reviews projects under the following four designations:

Less Than Regionally Significant and Consistent - no further review of the project can be expected from Council.

Less Than Regionally Significant and Inconsistent - Council does not find the project to be of regional importance, but notes certain concerns as part of its continued monitoring for cumulative impacts within the noted goal areas.

Regionally Significant and Consistent - Project is of regional importance and appears to be consistent with Regional goals, objectives and policies.

Regionally Significant and Inconsistent - Project is of regional importance and appears not to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The report includes the SWFRPC number, the applicant name, project description, location, funding or permitting agency, and the amount of federal funding, when applicable. It also includes the comments provided by staff to the applicant and to the FDEP-State Clearinghouse in Tallahassee.

RECOMMENDED ACTION: Approval of the administrative action on Clearinghouse Review items.

3/2017

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Com
2016-33	Richard Kolar	Charlotte County Transit	Charlotte County	Charlotte County Transit - Section 5339 Rural Areas Capital Assistance Grant. Small urban bus and bus facilities capital assistance grant - Construction on Veterans Boulevard Transit Facility in Charlotte County.	FTA	\$215,326.00	Regionally Significant
2016-34	Richard Kolar	Charlotte County Transit	Charlotte County	Charlotte County Transit - Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities - Replacement of two vehicles with Ford Transit Minibuses 22' - Diesel w/lift, 8 seats, 2 w/c ADA accessible, and cameras in Charlotte County.	FTA	\$151,526.00	Regionally Significant
2016-35	Richard Kolar	Charlotte County Transit	Charlotte County	Charlotte County Transit - Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities - Continue to provide transit service to meet the needs of seniors and individuals with disabilities in Charlotte County where public services are unavailable, insufficient and inappropriate.	FTA	\$105,000.00	Regionally Significant
2016-36	Richard Kolar	Charlotte County Transit	Charlotte County	Charlotte County Transit - Section 5311 Formula Grant for Rural Areas - Rural Operating Grant, Charlotte County Transit would like to continue providing service in the rural areas of Charlotte County.	FTA	\$164,000.00	Regionally Significant

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Com
2017-01	Douglas Fowler	Lighthouse of SWFL	Glades & Hendry	Lighthouse of SWFL - Section 5310 Rural Grant - Capital request to purchase replacement vehicle (1 mini-van) to serve "rural" areas of Lee, Hendry and Glades counties.	FTA-FDOT	\$26,650.16	Regionally Significant
2017-02	Douglas Fowler	Lighthouse of SWFL	Lee County	Lighthouse of SWFL - Section 5310 Urban Capital - Capital request to expand fleet with purchase of one 1 mini-van equipped with folding wheelchair ramp to better serve mobility disabled persons in Lee County.	FTA-FDOT	\$49,287.00	Regionally Significant
2017-03	Douglas Fowler	Lighthouse of SWFL	Lee County	Lighthouse of SWFL- Section 5310 Capital Grant - Application for assistance with operating expenses of transporting program vehicles in Lee County.	FTA-FDOT	\$126,138.00	Regionally Significant
2017-04	Marlene Simons	Pines of Sarasota	Sarasota County	Pines of Sarasota Foundation, Inc. - Section 5310 - Captial support for replacement of one vehicle, which has surpassed 100,000 miles for transportation services for elderly and disabled individuals in Sarasota County.	FTA-FDOT	\$67,016.00	Regionally Significant
2017-05	Alan Mandel	Good Wheels, Inc.	Glades & Hendry	Good Wheels, Inc. - Section 5339 Program Grant - Purchase vehicles to transport students from rural areas in Glades and Hendry Counties to the I-Tech College in Immokalee, FL.	FTA/FDOT	\$430,676.40	Regionally Significant

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Com
2017-06	Alan Mandel	Good Wheels, Inc.	Glades & Hendry	Good Wheels, Inc. - Section 5311 Program Grant - To match State Cooridor Grant and to provide transportation from Clewiston, Hendry County to Riverdale, Lee County connecting the east and west coasts of Florida; and fuel and driver expense.	FTA-FDOT	\$1,282,840.00	Regionally Significant
2017-07	J. Corbett Alday	Guardian CRM, Inc.	Collier County	Guardian CRM, Inc. - Site Improvements and Rehabilitation at Timber Ridge and Sanders Pines - CDBG #B-16-UC-12-0016.			Regionally Significant
2017-08	J. Corbett Alday	Guardian CRM, Inc.	Collier County	Guardian CRM, Inc. - Immokalee Community Redevelopment Agency - Immokalee Sidewalk/Streetscape Project - CDBG #B-16-UC-12-0016			Regionally Significant
2017-09	Ron Zimmerly	City of LaBelle Finance Dept.	Hendry County	City of LaBelle - Community Facility Grant/Loan Application - City of LaBelle Civic Center Renovation in Hendry County, FL.	USDA	\$389,356.00	Regionally Significant

50 of 405

Review in Progress

<i>SWFRPC #</i>	<i>First Name</i>	<i>Last Name</i>	<i>Location</i>	<i>Project Description</i>	<i>Funding Agent</i>	<i>Funding Amount</i>	<i>Council Comments</i>
2017-10			Hendry County	City of Clewiston - USDA-RBDG - Utilities Relocation Project in the City of Clewiston, Hendry County, FL.	USDA - RBDG	\$299,498.00	Review in Progress
2017-11			Lee County	LeeTran - FTA Section 5339 Grant Application - To purchase 3 ADA Paratransit vans.	FTA	\$299,393.00	Review in Progress
2017-12			Lee County	Lee County Transit (LeeTran) - FTA Section 5307 - Preventive Maintenance (Labor cost only); purchase of one 40 ft. fixed route replacement bus; acquisition and construction of approx. 8 bus shelters and associated maintenance items; and planning activities.	FTA	\$3,089,541.00	Review in Progress
2017-13			Glades County	Fred Fox Enterprises, Inc. - 2016 Community Development Block Grant Neighborhood Revitalization Application - Glades County	HUD - CDBG	\$700,000.00	Review in Progress
2017-14			Glades County	Fred Fox Enterprises, Inc. - 2016 Community Development Block Grant Neighborhood Revitalization Application - City of Moore Haven, Glades County	HUD - CDBG	\$700,000.00	Review in Progress

<i>SWFRPC #</i>	<i>First Name</i>	<i>Last Name</i>	<i>Location</i>	<i>Project Description</i>	<i>Funding Agent</i>	<i>Funding Amount</i>	<i>Council Comments</i>
2017-15			Hendry County	Guardian Community Resource Management, Inc. - City of LaBelle CDBG - Neighborhood Revitalization.	HUD	\$700,000.00	Review in Progress

Agenda Item

9b

Glades-Hendry LCB Membership
Certificate

9b

9b

MEMBER APPOINTMENTS AND CERTIFICATION FOR THE GLADES AND HENDRY COUNTY JOINT LOCAL COORDINATING BOARD FOR THE TRANSPORTATION DISADVANTAGED

Pursuant to Chapter 427, Florida Statutes, Rule 41-2, *Florida Administrative Code*, and at the request of the respective counties, the Southwest Florida Regional Planning Council is the Designated Official Planning Agency for the Transportation Disadvantaged (TD) Program in Glades County and in Hendry County, which is now a joint service area. As the Planning Agency, the Council is responsible for the appointment of members to serve on the Local Coordinating Board.

The individuals listed below have been recommended to serve on the Local Coordinating Board. The Certification form provided in **Attachment A** lists the full membership of the Joint Local Coordinating Board and highlights the new nominees' name or other changes in bold. The Planning Agency must certify the Local Coordinating Board membership each fiscal year and any time the Local Coordinating Board membership changes.

Nominations and applications

Council staff is pursuing nominees to fill existing vacancies on the Local Coordinating Board. Staff may provide additional nominations at the Board meeting. Staff has received assurances from the respective County Commissioners representing the Local Coordinating Board that the appointment process is satisfactory.

About the Local Coordinating Board

The Glades-Hendry Joint Local Coordinating Board typically meets quarterly to guide the functioning of the CTC, Good Wheels, Inc. The next LCB meeting will be held on **May 3, 2017 at 10:30 a.m.** at the Glades County Department of Health in Moore Haven.

The Local Coordinating Board is established to oversee the appointed Community Transportation Coordinator (CTC), in its role of coordinating the provision of transportation service. Some of the basic duties of the Board include:

- 1) Develop, review and approve the annual Transportation Disadvantaged Service Plan (TDSP), including the Memorandum of Agreement, prior to its submittal to the Commission for the Transportation Disadvantaged (CTD);
- 2) In cooperation with the CTC, the Board shall review and provide recommendations to the Commission for the Transportation Disadvantaged on funding applications affecting the transportation disadvantaged;
- 3) Review the coordination strategies of service provision to the transportation disadvantaged in the designated service area;
- 4) Conduct the required annual evaluation of the CTC.

RECOMMENDED ACTIONS:

1. Appoint the following:
 - A. Appoint **Commissioner Emma Byrd** as a representative of Hendry County BCC.
 - B. Appoint **Commissioner Mitchell Wills** as the alternate Hendry County BCC
 - C. Appoint **Pamela Barr** as the alternate for FDOT.
 - D. Appoint **Shelby Yelvington** as a representative of the Florida Department of Elder Affairs.
 - E. Make additional appointments that may be announced.
2. Authorize the Chairman to endorse the LCB certification form for the LCB provided in Attachment A.

GLADES-HENDRY COUNTY JOINT LOCAL COORDINATING BOARD MEMBERSHIP CERTIFICATION

Planning Agency Name: Southwest Florida Regional Planning Council; 1400 Colonial Boulevard, Suite 1 in Fort Myers, FL 33907

Southwest Florida Regional Planning Council named above hereby certifies to the following:

1. The membership of the Glades-Hendry County Joint Local Coordinating Board, established pursuant to Rule 41-2.012(3), *FAC*, does in fact represent the appropriate parties as identified in the following list; and
2. The membership represents, to the maximum extent feasible, a cross section of the local community.

Signature: _____ Date: March 16, 2017
 SWFRPC Chairperson

	The Glades-Hendry LCB has a Representative of:	Voting Member	Term Expires	Alternate Member	Term Expires
1	The MPO or DOPA shall appoint one elected official to serve as the official Chairperson for all Coordinating Board meetings.	Donna Storter-Long (Chair)	December 2017	Emma Byrd Mitchell Wills (Alternate)	November 2020 November 2020
2	A. A local representative of the Florida Department of Transportation (DOT)	Debi Stephens	Agency	Pamela Barr	Agency
3	B. A local representative of the Florida Department of Children and Families (DCF)	Aaron Stitt	Agency	(Vacant)	Agency
4	C. A local representative of the Public Education Community which could include, but not be limited to, a representative of the District School Board, School Board Transportation Office, or Headstart Program in areas where the School District is responsible	Jim Brickel	Agency	(Vacant)	Agency
5	D. In areas where they exist, a local representative of the Division of Vocational Rehabilitation Services or the Division of Blind Services, representing the Department of Education	Victoria Aguilar	Agency	(Vacant)	Agency

	The Glades-Hendry LCB has a Representative of:	Voting Member	Term Expires	Alternate Member	Term Expires
6	E. A person recommended by the local Veterans Service Office, representing Veterans of the county	Philip Nall	Agency	(Vacant)	Agency
7	F. A person recognized by the Florida Association for Community Action representing the economically disadvantaged	Fred Richards	Agency	(Vacant)	Agency
8	G. A person over age 60 representing the Elderly in the county	Kristina Rodriquez	Agency	Bill Iffland	Agency
9	H. A person with a disability representing the disabled in the county	(Vacant)		(Vacant)	
10	I--1.[One of Two] Citizen Advocates in the County	Ron Stephens	May 2018	(Vacant)	Agency
11	I--2. [One of two] Citizen Advocates this one must be a person who uses the transportation service(s) of the system as their primary means of transportation.	(Vacant)		(Vacant)	
12	J. A local representative for children at risk	Vanessa Fischel	Agency	Sherry Shupp	Agency
13	K. In areas where they exist, the Chairperson or designee of the local Mass Transit or Public Transit System's Board, except in cases where they are also the Community Transportation Coordinator.	N/A		N/A	
14	L. A local representative of the Florida Department of Elder Affairs	Shelby Yelvington	Agency	Rebecca MacKenzie	Agency
15	M. An experienced representative of the local private for profit transportation industry. In areas where such representative is not available, a local private non-profit representative will be appointed, except where said representative is also the Community Transportation Coordinator	(Vacant)		(Vacant)	
16	N. A local representative of the Florida Agency for Health Care Administration	Joe Martinez	Agency	Patricia Brooks	Agency
17	O. A representative of the Regional Workforce Development Board established in Chapter 445, <i>Florida Statutes</i>	Rebecca Meeler	Agency	Suseth Cunningham	Agency

	The Glades-Hendry LCB has a Representative of:	Voting Member	Term Expires	Alternate Member	Term Expires
18	P. A representative of the local medical community, which may include, but not be limited to, kidney dialysis centers, long term care facilities, hospitals, local health department or other home and community based services, etc.	Mary Bartoshuk	March 2019	Nancy Acevedo	December 2016

--- Agenda --- Item

9c

Glades-Hendry LCB TDSP
Annual Update

9c

9c

ENDORESEMENT OF THE GLADES-HENDRY JOINT SERVICE AREA TRANSPORTATION DISADVANTAGED SERVICE PLAN (TDSP) ANNUAL UPDATE

The Southwest Florida Regional Planning Council (SWFRPC) is required to submit an Annual Update of the Glades-Hendry Joint Service Area Transportation Disadvantaged Service Plan (TDSP) to the Florida Commission for the Transportation Disadvantaged (CTD). The TDSP is a multi-year plan required by the CTD that calls for an annually updated tactical plan coordinated with other transportation planning documents.

The TDSP contains development, service and quality assurance components related to the delivery of the Transportation Disadvantaged Program. The CTD requires a TDSP in order to meet the requirements to maintain eligibility for state funding. **Attached** is the latest version of the TDSP taking into account the comments that were received at the December 7, 2016 Glades-Hendry Joint Local Coordinating Board meeting. The final document approved through the Glades-Hendry Joint Local Coordinating Board (March 1, 2017) and SWFRPC (March 16, 2017) is due to the CTD by June 30, 2017.

RECOMMENDED ACTION: Endorsement of the FY16-17 Glades-Hendry Joint Service Area Transportation Disadvantaged Services Plan (TDSP) Minor Update.

03/2017

Transportation Disadvantaged SERVICE PLAN

TDSP

A Five-year Plan for the Glades-Hendry County Joint Service Area



Florida Commission for the

**Good
Wheels**
Transportation for the Disabled and Disadvantaged

CTA
Transportation
Disadvantaged

Minor Update February 2017

Prepared By:

Southwest Florida Regional Planning Council (Designated Official Planning Agency)
Glades-Hendry Joint Local Coordinating Board
Good Wheels, Inc. (Community Transportation Coordinator)



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TRANSPORTATION DISADVANTAGED SERVICE PLAN, TDSP

The Five-Year Plan for the Glades-Hendry Joint Service Area



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TRANSPORTATION DISADVANTAGED SERVICE PLAN, TDSP

The Five-Year Plan for the Glades-Hendry Joint Service Area



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TRANSPORTATION DISADVANTAGED SERVICE PLAN, TDSP

The Five-Year Plan for the Glades-Hendry Joint Service Area

EXHIBITS

Exhibit A – Coordinated Transportation System Organization

Exhibit B – Eligibility

Exhibit C – Vehicle Inventory

Exhibit D – System Safety Program Plan & Certification

Exhibit E – Rate Structure



**SOUTHWEST FLORIDA
REGIONAL PLANNING
COUNCIL** www.swfrc.org

GLADES & HENDRY COUNTY LOCATION MAP

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

GLOSSARY OF TERMS AND ABBREVIATIONS

The following glossary is intended to coordinate terminology within the Florida Coordinated Transportation System. It is imperative that when certain words or phrases are used, the definition must be universally acknowledged.

Accidents: when used in reference to the AOR, the total number of reportable accidents that occurred whereby the result was either property damage of \$1,000 or more, or personal injury that required evacuation to a medical facility, or a combination of both.

(AER) Actual Expenditure Report: an annual report completed by each state member agency and each official planning agency, to inform the Commission in writing, before September 15 or each year, of the specific amount of funds the agency expended for transportation disadvantaged services.

Advance Reservation Service: shared or individual paratransit service that is readily delivered with at least prior day notification, seven days a week, 24 hours a day.

Agency: an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or any other unit or entity of the state or of a city, town, municipality, county, or other local governing body or a private non-profit transportation service providing entity.

(ADA) Americans with Disabilities Act: a federal law, P. L. 101-336, signed by the President of the United States on July 26, 1990 providing protection for persons with disabilities.

(AOR) Annual Operating Report: an annual report prepared by the community transportation coordinator detailing its designated service area operating statistics for the most recent operating year.

(APR) Annual Performance Report: an annual report issued by the Commission for the Transportation Disadvantaged that combines all the data submitted in the Annual Operating Reports and the CTD Annual Report.

(ASE) Automotive Service Excellence: a series of tests that certify the skills of automotive technicians in a variety of maintenance areas.

Availability: a measure of the capability of a transportation system to be used by potential riders, such as the hours the system is in operation, the route spacing, the seating availability, and the pick-up and delivery time parameters.

Bus: any motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons for compensation.

Bus Lane: a street or highway lane intended primarily for buses, either all day or during specified periods, but used by other traffic under certain circumstances.

Bus Stop: a waiting, boarding, and disembarking area, usually designated by distinctive signs and by curbs or pavement markings.

(CUTR) Center for Urban Transportation Research: a research group located at the University of South Florida's College of Engineering.

(CMBE) Certified Minority Business Enterprise: any small business concern which is organized to engage in commercial transactions, which is domiciled in Florida, and which is at least 51 percent owned by minority persons and whose management and daily operations are controlled by such persons. These businesses should be certified by the Florida Department of Management Services.

Chapter 427, Florida Statutes: the Florida statute establishing the Commission for the Transportation Disadvantaged and prescribing its duties and responsibilities.

Commendation: any documented compliment of any aspect of the coordinated system, including personnel, vehicle, service, etc.

(CDL) Commercial Driver's License: a license required if a driver operates a commercial motor vehicle, including a vehicle that carries 16 or more passengers (including the driver), or a vehicle weighing more than 26,000 pounds.

Commission: the Commission for the Transportation Disadvantaged as authorized in Section 427.013, Florida Statutes.

(CTD) Commission for the Transportation Disadvantaged: an independent agency created in 1989 to accomplish the coordination of transportation services provided to the transportation disadvantaged. Replaced the Coordinating Council on the Transportation Disadvantaged. **(CTC)**

Community Transportation Coordinator: (formerly referred to as "coordinated community transportation provider") a transportation entity competitively procured or recommended by the appropriate official planning agency and local Coordinating Board and approved by the Commission, to ensure that safe, quality coordinated transportation services are provided or arranged in a cost effective manner to serve the transportation disadvantaged in a designated service area.

Competitive Procurement: obtaining a transportation operator or other services through a competitive process based upon Commission-approved procurement guidelines.

Complaint: any documented customer concern involving timeliness, vehicle condition, quality of service, personnel behavior, and other operational policies.

Complete (or Full) Brokerage: type of CTC network in which the CTC does not provide any one-street transportation services itself, but contracts with transportation operators or coordination contractors for the delivery of all transportation services.

Coordinated Transportation System: includes the CTC, the transportation operators and coordination contractors under contract with the CTC, the official planning agency, and local Coordinating Board involved in the provision of service delivery to the transportation disadvantaged within the designated service area.

Coordinated Trips: passenger trips provided by or arranged through a CTC.

Coordinating Board: an entity in each designated service area composed of representatives who provide assistance to the community transportation coordinator relative to the coordination of transportation disadvantaged services.

Coordination: the arrangement for the provision of transportation services to the transportation disadvantaged in a manner that is cost effective, safe, efficient, and reduces fragmentation and duplication of services. Coordination is not the same as total consolidation of transportation disadvantaged services in any given service area.

Coordination Contract: a written contract between the community transportation coordinator and any agency who receives transportation disadvantaged funds and performs some, if not all of, its own services, as well as services to others, when such service has been analyzed by the CTC and proven to be a safer, more effective and more efficient service from a total system perspective. The Commission's standard contract reflects the specific terms and conditions that will apply to those agencies who perform their own transportation, as well as joint utilization and cost provisions for transportation services to and from the coordinator.

Deadhead: the miles or hours that a vehicle travels when out of revenue service. From dispatch point to first pick-up, and from last drop-off to home base, or movements from home base to maintenance garage or fuel depot, and return.

Demand Response: a paratransit service that is readily delivered with less than prior day notification, seven days a week, 24 hours a day. This service can be either an individual or shared ride.

Designated Service Area: a geographical area subject to approval by the Commission, which defines the community where coordinated transportation services will be provided to the transportation disadvantaged.

Disabled Passenger: anyone with a physical or mental impairment that substantially limits at least one of the major life activities (i.e., caring for one's self, walking, seeing, hearing, speaking, learning).

Dispatcher: the person responsible for having every scheduled run leave the yard or garage on time and maintain a schedule, matching the work force with the work load on a minute-by-minute basis. In demand-response transportation, the person who assigns the customers to vehicles and notifies the appropriate drivers.

Driver Hour: the period of one hour that person works whose main responsibility is to drive vehicles.

Economies of Scale: cost savings resulting from combined resources (e.g., joint purchasing agreements that result in a lower cost per gallon or quantity discount for fuel).

Effectiveness Measure: a performance measure that indicates the level of consumption per unit of output. Passenger trips per vehicle mile are an example of an effectiveness measure.

Efficiency Measure: a performance measure that evaluates the level of resources expended to achieve a given level of output. An example of an efficiency measure is operating cost per vehicle per vehicle mile.

Emergency: any occurrence, or threat thereof, whether accidental, natural or caused by man, in war or in peace, which results or may result in substantial denial of services to a designated service area for the transportation disadvantaged.

Emergency Fund: transportation disadvantaged trust fund monies set aside to address emergency situations and which can be utilized by direct contract, without competitive bidding, between the Commission and an entity to handle transportation services during a time of emergency.

Employees: the total numbers of persons employed in an organization.

Fixed Route: (also known as Fixed Route/Fixed Schedule) service in which the vehicle(s) repeatedly follows a consistent time schedule and stopping points over the same route, whereby such schedule, route or service is not at the users request (e.g. conventional city bus, fixed guide way).



- (FAC) Florida Administrative Code:** a set of administrative codes regulating the State of Florida.
- (FCTS) Florida Coordinated Transportation System:** a transportation system responsible for coordination and service provisions for the transportation disadvantaged as outlined in Chapter 427, Florida Statutes.
- (FDOT) Florida Department of Transportation:** a governmental entity. The CTD is housed under the Florida Department of Transportation for administrative purposes.
- (FS) Florida Statutes:** the laws governing the State of Florida.
- (FTE) Full Time Equivalent:** a measure used to determine the number of employees based on a 40-hour work week. One FTE equals 40 work hours per week.
- (FAC) Fully Allocated Costs:** the total cost, including the value of donations, contributions, grants or subsidies, of providing coordinated transportation, including those services which are purchased through transportation operators or provided through coordination contracts.
- General Trips:** passenger trips by individuals to destinations of their choice, not associated with any agency program.
- Goal:** broad conditions that define what the organization hopes to achieve.
- Grievance Process:** a formal plan that provides a channel for the adjustment of grievances through discussions at progressively higher levels of authority, culminating in mediation, if necessary.
- In Service:** the time a vehicle begins the route to provide transportation service to the time the route is completed.
- In-Take Clerk/Reservationist:** an individual whose primary responsibility is to accept requests for trips, enter dates on requests, determine eligibility and provide customer service.
- Latent Demand:** demand that is not active (i.e., the potential demand of persons who are not presently in the market for a good or service).
- Limited Access:** the inability of a vehicle, facility or equipment to permit entry or exit to all persons. Lack of accessibility of vehicle, facility or other equipment.
- Load Factor:** the ratio of use to capacity of equipment or a facility during a specified time period.

Local Government: an elected and/or appointed public body existing to coordinate governs, plan, fund, and administer public services within a designated, limited geographic area of the state.

Local Government Comprehensive Plan: a plan that meets the requirements of Sections 163.3177 and 163.3178, Florida Statutes.

(LCB) Local Coordinator Board: an entity in each designated service area composed of representatives appointed by the official planning agency. Its purpose is to provide assistance to the community transportation coordinator concerning the coordination of transportation disadvantaged services.

(MIS) Management Information System: the mechanism that collects and reports key operating and financial information for managers on a continuing and regular basis.

(MOA) Memorandum of Agreement: the state contract included in the transportation disadvantaged service plan for transportation disadvantaged services purchased by federal, state or local government transportation disadvantaged funds. This agreement is between the Commission and the community transportation coordinator and recognizes the community transportation coordinator as being responsible for the arrangement of the provision of transportation disadvantaged services for a designated service area.

(MPO) Metropolitan Planning Organization: the area-wide organization responsible for conducting the continuous, cooperative and comprehensive transportation planning and programming in accordance with the provisions of 23 U.S.C. s. 134, as provided in 23 U.S.C. s. 104(f)(3). Also serves as the official planning agency referred to in Chapter 427, F.S.

Network type: describes how a community transportation coordinator provides service, whether as a complete brokerage, partial brokerage, or sole provider.

Non-coordinated Trip: a trip provided by an agency, entity, or operator who is in whole or in part subsidized by local, state, or federal funds, and who does not have coordination/operator contract with the community transportation coordinator.

Nonsponsored Trip: transportation disadvantaged services that are sponsored in whole by the Transportation Disadvantaged Trust Fund.

Objective: specific, measurable conditions that the organization establishes to achieve its goals.

Off Peak: a period of day or night during which travel activity is generally low and a minimum of transit service is operated.

(OPA) Official Planning Agency: the official body or agency designated by the Commission to fulfill the functions of transportation disadvantaged planning. The Metropolitan Planning Organization shall serve as the planning agency in areas covered by such organizations.

Operating Cost: the sum of all expenditures that can be associated with the operation and maintenance of the system during the particular period under consideration.

Operating Cost per Driver Hour: operating costs divided by the number of driver hours, a measure of the cost efficiency of delivered service.

Operating Cost per Passenger Trip: operating costs divided by the total number of passenger trips, a measure of the efficiency of transporting riders. One of the key indicators of comparative performance of transit properties since it reflects both the efficiency with which service is delivered and the market demand for the service.

Operating Cost per Vehicle Mile: operating costs divided by the number of vehicle miles, a measure of the cost efficiency of delivered service.

Operating Environment: describes whether the community transportation coordinator provides service in an urban or rural service area.

Operating Expenses: sum of all expenses associated with the operation and maintenance of a transportation system.

Operating Revenues: all revenues and subsidies utilized by the operator in the provision of transportation services.

Operating Statistics: data on various characteristics of operations, including passenger trips, vehicle miles, operating costs, revenues, vehicles, employees, accidents, and road calls.

Operator Contract: a written contract between the community transportation coordinator and the transportation operator to perform transportation services.

Organization Type: describes the structure of a community transportation coordinator, whether it is a private-for-profit, private non-profit, government, quasi-government, or transit agency.

Paratransit: elements of public transit that provide service between specific origins and destinations selected by the individual user with such service being provided at a time that is agreed upon between the user and the provider of the service. Paratransit services are provided by sedans, vans, buses, and other vehicles.

Partial Brokerage: type of CTC network in which the CTC provides some of the on-street transportation services and contracts with one or more other transportation operators, including coordination contractors, to provide the other portion of the on-street transportation disadvantaged services, including coordination contractors.

Passenger Miles: a measure of service utilization which represents the cumulative sum of the distances ridden by each passenger. This is a duplicated mileage count. For example: If 10 people ride together for 10 miles, there would be 100 passenger miles.

Passenger Trip: a unit of service provided each time a passenger enters the vehicle, is transported, and then exits the vehicle. Each different destination would constitute a passenger trip. This unit of service is also known as a one-way passenger trip.

Passenger Trips per Driver Hour: a performance measure used to evaluate service effectiveness by calculating the total number of passenger trips divided by the number of driver hours.

Passenger Trips per Vehicle Mile: a performance measure used to evaluate service effectiveness by calculating the total number of passenger trips divided by the number of vehicle miles.

Performance Measure: statistical representation of how well an activity, task, or function is being performed. Usually computed from operating statistics by relating a measure of service output or utilization to a measure of service input or cost.

Potential TD Population: (formerly referred to as TD Category I) includes persons with disabilities, senior citizens, low income persons, and high risk or at risk children. These persons are eligible to receive certain governmental and social service agency subsidies for program-related trips.

Program Trip: a passenger trip supplied or sponsored by a human service agency for the purpose of transporting clients to and from a program of that agency (e.g., sheltered workshops, congregate dining, and job training).

Public Transit: means the transporting of people by conveyances or systems of conveyances traveling on land or water, local or regional in nature, and available for use by the public. Public transit systems may be governmental or privately owned. Public transit specifically includes those forms of transportation commonly known as paratransit.

Purchased Transportation: transportation services provided for an entity by a public or private transportation provider based on a written contract.

(RFB) Request for Bids: a competitive procurement process.

(RFP) Request for Proposals: a competitive procurement process.

(RFQ) Request for Qualifications: a competitive procurement process.

Reserve Fund: transportation disadvantaged trust fund monies set aside each budget year to insure adequate cash is available for incoming reimbursement requests when estimated revenues do not materialize.

Revenue Hours: total vehicle hours used in providing passenger transportation, excluding deadhead time.

Revenue Miles: the total number of paratransit service miles driven while TD passengers are actually riding on the vehicles. This figure should be calculated from first passenger pick-up until the last passenger drop-off, excluding any breaks in actual passenger transport. For example: if 10 passengers rode 10 miles together, there would be 10 revenue miles.

Ridesharing: the sharing of a vehicle by clients of two or more agencies, thus allowing for greater cost efficiency and improved vehicle utilization.

Roadcall: any in-service interruptions caused by failure of some functionally necessary element of the vehicle, whether the rider is transferred or not. Roadcalls exclude accidents.

Rule 41-2, F.A.C.: the rule adopted by the Commission for the Transportation Disadvantaged to implement provisions established in Chapter 427, F.S.

Scheduler: a person who prepares an operating schedule for vehicles on the basis of passenger demand, level of service, and other operating elements such as travel times or equipment availability.

Shuttle: a transit service that operates on a short route, or in a small geographical area, often as an extension to the service of a longer route.

Sole Source: (also referred to as Sole Provider) network type in which the CTC provides all of the transportation disadvantaged services.

Sponsored Trip: a passenger trip that is subsidized in part or in whole by a local, state, or federal government funding source (not including monies provided by the TD Trust Fund).

Standard: something established by authority, custom, or general consent as a model for example.

Stretcher Service: a form of non-emergency paratransit service whereby the rider is transported on a stretcher, litter, gurney, or other device that does not meet the dimensions of a wheelchair as defined in the Americans with Disabilities Act.

Subscription Service: a regular and recurring service in which schedules are prearranged, to meet the travel needs of riders who sign up for the service in advance. The service is characterized by the fact that the same passengers are picked up at the same location and time and are transported to the same location, and then returned to the point of origin in the same manner.

(SSPP) System Safety Program Plan: a documented organized approach and guide to accomplishing a system safety program set forth in Florida Rule 14-90.

Total Fleet: this includes all revenue vehicles held at the end of the fiscal year, including those in storage, emergency contingency, awaiting sale, etc.

(TQM) Total Quality Management: a management philosophy utilizing measurable goals and objectives to achieve quality management practices.

Transportation Alternative: those specific transportation services that are approved by rule to be acceptable transportation alternatives, and defined in s. 427.018, F.S.

(TD) Transportation Disadvantaged: those persons, including children as defined in s. 411.202 F.S., who because of physical or mental disability, income status, or inability to drive due to age or disability are unable to transport themselves or to purchase transportation and have no other form of transportation available. These persons are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, or medically necessary or life-sustaining activities.

Transportation Disadvantaged Funds: any local government, state or available federal funds that are for the transportation of the transportation disadvantaged. Such funds may include, but are not limited to, funds for planning, Medicaid transportation, transportation provided pursuant to the ADA, administration of transportation disadvantaged services, operation, procurement and maintenance of vehicles or equipment, and capital investments. Transportation disadvantaged funds do not include funds expended by school districts for the transportation of children to public schools or to receive service as a part of their educational program.

Transportation Disadvantaged Population: (formerly referred to as TD Category II) persons including children, who, because of disability, income status, or inability to drive due to age or disability are unable to transport themselves.

(TDSP) Transportation Disadvantaged Service Plan: a three-year implementation plan, with annual updates developed by the CTC and the planning agency which contains the provisions of service delivery in the coordinated transportation system. The plan shall be reviewed and recommended by the local Coordinating Board.

Transportation Disadvantaged Trust Fund: a fund administered by the Commission for the Transportation Disadvantaged in which all fees collected for the transportation disadvantaged program shall be deposited. The funds deposited will be appropriated by the legislature to the Commission to carry out the Commission's responsibilities. Funds that are deposited may be used to subsidize a portion of a transportation disadvantaged person's transportation costs which are not sponsored by an agency.

Transportation Operator: a public, private for profit, or private non-profit entity engaged by the community transportation coordinator to provide service to the transportation disadvantaged pursuant to an approved coordinated transportation system transportation disadvantaged service plan.

Transportation Operator Contract: the Commission's standard coordination/operator contract between the community transportation coordinator and the transportation operator that outlines the terms and conditions for any services to be performed.

Trend Analysis: a common technique used to analyze the performance of an organization over a period of time.

Trip Priorities: various methods for restricting or rationing trips.

Trip Sheet: a record kept of specific information required by ordinance, rule or operating procedure for a period of time worked by the driver of a public passenger vehicle in demand-response service. Also known as a drive log.

(UPHC) Unduplicated Passenger Head Count: the actual number of people that were provided paratransit transportation services, not including personal care attendants, non-paying escorts, or persons provided fixed schedule/fixed route service.

Unmet Demand: the number of trips desired but not provided because of insufficient service supply.

Urbanized Area: a city (or twin cities) that has a population of 50,000 or more (central city) and surrounding incorporated and unincorporated areas that meet certain criteria of population size of density.

(USDHHS) U.S. Department of Health and Human Services: a federal agency regulating health and human services.

(USDOT)U.S. Department of Transportation: a federal agency regulating the transportation field.

Van Pool: a prearranged ride-sharing service in which a number of people travel together on a regular basis in a van. Van pools are commonly a company-sponsored van that has a regular volunteer driver.

Vehicle Inventory: an inventory of vehicles used by the CTC, transportation operators, and coordination contractors for the provision of transportation disadvantaged services.

Vehicle Miles: the total distance traveled by revenue vehicles, including both revenue miles and deadhead miles.

Vehicle Miles per Vehicle: a performance measure used to evaluate resource utilization and rate of vehicle depreciation, calculated by dividing the number of vehicle miles by the total number of vehicles.

Vehicles: number of vehicles owned by the transit agency that are available for use in providing services.

Volunteers: individuals who do selected tasks for the community transportation coordinator or its contracted operator, for little or no compensation.

Will-Calls: these are trips that are requested on a demand response basis, usually for a return trip. The transportation provider generally knows to expect a request for a will-call trip, but cannot schedule the trip in advance because the provider does not know the exact time a passenger will call to request his/her trip.




COORDINATING BOARD MEMBERSHIP CERTIFICATION

Name: Southwest Florida Regional Planning Council

Address: 1400 Colonial Blvd., #1 Fort Myers, FL 33907

The Metropolitan Planning Organization/Designated Official Planning Agency named above hereby certifies to the following:

1. The membership of the Local Coordinating Board, established pursuant to Rule 41-2.013(3), FAC, does in fact represent the appropriate parties as identified in the following lists; and
2. The membership represents, to the maximum extent feasible, a cross section of the local community.

Signature: 

Date: 3-1-17

REPRESENTATION	MEMBER	ALTERNATE	TERM
Chairperson	Donna Storter-Long		1 year
Hendry County BCC	Emma Byrd	Mitchell Wills	2 year
Elderly	Kristina Rodriguez	Bill Iffland	Agency
Disabled	Vacant	Vacant	3 yrs.
Citizen Advocate	Ron Stephens	Vacant	3 yrs.
Citizen Advocate/User	Vacant	Vacant	
Children At Risk	Vanessa Fischel	Sherry Shupp	Agency
Community Action	Fred Richards	Vacant	
Public Education	Jim Brickel	Vacant	Agency
Dept. of Transportation	Debra Stephens	Pamela Barr	Agency
Dept. of Children and Families	Aaron Stitt	Vacant	Agency
Dept. of Elder Affairs	Shelby Yelvington	Becky MacKenzie	Agency
Dept. of Education	Victoria Aguilar	Vacant	Agency
Dept. of Health Care Admin.	Joe Martinez	Patricia Brooks	Agency
Regional Workforce Development Board	Rebecca Meeler	Suseth Cunningham	Agency
Veteran Services	Philip Nall	Vacant	3 yrs.
Local Mass Transit	NA	NA	NA
Transportation Industry	Vacant	Vacant	
Local Medical Community	Mary Bartoshuk	Nancy Acevedo	3 yrs.

TRANSPORTATION DISADVANTAGED SERVICE PLAN, TDSP

The Five-Year Plan for the Glades-Hendry Joint Service Area



TRANSPORTATION DISADVANTAGED SERVICE PLAN LOCAL COORDINATING BOARD ROLL CALL VOTE

Representation	Member	Voted For	Voted Against	Absent From Voting
1. Chairperson	Donna Storter-Long	X		
2. Hendry County BCC	Emma Byrd	X		
3. Elderly	Kristina Rodriguez	X		
	Bill Iffland (alt.)			X
4. Disabled	Vacant			
5. Citizen Advocate	Ron Stephens	X		
6. Citizen Advocate/User	Vacant			
7. Children at Risk	Vanessa Fischel	X		
	Sherry Shupp			X
8. Community Action	Fred Richards	X		
9. Public Education	Jim Brickel	X		
	Vacant			
10. Dept. of Education	Victoria Aguilar			X
11. Dept. of Transportation	Debra Stephens	X		
	Pamela Barr			X
12. Dept. of Children & Families	Aaron Stitt	X		
13. Dept. of Elder Affairs	Shelby Yelvington			X
	Becky MacKenzie	X		
14. Agency for Healthcare Admin.	Joe Martinez	X		
	Patricia Brooks			X
15. Regional Workforce Dev. Board	Rebecca Meeler			X
	Suseth Cunningham			X
16. Veteran Services	Philip Nall			X
17. Local Mass Transit	NA			
18. Transportation Industry	Vacant			
19. Local Medical Community	Mary Bartoshuk	X		
	Nancy Acevedo	X		

The Coordinating Board hereby certifies that an annual evaluation of this Community Transportation Coordinator was conducted consistent with the policies of the Commission for the Transportation Disadvantaged and all recommendations of that evaluation have been incorporated in this Transportation Disadvantaged Service Plan. We further certify that the rates contained herein have been thoroughly reviewed, evaluated and approved. This Transportation Disadvantaged Service Plan was reviewed in its entirety and approved by this Board at an official meeting held on March 1, 2017.

Date

Donna Storter-Long, Coordinating Board Chairperson

Approved by the Commission for the Transportation Disadvantaged

Date

Steven Holmes, Executive Director

SECTION I. DEVELOPMENT PLAN

A. Introduction of Service Area

1. Background of the Transportation Disadvantaged Program

Transportation Disadvantaged

The purpose of this section is to provide information about the organization and development of Florida's Transportation Disadvantaged Program in the joint service area of Glades and Hendry Counties. This Plan shall serve as the Coordinated Public Transit – Human Services Transportation Plan under the federal Safe Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

The transportation disadvantaged are defined in Chapter 427, Florida Statutes as:

“those persons who because of physical or mental disability, income status, age are unable to transport themselves or purchase transportation and are, therefore, dependent on others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities or children who are handicapped or high-risk or at risk as defined in Section 422.202, Florida Statutes.”

The 1979 Florida Legislature passed the Transportation Services Act, (Chapter 427, *Florida Statutes*), which called for the coordination at the County level of all Federal and State expenditures for the “transportation disadvantaged”. At that time, the Coordinating Council of the Transportation Disadvantaged (CCTD) was formed. Besides overseeing the coordination of state and federally funded programs that provided or purchased transportation for its clients, the Council also provided evaluation and identification of policies, laws and rule changes to improve mobility for those people in need of access to transportation for their daily living.

In 1989, the Florida Legislature reviewed Chapter 427, *Florida Statutes*, according to the State's Regulatory Sunset Act, Chapter 11.61, *Florida Statutes*. During this legislative review, the Legislature reenacted Chapter 427, *Florida Statutes*, with major revisions. As a result, the Commission for the Transportation Disadvantaged is the agency authorized to implement the transportation disadvantaged program in Florida. Through Chapter 427, *Florida Statutes*, and Rule 41-2, *Florida Administrative Code*, the Commission for the Transportation Disadvantaged is responsible for accomplishing the coordination of transportation services provided to transportation disadvantaged individuals in the State of Florida.



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The following sections identify each of the major components of Florida's Transportation Disadvantaged Program.



The Florida Commission for the Transportation Disadvantaged (CTD) is an independent commission housed administratively within the Florida Department of Transportation and reports to the Governor and the Legislature. The purpose of the Commission is to accomplish the coordination of transportation services to the transportation disadvantaged. The Commission is responsible for establishing policies, procedures and standards for the delivery of statewide coordinated transportation disadvantaged services; administering the Transportation Disadvantaged Trust Fund; providing statewide training and technical assistance to local partners in establishing coordinated transportation systems, managing contracts, and developing a five-year plan to address the transportation needs of transportation disadvantaged persons. The Commission works cooperatively with state, local and federal agencies to assure that state agencies purchase transportation services from within the coordinated system unless a more cost-effective provider outside the system can be found. Currently, all of Florida's 67 counties have coordinated systems managed by 49 community transportation coordinators. Some of these community transportation coordinators serve regional areas.

The Florida Commission for the Transportation Disadvantaged (CTD) is comprised of 7 members all of whom are appointed by the Governor. Five of the members must have significant experience in the operation of a business, and it is the intent of the Legislature that, when making an appointment, the Governor selects persons who reflect the broad diversity of the business community in this state, as well as the racial, ethnic, geographical and gender diversity of the population of this state. Two of the members must have a disability and use the transportation disadvantaged system.

Each member shall represent the needs of the transportation disadvantaged throughout the state. A member may not subordinate the needs of the transportation disadvantaged in general in order to favor the needs of others residing in a specific location in the state.

Members are appointed to a term of four years and may be reappointed for one (1) additional four-year term. According to Florida Statute 427.012, at any given time, at least one member must be at least 65 years of age. The Governor may remove any member of the Commission for cause.

The Chairperson shall be appointed by the Governor and the Vice-Chairperson of the Commission shall be elected annually from the membership of the Commission.

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Designated Official Planning Agencies (DOPA)

The Designated Official Planning Agency is responsible for transportation disadvantaged planning in a given area. In the urbanized areas of the state, the planning agencies are metropolitan planning organizations (MPOs). In the rural areas of the state, organizations which are eligible to serve as planning agencies are:

- County or city governments;
- Regional Planning Councils;
- Metropolitan planning organizations;
- Local planning organizations that are currently performing planning activities in the service area.

The planning agency is responsible for:

- Preparing a Transportation Improvement Program that includes a TD element.
- Recommending a Community Transportation Coordinator to the TD Commission.
- Appointing a Local Coordinating Board for the Transportation Disadvantaged.
- Providing staff support to the Local Coordinating Board.
- Preparing and submitting grant applications to the Commission.
- Preparing and submitting the Coordinated Transportation Development Plan, (TDSP) and its annual updates to the Commission.



The Southwest Florida Regional Planning Council is the designated official planning agency for Glades and Hendry Counties.

Local Coordinating Board - (LCB)

The Designated Official Planning Agency is responsible for appointing a local coordinating board in each county. The purpose of the coordinating board is to provide advice and direction to the Community Transportation Coordinator concerning the coordination of transportation services. According to Rule 41-2 of the Florida Administrative Code, there are 16 members appointed to the local coordinating board. The Designated Official Planning Agency appoints an elected official from both Hendry and Glades Counties to serve as the official co-chairperson for all local coordinating board meetings. The Co-Vice-Chairpersons are elected annually by the voting members of the Board.



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The duties of the Local Coordinating Board include:

- Review and approve the Memorandum of Agreement and the Service Plan drafted by the CTC, prior to submittal to the Commission.
- Evaluate services provided by the CTC under the approved service plan.
- In cooperation with the CTC, review and provide recommendations to the Commission on funding applications affecting the transportation disadvantaged.
- Review the coordination strategies of service provision to the transportation disadvantaged in the designated service area.
- Evaluated multi-county or regional transportation opportunities.
- Appoint a Grievance Committee to serve as a mediator.
- Prepare a consolidated Annual Budget Estimate.
- Review and approve the Coordinated Transportation Development Plan (TDSP) and its updates for consistency with approved guidelines, goals and objectives of the Local Coordinating Board.
- Work in conjunction with the planning agencies in the recommended selection of the Community Transportation Coordinator.

The Glades and Hendry County Local Coordinating Boards became the Joint Local Coordinating Board for the Transportation Disadvantaged Program for the Glades and Hendry County Joint Service Area through a local initiative which was adopted by the Florida Commission for the Transportation Disadvantaged November 16, 2000 and then locally enacted December 15, 2001 by the Glades and Hendry Local Coordinating Boards, Glades and Hendry County Commissions and the Southwest Florida Regional Planning Council.

Community Transportation Coordinator (CTC)

The Community Transportation Coordinator is the agency or organization in each county responsible for ensuring that coordinated transportation services are provided to serve the transportation disadvantaged. The Community Transportation Coordinator may provide all or a portion of transportation disadvantaged service in a designated service area. Community Transportation Coordinators may also subcontract or broker services if it is cost effective and efficient. The Community Transportation Coordinator (CTC) is responsible for the short-range operational planning, administration, monitoring, coordination, arrangement and delivery of transportation disadvantaged services originating within their designated service area on a full-time basis. In that context they have the following powers and duties:

- Develop, implement and monitor an approved Coordinated *Transportation Development Service Plan*.
- Execute uniform contracts for service.
- Collect annual operating data for submittal to the TD Commission.
- Review annually all transportation operator contracts.



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- Maximize the utilization of school bus and public transportation services in accordance with Chapter 427.0158.
- In cooperation with a functioning Coordinating Board, review all applications for local government, federal and state transportation disadvantaged funds, and develop and implement cost effective coordination strategies.
- In cooperation with the Coordinating Board, develop and implement and monitor a one- year approved service plan.
- In cooperation with the Coordinating Board, develop and negotiate a Memorandum of Agreement outlining the services planned for submittal to the Commission.
- Have full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in Chapter 427.015(2), *F.S.*

Based on either negotiations or a competitive proposal process, the designated official planning agency selects a Community Transportation Coordinator (CTC) for recommendation to the Florida Commission for the Transportation Disadvantaged which has final approval.

Good Wheels, Inc. is the designated CTC for the Glades and Hendry Joint Service Area. The CTC contracts out some of the service to transportation operators.

2. Community Transportation Coordinator Designation Date/History

The history of Glades and Hendry Counties' Transportation Disadvantaged Program is varied. In the early years, service was provided through Tri-County Senior Services. Later, Tri-County Senior Services was designated the Community Coordinated Transportation Provider and continued to provide service until 1990. From January of 1990 until May of 1991 no agency served in the coordinator role for the program. It was not until May of 1991 that Goodwill of Southwest Florida, Inc. was appointed as the Community Transportation Coordinator. Goodwill formed a separate organization, Good Wheels, Inc. to perform the coordination duties of the TD program. Good Wheels served as the CTC in the Glades and Hendry service area from FY 1990 to FY 1999. During FY 1999, Good Wheels restructured its management team.

During the 1999-2000 FY, the SWFRPC conducted a competitive procurement process for a partial brokerage community transportation coordinator. Through that process, on May 18, 2000 the Commission for the Transportation Disadvantaged designated Good Wheels, Inc. to be the CTC for Glades and Hendry County for a three-year contract starting July 1, 2000.

During the 2002-2003 FY, the SWFRPC conducted a competitive procurement process for a community transportation coordinator. Through that process, on April 25, 2003 the Commission for the Transportation Disadvantaged designated Good Wheels, Inc. to be the CTC for Glades and Hendry County for a three-year contract starting July 1, 2003.

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Pursuant to the Commission for the Transportation Disadvantaged Director Order issued on September 22, 2003, all Memorandum of Agreements (MOAs) are now extended two years – bringing the MOA in Glades and Hendry to a close June 30, 2008.

During the 2007-08 FY, the Southwest Florida Regional Planning Council conducted a competitive procurement process for a community transportation coordinator. Through that process, on June 20, 2008, the Commission for the Transportation Disadvantaged designated Good Wheels, Inc. to be the CTC for the Joint Service Area of Glades and Hendry County for a five-year contract for the period of July 1, 2008 through June 30, 2013.

During the 2012-13 FY, the Southwest Florida Regional Planning Council conducted a competitive procurement process for a community transportation coordinator. Through that process, on March 21, 2013, the Commission for the Transportation Disadvantaged designated Good Wheels, Inc. to be the CTC for the Joint Service Area of Glades and Hendry County for a five-year contract for the period of July 1, 2013 through June 30, 2018.

Existing Unemployment Conditions in Glades and Hendry Counties

Glades County's unemployment rate in December 2012 was 8.6 percent. In November, 2012 Glades County's unemployment rate was 9.0 percent. In November 2012, Hendry County had the highest unemployment rate in the state at 11.5 percent. As of December 20 12, Hendry County's unemployment rate was 9.9 percent.

Florida's unemployment rate continued its gradual decline, reaching an even 8.1 percent in November 2012 (*Source: Agency for Workforce Innovation*). With the economy showing signs of improvement, Florida's annual job growth rate has been positive for the past 14 months and the unemployment rate has dropped 1.9 percent from a year ago.



Since December 2012, Florida had a net gain of 54,900 jobs to the economy, which were seasonally adjusted from December 2011 to December 2012. All rates are not seasonally adjusted and were taken from the *State of Florida Agency for Workforce Innovation*. The United States' unemployment rate in November 2011 was 8.6%, slightly down from 9.0% in October (*Source: Bureau of Labor Statistics*).

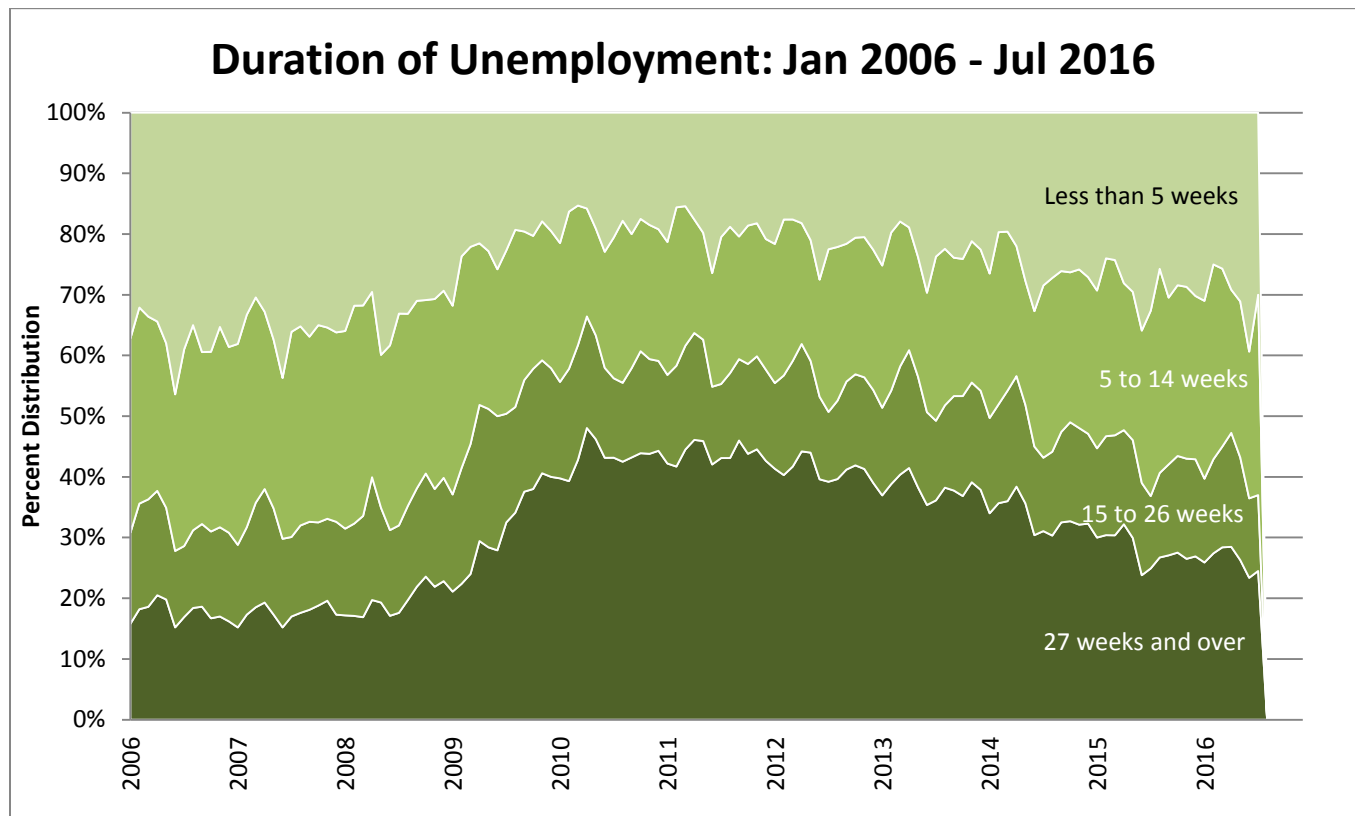
State unemployment rates, 2016

In 2016, 21 states had annual average unemployment rates that were significantly lower than the U.S. rate of 4.9 percent, while 15 states recorded rates significantly above it. The remaining 14 states had unemployment rates that were not statistically different from the U.S. rate.

Source: Bureau of Labor Statistics, July 2016

Duration of unemployment in January 2016

In January 2016, 25.9% of unemployed persons had been jobless for 27 weeks or more. In February 2015, 30.4% of unemployed persons had been jobless for 27 weeks or more.



The number of long-term unemployed (those jobless for 27 weeks or more) in Florida was 4,766 in December 2012. The number of long-term unemployed (those jobless for 27 weeks or more) in Florida was 4,246 in July 2013. The unemployment rate in Florida in 2014 was 6.3% and in 2015 the unemployment rate dropped to 5.4% which is a 0.9% decrease.

3. Organization Chart

Exhibit A identifies all those involved in the provision of transportation disadvantaged service in Glades and Hendry Counties.

4. Consistency Review of Other Plans

Planning staff has identified a summary of local comprehensive plans that the TDSP is consistent with outlining the provisions of paratransit and rural public transportation that the TDSP is consistent with. It must be emphasized that because of the increasingly “regional” aspects of travel patterns and employment opportunities in the counties of Southwest Florida, that transportation must be viewed as part of a larger picture.

a) Local Government Comprehensive Plans

The Transportation Disadvantaged Service Plan is consistent, to the maximum extent feasible, with the Glades County Comprehensive Plan and with the Hendry County Comprehensive Plan.

Glades

The Glades County Comprehensive Plan was adopted in 1991 and the Transportation Circulation Element was amended on September 6, 1992. The Comprehensive Plan indicates that “Glades County does not have any mass transit program, nor is there any proposed. The county does provide a number of services to some of its elderly and handicapped population through social service agencies.” The Department of Community Affairs accepted Glades County’s revised Evaluation and Appraisal Report (EAR) in October 2010. The Glades County Comprehensive plan has been adopted and continues not to have a mass transit program because of the County’s small population numbers and the lack of a viable demand for those transportation services.

Hendry

The Hendry County Comprehensive Plan was adopted on March 5, 1991 and amended in 1993, 1994 and 1997, which provided an update on April 13, 1999. The update contained a Traffic Circulation Element, which stated that the county will “provide and maintain a safe, convenient and efficient traffic circulation system, to meet the needs of the County’s existing development and projected future growth.” The Traffic Circulation Element is a requirement of the State Statutes pertaining to Comprehensive Planning and is composed of goals, objectives and policies for a locally desirable road circulation system. Although the County’s Comprehensive Plan provides for a Traffic Circulation Element that provides for a multimodal type of transportation system that includes roads, bicycles and pedestrian access, the plan does not address public transportation facilities or other mobility issues related to disabled users. Hendry County’s Evaluation and Appraisal Report (EAR) and the amendments were adopted in October 2010.

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b) Southwest Florida Regional Planning Council's "Strategic Regional Policy Plan"

The Transportation Disadvantaged Service Plan is consistent, to the maximum extent feasible, with the Strategic Regional Policy Plan of the Southwest Florida Regional Planning Council, 1995 and as amended in September 2001. The Regional Transportation Element is contained in Volume Two at pages 75-91 of the Strategic Regional Policy Plan and includes an acronym list. There are many issues identified and each issue contains goals and strategies, which have actions and indicators. The Southwest Florida Regional Planning Council adopted its Evaluation Appraisal Report (EAR) for the Strategic Regional Policy Plan on September 15, 2011. The Regional Transportation Element is addressed within the EAR on page 46. Both the SRPP and EAR are located on the SWFRPC's website at <http://www.swfrpc.org/srpp.html>

c) Transit Development Plans (where applicable)

Since neither Glades nor Hendry Counties are recipients of Federal Transit Administration (FTA) Section 5307 funds for public transportation, neither county is required to develop a Transit Development Plan. However, because of the increasingly "regional" aspects of travel patterns and employment opportunities in the counties of Southwest Florida, the Transit Development Plans of the counties surrounding Glades and Hendry should be reviewed.

d) Commission for the Transportation Disadvantaged 5 year/20 year Plan

The *Transportation Disadvantaged Service Plan* is consistent, to the maximum extent feasible, with the Commission for the Transportation Disadvantaged's 5 year/20 year Plan.

e) MPO Long Range Plan (where applicable)

Not applicable.

f) Transportation Improvement Plans (where applicable)

Not applicable.

Special Studies:

Glades/Hendry Counties Transit Development Project for Good Wheels, Inc., June 2003, by the Community Transit Association of America (CTAA)

In 2001, Good Wheels became a recipient of a U.S. Department of Agriculture funded study conducted by the Community Transit Association of America, (CTAA) to study the feasibility of (and needs for) public transit services in Glades and Hendry Counties. This study determined in June 2003 that there is some need for service [from places in Hendry or Glades County], "to Fort Myers and Lehigh Acres for medical and educational needs. Other agencies felt increased transportation around the two counties was needed for those who do not qualify for the current Transportation Disadvantaged service being offered by Good Wheels." This study presented several options for service development. These included fixed route service, demand responsive service, route deviation, checkpoint service, zone service and taxi service. The study further refined its recommendations to offer several 'options'

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utilizing fixed route or shuttles. In response to this study, in January 2005, Good Wheels initiated the “Dial-A-Ride” program with FTA 5311 funds.

Rural Transit Planning and Marketing Assessment

In 2004-05, the Florida Department of Transportation, District 1 Office of Modal Development, contracted with the Center for Urban Transportation Research at the University of South Florida (CUTR) to conduct a *Rural Transit Planning and Marketing Assessment* study of the rural areas within its district. It was anticipated that through this effort a number of characteristics would be further defined, including the volume of the services needed to meet the needs of the communities served; opportunities for the inter-county/cross jurisdictional service arrangements; identification of service enhancements that may enable local transportation service providers to better meet the needs of their service areas; and marketing efforts that will educate local residents and visitors of the transportation options that are currently available and those that may be added as a result of the study. The study area included all of Glades and Hendry Counties, as well as the other rural counties of FDOT’s District One. The findings in this study concerning the need for public transit include:

- There are specific populations where the need for public transit service is critical.
- There is significant variation among the need for public transit service among the residents of the study area.
- Public transit should be part of a county’s comprehensive planning process;
- Health care and work trips are most critical;

And findings specific to the Glades and Hendry areas where public transit is needed include:

- Service from LaBelle to Fort Myers, with an emphasis placed on medical and shopping trips and service to the airport. . . using smaller vehicles and increased frequency.
- Service in and around LaBelle to satisfy medical needs.

Florida Department of Transportation, District One, Intermodal Systems Development / Modal Development Office, Heartland Rural Mobility Plan Project Status and Overview, March 24, 2009

- The Heartland Rural Mobility Plan (HRMP) is a comprehensive multi-jurisdictional planning effort the Florida Department of Transportation, District One, Intermodal Systems Development/ Modal Development Office is completing in partnership with the Florida Heartland Rural Economic Development Initiative, Inc. (FHREDI).
- The two partners inaugurated this project in March of 2007.
- The Center for Urban Transportation Research (CUTR) at the University of South Florida is conducting the planning effort for District One, with the assistance of a subcontracted planning firm.



- The project includes an extensive public involvement process including workshops and regional forums. FHREDI staff assisted with public outreach.
- The purpose of the Heartland Rural Mobility Plan is to develop and implement a comprehensive mobility improvement process, with an emphasis on passenger transportation and commuter services, for the six counties and four communities included in the FHREDI region, referred to as the “Heartland.” The six counties are DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee (in District One). The four communities include Belle Glade, Pahokee, and South Bay in Palm Beach County (in District Four) and Immokalee in Collier County (in District One).
- Districts One and four staffs are coordinating on this effort, and linking this initiative with other projects of regional significance.
- District One has developed a strategic approach to meet the mobility needs of the Heartland, including employment transportation.
- The Heartland Rural Mobility Plan project is designed to meet the requirements of Florida Statutes, associated with Transportation Development Plans (Reference: Chapter 341.071).
- This planning effort is establishing a sound business foundation for the resulting mobility improvement.
- Results:
 1. Define the mobility needs of the Heartland area, especially within economic development and land use frameworks, and
 2. Recommend a governing structure that could include a regional mobility entity, including a finance plan.
- The Center for Urban Transportation Research presented the final Heartland Rural Mobility Plan findings and recommendations to the FHREDI area counties and communities in the second calendar quarter of 2009.
- The Department of Transportation, District One, Modal Development Office has identified the Central Florida Regional Planning Council (CFRPC) as the agency which will serve as the “conveyor” of the Heartland Rural Mobility Plan. The CFRPC has hired a Mobility Manager to assist communities in the HRMP study area in identifying mobility options to meet community needs.
- The HRMP identified 12 pilot projects for evaluation and implementation in the Heartland area. Good Wheels is presently operating two of these projects:
 - Good Wheels is maintaining the fixed-route Lake Region Commuter Service along the State Road 80 corridor from Clewiston in Hendry County to Belle Glade in Palm Beach County.
 - Good Wheels is also operating a circulator within the City of Clewiston. This fixed route service intersects with the Lake Region Commuter Service in Clewiston.

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For more information, please contact Michelle S. Peronto, District Transit Programs Administrator, Florida Department of Transportation, District One, , at 863-591-2551 or at Michelle.Peronto@dot.state.fl.us

Federal Transit Administration (FTA) Grant Programs

For 2013, the Federal Transit Administration (FTA) implemented MAP-21 (Moving Ahead for Progress in the 21st Century) which consolidated the New Freedom and Elderly and Disabled Programs. The Florida Department of Transportation conducts an annual grant application process for FTA grant funds.

The new FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities under MAP-21 is intended to enhance mobility for seniors and persons with disabilities by providing funds for programs to serve the special needs of transit-dependent populations beyond traditional public transportation services and Americans with Disabilities Act (ADA) complementary paratransit services. Eligible activities under Section 5310 include a requirement where at least 55% of program funds must be used on capital projects that are public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable. The remaining 45% may be used for public transportation projects that exceed the requirements of the ADA or projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit. Also, the funds could be used for alternatives to public transportation that assist seniors and individuals with disabilities.

The new FTA Section 5311 Formula Grants for Rural Areas under MAP-21 provides capital, planning, and operating assistance to states to support public transportation in rural areas with populations less than 50,000, where many residents often rely on public transit to reach their destinations. The following is what is new under Section 5311:

- Low-Income populations in rural areas are now incorporated as a formula factor, similar to the repealed Job Access and Reverse Commute (JARC) program.
- Planning is now an eligible activity.
- The Tribal program provides \$25 million in formula funds and \$5 million for discretionary awards.
- Appalachian Development Public Transportation Assistance Formula Program is a set aside program.
- Administration, planning, and technical assistance set-aside for states reduced to 10% from 15%.
- Cost of unsubsidized portion of privately provided intercity bus service that connects feeder service is now eligible as in-kind local match.
- Certain expenditures by vanpool operators may be used as local match.

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All agencies applying for funds through the Florida Department of Transportation, District One process are required to obtain a review of their grant application by the Local Coordinating Board, for coordination purposes. Grant applicants are encouraged to contact the staff of the Designated Official Planning Agency, the Southwest Florida Regional Planning Council (SWFRPC) to schedule the LCB's review of their grant application. The LCB's review of these grant applications fulfills the requirements for the Coordinated Human Service Plan. Good Wheels did not submit a Job Access Reverse Commute or New Freedom grant proposal in 2012.

Public Participation

The Glades and Hendry Joint Service Area Transportation Disadvantaged Coordinating Board includes representatives of public, private and non-profit transportation and human services providers as well as the public to participate in the development and update of the Glades and Hendry County Joint Service Area Transportation Disadvantaged Service Plan. The Transportation Disadvantaged Service Plan is developed through input of the Glades and Hendry Joint Service Area Transportation Disadvantaged Board whose membership includes citizens and human service providers. The public participation process feeds into the Coordinated Human Services Plan.

The Local Coordinating Board meetings are held in accessible locations and open to the public. In addition to the membership listed above, the mailing list for the LCB quarterly agendas include transportation partners, transportation disadvantaged passengers and advocates, human service organizations, faith-based and community based organizations, local school districts and others. The Glades and Hendry LCB seeks input from the public at all its meetings and makes a concerted effort to include many community partners and advocacy groups in the planning, evaluation and service development processes throughout the year. In addition, an annual public hearing is held and advertised to the public as required under the CTD regulations.



B. Service Area Profiles/Demographics (Glades County)

1. Service Area Description

Good Wheels, Inc. serves as the Community Transportation Coordinator (CTC) for both Glades and Hendry Counties. Therefore, a Joint Transportation Disadvantaged Service Plan is being prepared to address their common transportation needs. From the initial planning stages of the start-up for transportation under the Transportation Disadvantaged Program, the Counties have been treated as a single service area. There are several reasons that support this planning approach. First, the Counties share a common border around which many residents of each county live. Because of their general proximity, these residents often patronize the same service facilities, such as medical clinics, hospitals or schools, in Fort Myers and Belle Glade as well as other areas. Another reason is that a majority of

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social service agencies that currently serve the transportation disadvantaged groups provides services in both counties.

It is these factors that provide a basis for developing a joint TDSP for Glades and Hendry Counties. Each of the sections throughout this plan has been developed to address the transportation disadvantaged needs in both counties.

In order to ensure that the TDSP is grounded on a factual analysis of each County's planning area's population and economy, existing data in the form of research studies, census data, planning and operations documents of various agencies were collected and analyzed to develop an accurate demographic and economic data base. It is from this data base that projections for the TDSP period were developed.

Glades County

Glades County is located in the southern part of Florida, adjacent to the west side of Lake Okeechobee. Glades County is bordered on the south by Hendry County, on the west by Charlotte County, and to the north by Highlands County. Glades County is approximately 763 square miles, of which 185 square miles are covered by water; 45 square miles belong to the Brighton Indian Reservation, and approximately one square mile to the City of Moore Haven. The County is generally divided in half by Fisheating Creek, which runs in an east to west direction. The Caloosahatchee River creates a similar but more southerly division along the County's southern border. Main transportation arteries in Glades County include State Roads 78 and 80 running east to west adjacent to the Caloosahatchee River on the northern and southern banks, respectively, and US 27 running north to south into Moore Haven.

2. Demographics

a) Land Use

Glades County can be characterized as being a rural area with large areas of land allotted for



sugar and citrus production, as well as for cattle rangelands. There are also large areas of unimproved wetlands and commercial forest lands. There are also large tracts of vacant land which is only second in total land area after rangelands.

Two areas of the county deserve special classifications transcending land use designations. The first is the Brighton Indian Reservation which could be considered "Federal Public

Ownership." Since the uses common to the site are similar to the county as a whole, however, they are included in the county totals. Glades County has no land use authority within the reservation.

The second area that deserves special notice is the lands and waters contained within Lake Okeechobee Canal and dike systems. These areas are either the lake itself, overflow lands (lands expected to flood) or public works area (dikes or other filled lands). These lands are either owned outright by as public agency (usually the South Florida Water Management District or the Florida Department of Environmental Protection) or are covered by an easement prohibiting most uses. The easement is also usually held by a public agency. Consequently, the county does not have final land use authority over these properties.

The Federal Indian Reservation, the Lake Okeechobee “lands,” and the City of Moore Haven comprise the properties within Glades County over which the county does not have final land use authority. The Reservation measures some 35,800 acres, the Lake’s land measures 146,624 acres, and the city some 640 acres for a total of 183,064 acres.



b) Population/Composition

According to the Florida Census, the 2015 population for Glades County was 13,670 (**Table 1**). The 2000 population for Glades County was 10,576. Population density in the county was 16 persons per square mile. The current population distribution of Glades County has two major nodes, one at Buckhead Ridge and the other at Moore Haven. There are also other lightly populated areas distributed along State Road 78 in the southwest section of the county. The county seat, Moore Haven, with a population of 1,753 in 2015, is located in the southeastern section of the County along Lake Okeechobee. Using population density as a criterion, the area of greatest concentration is Buckhead Ridge, with Moore Haven being second. Both areas have population densities of greater than 1,000 per square mile. The population of unincorporated Glades County was 11,917 or 87.2% of the total population. The unincorporated portion of the county’s population has been growing since 1990.

TABLE 1

Glades and Hendry County Population Estimates						
	2015	2014	2013	2012	2011	2010
Glades County	13,670	13,190	13,080	12,952	12,684	12,617
Hendry County	39,119	38,360	38,346	38,669	39,084	39,030

Source: U.S. Census Bureau Data Set: 2015 Population Estimates

Trends

From its creation in 1922, Glades County has experienced a trend of slow population growth. However, over the past several decades, the population has increased in excess of the national average growth by five times. The population has increased from 3,669 in 1970 to 5,992 in 1980 to 7,591 in 1990 to 10,576 in 2000 to 12,884 in 2010. This represents an increase of 251% during the four decade period. Glades County is projected to continue to grow over the next 25 years as shown below in **Table 2**. By 2040, the population of the County was expected to increase to 14,600 persons for an increase of 13.3% from 2010.

TABLE 2
Historic and Projected Glades County Population

Year	1970	1980	1990	2000	2010	2020	2030	2040
Population	3,669	5,992	7,591	10,576	12,884	13,300	14,100	14,600

Sources: A. Bureau of Economic and Business Research, *Projections of Florida Population by County 2020-2045, with Estimates for 2015*

Housing Unit Estimates

A study of the number of Housing Units is provided in **Table 3**. The number of Housing Units decreased in Glades County from 6,819 in 2010 to 6,803 in 2015. The Housing Unit Estimates for Glades County are shown in Table 3 below. Estimates are provided from July 1, 2010 to July 1, 2015.

TABLE 3

Glades and Hendry County Housing Unit Estimates						
	2015	2014	2013	2012	2011	2010
Glades County	6,803	6,900	6,883	6,915	6,919	6,819
Hendry County	14,339	14,449	14,421	14,480	14,449	14,268

Household Size

Density in the county can also be determined from the number of households that exist. Density has a direct bearing on transportation operations. (Persons per household figures are also used to calculate the economically disadvantaged persons within Glades County, discussed below.) **Table 4** provides the number and density of households in Glades County. The number of households in 2014 was 3,846, in 2013 it was 3,843, in 2010 it was 4,165, in 2000 it was 3,852, and in 1990 it was 2,885, while in 1980 there were 2,224, an increase of 72.9% or 1,622 households over 34 years. The 1980 Census estimated the average household size for Glades County at 2.69. By 1990, this average had slipped to 2.57. This number has increased in the last 15 years. In 2000, the number of persons per household was 2.51 and that number increased to 2.79 by 2010. In 2014, the census bureau estimates 3.07 persons per household.

TABLE 4
Glades County Households

Year	Number of Households	Number of Persons/Household
1970	1,115	3.24
1980	2,224	2.69
1990	2,885	2.57
1995	3,340	2.56
2000	3,852	2.51
2010	4,165	2.79
2011	3,903	2.92
2012	3,745	3.11
2013	3,843	3.05
2014	3,846	3.07

Source: BEBR, 1995; 1980, 1990, 2000, 2010 Census, U.S. Census Bureau Data Set: 2014 Housing Characteristics

Poverty

In 2014, Glades County had 24.3% and Hendry County had 26.8% of the population which earned below the poverty level (**Table 5**). In 2014, an estimated 231,638 Southwest Floridians earned below the poverty threshold, which is approximately 14.6% of households. This is a 2.7 increase since 2010. The increase over this 5 year period is greater for the region's coastal counties (2.7%) than the rural counties (1.5%).

TABLE 5
Poverty Data (in percentages)

County	2000	2010	2011	2012	2013	2014
Charlotte	9.0	10.5	11.4	11.9	12.6	12.7
Collier	8.9	12.2	13.5	14.0	14.1	14.4
Glades*	15.5	19.6	19.5	25.3	24.5	24.3
Hendry*	19.5	26.4	26.0	28.7	26.7	26.8
Lee	9.4	12.0	13.5	14.5	15.4	16.0
Sarasota	9.1	10.5	11.0	11.6	12.2	11.8
Florida	11.7	13.8	14.7	15.6	16.3	16.7

Source: U.S. Census Bureau Data Set: 2014 Housing Characteristics

Median Age and Cohort Studies

As Glades County's population has grown, the median age has also been increasing. This can influence the demand for TD services since it is the elderly cohort, eligible for TD services by just its elderly status that is growing more rapidly in relation to the younger age ranges. Elsewhere in the TDSP, the issues of elders and driving are addressed.

In 1970, the median age for the county was 27.1 which increased to 35.4 by 1980, with the 60 plus age cohort representing 21.8% of the total population. The median age again rose in 1990 to 40.0 with the same cohort now representing 27.2% of the county population. In 2000, with the median age now at 40.2, the cohort (now age 65+) is 18.8% of the population. In 2014, the estimated median age again rose to 43.1, with 23.0% of the population being age 65 and over.

c) Employment

Per statistics from the Florida Department of Economic Opportunity, Glades County experienced an unemployment rate of 6.9% and Hendry County experienced an unemployment rate of 11.7% in July 2016 Table 6 illustrates the most recent unemployment rates for the Southwest Florida Region.



TABLE 6
Average Annual Unemployment Rates

County	Percentage of Unemployment July 2016
Charlotte	5.6%
Collier	5.4%
Glades	6.9%
Hendry	11.7%
Lee	4.8%
Sarasota	4.7%

Source: FL DEO

Places of Employment

Table 7 provides a listing of the top private employers in the joint service area of Glades County and in Hendry County. Some of the companies on the listing have a centralized employment center, e.g., one big office. In future editions of the TDSP, the locations of these companies will be mapped, in order to show specific areas where work trips are clustered.

TABLE 7
Major Private Sector Employers – Glades County

Name	Type	Employees
Moore Haven Correctional Facility	Correctional Institutions	250-499
Seminole Casino Brighton	Casinos , except Casino Hotels	50-99
Glades Electric Co-op	Electric Power Distribution	50-99
Graham Farm	Dairy Cattle and Milk Production	50-99
Wedgworth's Inc.	Farm Supplies Merchant Wholesalers	20-49
Oldcastle Lawn & Garden	Nursery, Garden Center, and Farm Supply Store	20-49
Florida Community Health Care	Freestanding Ambulatory Surgical and Emergency	20-49
Brighton Medical Ctr	Freestanding Ambulatory Surgical and Emergency	20-49
Big Lake Home Health Svc	Home Health Care Services	20-49

Source: Glades County Economic Development Council, Inc., 2016

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d) Major Trips by Purpose

Many trips taken by persons who are transportation disadvantaged are for purposes other than employment. In fact, the Commission for the Transportation Disadvantaged's 2013 Annual Performance Report, (APR) stated that Medical trips were the highest. See the trip purposes shown in **Table 8**.

TABLE 8

2015 Trips by Purpose, In the Joint Service Area of Glades County

Purpose	Number of trips	Percentage Change from 2014
Medical	3,313	-8.28%
Employment	----	NA
Education/Training/Daycare	1,229	∞
Nutritional	178	∞
Life sustaining/Other	3,510	4,343.04%
TOTAL TRIPS	8,230	122.97%

Source: CTD's Annual Performance Report, January 1, 2015

Education

The Glades County School District is the second smallest school district in Florida and is directed by an elected school board and superintendent. The district has about 1,668 full time equivalent (FTE) students, 131 teachers, 4 Guidance Counselors, 2 Librarians/Media Specialists, and 16 District Administrators and Administrative Support Staff. **Table 9** illustrates school enrollment three years and over for Glades County and **Table 10** illustrates Glades County education attainment.



TABLE 9

School Enrollment of Three Years and Over in School – Glades County

Nursery school, preschool	215
Kindergarten	169
Elementary School (*Grades 1-8)	1,173
High School	356
College or Graduate School	347

Source: U.S. Census Bureau 2010-2014 American Community Survey

TABLE 10
Education Attainment – Glades County

	2011
Less than high school diploma	2,292
High School graduate ,GED, or alternative	4,214
Some college or associate's degree	2,063
Bachelor's Degree or higher	986
Percent high school graduate or higher, percent of persons age 25+	76.0%
Percent bachelor's degree or higher, persons age 25+	10.3%

Source: U.S. Census Bureau, 2010-2014 American Community Survey

C. Service Area Profiles/Demographics (Hendry County)

1. Service Area Description

Hendry County

Hendry County is located in the southern part of the Florida adjacent to Lake Okeechobee. It is bordered on the north by Glades County, the south by Collier County, the west by Lee County and the east by Palm Beach and Broward Counties. The County is some 1,163 square miles in size, virtually all of it undeveloped or agricultural land. The Caloosahatchee River runs generally along the county's northwestern border, and separates the county's northwestern corner from the remainder of the county. Most of the county's settled areas are also located along this northern border.

Most of the population of Hendry County is concentrated in and around the incorporated cities of Clewiston and LaBelle. Like Glades County, the percentage of the population in the unincorporated sections of Hendry County, continues to increase.

There are a few subdivisions in other areas of Hendry County and the large Port LaBelle development lies just east of the City of LaBelle. There is little residential urban sprawl in the traditional sense. There is little concentration of commercial uses, except in reasonable proximity to residential areas. Strictly defined, industrial uses are few and small. The largest industrial-type facilities are agricultural uses, serving sugar cane and citrus.

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2. Demographics

a) Land Use

The land use and economy are dominated by agricultural activity: primarily sugar cane, citrus, vegetable and raising cattle. Sugar refining and citrus processing are also a part of the County's agricultural economy. Hendry County has several land owners with vast agricultural land holdings. The development of citrus agriculture has been particularly rapid in recent years. The intensity of land development from citrus agriculture, and the conversion of other agricultural uses to citrus growing, will begin to place some pressures on Hendry County's facilities, services and resources. Citrus products must be processed, must be moved to markets, and new workers and satellite industries are to be expected.



b) Population/Composition

TABLE 11
Hendry County Population

Population Statistics	
Year	Population Figures
1980	18,599
1990	25,773
2000	36,210
2010	39,030
2011	39,084
2012	38,669
2013	38,346
2014	38,360

Source: United States Census Bureau, 2010-2014
American Community Survey

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TABLE 12
Hendry County Population Projections

Population Projections	
Year	Population Figures
2020	39,100
2030	40,600
2040	41,600

Source: BEBR

TABLE 13
Components of Population Change 2010-2015

Births	2,953
Deaths	1,346
Net-Migration	-2,651
Total Change	-1,044

Source: BEBR Florida Estimates of Population 2015



TABLE 14
Population Age Breakdown

0--19	31.2%
20-54	45.0%
55-84	22.3%
85+	1.5%

Source: Hendry County Economic Development Council 2016

TABLE 15
Hendry County Elementary/High School Education

Public Schools	13
Nonpublic Schools	2
Public School Teachers	419

Source: FL Dept. of Education 2016, SWFL Economic Development Alliance

TABLE 16
Post-Secondary Education Serving Hendry County

Colleges/Universities
Florida Atlantic University
Florida Gulf Coast University
Florida SouthWestern State College (formerly Edison State College)
Fort Myers Technical College
Nova University
Palm Beach Vo-Tech
West Palm Beach State College
Lorenzo Walker Institute of Technology
Heritage Institute-Ft Myers
Fort Myers Institute of Technology
Sunstate Academy
Southern Technical College
Hodges University
Cape Coral Institute of Technology
Ave Maria School of Law
Ave Maria University
Wolford College
ITT Technical Institute-Fort Myers
Immokalee Technical Center
Florida Academy
Lee Professional Institute

Source: Hendry County Economic Development Council ~~2016~~

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c) Employment

TABLE 17
Major Private Sector Employers

Company Name	Product or Service	Employees
United States Sugar Corporation	Sugar & Citrus Processing	2500
Florida Southwestern State College	State College	501
Gator Harvesting Inc.		350
D & K Harvesting Inc.		350
Southern Garden Citrus	Citrus Processing	350
J & J Ag Products Inc.		300
Everglades Harvesting & Hauling		300
Walmart Supercenter	Retail	239



TABLE 18
County Employment by Industry

Agriculture, Forestry, Fishing and Hunting, and Mining	24.5%
Construction	8.5%
Manufacturing	3.6%6.7%
Wholesale Trade	1.2%
Retail Trade	9.1%
Trans and Warehousing, and Public Utilities	15.0%5.2%
Information	0.4%
Finance and Insurance, and Real Estate, and Rental and Leasing	3.8%
Professional , Scientific, and Management, and Administrative and Waste Management Services	6.3%
Educational Services, and Health Care, and Social Assistance	17.5%
Arts, Entertainment, and Recreation, and Accommodation and Food Services	7.0%7.7%
Other Services	1.3%3.9%
Public Administration	11.6%5.3%

Source: United States Census Bureau, 2010-2014 American Community Survey

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TABLE 19
Employment Status & Labor Force

Subject	Number
Population 16 years and over	28,688
Management, business, science and arts occupations	3,395
Service Occupations	2,199
Sales and Office Occupations	2,537
Natural Resources, construction, and maintenance occupations	4,237
Production, transportation, and material moving occupations	1,761

TABLE 20
Commuting To Work – Workers 16 Years of Age and Older

Subject	Number
Car, truck or van – drove alone	9,336
Car, truck or van – carpooled	2,251
Public transportation (including taxicab)	698
Walked	422
Other means	806
Worked at home	377

d) Major Trip Purposes

TABLE 21
2015 Trips by Purpose, In the Joint Service Area of Hendry County

Purpose	Number of trips	Percent change from 2014
Medical	13,445	-33.42%
Employment	0	0.00%
Education/Training/Daycare	7,329	83.23%
Nutritional	3,108	∞
Life-Sustaining/Other	12,401	-41.29%
TOTAL TRIPS	36,283	-19.94%

Source: CTD's Annual Performance Report, January 1, 2015

e) Inventory of Available Transportation Services

The following is a list of transportation operators in the Glades and Hendry Joint Service Area:

Good Wheels, Inc.	10075 Bavaria Road Fort Myers, FL 33919	Contact: Alan Mandel 239-768-2900
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D. Service Analysis

This section provides estimates of the need and demand for transportation services within the Transportation Disadvantaged (TD) population in Glades and Hendry Counties, Florida.

1. Forecasts of Transportation Disadvantaged Population

TD Population Forecasts

There are two categories of TD population in the State of Florida – “Potential TD Population” a/ka TD Category I. This category includes disabled, elderly, low-income persons and children who are “high-risk” or “at risk”.



TD Category II includes persons who are unable to transport themselves or to purchase transportation. These individuals are eligible to receive the same subsidies as those in Category I, plus they’re eligible to receive TD Trust Fund monies for non-sponsored general trips.

Tables 22, 23 and 24 break down the two categories of the TD population in the State of Florida.

TABLE 22
Forecasts of TD Population in Glades County, Florida

TD Population Figures	Year				
	2014	2015	2016	2017	2018
Category I	6,281	6,324	6,368	6,413	6,457
Category II	565	569	573	577	581

Source: <http://www.dot.state.fl.us/ctd/2016>

TABLE 23
Forecasts of TD Population in Hendry County, Florida

TD Population Figures	Year						
	2013	2014	2015	2016	2017	2018	2019
Category I	15,845	15,929	16,012	16,097	16,182	16,267	16,353
Category II	1,966	1,976	1,987	1,997	2,008	2,018	2,029

Source: <http://www.dot.state.fl.us/ctd/>

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TABLE 24

2014 Glades County Potential Transportation Disadvantaged Population (Category I) Estimates

Segments	Population Estimates
Disabled, Non-Elderly, Low Income	370
Disabled, Non-Elderly, Non-Low Income	778
Disabled, Elderly, Low-Income	200
Disabled, Elderly, Non-Low Income	1,163
Non-Disabled, Elderly, Low Income	220
Non-Disabled, Elderly, Non-Low Income	1,455
Non-Disabled, Non-Elderly, Low Income	2,095
Total Potential Transportation Disadvantaged Population	6,281

Source: <http://www.dot.state.fl.us/ctd> 2016



Table 25

2014 Glades County Potential Transportation Disadvantaged Population (Category II) Estimates

Segments	Population Estimates
Transportation Disabled, Non-Elderly, Low Income	0
Transportation Disabled, Non-Elderly, Non-Low Income	0
Transportation Disabled, Elderly, Low Income	23
Transportation Disabled, Elderly, Non-Low Income	176
Non-Transportation Disabled, Low Income, No Auto, No Fixed-Route Transit	365
Total Transportation Disadvantaged Population	565

Source: <http://www.dot.state.fl.us/ctd> 2016

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TABLE 26

2013 Hendry County Potential Transportation Disadvantaged Population (Category I) Estimates

Segments	Population Estimates
Disabled, Non-Elderly, Low Income	1,124
Disabled, Non-Elderly, Non-Low Income	2,023
Disabled, Elderly, Low-Income	337
Disabled, Elderly, Non-Low Income	1,715
Non-Disabled, Elderly, Low Income	235
Non-Disabled, Elderly, Non-Low Income	2,163
Non-Disabled, Non-Elderly, Low Income	8,248
Total Potential Transportation Disadvantaged Population	15,845

Source: <http://www.dot.state.fl.us/ctd> 2013

TABLE 27

2013 Hendry County Potential Transportation Disadvantaged Population (Category II) Estimates

	Population Estimates
Transportation Disabled, Non-Elderly, Low Income	103
Transportation Disabled, Non-Elderly, Non-Low Income	256
Transportation Disabled, Elderly, Low Income	85
Transportation Disabled, Elderly, Non-Low Income	645
Non-Transportation Disabled, Low Income, No Auto, No Fixed-Route Transit	877
Total Transportation Disadvantaged Population	1,966

Source: <http://www.dot.state.fl.us/ctd>

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2. Needs Assessment

The purpose of this section is to assess the transportation needs and demand for individuals with disabilities, elderly, low income and high risk and at risk children. This section attempts to identify any gaps in transportation services that are needed in the service area. This also satisfies the Coordinated Human Services Plan requirements.

The coordinated transportation disadvantaged program as coordinated by the Community Transportation Coordinator (CTC) has identified these funding needs:

- Operating assistance
- Match for operating assistance
- Capital assistance for vehicles
- Match for capital assistance for vehicles
- Capital assistance to upgrade and maintain the CTC IT Scheduling System
- Match for capital to upgrade and maintain the CTC facility



Project	Location	Estimated Cost	Funding Source
Good Wheels – Shirley Conroy Program Grant – Driver Training for new hires and required continuing education; rural area funding within an urban area to transport dialysis patients; grant management; and web improvements, including ADA features.	Region	\$395,600	Shirley Conroy Program Grant
Good Wheels, Inc. - U.S.C. Section 5311 Grant - Bus service for Food Desert; grant management; and web improvements, including ADA features and management costs.	Region	\$282,040	U.S.C. Section 5311 FDOT
Good Wheels, Inc. – Shirley Conroy Program Grant – Replacement vehicles, expansion of vehicles, IT	Region	\$902,042.58	Shirley Conroy Program Grant

equipment, and replacement parts for existing vehicles.			
Good Wheels, Inc. – Section 5311 – Replacement vehicles	Region	\$143,892.00	U.S.C. Section 5311 FDOT

3. Barriers to Coordination

The main barrier to ongoing coordination in Hendry/Glades County will be the "Medicaid Managed Care" program. In the 2nd half of 2014 direct responsibilities for Medicaid "NET" will no longer reside with CTCs. This could have a significant impact on coordinated transportation. Additionally, the transportation disadvantaged program's current funding levels limit the ability to coordinate transportation for other services beyond medical care.

E. Goals, Objectives and Strategies

Goal 1: Coordination of Service

- 1.1 The CTC will continue to communicate and coordinate with state and local governments, planning agencies, Local Coordinating Boards, social service agencies and others who provide subsidy and/or planning or technical assistance and/or who purchase transportation service.
- 1.2 The CTC will continue to communicate and coordinate with CTCs in other counties to promote ride-sharing practices and formulate cost efficient and effective transportation arrangements.
- 1.3 The CTC will continue to communicate and coordinate with people who schedule trips in order to provide timely and cost-efficient and effective transportation service.
- 1.4 The CTC will work toward establishing accessible transfer facilities to enhance coordination, reduce duplication of service and enable the safe, convenient and cost efficient and effective transfer of passengers between transportation systems. The CTC will update the LCB through reports to the planning agency, on the status of the transfer facilities.

The CTC will provide the local TD planning staff with a report that includes the number of monthly sponsored and non-sponsored passenger trips coordinated by the CTC which shows the number of passenger trips delivered for each funding source.

- 1.5 The CTC will continue to utilize wheelchair accessible, air conditioned, comfortable vehicles or modes best suited to passengers' needs in order to better serve all riders.
- 1.6 The CTC will continue to transport the disadvantaged in both Hendry and Glades Counties for medical, day care, nutrition, and life sustaining purposes. Need exists for

pre-K transportation to prepare children for school, as well as transportation for veterans to hospitals located in Palm Beach and Cape Coral.

Goal 2: Provision of Service

Strategy 2: Provide a comfortable, cost-efficient and cost-effective coordinated transportation service that meets the needs of the transportation disadvantaged within funding limitations.

- 2.1 As new resources become available, the CTC will increase transportation service to areas/people/hours/days of the week not currently being served as feasible.
- 2.2 The CTC will provide on-time service, pursuant to definition of On-Time in the Service Plan.
- 2.3 Should the need for additional funded capacity arise, as determined by the LCB, the CTC will initiate a competitive procurement process and sub-contract with suitable operators to provide needed service.

Goal 3: Service Quality

Strategy 3: Assure that quality transportation service is being provided through periodic monitoring and evaluations.

- 3.1 The CTC will conduct random sample ridership surveys in order to evaluate customer satisfaction with transportation service.

These surveys will be made available to planning staff whenever requested and yearly at the planning agency evaluation.

- 3.2 The CTC will handle complaints and grievances in a timely fashion as detailed in the CTC's Complaint and Grievance Procedures.
- 3.3 The CTC will, provide reports to the local TD planning staff of the number of monthly complaints and grievances received the nature of the complaints and grievances, and a summary of how they were resolved.

Goal 4: Training about and Marketing of Service

Strategy 4: Continue to train participants and to market and promote transportation service that can be provided within the limits of available resources.

- 4.1 The CTC will carry out a public information program to assist current and prospective riders in the proper use of the transportation system.

- 4.2 The CTC will have brochures, reservation information, complaint and grievance procedures and other useful information available to riders on all vehicles and at agencies.
- 4.3 The CTC will provide opportunities designed to educate the community regarding the need for sponsored transportation, the services available and the need for the expansion of services, by speaking to clubs and other networks.
- 4.4 The CTC shall ensure that all staff and local board members and advisors are aware of the different services and programs Good Wheels provides.
- 4.5 Carry out appropriate training programs for all driving personnel including sensitivity training, basic First Aid and CPR.
- 4.6 Investigate and implement new training programs, as appropriate.

Goal 5: Resource Management

Strategy 5: Maximize the use of human and financial resources and equipment.

- 5.1 Increase revenue by identifying and taking advantage of existing and new private and public funding sources.
- 5.2 To reduce and/or control expenses, continue to monitor and analyze the cost of administration and operations.
- 5.3 Plan for the acquisition of air conditioned, comfortable and ADA accessible vehicles to replace an aging fleet or to expand services.
- 5.4 The CTC is to continue purchasing fuel as a public agency, qualify for tax rebates.
- 5.5 The CTC is to continue locating its vehicles in Hendry or Glades, in order to reduce deadhead miles.

Goal 6: Safety

Strategy 6: Continue to operate a safe transportation system as set forth in the CTC's Systems Safety Program Plan (SSPP).

- 6.1 Update the SSPP at least on an annual basis.
- 6.2 Continue to make safety and loss prevention the responsibility of all personnel.

- 6.3 Continue to conduct annual safety checks on all equipment.
- 6.4 Continue to provide a hazard-free environment and a safe, drug and alcohol free workplace.
- 6.5 Require physical examinations for all personnel as set forth in the SSPP.
- 6.6 Continue drug and alcohol testing as set forth in the Substance Abuse Policy (an addendum to the SSPP).
- 6.7 Expand safety and training program.
- 6.8 Continue to maintain vehicles in accordance with Florida Department of Transportation's recommended Preventive Maintenance and Safety Programs.

F. Implementation Schedule

The Implementation Schedule is tied directly into the goals, objectives and strategies. The implementation schedule is updated annually.

Strategy	Implementation Date
1.1 The CTC will continue to communicate and coordinate with state and local governments, planning agencies, Local Coordinating Boards, social service agencies and others who provide subsidy and/or planning or technical assistance and/or who purchase transportation service.	Ongoing
1.2 The CTC will continue to communicate and coordinate with CTCs in other counties to promote ride-sharing practices and formulate cost efficient and effective transportation arrangements.	Ongoing
1.3 The CTC will continue to communicate and coordinate with people who schedule trips in order to provide timely and cost-efficient and effective transportation service.	Ongoing
1.4 The CTC will work toward establishing accessible transfer facilities to enhance coordination, reduce duplication of service and enable the safe, convenient and cost efficient and effective transfer of passengers between transportation systems. The CTC will update the LCB through reports to the planning agency, on the status of transfer facilities.	Ongoing
1.5 The CTC will on an ongoing basis, provide the local TD planning staff with a report that includes the number of monthly sponsored and non-sponsored passenger trips coordinated by the CTC which shows the number of passenger trips delivered for each funding source.	Ongoing
1.6 The CTC will continue to utilize wheelchair accessible, air conditioned, comfortable vehicles or modes best suited to passengers' needs in order to better serve all riders.	Ongoing
2.1 As new resources become available, the CTC will increase transportation service to areas/people/hours/days of the week not currently being served.	As Needed/Feasible

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Strategy	Implementation Date
2.2 The CTC will provide on-time service, pursuant to the definition of on-time in the Service Plan.	Ongoing
2.3 Should the need for additional capacity arise with funding, as determined by the LCB, the CTC will initiate a competitive procurement process and subcontract with suitable operators to provide needed service.	Ongoing
3.1 The CTC will conduct random sample ridership surveys in order to evaluate customer satisfaction with transportation service. These surveys will be made available to planning staff whenever requested and yearly at the planning agency evaluation.	Monthly
3.2 The CTC will handle complaints and grievances in a timely fashion as detailed in the CTC Complaint and Grievance Procedures.	Ongoing
3.3 The CTC will, on an ongoing basis, provide trend reports to the Planning Agency staff of the number of complaints and grievances received the nature of the complaints and grievances and a summary of how they were resolved.	Quarterly
4.1 Carry out a public information program to assist current and prospective riders in the proper use of the transportation system.	Ongoing
4.2 Have brochures, reservation information, complaint and grievance procedures and other useful information available to riders on all vehicles at agencies.	Ongoing
4.3 Provide opportunities designed to educate the community regarding the need for sponsored transportation, the service available and the need for the expansion of services, by speaking to clubs and other networks.	Ongoing
4.4 The CTC shall ensure that all staff and the local board members and advisors are aware of the different services and programs Good Wheels provides.	Ongoing
4.5 Carry out appropriate training programs for all driving personnel including sensitivity training, basic First Aid and CPR.	Ongoing
4.6 Investigate and implement new training programs as appropriate.	Ongoing
5.1 Increase revenue by identifying and taking advantage of existing and new private and public funding sources.	Ongoing
5.2 To reduce and/or control expenses, continue to monitor and analyze the cost of administration and operations.	Ongoing
5.3 Plan for the acquisition of air conditioned, comfortable and accessible vehicles to replace an aging fleet or to expand services.	Annually
5.4 The CTC is to continue purchasing fuel as a public agency, qualify for tax rebates.	Ongoing
5.5 The CTC is to continue locating its vehicles in Glades or Hendry Counties in order to reduce deadhead miles.	Ongoing

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Strategy	Implementation Date
6.1 Update the SSPP at least on an annual basis.	Annually
6.2 Continue to make safety and loss prevention the responsibility of all personnel.	Ongoing
6.3 Continue to conduct safety checks on all equipment.	Ongoing
6.4 Continue to provide a hazard-free environment and a safe drug and alcohol free workplace.	Ongoing
6.5 Require physical examinations for all personnel as set forth in the SSPP.	Ongoing
6.6 Continue drug and alcohol testing as set forth in the Substance Abuse Policy.	Ongoing
6.7 Expand the safety and training program.	As Needed
6.8 Continue to maintain vehicles in accordance with Florida Department of Transportation's recommended Preventative Maintenance and Safety Programs.	Ongoing

5-Year Transportation Disadvantaged Capital Improvement Program

The TD Transportation Capital Improvement Program identifies transportation improvements in the way of purchases, such as vehicles and communications equipment. It groups improvements into staging periods and includes realistic estimates of costs and revenues for the program period. This section will be updated on an annual basis.

Implementation Date	Estimated Cost	Description of Purchase	Anticipated Funding Source	New or Replacement	Date Priority Established
2015-16	\$231,210	5 – Low-Floor Mini Vans	FTA 5310 funds	Replacement	June 2015
2015-16	\$1,156,050	25 – Low-Floor Mini Vans	FTA 5310 funds	Expansion	June 2015
2016-17	\$981,074	7 -Wide Body 6 - vans	FTA 5310 funds	6 - Replacement 7 - Expansion	December 2016
	\$164,000	2 – Wide Body Freightliner	Shirley Conroy FTA 5311	3 - Replacement Expansion	
2017-18	\$450,175	5 Wide Body	FTA 5310 funds	Replacement	June 2015
2018-19	\$450,175	5 Wide Body	FTA 5310 funds	Replacement	June 2015
2017-2018	\$133,000	Freightliner	Section 5311 Fund	New	
2017-18	\$163,000	2 – Wide Body	Shirley Conroy Program Grant	Replacement	June 2016
2018-19	\$163,000	2 – Wide Body	Shirley Conroy Program Grant	Replacement	June 2016

Source: Good Wheels 2016

Good Wheel's is in the need of \$15,000 to \$230,000 for IT upgrades in order to improve scheduling and accounting communication. This will be a 2016 project.

II. SERVICE PLAN

A. Operations Element

1. Types, Hours and Days of Service



a) Types of Service

Provider	Ambulatory	Wheelchair	Stretcher	Advance Reservation	Subscription	Door to Door	Curb to Curb	Door Through Door
Good Wheels, Inc.	✓	✓	✓	✓	✓	✓	✓	

b) Group Trips

A group trip is defined as five or more individuals traveling on a vehicle at the same time.

c) Subscription Service

Subscription service is defined as a regular and recurring service in which schedules are prearranged to meet the travel needs of riders who sign up for the service in advance. The service is characterized by the fact that the same passengers are picked up at the same location and time and are transported to the same location and then returned to the point of origin in the same manner.

d) Demand Responsive Service

Demand responsive service is generally available from 6:00 a.m. until 6:30 p.m. Monday through Friday.

e) Non-Emergency Medical Stretcher Service

Requests for non-emergency medical stretcher service must be made at least two hours before the required time of travel.

f) Wheelchair Service

Wheelchair service is offered countywide. Drivers are not permitted to assist persons in wheelchairs up or down any steps. When a wheelchair, scooter or other assistance device is needed, passengers must notify the reservationist making the trip reservation,

g) Florida Agency for Health Care Administration Medicaid Program Trips

Medicaid service is being provided by Good Wheels through contracts with Medicaid Transportation Brokers and is no longer part of the CTC.

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h) Hours and Days of Service

Office Hours: 8:00 a.m. to 5:00 p.m. Monday through Friday excluding holidays (see below).

General Service hours are 5:00 a.m. to 8:00 p.m. Monday through Saturday. Passengers are advised to be ready for pickup one hour before their scheduled appointment time. All return trips are scheduled in advance. There is a 30 minute pickup window for return trips. Passengers should expect their return trip to arrive at the scheduled time or up to 30 minutes after their scheduled pickup time. Passengers can expect their return trip to take up to 90 minutes from the time they are seated on the vehicle.

Demand responsive service is generally available from 6:00 a.m. to 6:30 p.m. Monday through Friday.

Non-emergency medical stretcher service is available under the CTC and Medicaid from 4:30 am to 7:00 pm, Monday thru Friday.

After hours service is provided to Medicaid Program sponsored individuals in Lee County for Lee Memorial Hospitals. Please contact your Medicaid Transportation Broker to schedule a trip.

2. Accessing Services

a) Reservations:

Requests for transportation are made with Good Wheels. Trip reservations must be made Monday through Friday from 8:00 a.m. to 5:00 p.m. Special arrangements may be made for trips outside of these hours of operation. Trips must be scheduled by noon the day before service is provided.

Return trips must be scheduled in advance. Passengers should also be advised that some trips cannot be picked up before 10:30 a.m., and “take homes” are based on when the vehicle is available (not when the person is ready). Passengers should be advised there will be extended waits for their return pickups.

Peak travel times are 7:30 a.m. to 9:30 a.m. and 3:30 p.m. to 5:30 p.m. Good Wheels has limited capacity to transport passengers during these times. Therefore, passengers are encouraged to schedule their reservations between 10:30 am and pick up before 2:00 pm for trips during these times as soon as possible.

b) Holidays

Service will not be provided on the following days: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas.

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c) No-Shows

When the passenger fails to cancel their pick-up arrangement more than an hour prior to a driver's arrival, then their trip is defined as a no-show. No-shows effect the provision of service, because the no-show takes up resources (of time, fuel, vehicles, etc.) that could be otherwise used to transport an actual client. Failure to give required notice of cancellations and/or no shows can result in actions up to and including suspension of services and/or termination from program.

d) Cancellations

Trip cancellations must be made to Good Wheels at least two hours prior to the driver's arrival. If a passenger needs to cancel a trip, they should call Good Wheels when they know this, at (239) 768-2900 in Fort Myers or (800) 741-1570, to make a cancellation. Cancellations affect the efficiency that can be achieved through coordination. A cancellation is defined as a trip reservation made but canceled more than two hours, prior to the drivers' arrival. If a passenger does not call to cancel their trip, they may be penalized.

e) Fares

Passengers sponsored by Florida's Transportation Disadvantaged Program must pay a \$2.00 passenger fare.

Good Wheels operates a Dial-a-Ride in Glades and Hendry Counties. People can use it by calling (800) 741-1570.

Good Wheels operates a fixed route in Clewiston which circulates around Clewiston and stops at the Wal-Mart. At this point, it connects with the Clewiston-Belle Glade route. Fares are \$1.00.



Coordinated transportation is available to the general public. Any individual may call Good Wheels to schedule a trip, and pay the full cost of the services provided. Generally, the cost of this service is comparable to taxi service. This service must be scheduled in advance.

f) Transportation Disadvantaged Program Eligibility:

- No other means of transport
- Disability
- Income *The LCB's policy is for the CTC to provide transportation to persons' whose household income is at 80% of the poverty levels.*

Individuals must apply for Transportation Disadvantaged Program eligibility for their transportation to be sponsored by the Florida Commission for the Transportation Disadvantaged. Good Wheels shall implement the application/eligibility process. **Exhibit B** is an example of the application used for Transportation Disadvantaged Program eligibility.

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g) **Transportation Disadvantaged Program Trip Priorities Policy:**

Only medical trips are provided with the Transportation Disadvantaged Trust Funds.

Service Complaints:

People with complaints can call either the Good Wheels 1-800-741-1570 phone number or the Florida Commission for the Transportation Disadvantaged's Ombudsman Hotline number at 800-983-2435. Both numbers are posted in the vehicles.

3. **Transportation Operators and Coordination Contractors**

According to Rule 41-2, F.A.C., the CTC shall jointly develop and enter into a coordination contract with agencies who receive government transportation disadvantaged funds and who, from a total system approach, can meet more effectively and efficiently their own transportation needs than the CTC. The contract shall include the requirements of reporting, insurance, safety, and other terms outlined in the MOA that apply equally to any transportation operator. The contract also shall include any relative information regarding joint utilization and cost arrangements for the provision of transportation services to and from the coordinator.

The CTC may provide the trips itself, or subcontract them to qualified operators. The rates paid to transportation operators are negotiated between each transportation provider and the CTC. The rates are covered in the sample carrier contract, a copy of which can be obtained from the CTC.

The following is a list of transportation operators in the Glades and Hendry Joint Service Area:

Good Wheels, Inc.	10075 Bavaria Road Fort Myers, FL 33919	Contact: Alan Mandel 239-768-2900
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4. **School Bus Utilization**

School buses are not currently utilized in the coordinated system.

5. **Vehicle Inventory**

Vehicle inventories are shown as **Exhibit C**.

6. **System Safety Program Plan Certification**

Good Wheels Annual Safety Certification is shown as **Exhibit D**.

7. **Inter-County Services**

Good Wheels will transport CTC clients to medical facilities in Lee County, if scheduling permits.

Good Wheels is presently operating a Dial-A-Ride program. This service is funded through FTA 5311 funds. A passenger calls Good Wheels to schedule a trip. This service operates in the Hendry/Glades service area and passengers can arrange trips to Lehigh Acres. The Dial-A-Ride flyer is provided at the end of the Service Plan component.

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Good Wheels receives federal and state grant funds to operate a regularly scheduled route from Clewiston in Hendry County to Belle Glade in Palm Beach County. This service connects to route operated by Palm Tran.

8. Emergency Preparedness & Response

Procedures for transportation in the time period before an evacuation due to natural disasters and/ or emergencies are addressed by the LCB's Standard/Policy 2.11.

The CTC, through contractual agreements with carriers and in the System Safety Program Plan (SSPP) establishes policies for the handling of emergencies, accidents and delays. Carriers are required to notify the CTC and appropriate emergency personnel immediately if an emergency, accident or delay occurs. Appropriate emergency personnel can include police, fire or ambulance. Solicit appropriate medical or emergency assistance, if an accident or other emergency occurs. The CTC must also be notified of schedule delays. The carrier must also submit a written accident or incident report and management analysis, within 24 hours. If bodily injury and/or property damage exceeds levels outlined in U.S. DOT, the driver is required to undergo drug and alcohol testing as per Federal guidelines. If delays occur, the CTC may reassign trips. Where possible, passengers will be notified of extended delays and alternate arrangements.

In the event of an accident, the carrier must follow up with a written accident report and a management analysis within 24 hours. In the event of bodily injury or property damage in excess of U.S. DOT guidelines, the driver must submit to drug and alcohol testing in accordance with U.S. DOT and Federal Transit Administration (FTA) guidelines. To handle delays, each carrier is required to have one back-up vehicle for every six vehicles in service. If delays occur, the CTC may reassign trips to other service providers. If an extended delay results, the passenger will be notified and a satisfactory resolution will be reached.

9. Educational Efforts/Marketing

Good Wheels has public information brochures. In addition to the brochure, Good Wheels visits various government, community and social service agency meetings.

The LCB has identified the need for Good Wheels to keep the community informed. Reaching out to the customary user groups of the coordinated system will continue to be an important part of this effort. Good Wheels and the LCB will need to work together to keep the passengers, the sponsoring agencies and the public informed regarding changes in service delivery.

Along with continually educating the users and the LCB, another important aspect of training is for Good Wheels to maintain its program to train its employees. The types of training conducted are for new employees, and on-going operations training for current staff.

Brochures describing the coordinated transportation system briefly discussing eligibility criteria and the scope of the services provided are distributed to social service agencies within the service area.

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10. Acceptable Alternatives

There have been no acceptable alternatives for the provision of transportation service identified in Glades or Hendry Counties.

11. Service Standards

TABLE 1
Glades-Hendry County TDSP – Policies and Standards, Evaluation and Monitoring

Rule 41-2.006 (4)(a), F.A.C.	Drug and alcohol testing for safety sensitive job positions within the coordinated system regarding pre-employment, randomization, post-accident and reasonable suspicion, return to duty and follow-up as required by Federal Highway Administration (FTA).	A review conducted by FDOT, FHWA or FTA will determine compliance with this standard.	All safety sensitive job positions comply with the pre-employment, randomization, post-accident and reasonable suspicion testing requirements of the Federal Transit Administration.
Rule 41-2.006 (4)(b), F.A.C.	An escort of a passenger and dependent children are to be transported as locally negotiated and identified in the local Service Plan.	This can be evaluated by vehicle inspection.	In order to enhance the safety of passengers and drivers, children under age 15 or other people who, due to age or disabilities may be at risk to themselves or others must be accompanied by an escort or attended to by an attendant. Escorts must be provided by the passenger or the agency paying for their trip. The escort must be able to provide the necessary assistance to the passenger. Escorts are transported at no additional charge. The CTC reserves the right to refuse to transport a passenger or group of passengers if they need an escort, but do not have one. The need for an escort is determined in advance of the trip. "Traveling companions" are not the same as required. Escorts that have to be picked up or dropped off before/after passengers are not considered escorts, but are regular trips. {See notes to this policy, at end of Table One.}
Rule 41-2.006(4)(c), F.A.C.	Use of Child restraint devices shall be determined locally as to their responsibility and cost of such device in the local Service Plan	Evaluated by inspection of the vehicle.	All passengers under the age of 5 and/or under 45 pounds will be required to use a child restraint device. This device will be provided by parent or sponsoring agency or by Good Wheels upon arrangement.
Rule 41-2.006(4)(d), FAC	Passenger property that can be carried by the passenger and/or driver in one trip and can safely bestow on the vehicle shall be allowed to be transported with the passenger at no	Evaluated by inspection of the vehicle.	Passengers shall be allowed to have four pieces of personal property which they can place in their lap or stow under their seat. Passengers must be able to independently carry all items brought onto the vehicle.

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	additional charge. Additional requirements may be negotiated for carrying and loading rider property beyond this amount. Passenger property does not include wheelchairs, child seats, stretchers, secured oxygen, personal assistive devices or intravenous devices.		Passenger property does not include wheelchairs, child seats, stretchers, secured oxygen, personal assistive devices or intravenous devices.
Rule 41-2.006 (4)(e),FAC	Vehicle transfer points shall provide shelter, security and safety of passengers	This standard can be evaluated by the inspection of transfer points.	The CTC does not generally use transfers in the coordinated system, but if they are used, vehicle transfer points shall be located in a safe, secured place that provides shelter.
Rule 41-2.006(4)(f), FAC	A local toll-free phone number for complaints or grievances shall be posted inside the vehicle. The local complaint process shall be outlined as a section in the Local Service Plan including advising the dis-satisfied person about the Commission's Ombudsman Program as a step within the process as approved by the local Coordinating Board.	This standard can be evaluated by inspection of the vehicle.	The local toll free phone number will be included in the complaint process. This number will be posted on right visor of all vehicles in 3" sized numbers. It is (800) 741-1570.
Rule 41-2.006(4)(g), FAC	Out of service area trips shall be provided when determined locally and approved by the Local Coordinating Board, except in instances where local ordinances prohibit such trips.	This standard can be evaluated by the inspection of records of out-of-service area trips.	Both Medicaid recipients and TD clients are being transported out of the joint service area of Glades and Hendry Counties and this has proven to be absolutely necessary. Out of county trips must be verified by contacting the passengers' medical provider.
Rule 41-2.006(4)(h), FAC	Interior of all vehicles shall be free from dirt, grime, oil, trash, torn upholstery, damaged or broken seats, protruding metal or other objects or materials which could soil items placed in the vehicle or provide discomfort for the passenger; (Vehicle cleanliness)	Inspection of the contracted operators and CTC vehicles will determine if this standard is being met.	Interior of all vehicles shall be free from dirt, grime, oil, trash, torn upholstery, damaged or broken seats, protruding metal or other objects or materials which could soil items placed in the vehicle or provide discomfort for the passenger. All vehicles shall be cleaned (interior and exterior) on a regular schedule.

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<p>Rule 41-2.006(4)(i), FAC</p>	<p>Billing requirements of the Community Transportation Coordinator to subcontractors shall be determined locally by the Local Coordinating Board and provided in the local Service Plan. All payments shall be paid to subcontractors within seven (7) calendar days after receipt of said payment by the Community Transportation Coordinator. If the contractor (CTC) receives less than full payment, then the contractor shall be required to disburse only the funds received on a pro rata basis with each subcontractor receiving a prorated portion based on the amount due on the payment. A Vendor Ombudsman within Commission of Banking and Finance has been established to advocate for vendors. (Except in instances where the Community Transportation Coordinator is a non-governmental entity)</p>	<p>The LCB will be able to evaluate this standard based on the evaluation of [records of] payments made to operators.</p>	<p>The CTC shall pay all bills to the subcontracted transportation operator within seven days after receipt of payment. Task I-C of the TD Planning Grant states that the Planning Agency shall ensure that operator payments are addressed as a standard LCB agenda item.</p>
<p>Rule 41-2.006(4)(j), FAC</p>	<p>Passenger/trip database must be maintained or accessible by the Community Transportation Coordinator on each rider being transported within the system.</p>	<p>Review of random sample of records.</p>	<p>For each passenger transported within the system, the CTC will collect the name, phone number, address, funding source eligibility and special requirements on each passenger in a database. See 2.10 (2.15) for HIPPA Compliance.</p>
<p>Rule 41-2.006(4)(k), FAC</p>	<p>Adequate seating for paratransit services shall be provided to each rider and escort, child or personal care attendant, and no more passengers than the registered passenger seating capacity shall be scheduled or transported in a vehicle at any time. For transit services provided by transit vehicles, adequate seating or standing space will be provided to each rider and escort, child or personal care attendant, and no more passengers than the registered passenger seating or standing capacity shall be scheduled or transported in a vehicle at any time.</p>	<p>Random inspection of vehicles.</p>	<p>Vehicle seating should not exceed the manufacturer's recommended capacity.</p>

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Rule 41-2.006(4)(i), FAC	Drivers for paratransit services, including coordination contractors, shall be required to announce and identify themselves by name and company in a manner that is conducive to communications with the specific passenger, upon pickup of each rider, group of riders or representative, guardian, or associate of the rider, except in situations where the driver regularly transports the rider on a recurring basis. Each driver must have photo identification that is in view of the passenger. Name patches, inscriptions or badges that affix to driver clothing are acceptable. For transit services, the driver photo identification shall be in a conspicuous location in the vehicle.	This standard may be measured at the time of vehicle inspection (Route supervision).	Drivers shall be required to announce and identify themselves by name and company in a manner that is conducive to communications with specific passengers, upon pickup except in situations where the driver regularly transports the rider on a recurring basis. All drivers will have a name badge displayed at all times when transporting passengers.
Rule 41-2.006(4)(m), FAC	The paratransit driver shall provide the passenger with boarding assistance, if necessary or requested, to the seating portion of the vehicle. The boarding assistance shall include opening the vehicle door, fastening the seatbelt or utilization of wheelchair securement devices, storage of mobility assistive devices, and closing the vehicle door. In door-through-door paratransit service categories, the driver shall also be required to open and close doors to buildings, except in situations in which assistance in opening/closing building doors would not be safe for passengers remaining on the vehicle. Assisted access must be in a dignified manner. Drivers may not assist wheelchair up or down more than one step, unless it can be performed safely as determined by the passenger, guardian and driver.	This standard may be evaluated upon inspection of the vehicle.	All drivers shall provide the passenger with boarding assistance, if necessary or requested, to the seating portion of the vehicle. The boarding assistance shall include holding hands, or allowing the passenger to hold an arm; opening the vehicle door, fastening the seat belt or utilization of wheelchair securement devices, storage of mobility assistive devices and closing the vehicle door. Other assistance may be provided as needed and accepted. Assisted access must be in a dignified manner. Drivers may not assist wheelchair up or down any steps; only ramps are to be used.
Rule 41-2.006(4)(n), FAC	Smoking is prohibited in any vehicle. Requirements for drinking and eating on board the vehicle will be addressed in the local Service Plan.	This standard may be evaluated upon inspection of the vehicle.	There will be no smoking on any vehicles in the coordinated system. Eating and drinking on board the vehicles is prohibited.
Rule 41-2.006(4)(o), FAC	The Community Transportation Coordinator and the Local Coordinating Board shall jointly develop a policy on passenger no shows. Assessing fines to passengers for no shows is acceptable but such policy and process shall be	A policy which defines no-shows and establishes a procedure by which the no-shows will be	Passenger no-shows are defined as trips not canceled one hour before scheduled pickup. When a passenger is considered a no-show, the driver will attempt to communicate with them through CTC dispatch. They will be notified through the

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	identified in the local Service Plan.	handled should be developed and addressed in the service plan.	<p>use of a door hanger which notes the time the driver arrived. For a TD Grant non-sponsored trip, upon the third no-show, the CTC will send a letter to the person to advise that their service will be suspended for thirty days. {See copy of CTC's "no-show" letter.} For trips sponsored by other funding sources, the CTC shall contact the agency when a no-show occurs. Agencies should also contact the CTC when they become aware of cancellations or no-show situations.</p> <p>----- The Medicaid policy on no-shows is incorporated into this policy by reference.</p> <p>----- The Policy on no-shows shall be communicated to the passengers and agencies by the CTC when adopted, and thereafter to all newly enrolled passengers. The information shall be distributed to all newly enrolled passengers. The information shall be distributed in the appropriate format and shall be available in alternative formats upon request.</p>
Rule 41-2.006(4)(p), FAC	All vehicles ordered or put into service after the adoption of this section of the Rule, and providing service within the coordinated system, shall be equipped with two-way communications in good working order and be audible to the driver at all times to the base. All vehicles that are not equipped with two-way communications shall have two years to be in compliance after May 1, 1996.	This standard can be evaluated by inspection of the vehicles.	All vehicles are equipped with two-way radios or cell phones.
Rule 41-2.006(4)(q), FAC	All vehicles ordered or put into service after the adoption of this section of the rule and providing service within the coordinated system shall have working air conditioners and heaters in each vehicle. Vehicles that do not have a working air conditioner or heater will be scheduled for repair or replacement as soon as possible. All vehicles that are not equipped with an air conditioner and/or heater shall have two years to be in compliance after	This standard can be evaluated at the time of vehicle inspection.	All vehicles in the coordinated system shall have working air conditioning and heating. Vehicles that do not have a working air conditioner and heater will be scheduled for repair or replacement as soon as possible. Should a vehicle incur a problem, it will be repaired as soon as possible. The owner/operator is responsible for repair. The priority of the LCB is that the CTC provide transportation. If a vehicle's air conditioning or heating is not functioning properly, and if there are no other vehicles

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	May 1, 1996.		available, the passengers will be transported.
Rule 41-2.006(4)(r), FAC	First Aid policy shall be determined locally and provided in the local Service Plan.	Inspection of the drivers' records.	All drivers will be trained in First Aid every two years. All vehicles are equipped with a First Aid kit.
Rule 41-2.006(4)(s), FAC	Cardiopulmonary Resuscitation [CPR] policy shall be determined locally and provided in the local service plan.	This standard can be evaluated by an inspection of the drivers' records.	All drivers will be trained in Cardiopulmonary Resuscitation [CPR] every two years.
Rule 41-2.006(4)(t), FAC	Driver criminal background screening shall be determined locally, dependent upon purchasing agencies' requirements and provided in the local Transportation Disadvantaged Service Plan.	This standard can be evaluated by an inspection of the drivers' records.	All drivers in the coordinated system have a favorable FDLE background, ("favorable" according to the Department of Children and Families policies and procedures.)
Rule 41-2.006(4)(u), FAC	In areas where fixed route transportation is available, the Community Transportation Coordinator should jointly establish with the Local Coordinating Board (LCB) a percentage of total trips that will be placed on the fixed route system. (Fixed-Route Utilization)	In areas where fixed route transportation is available, the performance indicator will be used to measure the effective use of public transit systems within the coordinated system.	The LCB has established a goal of 2.2% to be placed with the fixed-route transit system.
Rule 41-2.006(4)(v), FAC	The Community Transportation Coordinator should establish and address the passenger pick-up window in the local Transportation Disadvantaged Service Plan. This policy should also be communicated to contracted operators, drivers, purchasing agencies and passengers.	This can be measured by a sampling of trips and through a review of customer complaints. This Policy does not apply to ADA trips.	Passengers are not given a set pick-up time. Instead, they are told to be ready for their ride to arrive up to an hour before their APPOINTMENT time. The CTC may negotiate special pick-up arrangements with the customer, in advance, as the situation dictates. Passengers will be dropped off at their appointment before the appointment with certain exceptions negotiated in advance. Passengers can expect their return trip to take up to 90 minutes from the time they are seated on the vehicle. (Policy amended 04-02-2004)
Rule 41-2.006(4)(w), FAC	The Community Transportation Coordinator and the LCB should jointly establish and address the percentage of trips that will be on-time in the local Transportation Disadvantaged Service Plan. This performance measure	This can be measured by a sampling of trips and through a review of customer	The CTC will have an 85% on-time performance rate for all completed trips. The Evaluations of the CTC's on-time performance will be measured based upon the time the person is to be dropped off for their appointment and the time the

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	should be communicated to contracted operators, drivers, purchasing agencies and passengers.	complaints. This Policy does not apply to ADA trips.	person is to be picked up on a scheduled return trip. These are considered separate trips.
Rule 41-2.006(4)(x), FAC	The Community Transportation Coordinator should establish and address in the local Transportation Disadvantaged Service Plan a minimum 24 hour advanced notification time to obtain services. This policy should also be communicated to contracted operators, drivers, purchasing agencies and passengers.	Not identified.	There will be a minimum 24 hour notice requirement for all trips scheduled within the coordinated system. (72 business hours for Medicaid trips.) Non-Medicaid reservations must be made before Noon the day before the requested trip. Passengers with an urgent need to travel should call the CTC. Same day trip requests cannot be guaranteed, however, the CTC will attempt to assist the passenger.
Rule 41-2.006(4)(y), FAC	The Community Transportation Coordinator and the LCB should jointly establish and address in the service plan a performance measure to evaluate the safety of the coordinated system. This measure should be used in the Community Transportation Coordinator's evaluation of its contracted operators and the LCB's evaluation of the Community Transportation Coordinator. This measure should be used in the Community Transportation Coordinator's evaluation of its contracted operators and the LCB's evaluation of the Community Transportation Coordinator.	This information can be gathered from the AOR.	The standards for accidents will be 1.2, or fewer, accidents per 100,000 miles for the evaluation period, based on the AOR definitions of accidents.
Rule 41-2.006(4)(z), FAC	The Community Transportation Coordinator and the LCB should jointly establish and address in the local service plan a performance measure to evaluate the reliability of the vehicles used in the coordinated system. This measure should be used in the Community Transportation Coordinator's evaluation of its contracted operators and the LCB's evaluation of the Community Transportation Coordinator.	This information can be obtained from the AOR.	The standard for road calls will be an average of 10,000 miles or more between each road call (e.g., the system wide total, not each individual vehicle).
Rule 41-2.006(4)(aa), FAC	This performance measure can be used to address the accessibility of the service. The Community Transportation Coordinator and the LCB should jointly determine if a standard for call hold time is needed in	The Call Hold Time standard can only be evaluated with computerized phone systems.	The customer should not be put on hold for more than 3 minutes on average.

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	the coordinated system and address this in the local service plan. If determined to be necessary, this standard should be included in the LCB's evaluation of the Community Transportation Coordinator.		
Rule 41-2.006(4)(bb), FAC	The Community Transportation Coordinator and the LCB should jointly establish and address in the local service plan a performance measure to evaluate the quality of service provided within the coordinated system. This measure should be used in the Community Transportation Coordinator's evaluation of its contracted operators, and the LCB's evaluation of the Community Transportation Coordinator.	Complaint files. Service Complaints are defined in the Quality Assurance Component; Service Complaint and Formal Grievance Procedures Section of the TDSP.	Complaints shall not exceed 1% of total trips provided during the evaluation period. The LCB should evaluate the CTC based upon the number of complaints that are resolved, versus unresolved. A noticeable increase in the number of complaints as reported in the quarterly report to the LCB shall be discussed by the LCB.

TABLE 2
Local Standards

2.01	Service Effectiveness 2.01a – Expense 2.01b – Revenue 2.01c – Subsidy 2.01d – Ridership 2.01e – Service Quality 2.01f – Level of Service 2.01g -- Safety	The data for measuring these standards can be found in the CTC's Annual Report (AOR)	CTC: The CTC shall continually look for methods to: 1. Increase the number of passenger trips per driver hour; 2) Minimize any yearly increase to the cost per passenger trip; and 3) Minimize any yearly increase to the cost per Driver Hour.
2.02	Contract Monitoring	Review of the CTC's operators monitoring files.	The CTC monitors its contracted operators. The CTC will perform an annual evaluation of the contracted operators using the Local Coordinating Board evaluation process, using applicable portions of the evaluation materials, and provide a copy of the annual evaluation of the operators, to the DOPA.
2.03	Ride time	The CTC needs to document which agencies have ride time limits and other exceptions. Community Care for the Elderly (CCE) = 90 minutes. This Policy does not apply to ADA trips.	The CTC will make every effort to abide by funding agencies stated ride times. Passengers can expect to return home within two hours of their pick up. In situations where it becomes apparent that the ride time will exceed two hours (accidents and vehicular breakdowns); the CTC will make every effort to contact the families of the passengers by telephone.

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	Voice Mail Changes	Voice mail changes—make sure the recording says, “We have recently changed “xyz” or “we will be changing xyz on a date in the future.”	Voice Mail Changes – The CTC must ensure that customers are provided with sufficient notification of pending MAJOR changes to the phone system for scheduling trips or for reporting complaints. The recording should offer in English and in Spanish, the date of the change (and providing a thirty-day notice, if possible) and describing the changes that will take place.
2.05	Contracts – standardization of transportation operator and coordination contracts. Transportation Operator Contracts: Rule	Contract file will be reviewed during the annual review of the CTC.	The suggested contract format is used.
2.06	Eligibility Criteria	As established	The CTC will transport the general public who shall be charged the going rate for trips. Persons are eligible for transportation if their trip is sponsored by a funding agency. If no funding agency is available, and if the person meets the definitions of transportation disadvantaged, then they are eligible for transportation. The LCB’s policy is for the CTC to provide transportation to persons whose household income is at 80% of the poverty levels. Persons to be transported contact the CTC for an application.
2.07	Prioritization of Trips	Evaluated by review of records on file	See Prioritization Policy at the end of Table 2.
2.08	Insurance	The CTD requires that the Community Transportation Coordinators carry \$100,000 per person/\$200,000 per incident in insurance, pursuant to Rule 41-2.006, <i>Florida Administrative Code</i> . Monitor: files	The CTC carries \$1 million per County regulations. The CTC only requires its subcontracted operators to carry \$100,000/\$200,000. The subcontractors must have the CTC named as an additional insured. Insurance requirements for subcontractors are covered in more detail in the operators’ contracts.
2.09	System Safety Program Plans (SSPP)	See Chapter 341.061(2)(a) <i>Florida Statutes</i> , and Rule 14-90, <i>Florida Administrative Code</i> .	Updated annually.
2.10	LCB’s Policy on the \$2.00 fare co-payment on the non-sponsored trip grant; other copayment issues.	As established.	The CTC charges a \$2.00 fare on each non-sponsored trip. The monies collected are used for the local match for the trip grant. All co-payments are \$2.00 except Medicaid, which has a \$1.00 copayment.

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2.11

LCB's Policy on Transportation during "storms."

Presences of letters on file; Copies of Agencies' contingency plans on file with the CTC; CTC is to monitor storm warnings and weather conditions.

The LCB has a policy regarding provision of transportation to persons during storms. Components of the policy include:

1. The CTC is closed when Lee Tran is closed; when ADA services stop. The CTC becomes a member of the Lee County Emergency Operations Team. 2. The CTC has the right to not transport (out) clients of a center, if they believe that they will not be able to get a person back. [The CTC has the right to cancel trips.] 3. The program director (at a center) has the right to call the CTC the morning of the trip, and cancel trips for the day, if they feel the weather is too severe. Their signal shall be if the Lee County Schools are not transporting that day. [On weekends, or days when schools are shut, the CTC shall use its best judgment.] 4. Centers must work with the CTC to develop a Contingency Plan that outlines what the center will do with its clients, in the event that the CTC cannot come pick the clients up at the "normal time," due to severe storms. The contingency plan should be developed with the understanding that the delay may be for an unknown length of time. Centers should make sure that the family members of clients receive a copy of the contingency plan (or a page that outlines what the family members should expect.) 5. The features in 2, 3 and 4 should free up enough trips to allow the CTC to go get people who were transported out to a location without a contingency plan. 6. Clients at centers will be picked up as soon as it is safe to do so, and as soon as there are trips available. 7. For the purpose of this policy, a storm was defined as "sustained wind of 39 miles per hour or more, and/or major flooding of streets." "Gale force" winds are 39 to 46 mph.

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2.12	Distribution of replacement vehicles acquired through grants.	The CTC will provide the TDSP with an annually updated vehicle inventory of all vehicles used in the coordinated transportation system.	02-09-2001: Vehicles received through any grant funding source will be used to replace existing ADA-compliant or non-ADA regulation compliant vehicles currently in the system, according to the following priorities: 1.) Gasoline vehicles with over 175,000 miles, or diesel vehicles with over 225,000 miles, or vehicles over 5 years old; 2.) Non-ADA accessible vehicles; 3.) All other vehicles including sedans, standard vans, and other accessible vehicles. It is the goal to have each vehicle in our system ADA compliant.
2.13	Required use of seatbelts	CTC will ensure that all appropriate vehicles are equipped with functioning seatbelts.	Adopted 05-11-2001. Passengers riding vehicles equipped with seatbelts will be required to use them. Persons utilizing wheelchairs will have the chair restrained, and will be required to utilize a personal securement device to ensure that they stay in the chair. All wheelchairs for transport must be complete and well maintained and in good working order to include fully operational brakes. Section 37.165©(3) of the DOT's ADA regulations allows a transit operator to establish a policy that requires all riders to have their common wheelchairs secured while aboard a transit vehicle. Therefore, service will be denied to a rider who refuses to allow his or her common wheelchair to be secured. Wheelchairs will be adequately secured or stored. If a passenger refuses to be secured, the passenger will not be transported. The CTC is to implement this policy immediately, and communicate it to all passengers and funding agencies. Under Section 37.5 of the DOT's ADA regulations, a transit operator is not permitted to mandate the use by wheelchair users of seatbelts and shoulder harnesses, unless the operator mandates the use of these devices by all passengers, including those sitting in vehicle seats. All passengers are required to use seatbelts.
2.14	CTC's right to refuse to transport persons with disruptive behavior.	This is monitored through a review of accident/incident records.	When an agency has an existing policy regarding behavioral problems, the CTC abides by the agencies' existing policy. Unless such behavior endangers other passengers, the driver or other motorists. In that case, the CTC may take whatever action is necessary to insure the safety of all concerned.

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			<p>If no policy exists and for TD passengers the CTC will deal with behavioral problems including, but not limited to: fighting, intoxication and abusive behaviors as follows:</p> <ol style="list-style-type: none"> 1. First incident, a written warning to advise the person or his/her parent, guardian or responsible agency that an incident has occurred. (Unless the First Incident is of a serious, life threatening nature, then skip immediately to Step #2. It is also understood that the Driver may call 911 or the Police if ever needed.). 2. Second Incident, the CTC will meet with all concerned parties and decide if transportation on the paratransit system is appropriate.
2.15	Compliance with HIPPA	As required.	The CTC is compliant with HIPPA regulations.
2.16	Use of "scooter" type mobility devices	Daily Observation	Good Wheels is unable to transport clients in scooters because they cannot be secured safely in our vehicles. Passengers who ride in scooters must be able to transfer to a seat or use an approved wheelchair when being transported by Good Wheels, Inc. This is a safety issue and we are concerned for your safety as well as other passengers and our driver.
2.17	Definition of "group trip"		A group trip shall be defined as five (5) individuals.

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Standard/Policy 2.07 GLADES-HENDRY LCB PRIORITIZATION POLICY FOR NON-SPONSORED TRIPS BY TRIP PURPOSE – Updated May 2011

Coordinated Trips that are funded by the Transportation Disadvantaged Trust Fund are managed by the Community Transportation Coordinator (CTC) according to the Local Coordinating Board's Prioritization Policy. The Policy ranks certain trip purposes in a priority order. The funding is allocated according to a monthly spending plan. Trips are provided based on trip efficiency, seating availability and available funding. There may be times when the Community Transportation Coordinator cannot provide every trip requested. Passengers may be asked if they could take their trip on a different day, when there may be more funding available. The CTC has been directed to impose performance measures on all trip requests.

Priority Order	Trip Purposes – Categories and Definitions
1	MEDICAL – medical, dental or therapeutic services including hospital appointments, clinic visits, dialysis, health department, mental health centers, speech, occupational, physical therapies, psychiatric, psychological services, pharmaceuticals, etc.
2	NUTRITIONAL – adult congregate meal programs, breakfast programs, food stamp procurement and food shopping trips.
3	EMPLOYMENT – work or employment related education
4	SOCIAL SERVICE AGENCY – agency related support services, churches, senior citizen programs (excluding nutritional programs).
5	PERSONAL BUSINESS – non-agency activities essential to maintenance of independence including banking, shopping (non-food shopping), legal appointments, etc.
6	RECREATION – non-essential, non-employment related trips to activities such as: bowling, bingo, beach, parks, restaurants, libraries, theaters, etc.

12. Local Service Complaint and Formal Grievance Procedure/Process

The Glades and Hendry Joint Local Coordinating Board for the Transportation Disadvantaged have a Service Complaint Procedure and a Formal Grievance Procedure, which is **reviewed annually**. This section was reviewed by the LCB and approved December 2, 2015. This section of the TDSP has four parts:

First, a summary of the Service Complaint process is provided. Then, a summary of the Formal Grievance Procedures is provided.

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The summaries are designed to fit on brochures. The CTC must make its brochures available.

Then, the Service Complaint Process is provided in full, and lastly, the Formal Grievance Procedures are provided in full.

The LCB's complete Service Complaint and Formal Grievance Procedures as contained in the TDSP are consistent with the Commission for the Transportation Disadvantaged's Uniform Service Reporting; January 1996; this document is available upon request from the Commission for the Transportation Disadvantaged.



GLADES AND HENDRY JOINT COORDINATING BOARD FOR THE TRANSPORTATION DISADVANTAGED

Summary of the

-- SERVICE COMPLAINT PROCEDURE/PROCESS --

As contained in the Transportation Disadvantaged Service Plan (TDSP)

Existence of Complaint Policy and Procedures:

The Glades and Hendry Joint Local Coordinating Board for the Transportation Disadvantaged have adopted procedures for the Community Transportation Coordinator to use to address complaints from agencies, users, potential users, subcontractors, and other interested parties. The policies are to be followed by the Community Transportation Coordinator – Good Wheels, Inc. – (CTC) and any of its operators. These procedures provide definitions of terms used in the process, identify how complaints are received by the CTC; provide a process and forms for the CTC to record complaints, and how the complaints were resolved; explains how the CTC is to collect monthly and annual data for reporting to the LCB, and explains what to do when a complaint cannot be resolved. The procedures also provide contact names and addresses.

Definitions:

Service inquiries are requests for information about the service and can occur once or several times in the course of a day's service. An example of a service inquiry is when a customer calls the CTC and says, "My bus is a few minutes late, where is it?" Service inquiries are reported to the driver or dispatcher or to other individuals involved with the daily operations, and are usually resolved by the CTC immediately or within the course of a reasonable time period suitable to the complainant. Service inquiries do not have to be 'recorded' as a complaint.

Service complaints are routine incidents that occur on a daily basis, are reported to the driver or dispatcher, or to other individuals involved with the daily operations, and are resolved within the course of a reasonable time period suitable to the complainant. Service complaints should be recorded as 'complaints.' The CTC is to total these service complaints on a yearly basis for the CTD's Annual Operating Report, (AOR). If unresolved, a routine service complaint can result in a **formal grievance**. [The Local Coordinating Board has a separate "Formal Grievance Procedure," contained in the TDSP. Please review it for additional information.] Local service complaints are driven by the inability of the community transportation coordinator or transportation operators to meet local service standards established by the community transportation coordinator and local coordinating board.

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GLADES AND HENDRY JOINT COORDINATING BOARD FOR THE TRANSPORTATION DISADVANTAGED

Summary of the

FORMAL GRIEVANCE PROCEDURES-

As contained in the Transportation Disadvantaged Service Plan (TDSP)

Introduction

The Joint Local Coordinating Board for the Transportation Disadvantaged has established rules and procedures to address grievances from agencies, users, potential users, subcontractors, and other interested parties relating to the coordination of non-emergency transportation services.

A Formal Grievance is a concern regarding the operation or administration of coordinated Transportation Disadvantaged services by transportation operators, the Community Transportation Coordinator, the Designated Official Planning Agency, or the Local Coordinating Board. A formal grievance may also be a service complaint that has been left unresolved for more than 45 days.

The Local Coordinating Board shall “appoint a Grievance Committee to serve as a mediator to process and investigate complaints, from agencies, users, potential users of the system and the Community Transportation Coordinator in the designated service area, and make recommendations to the Coordinating Board for improvement of service. The Coordinating Board shall establish procedures to provide ... opportunities for issues to be brought before such committee and to address them in a timely manner...”

The LCB does not have “adjudicative” or “determinative” powers.

The *Formal Grievance Procedures as contained in the LCB’s TDSP* contains the following sections:

Section 1: Creation

Section 2: Definitions

Section 3: Objectives

Section 4: Membership

Section 5: Terms of Members

Section 6: Grievance Procedures

Section 7: Filing the formal grievance

Section 8: If Mediation is not successful:

Section 9: A meeting of the ad hoc grievance resolution committee is held

Section 10: If the grievance is not resolved through the meeting of the ad hoc grievance resolution committee

Section 11: Prohibition against Retaliation Appeals to the Commission for the Transportation Disadvantaged

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THE GLADES AND HENDRY COUNTIES JOINT LOCAL COORDINATING BOARD FOR THE TRANSPORTATION DISADVANTAGED

-- SERVICE COMPLAINT PROCEDURE/PROCESS --

Reviewed Annually

Existence of Complaint Policy and Procedures:

The Glades and Hendry Counties Joint Local Coordinating Board for the Transportation Disadvantaged has established the following procedures for the Community Transportation Coordinator to use to address complaints from agencies, users, potential users, subcontractors, and other interested parties.

Definition of Service Inquiry:

Service inquiries are requests for information about the service and can occur once or several times in the course of a day's service. An example of a service inquiry is when a customer calls the CTC and says, "My bus is a few minutes late, where is it?" Service inquiries are reported to the driver or dispatcher or to other individuals involved with the daily operations, and are usually resolved by the CTC immediately or within the course of a reasonable time period suitable to the complainant. Service inquiries do not have to be 'recorded' as a complaint.

Definition of Service Complaint:

Service complaints are routine incidents that occur on a daily basis, are reported to the driver or dispatcher, or to other individuals involved with the daily operations, and are resolved within the course of a reasonable time period suitable to the complainant. Service complaints should be recorded as 'complaints.' The CTC is to total these service complaints on a yearly basis for the CTC's Annual Operating Report, (AOR). Service Complaints may include but are not limited to:

- "My bus is late." [beyond the On-Time Policy for the service area.] Late trips (late pickup and or late drop-off);
- No-show by transportation operator;
- No-show by client;
- Client behavior;
- Driver behavior
- Passenger discomfort
- Service denial (refused service to client without an explanation as to why, e.g. may not qualify, lack of TD funds, etc.)

If unresolved, a routine service complaint can result in a formal grievance. [The Local Coordinating Board has a separate "Grievance Procedure," available from the DOPA staff.] Local service complaints are driven by the

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inability of the community transportation coordinator or transportation operators to meet local service standards established by the community transportation coordinator and local coordinating board.

Forms to Use to record a complaint:

The Community Transportation Coordinator shall utilize the attached form to log complaints. This form is consistent with that provided by the **Commission for the Transportation Disadvantaged's Uniform Service Reporting [for Service Complaints] January 1996**. This document, which is available upon request from the Commission for the Transportation Disadvantaged, is a guide to the proper method to identify a complaint, determine its validity, complete a service report, and achieve customer satisfaction. Carriers are to use the same forms. Each complaint shall be assigned a Log Number to assist in tracking the resolution of each complaint. All service complaints should be recorded.

Letting the Consumer know how to complain:

The Community Transportation Coordinator (CTC) shall make reasonable efforts to ensure that its customers know how to complain. The CTC should announce the existence of its complaint process in its brochures and other printed material, in its telephone recordings, and in signs posted inside of the vehicles. The CTC should ensure that its information on how to complain is provided to persons in accessible formats as needed.

Posting Of Contacts in the Vehicles:

The CTC must ensure that the contact numbers for the CTC, for the CTD's Ombudsman Hotline are posted in each vehicle.

Reporting Complaints:

A monthly summary of all complaints and their status of resolution should be provided by the Community Transportation Coordinator to the Designated Official Planning Agency. [See sample form, attached.] The Designated Official Planning Agency will then provide the most current summaries to the Local Coordinating Board for its next meeting. The Community Transportation Coordinator shall collect service complaint statistics by operator, and by county.

Surveying customers to determine satisfaction levels and to make route improvements based on future demand:

The Local Coordinating Board requires the Community Transportation Coordinator to conduct periodic surveys of consumers in order to determine their level of satisfaction with services. These surveys are also used by the Local Coordinating Board to evaluate the Community Transportation Coordinator on factors associated with customer satisfaction. The surveys also can be used to determine where the demand for service is.

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The Community Transportation Coordinator is to conduct random surveys of consumers each year. It is suggested that they conduct some surveys each month. [Although they could do some in April and some in October.] The Community Transportation Coordinator is to 'send out' enough surveys, in order to obtain 150 responses.

These surveys shall be On-Board surveys conducted by drivers, and telephonic surveys conducted by LCB members. In addition to this, the Commission for the Transportation Disadvantaged's Quality Assurance team conducts random sample surveys of passengers telephonically, during the biannual review of the Community Transportation Coordinators

The Community Transportation Coordinator will provide the surveys to the Designated Official Planning Agency within a month after the survey is conducted. And, the DOPA will request the CTD's QAPE to provide the DOPA with results of its surveys. Planning staff [with assistance from the Local Coordinating Board's appropriate committee] will tabulate the surveys and provide a report to the Local Coordinating Board for its next meeting.

Agency Surveys:

The DOPA will conduct mailed out surveys of the agencies on an annual basis (September) to determine their levels of satisfaction with the County TD Program. The CTC shall provide the DOPA with current mailing list of agencies they provide transportation to by September 15th.

Standards & Policies:

The Local Coordinating Board sets performance standards for the Community Transportation Coordinator. The Local Coordinating Board evaluates the Community Transportation Coordinator's performance based upon these standards and policies.

Commission's Ombudsman Hotline:

The Commission for the Transportation Disadvantaged has an Ombudsman Program to assist individuals with complaints. The toll-free Ombudsman Hotline is-1-800-983-2435 or email CTDOmbudsman@dot.state.fl.us.

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CONTACTS FOR SERVICE COMPLAINTS

Entity	Contact Name & Address	Phone
Community Transportation Coordinator	Alan Mandel Good Wheels	(239) 768-6184 Customer Service (239) 768-2900 Reservations (800) 741-1570
Designated Official Planning Agency (DOPA)	Southwest Florida Regional Planning Council	(239) 938-1813 x 232
DOPA staff services	Ms. Nichole Gwinnett TD Planning Agency Staff Southwest Florida Regional Planning Council Royal Palm Square 1400 Colonial Boulevard Suite #1 Fort Myers, FL 33907	(239) 938-1813 x 232
Local Coordinating Board-Chairperson (Glades County)	Hon. Donna Storter-Long c/o Ms. Nichole Gwinnett	(239) 938-1813 x 232
Local Coordinating Board-Vice-Chairperson (Hendry County)	c/o Ms. Nichole Gwinnett	(239) 938-1813 x 232
Commission for the Transportation Disadvantaged	Ombudsman Hotline	Phone: (800) 983-2435 TDD (800) 648-4084

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SERVICE REPORT

County _____ Log # _____

Date of contact: _____ Time: _____ Received by: _____

Commendation ☐ Suggestion ☐ Complaint ☐ Valid: Yes ☐ No ☐

Name: _____ Phone: _____

Address: _____

Contact: _____

WHERE? Fixed Route: _____ ADA _____ Paratransit: _____ Operator: _____

Vehicle Number _____ Other (Medicaid, dispatcher, scheduler, etc.): _____

WHAT? _____ **Service** (ride time, schedules, timeliness, attitude/conduct, drivers' skill)
 _____ **Policy** (fares, co-payments, operation hours, prioritization, denied services)
 _____ **Vehicle** (safety, equipment, cleanliness)

Date of Occurrence: _____ Time: _____ Location: _____

Statement of Reported Circumstances: _____

Resolution: No ☐ Yes ☐ (If yes, complete section on Back.)

Intake Signature: _____; Date: _____

Critical Issue? No ☐ Yes ☐ & REFER TO SUPERVISOR IMMEDIATELY

Critical issues include: physical, verbal, or substance abuse; any life threatening situation (reckless driving, passenger abandonment, accidents/incidents.)

Has this person reported this same problem before? No ☐ Yes ☐ When?

Log # _____

Log # _____

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SERVICE REPORT – PAGE 2

Log # _____, continued

Follow up Date: _____ Comments: _____

Signature: _____ Date: _____

Findings: (attach statements of all parties involved.) _____

Signature: _____ Date: _____

Resolution

Action Taken/Date: _____

Was Corrective action necessary? No ☐ Yes ☐ Explain: _____

Is customer satisfied with resolution? Yes ☐ No ☐ Unknown ☐

If **NO**, inform the customer of Local Coordinating Board's **Formal Grievance Procedures**.

[They may contact Nichole Gwinnett at (239) 938-1813, Ext. 232.

Did customer file a formal grievance? Yes ☐ No ☐ Unknown ☐

[☐] Provide the Customer with the Commission for the Transportation Disadvantaged's
Ombudsman Hotline Phone Number which is: Phone: (800) 983-2435; TDD (800) 648-4084

Signature: _____ Date: _____

Carriers are to use these forms to record complaints. Please use one form per complaint, do not group complaints onto one form. Use the Log # when responding to inquiries about each complaint.

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Monthly Summary of Service Complaints received by the CTC [or other Doorways] and how they were resolved.

Service (ride time, schedules, timeliness, attitude/conduct)

Policy (fares, co-payments, operation hours, prioritization, “won’t go to...”)

Vehicle (safety, equipment, cleanliness)

Log #	Date Of Contact	Involved What: Service Policy Vehicle	Which Contracted Operator	Status Of Resolution
	Total Complaints			

THE GLADES AND HENDRY COUNTIES JOINT LOCAL COORDINATING BOARD FOR THE TRANSPORTATION DISADVANTAGED

FORMAL GRIEVANCE PROCEDURES-

Reviewed December - 2016

Introduction

The Glades and Hendry Counties Joint Local Coordinating Board for the Transportation Disadvantaged has established the following rules and procedures to address grievances from agencies, users, potential users, subcontractors, and other interested parties.

Authority

According to Rule 41-2.012(5)(c), *Florida Administrative Code*, the Local Coordinating Board shall “appoint a Grievance Committee to serve as a mediator to process and investigate complaints, from agencies, users, potential users of the system and the Community Transportation Coordinator in the designated service area, and make recommendations to the Coordinating Board for improvement of service. The Coordinating Board shall establish procedures to provide ... opportunities for issues to be brought before such committee and to address them in a timely manner...”

It should be noted that there is a difference between “hearing” a grievance and “hearing and determining” a grievance. Neither the Grievance Resolution Committee nor the Local Coordinating Board has the authority to “hear and determine” a grievance. They only have the authority to “Hear” and advise. When an entity makes a determination of the rights, duties, privileges, benefits, or legal relationships of a specified person or persons, it is exercising “adjudicative” or “determinative” powers. Deciding a grievance between two independent parties may fall within these parameters, depending on the nature of the grievance. Chapter 427, *Florida Statutes*, grants no adjudicative powers to anyone.

Even though the Local Coordinating Board does not have determinative authority, the recognition of problems by the various members of the Local Coordinating Board is a very useful method to resolve many issues. In addition, it should be noted that since the Local Coordinating Board is involved in the development and approval of the Community Transportation Coordinator’s Service Plan, and since the Local Coordinating Board also conducts the annual evaluation of the Community Transportation Coordinator, there are significant opportunities for the Local Coordinating Board to make changes where needed.

Formal Grievance Policy and Procedures:

Section 1: Creation

1.1 There is hereby created a formal grievance procedure for the Glades County transportation disadvantaged program as specified by the Commission for the Transportation Disadvantaged pursuant to Chapter 427, *Florida Statutes*, and Rule 41-2.012, *Florida Administrative Code*, hereinafter referred to as the Grievance Process. The following rules and procedures shall constitute the grievance process to be utilized in the Coordinated Community Transportation System in both Glades and Hendry Counties.

Section 2: Definitions

2.1 As used in these rules and procedures the following words and terms shall have the meanings assigned therein. Additional transportation disadvantaged program definitions can be found in Chapter 427, *Florida Statutes*, and Rule 41-2, *Florida Administrative Code*.

- A) **Community Transportation Coordinator:** (CTC) Means a transportation entity recommended by a Metropolitan Planning Organization or by the appropriate designated official planning agency as provided for in Chapter 427 *Florida Statutes*, in an area outside the purview of a Metropolitan Planning Organization and approved by the Commission for the Transportation Disadvantaged, to ensure that coordinated transportation services are provided to serve the transportation disadvantaged population in a designated service area.
- B) **Designated Official Planning Agency** (DOPA) means the official body or agency designated by the Commission for the Transportation Disadvantaged to fulfill the functions of transportation disadvantaged planning in areas not covered by a Metropolitan Planning Organization. The Metropolitan Planning Organization shall serve as the designated official planning agency in areas covered by such organizations.
- C) **Transportation Disadvantaged** (TD) user of the system, means, in Chapter 427.011 (1), *Florida Statute*, "Those persons who because of physical or mental disability, income status, or age, or who for other reasons are unable to transport themselves or to purchase transportation, and are therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life sustaining activities, or children who are disabled or high risk or at risk as defined in Chapter 411.202, *Florida Statutes*."
- D) **Agency:** Means an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or any other unit or entity of the state or of a city, town, municipality, county, or other local governing body or a private nonprofit entity providing transportation services as all or part of its charter.

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- E) **Transportation Operator:** Means one or more public, private for-profit or private non-profit entities engaged by the community transportation coordinator to provide service to transportation disadvantaged persons pursuant to a Transportation Disadvantaged Service Plan, (TDSP).
- F) **Service Complaint:** events that may occur on a daily basis and are reported to the driver or dispatcher or other individuals involved with the daily operations, and are resolved within the course of a reasonable time period suitable to the complainant. For more information, see the Local Coordinating Board's policy on Complaints, [*elsewhere in the TDSP*].
- G) **Formal Grievance** documents any concerns regarding the operation or administration of Transportation Disadvantaged services by the transportation operator, the Community Transportation Coordinator, the Designated Official Planning Agency, or the Local Coordinating Board. A formal grievance may also be a service complaint that has been left unresolved for more than 45 days. The formal grievance should demonstrate or establish their concerns as clearly as possible. Formal Grievances may include but are not limited to:
- Recurring or unresolved **Service Complaints**. (see above definition;)
 - Violations of specific laws governing the provision of TD services i.e. Chapter 427 F.S., Rule 41-2 F.A.C. and accompanying documents, Sunshine Law, Americans with Disabilities Act, (ADA;)
 - Coordination disputes;
 - Agency compliance;
 - Conflicts of interest;
 - Supplanting of funds;
 - Billing and/or accounting procedures;
 - Policies of the Local Coordinating Board (LCB), particularly the Prioritization Policy.
- H) **Administrative Hearing process:** Chapter 120, *Florida Statutes*.
- I) **Ombudsman Program** means a toll free phone number established and administered by the Commission for the Transportation Disadvantaged to enable persons to access information and /or file complaints or grievances regarding transportation services provided under the coordinated effort of the community transportation coordinator. See contact information for phone numbers.

Section 3: Objectives

- 3.1 The objective of the local coordinating board's grievance process shall be to process, investigate and make recommendations in a timely manner on formal grievances that are not resolved between the grievant and the other party (or parties.) It is not the objective of the grievance process to have "adjudicative" or "determinative" powers.

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- 3.2 The community transportation coordinator and its service operators and other transportation subcontractors must post the contact person's name and telephone number regarding the reporting of complaints [and the reporting of grievances] in each vehicle.
- 3.3 The grievance procedures and all documents pertaining to the grievance process will be made available to the grieving party.
- 3.4 The grievance procedures and all documents pertaining to the grievance process will be made available, upon request, in a format accessible to persons with disabilities.
- 3.5 Other than this grievance process, aggrieved parties with proper standing may also have recourse through Chapter 120, *Florida Statutes*, the Administrative Hearing Process, or through the judicial court system.

Section 4: Membership

- 4.1 The local coordinating board's ad hoc grievance resolution committee shall be composed of a minimum of three (3) voting members or alternates of the local coordinating board. Members shall be appointed to the Ad hoc grievance resolution committee by the LCB chairperson or his/her designee. The Ad hoc grievance resolution committee membership shall include a representative of users of the coordinated transportation system. The LCB chairperson or his/her designee reserves the right to make reappointments to the Ad hoc grievance resolution committee should any conflicts of interest arise.
- 4.2 The LCB chairperson or his/her designee shall appoint one member of the Ad hoc grievance resolution committee to serve as its chairperson.
- 4.3 The LCB chairperson's designee shall be a member of the TD planning staff from the designated official planning agency. The TD planning staff serves as facilitators to the grievance process. Every effort shall be made by the participants of the ad hoc grievance resolution committee to conduct the process as diplomatically as possible.
- 4.4 In cases where a grievance involves the private or personal or professional interests of a member of the ad hoc grievance resolution committee, such member shall be disqualified from hearing such a grievance.
- 4.5 Local Coordinating Board members who represent affected agencies will be invited to grievance hearings as advisors.
- 4.6 No member of the local coordinating board shall appear before the Grievance Committee as an agent or attorney for any person.

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Section 5: Terms of Members

- 5.1 The members of the ad hoc grievance resolution committee shall serve at the pleasure of the LCB chairperson or his/her designee, for the duration of the grievance for which they are appointed.
- 5.2 The members of the ad hoc grievance resolution committee may be removed for cause by the LCB chairperson or his/her designee.
- 5.3 The quorum shall be a simple majority. Meetings shall be held at such times as the ad hoc grievance resolution committee may determine and/or as necessitated by the formally filed grievance.

Section 6: Grievance Procedures

- 6.1 Grievance procedures have been developed by the Local Coordinating Board, based upon guidelines from the Commission for the Transportation Disadvantaged.
- 6.2 The Local Coordinating Board's grievance procedures are for the purposes of listening to the grievance, providing advice and making recommendations to the affected parties of the grievance. The Local Coordinating Board may not exercise adjudicative powers. Aggrieved parties with proper standing may also have recourse through Chapter 120, *Florida Statutes*, Administrative Hearing Process, or the judicial court.
- 6.3 When necessary, the Designated Official Planning Agency's Transportation Disadvantaged Program staff shall provide assistance to individuals to prepare written grievances.
- 6.4 The formal grievance process shall be open to any person or agency wishing to address concerns involving: purchasing agencies, users, potential users, private for-profit operators, private non-profit operators, the Coordinator, the Designated Official Planning Agency, elected officials and drivers.
- 6.5 The administrators of the grievance process shall make every effort to ensure that the grieving party has exercised the other procedures in place, including the LCB's Complaint procedures or the CTC's internal complaints procedures for its subcontractors.

Note: If it is an unresolved service complaint, the grievant will be asked if they have contacted the community transportation coordinator for assistance in resolving their complaint. The grievant should have made reasonable effort to have their service complaint resolved by the CTC. The community transportation coordinator is responsible for resolving service complaints.

If the CTC has an internal grievance policy, appropriate grievances will be forwarded back to the CTC for resolution, prior to being considered as a formal grievance for the local coordinating board.

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Section 7: Filing the formal grievance

7.1 The grievant should demonstrate or establish their concerns as clearly as possible. The grievance should try to demonstrate or establish a clear violation of a specific law, regulation, or contractual arrangement. Copies of pertinent laws and regulations may be obtained from the Designated Official Planning Organization's Transportation Disadvantaged Program staff.

7.2 The grievance must be filed to the Grievance Committee within ninety (90) days after the occurrence of the event giving rise to the grievance. The grievance shall be sent to:

Southwest Florida Regional Planning Council
Transportation Disadvantaged Program
Local Coordinating Board Ad Hoc Grievance Resolution Committee
Royal Palm Square
1400 Colonial Boulevard
Suite #1
Fort Myers, FL 33907
(239) 938-1813, Ext. 232

7.3 The grievance shall include:

- a. the name and address and telephone number of the grievant; *They do not have to have an address or phone in order to file a grievance, but they need a place which will receive mail for them, and a phone where we may contact them.*
- b. a statement of the grounds for the grievance, supplemented by supporting documentation, made in a clear and concise manner. This shall include a description of the efforts taken by the grievant to resolve the issue; and
- c. an explanation by the relief desired by the grievant. If the grievant does not supply the above information to substantiate the grievance(s) no further action will be taken. [See section 6.3, above, about assistance in getting formal grievances reduced to writing]

7.4 The date the formal grievance containing items a, b, and c, above, is received in writing shall be the date the formal grievance was filed.

7.5 Upon receipt of the formal grievance, the designated official planning agency transportation disadvantaged planning staff will have 10 working days to contact the grievant by telephone*, to discuss the materials received, and ask for additional information which may be necessary in order to file the

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grievance. (* when the designated official planning agency makes or attempts to make these telephonic contacts, they will enter records of the calls into a log for that grievance.)

- 7.6 If the designated official planning agency transportation disadvantaged planning staff is unable to establish contact by telephone within the ten (10) working days; they will write a letter to the grievant, and send it by certified mail to the grievant. The letter will indicate that the formal grievance has been received, and that telephonic contact was unsuccessful, and that the grievance has either been filed, or that additional information is necessary in order to file the grievance.
- 7.7 The designated official planning agency will have ten (10) working days from the date the grievance was filed to contact the chairperson of the local coordinating board, telephonically to inform of the receipt of the formal grievance, and proceed with the selection of the ad hoc grievance resolution committee. If the chairperson is not available, the DOPA staff may then contact the vice-chairperson.
- 7.8 The designated official planning agency will have 10 working days from the date the grievance was filed to contact the community transportation coordinator (if the grievance involves the CTC,) to inform that a formal grievance has been filed.
- 7.9 The designated official planning agency will have 10 working days from the date the LCB chair was contacted about the grievance [in Section 7.7] to contact members of the local coordinating board to establish the membership of the ad hoc grievance resolution committee. Pursuant to Section 4.2 of this Process, the chairperson of the ad hoc grievance resolution committee will be established at this time.
- 7.10 After the designated official planning agency has received an agreement to serve as a member of the ad hoc grievance resolution committee from the sufficient amount of local coordinating board members, the designated official planning agency will have 10 working days to set up a meeting to mediate the grievance. The grievant, the chairperson of the ad hoc grievance resolution committee, the designated official planning agency staff will attend the mediation. [The CTC will be included in this meeting, if the grievance involves the CTC.]
- 7.11 After the mediation meeting, the designated official planning agency shall prepare a report regarding the meeting outcome. The report shall be sent to the grievant, the LCB chairperson, and the chairperson (and all members) of the ad hoc grievance resolution committee within 10 working days of the date of the meeting.
- 7.12 The Chairperson of the AD-hoc Grievance Committee or DOPA staff will check with the grieving party in 10 working days, to determine whether they are resolved.
- 7.13 If mediation is successful, the grievance is closed.

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Section 8: If Mediation is not successful:

- 8.1 If the grievance is not resolved through mediation the grievant may request in writing that their grievance be heard by the ad hoc grievance resolution committee. The grievant has 10 days from their receipt of the report (mentioned in Section 7.11) to notify the chairperson of the ad hoc grievance resolution committee through the designated official planning agency.
- 8.2 Upon receipt of the written notice described in Section 8.1, the designated official planning agency has 15 working days to contact the chairperson and other members of the ad hoc grievance resolution committee, the grievant, and the involved parties, to set a grievance meeting date and location.
- 8.3 The Grievant and all involved parties shall be notified of the meeting date and location at least 7 working days prior to the meeting date by certified mail, return receipt requested.

Section 9: A meeting of the ad hoc grievance resolution committee is held:

- 9.1 All involved parties have a right to present their views to the Grievance Committee, either orally or in writing. In addition, all parties may present evidence.
- 9.2 The Grievance Committee may at any time during the course of the meeting question the parties and their witnesses on any facts which it deems material to the alleged improper action.
- 9.3 The entire meeting shall be recorded electronically, on tape. Any party requesting a copy of the transcription shall pay all costs incurred in furnishing the copy of the transcription.
- 9.4 The Grievance Committee will follow a meeting agenda in accordance with the procedures herein set forth:
 - A. Call to Order;
 - B. Presentation of Grievance;
 1. Presentation of grievance by Grievant, which will also include witnesses, if applicable, and
 2. Response of concerned parties, which will include witnesses, if applicable.
 - C. Discussion of grievance, which shall take place in accordance with Roberts Rules of Order amongst the Grievance Committee, staff, the grievant and other interested parties. Discussion shall focus solely on the grievance as filed by the grievant;
 - D. Following discussion of the grievance, the Grievance Committee may submit a recommendation to the Coordinating Board in response to the grievance; and

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E. Close meeting.

9.5 Upon conclusion of the grievance meeting, the ad hoc grievance resolution committee must submit a written report of the meeting proceedings to the chairperson of the local coordinating board within 10 working days. The report must outline the grievance, and provide the findings/recommendations of the ad hoc grievance resolution committee.

9.6 If the grievance is resolved through the Meeting process, the grievance process will end. The final report will be forwarded to the members of the local coordinating board.

Section 10: If the grievance is not resolved through the meeting of the ad hoc grievance resolution committee

10.1 If the grievance is not resolved through the meeting of the ad hoc grievance resolution committee, the grievant may request in writing that their grievance be heard by the local coordinating board. This request shall be sent to the Chairperson of the Local Coordinating Board, through the designated official planning agency, and must be made within 10 working days of their receipt of the ad hoc grievance resolution committee's report (in Section 9.5). Immediately following the meeting of the ad hoc grievance resolution committee, the grievant may make their request that their grievance be heard by the Local Coordinating Board, however, the time frame will "wait" until the ad hoc grievance resolution committee's report is prepared and received, as described in 9.5.

10.2 The Local Coordinating Board chairperson shall have 15 working days to set a meeting date. Members of the Local Coordinating Board shall have at least 10 working days' notice of such meeting. The meeting of the local coordinating board shall be advertised appropriately.

10.3 The grievance shall be presented at the meeting of the local coordinating board. The Local Coordinating Board will follow a meeting agenda in accordance with the procedures herein set forth:

A. Call to Order;

B. Presentation of Grievance;

1. Presentation of grievance by Grievant, which will also include witnesses, if applicable, and

2. Response of concerned parties, which will include witnesses, if applicable.

C. Discussion of grievance, which shall take place in accordance with Roberts Rules of Order amongst the Local Coordinating Board, staff, the grievant and other interested parties. Discussion shall focus solely on the grievance as filed by the grievant;

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D. Following discussion of the grievance, the Local Coordinating Board may submit recommendations to the appropriate parties in response to the grievance; and

E. Close meeting.

10.4 The results, findings and recommendations of the local coordinating board shall be outlined in a final report to be completed within 10 working days of the meeting. The report shall be forwarded to the grievant, members of the Local Coordinating Board, the Community Transportation Coordinator, and all other persons/agencies directly involved in this grievance process.

10.5 If the grievance has not been resolved through these local coordinating board procedures, the grievant may request that their grievance be heard by the Commission for the Transportation Disadvantaged.

Section 11: Prohibition against Retaliation

11.1 No individual shall be unlawfully denied Transportation Disadvantaged services because such individual has filed a grievance related to the Transportation Disadvantaged Program or has testified or is about to testify in any such proceeding or investigation related to the Transportation Disadvantaged Program. [This shall be monitored by the DOPA.]

Appeals to the Commission for the Transportation Disadvantaged

Should a grievant remain dissatisfied with the Local Coordinating Board or Community Transportation Coordinator's recommendation, he or she may contact the Commission for the Transportation Disadvantaged at the following address:

Commission for the Transportation Disadvantaged
605 Suwannee Street, MS-49
Tallahassee, Florida 32399-0450

The Commission for the Transportation Disadvantaged also has an Ombudsman Program to assist individuals with complaints. **The CTD's toll-free Ombudsman Hotline is-1-800-983-2435.**

Chapter 427, *F.S.* does not expressly confer the power or authority for the Commission for the Transportation Disadvantaged to "hear and determine" a grievance between two third parties. The Commission for the Transportation Disadvantaged may choose to listen to grievances and it can investigate them from a fact-finding perspective. It cannot be the "judge" or "arbiter" of the grievance in the sense of determining that one party's version of the facts is right and the other is wrong, and order the wrong party to somehow compensate the right party. On the other hand, the grievance may bring to light a problem within "the system."

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However, if the grievance showed that one of the parties with whom the Commission for the Transportation Disadvantaged contracts was acting so aberrantly as to not be in compliance with its contract, the Commission for the Transportation Disadvantaged could exercise whatever contractual rights it has to correct the problem. Accordingly, the Commission for the Transportation Disadvantaged may take part in the grievance process, if it wants to, for purposes of listening to the grieving parties and gathering the facts of the matter. It may not decide the grievance, where doing so would amount to an exercise of adjudicative powers.

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### THE GLADES AND HENDRY COUNTIES JOINT LOCAL COORDINATING BOARD FOR THE TRANSPORTATION DISADVANTAGED GRIEVANCE RESOLUTION CONTACTS

| ENTITY                                                  | CONTACT NAME & ADDRESS                                                                                                                                                                                                                                | PHONE                                                                               |
|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Community Transportation Coordinator                    | Alan Mandel<br>Good Wheels                                                                                                                                                                                                                            | (239) 768-6184<br>Customer Service<br>(239) 768-2900 Reservations<br>(800) 741-1570 |
| Designated Official Planning Agency (DOPA)              | Southwest Florida Regional Planning Council                                                                                                                                                                                                           | (239) 938-1813 x 232                                                                |
| DOPA staff services                                     | Ms. Nichole Gwinnett<br>TD Planning Agency Staff<br>Southwest Florida Regional Planning Council<br>Royal Palm Square<br>1400 Colonial Boulevard<br>Suite #1<br>Fort Myers, FL 33907                                                                   | (239) 938-1813 x 232                                                                |
| Local Coordinating Board Chairperson & Vice-Chairperson | Hon. Donna Storter-Long<br>Chair<br>(Glades County)<br>– Vice-Chair<br>(Hendry County)<br>c/o Ms. Nichole Gwinnett<br>TD Planning Agency Staff<br>Southwest Florida Regional Planning Council<br>1400 Colonial Blvd., Suite 1<br>Fort Myers, FL 33907 | (239) 938-1813 x 232                                                                |
| Commission for the Transportation Disadvantaged         | Ombudsman Hotline                                                                                                                                                                                                                                     | Phone: (800) 983-2435<br>TDD (800) 648-4084                                         |

#### B. Cost/Revenue Allocation and Rate Structure Justification

Good Wheel's rate structure is shown in **Exhibit E**. The Glades-Hendry Joint Local Coordinating Board reviewed the rate sheets of Good Wheels for the period of July 1, 2016-June 30, 2017 at its meeting of September 7, 2016 in LaBelle, Florida and approved the rate model at the December 7, 2016 LCB meeting.



## III. QUALITY ASSURANCE

### A. Annual Evaluation of the Community Transportation Coordinator

The purpose of this section is to identify process used by the Local Coordinating Board and the planning agency in the evaluation of the Community Transportation Coordinator. This section will address what steps the Local Coordinating Board will take to monitor and evaluate the services provided by or coordinated through the Coordinator, based on the locally established service standards, and consistent with those of the Florida Commission for the Transportation Disadvantaged Commission.

Pursuant to Chapter 427 *Florida Statutes* 427.015(2), the performance of the coordinator shall be evaluated based on the commission's approved evaluation criteria by the coordinating board at least annually.

Although a committee is not required by Rule 41-2, *Florida Administrative Code (FAC)* in order to conduct the required annual evaluation, sometimes the LCB makes use of a committee to carry out the evaluation. In those cases this is the process the committee follows:

At the December LCB meeting, the LCB appoints two or three members to a Committee for the Evaluation of the CTC, composed of voting and advisory members of the LCB. The Committee will be assisted by Planning staff and the staff of the CTC.

Planning staff is responsible for providing the committee with the materials needed to conduct the evaluation. This includes gathering documents such as the annual operating reports, previous evaluation reports, system safety plan reports, lists of contacts, and other documents, from the CTC.

The CTC's staff is responsible for conducting surveys of passengers and of agency representatives twice during the course of their fiscal year. The CTC is also responsible for providing the results of these surveys to the planning staff. The CTC is encouraged to sample a random 10% of the passengers in each survey.

Planning staff and the CTC also work together on preparing the "blank" evaluation booklet for the committee to use. Planning staff locates the last evaluation report and updates it so that the "Previous Year" contains the most current information, and the "Evaluation Year" is blank. Planning staff also locates the most current reports with recommendations and accompanying status reports, and updates the "Blank" Evaluation report in those sections.

The Evaluation Committee meets initially to conduct the following tasks: Review the evaluation process, agree to a schedule of events, review the evaluation resources and distribute the work-load fairly among the participants. The Evaluation Committee can meet any time for this initial briefing and could do so in the 10 minutes just after the September LCB meeting. However, there are some significant constraints to when the evaluation must be completed: Keeping in mind that the TDSP must

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be annually updated by the end of May, and that the Evaluation process feeds into the TDSP update, the Evaluation process must be completed in time for the draft evaluation report to go to the LCB in March. Since much of the data for the “Evaluation Year” column in the Evaluation Report is taken from the CTD’s *Annual Performance Report*, which is not published until January, the Evaluation must be completed in February.

The Evaluation Committee makes use of several resources in order to conduct the Evaluation. These resources include standardized worksheets and reports from the Commission for the Transportation Disadvantaged; material from different sections of the TDSP, including the goals and objectives and standards and policies, and passenger surveys compiled by the CTC, and, previous evaluations.

The worksheets are taken from the Commission for the Transportation (CTD’s) “*LCB-CTC Evaluation Workbook*,” July 2007 edition which has been locally modified. It contains the following sections:

- Section 1A: General Questions
- Section 1B: Reporting Timeliness and Accountability
- Section 2: Local Standards.
- Section 3: Competition
- Section 4: Availability
- Section 5: Rates and Costs.
- Section 6: Revenues.
- Section 7: Coordination.
- Previous LCB review -- status report
- Previous CTD-QAPE Review – Status Report
- Section 8: Summary of this Evaluation.

The Worksheet on Rates and Costs is utilized in the annual update to the *TDSP Cost/Revenue Allocation and Rate Structure Justification Element*, located in *Component III of the TDSP*.

The Worksheet #8 on the Summary of the Evaluation is also used in the annual update of the TDSP, and is inserted in the *TDSP Quality Assurance Element*, located in *Component III of the TDSP*.

Committee members and Planning staff conduct interviews with the CTC’s staff to complete the Worksheets. Then the Committee evaluates the CTC based on the findings obtained during these interviews. The Committee communicates findings, suggestions, and develops recommendations which are forwarded through planning staff to the LCB as draft final report.

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The Draft Evaluation Report contains findings, suggestions and recommendations. These are distributed to the Local Coordinating Board, for its review and approval. If the LCB has additional recommendations, planning staff adds these to the Report, and then Planning staff sends the LCB's approved evaluation report on the Coordinator to the CTD, and uses the recommendations to prepare the annual update of the *Transportation Disadvantaged Service Plan*.

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# **EXHIBIT A**

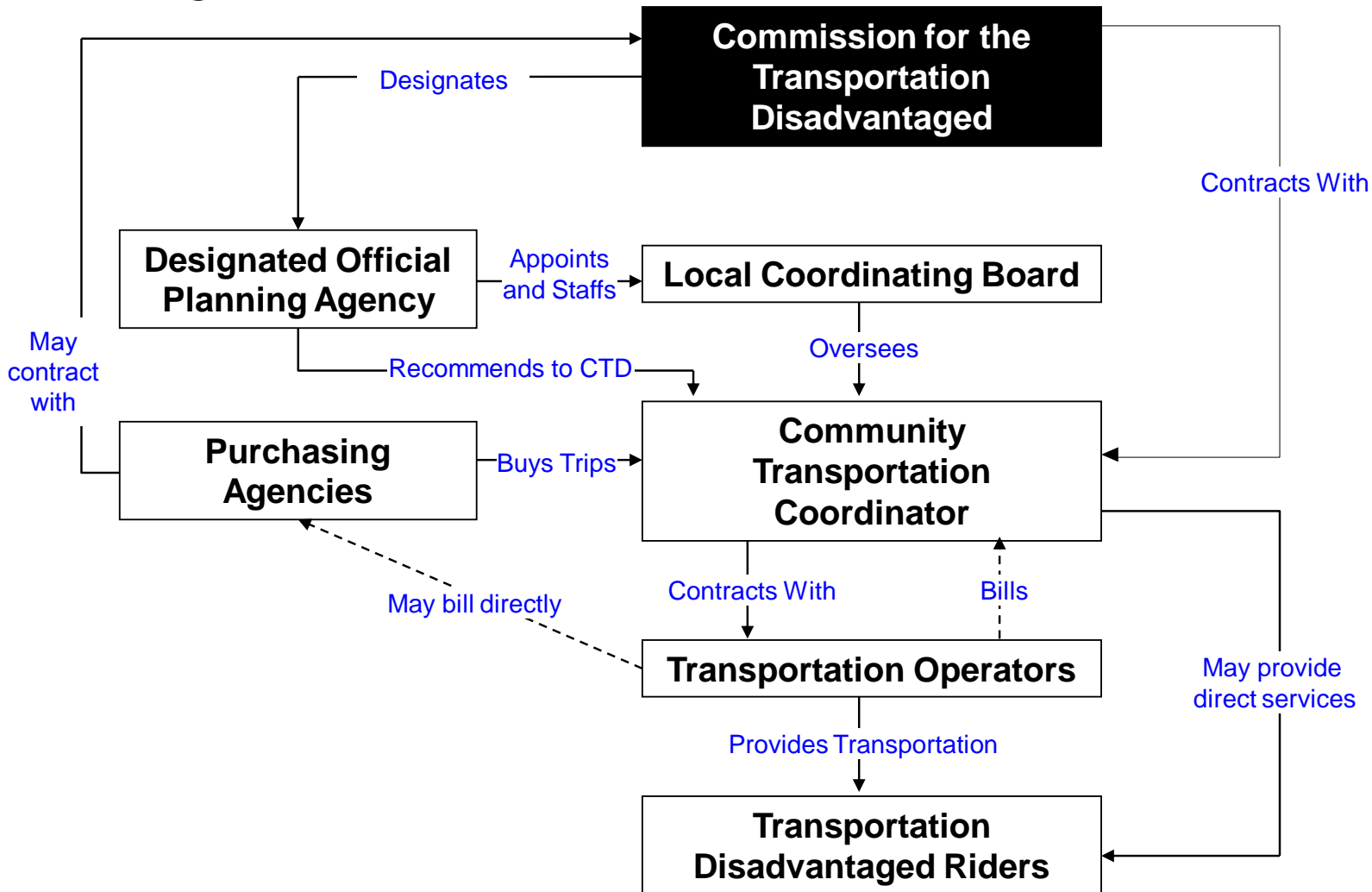
# **ORGANIZATIONAL CHART**

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# Coordinated Transportation System Organization



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# **EXHIBIT B**

# **ELIGIBILITY**

## SECTION I - IDENTIFYING INFORMATION

## SECTION II - NEED DETERMINATION

If you lived in a Assisted Care Living Facility, Nursing Home, ICFMR or Boarding Home,

Does this facility have a vehicle? ☐ Yes ☐ No

Have you ever been transported by the facility? ☐ Yes ☐ No

Do you have any family or friends who live in the County you reside in? ☐ Yes ☐ No

Has this person(s) ever transported you to the doctor? ☐ Yes ☐ No

Would this person(s) take you to the doctor if you asked them? ☐ Yes ☐ No

Do you know someone who would transport you if you paid for the gas? ☐ Yes ☐ No

Have you ever taken the LeeTran bus to the doctor or to other places? ☐ Yes ☐ No

Can you travel on a LeeTran bus? ☐ Yes ☐ No

If NO, please explain why: \_\_\_\_\_

Would you use the LeeTran bus if you could ride free? ☐ Yes ☐ No

Can you walk without help to the distances below? (Check those that apply)

☐ Across a room      ☐ One block      ☐ Two blocks      ☐ Three blocks      ☐ One mile

### SECTION III - DISABILITY

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Are you currently receiving Supplemental Security Income (SSI)? ☐ Yes ☐ No

Are you currently receiving Social Security Disability? ☐ Yes ☐ No

Do you consider yourself to be disabled? ☐ Yes ☐ No

If YES, what is the nature of your disability? (Check all the apply)

|                                                |                                                         |                                             |
|------------------------------------------------|---------------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Blind/Legally Blind   | <input type="checkbox"/> Wheelchair User                | <input type="checkbox"/> Difficulty Walking |
| <input type="checkbox"/> Arthritis             | <input type="checkbox"/> Cerebral Palsy                 | <input type="checkbox"/> Multiple Sclerosis |
| <input type="checkbox"/> Neuromuscular Disease | <input type="checkbox"/> Alzheimer's Disease            | <input type="checkbox"/> Stoke              |
| <input type="checkbox"/> Epilepsy              | <input type="checkbox"/> Respirator or Oxygen Dependent | <input type="checkbox"/> Other (describe)   |
| <input type="checkbox"/> Muscular Dystrophy    | <input type="checkbox"/> Mentally Challenged            | _____                                       |

Do you require mobility aids? ☐ Yes ☐ No

If YES, which aids do you require? (Check all that apply)

|                                  |                                    |                                                  |
|----------------------------------|------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> Walker  | <input type="checkbox"/> Guide Dog | <input type="checkbox"/> Personal Care Attendant |
| <input type="checkbox"/> Scooter | <input type="checkbox"/> Cane      | <input type="checkbox"/> Wheelchair              |
| <input type="checkbox"/> Other   | _____                              |                                                  |

### SECTION IV - FREQUENCY OF USE/DESTINATIONS

What doctors or medical clinics do you visit on a regular basis?

| NAME AND ADDRESS OF HOSPITAL,<br>DOCTOR OR CLINIC | NUMBER OF VISITS<br>EACH MONTH OR WEEK |
|---------------------------------------------------|----------------------------------------|
| _____                                             | _____                                  |
| _____                                             | _____                                  |
| _____                                             | _____                                  |
| _____                                             | _____                                  |

### SECTION V - SIGNATURE, PREPARER AND WITNESS

I affirm that the information provided in this application for services is true and correct and understand that making false statements, having others make false statements, or making false statements on behalf of others constitutes welfare fraud and is considered **a felony under the laws of the State of Florida.**

Medicaid and/or Transportation Disadvantaged Recipient's

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Preparer's Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

### RETURN COMPLETED FORM TO:

**Good Wheels, Inc.**  
**Community Transportation Coordinator**  
**10075 Bavaria Rd., SE**  
**Fort Myers, FL 33913**  
**1-239-768-2900**  
**1-800-741-1570 (Toll Free)**

**Florida Relay System:**  
**1-800-955-8770 - Voice**  
**1-800-955-8771 - TTY**

**ACCESSIBLE FORMATS ARE AVAILABLE UPON REQUEST**



**TRANSPORTE DESFAVORECIDOS Y O ELEGIBLE TRANSPORTE MEDICAID**

**Todos los artículos deben ser completados.  
Si usted no incluye "el ingresos mensuales" su  
solicitud sera rechazada.**

**SECCION 1 - INFORMACION DE IDENTIFICACIÓN**

Tarjeta dorada de Medicaid: \_\_\_\_\_ Telefono: \_\_\_\_\_  
Apellido: \_\_\_\_\_ Nombre: \_\_\_\_\_  
Domicilio: \_\_\_\_\_ Apt. #: \_\_\_\_\_  
Direccion de envio: \_\_\_\_\_  
Como podemos comunicarnos con usted: \_\_\_\_\_  
Esto es: ☐ Casa ☐ Apartamento ☐ Asilo de ancianos ☐ Embarear en el hogar ☐ Refugio  
Ciudad: \_\_\_\_\_ Condado: \_\_\_\_\_ Codigo Postal: \_\_\_\_\_  
Fecha de nacimiento: \_\_\_\_/\_\_\_\_/\_\_\_\_ Edad: \_\_\_\_\_ ☐ Masculino ☐ Femenino  
**Ingresos Mensuale**: \_\_\_\_\_

**SECTION II - NEED DETERMINATION**

Eres elegible para transporte de Medicaid que no sea de emergencia? ☐ Si ☐ No  
Puede operar un automovil, incluso acorta distancia? ☐ Si ☐ No  
Usted o alguien en su hogar es dueño de un automovil? ☐ Si ☐ No

Cual es su número de matricula de vehiculo? \_\_\_\_\_  
Cantidad de personas que viven en su hogar? \_\_\_\_\_ Lista por favor:

| <u>Nombre</u> | <u>Esta persona es<br/>relacionada con usted</u>        | <u>Esta persona tiene<br/>su propio automovil</u>       |
|---------------|---------------------------------------------------------|---------------------------------------------------------|
| _____         | <input type="checkbox"/> Si <input type="checkbox"/> No | <input type="checkbox"/> Si <input type="checkbox"/> No |
| _____         | <input type="checkbox"/> Si <input type="checkbox"/> No | <input type="checkbox"/> Si <input type="checkbox"/> No |
| _____         | <input type="checkbox"/> Si <input type="checkbox"/> No | <input type="checkbox"/> Si <input type="checkbox"/> No |

Vive usted en un centro de atención asistida o casa de embarque? ☐ Si ☐ No  
Tienes familia o amigos que viven en el condado ☐ Si ☐ No  
Esa persona alguna ves a transportado al medico? ☐ Si ☐ No  
Si le preguntas a esa persona que lo lleve al medio, lo haria? ☐ Si ☐ No  
Si le paga por gas, lo llevarian? ☐ Si ☐ No  
Alguna ves has viajado en LeeTran el medico o a otros lugares? ☐ Si ☐ No  
Puede usted viajar en LeeTran autobús? ☐ Si ☐ No  
Si es "no" explique por qué \_\_\_\_\_

Podrias usar LeeTran autobús si pudieras viajar gratis? ☐ Si ☐ No  
Puede usted caminar sin ayuda, alguna de las siguientes distancias?  
☐ Través de unahabilitacion ☐ Una cuadra ☐ Dos bloques ☐ Tres bloques ☐ Una milla

### SECCIÓN 3 - DISCAPACIDAD

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Está usted actualmente recibiendo seguro social? ☐ Si ☐ No  
Está usted recibiendo seguro social de incapacitado? ☐ Si ☐ No  
Usted se considera estar deshabilitado? ☐ Si ☐ No

Si es "Si" cual es la naturaleza de su discapacidad?

|                                                   |                                                           |                                                           |
|---------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Ciego/legamente          | <input type="checkbox"/> Silla de ruedas                  | <input type="checkbox"/> Dificultad para caminar          |
| <input type="checkbox"/> Artritis                 | <input type="checkbox"/> Parálisis cerebral               | <input type="checkbox"/> Esclerosis multiple              |
| <input type="checkbox"/> Enfermedad neuromuscular | <input type="checkbox"/> Enfermedad de alzheimer          | <input type="checkbox"/> Ataque cardiaco/derrame cerebral |
| <input type="checkbox"/> Epilepsia                | <input type="checkbox"/> Respirador o oxigeno dependiente | <input type="checkbox"/> Otro                             |
| <input type="checkbox"/> Distrofia muscular       | <input type="checkbox"/> Problemas mentales               | _____                                                     |

Usted usa ayuda para la movilidad? ☐ Si ☐ No

Si es "Si" cual es son las que usa

|                                  |                                     |                                                             |
|----------------------------------|-------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Andador | <input type="checkbox"/> Perro guia | <input type="checkbox"/> Asistente para el cuidado personal |
| <input type="checkbox"/> Scooter | <input type="checkbox"/> Bastón     | <input type="checkbox"/> Silla de ruedas                    |
| <input type="checkbox"/> Other   | _____                               |                                                             |

### SECCIÓN 4 - USO/DESTINOS

Cuales son los médicos o clínicas medicas usted visita?

**NOMBRE Y DIRECCION DE HOSPITAL,  
MEDICOS, O CLINICAS**

**CUANTAS VISITAS CADA MES O  
SEMANA**

### SECCIÓN 5 - FIRMA Y PREPARADOR

Yo afirmo la informacion proporcionasda en esta solicitud de servicios es verdadera y correcta y entiendo que hacer declaraciones falsas, o que otros hagan declaraciones falsas, o hacer declaraciones falsas en nombre de los demás constituye un fraude de bienestar y se considera un delito grave bajo las leyes del estado de Florida.

Medicaid y/o transporte desfavorecidos

Firma: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Firma del ayudanta: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**DEVUELVA EL FORMULARIO A:** (¿Incluyó ingresos mensuales?)

Good Wheels, Inc.  
Community Transportation Coordinator  
10075 Bavaria Rd., SE  
Fort Myers, FL 33913  
1-239-768-2900  
1-800-741-1570 (Toll Free)  
1-239-768-6187 (Fax)

Florida Relay System:  
1-800-955-8770 - Voice  
1-800-955-8771 - TTY

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# **EXHIBIT C**

# **VEHICLE INVENTORY**

## CURRENT VEHICLE INVENTORY FORM

02/15/17

|    | Unit | Assigned    | LOCATION | Model | Vehicle Make          | Manufacturer Vehicle  | Tag    |         | EXP.     | GVWR   | Current   | Fuel   | FDOT Control | Passengers    |
|----|------|-------------|----------|-------|-----------------------|-----------------------|--------|---------|----------|--------|-----------|--------|--------------|---------------|
|    | #    | To          |          | Year  | and Type              | Identification Number | Number | Funding | Date     |        | Odometer  | Type   | No. / GW     | Amb. - W/C    |
| 1  | 15   | Para Trans  | Lee      | 2012  | Ford E-250 Van        | 1FTNE2EL3CDA28751     | X3808C | 5310    | 06/30/17 | 5,833  | 93,365.0  | Gas    | 96192        | 8 - Amb.      |
| 2  | 16   | Stretcher   | Lee      | 2009  | Ford E-250 Van        | 1FTNE24L89DA92603     | X2873B | 5310    | 06/30/17 | 9,000  | 108,307.0 | Gas    | 96113        | 4 & Stretcher |
| 3  | 17   | Long Dist.  | Lee      | 2010  | Grand Caravan-Dodge   | 2D4RN4DE6AR155376     | X7134B | 5310    | 06/30/17 | 6,050  | 216,343.0 | Gas    | 96115        | 3 & 1 WC      |
| 4  | 18   | Maintenance | Lee      | 2010  | Grand Caravan-Dodge   | 2D4RN4DEXAR155378     | X7135B | 5310    | 06/30/17 | 6,050  | 281,921.0 | Gas    | GW           | 3 & 1 WC      |
| 5  | 21   | Long Dist.  | Lee      | 2011  | Grand Caravan-Dodge   | 2D4RN4DG3BR778957     | X7990B | 5310    | 06/30/17 | 6,050  | 156,950.0 | Gas    | 96175        | 3 & 1 WC      |
| 6  | 22   | Long Dist.  | Lee      | 2012  | Grand Caravan-Dodge   | 2C4RDGBG3CR369802     | X2051C | 5310    | 06/30/17 | 6,050  | 137,068.0 | Gas    | 97127        | 3 & 1 WC      |
| 7  | 23   | Long Dist.  | Clew     | 2012  | Grand Caravan-Dodge   | 2C4RDGBG5CR369803     | X2053C | 5310    | 06/30/17 | 6,050  | 142,257.0 | Gas    | 97128        | 3 & 1 WC      |
| 8  | 24   | Long Dist.  | Clew     | 2013  | Grand Caravan-Dodge   | 2C7WDGBG1DR661407     | X2052C | 5310    | 06/30/17 | 6,050  | 107,709.0 | Gas    | 97129        | 3 & 1 WC      |
| 9  | 25   | Long Dist.  | Lee      | 2014  | Grand Caravan-Dodge   | 2C7WDGBGXER476581     | X4468C | 5310    | 06/30/17 | 6,050  | 113,883.0 | Gas    | 97159        | 3 & 1 WC      |
| 10 | 26   | Long Dist.  | Lee      | 2015  | Grand Caravan-Dodge   | 2C7WDGBG2FR650290     | X5422C | 5310    | 06/30/17 | 6,050  | 77,993.0  | Gas    | 97176        | 3 & 1 WC      |
| 11 | 27   | Long Dist.  | Lee      | 2015  | Grand Caravan-Dodge   | 2C7WDGBG2FR650287     | X5421C | 5310    | 06/30/17 | 6,050  | 89,137.0  | Gas    | 97177        | 3 & 1 WC      |
| 12 | 28   | Long Dist.  | Clew     | 2015  | Grand Caravan-Dodge   | 2C7WDGBG4FR650288     | X5423C | 5310    | 06/30/17 | 6,050  | 42,661.0  | Gas    | 97178        | 3 & 1 WC      |
| 13 | 29   | Long Dist.  | Clew     | 2015  | Grand Caravan-Dodge   | 2C7WDGBG6FR650289     | X5426C | 5310    | 06/30/17 | 6,050  | 65,859.0  | Gas    | 97179        | 3 & 1 WC      |
| 14 | 30   | Long Dist.  | LB       | 2015  | Grand Caravan-Dodge   | 2C7WDGBG3FR652145     | X5510B | 5311    | 06/30/17 | 6,050  | 49,560.0  | Gas    | 97195        | 3 & 1 WC      |
| 15 | 31   | Long Dist.  | Lee      | 2015  | Grand Caravan-Dodge   | 2C7WDGBG0FR606241     | X5511B | LEA     | 06/30/17 | 6,050  | 59,791.0  | Gas    | Leased       | 3 & 1 WC      |
| 16 | 32   | Para Trans  | ORI      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG0GR154504     | X9872C | LEA     | 06/30/17 | 6,050  | 27,600.0  | Gas    | Leased       | 3 & 1 WC      |
| 17 | 33   | Para Trans  | Lee      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG0GR154518     | X9873C | LEA     | 06/30/17 | 6,050  | 30,022.0  | Gas    | Leased       | 3 & 1 WC      |
| 18 | 34   | Para Trans  | ORI      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG0GR154521     | X9874C | LEA     | 06/30/17 | 6,050  | 31,633.0  | Gas    | Leased       | 3 & 1 WC      |
| 19 | 35   | Para Trans  | Lee      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG0GR176535     | X9875C | LEA     | 06/30/17 | 6,050  | 37,941.0  | Gas    | Leased       | 3 & 1 WC      |
| 20 | 36   | Para Trans  | ORI      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG1GR176527     | X9876C | LEA     | 06/30/17 | 6,050  | 19,093.0  | Gas    | Leased       | 3 & 1 WC      |
| 21 | 37   | Para Trans  | Lee      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG2GR154519     | X9877C | LEA     | 06/30/17 | 6,050  | 38,758.0  | Gas    | Leased       | 3 & 1 WC      |
| 22 | 38   | Para Trans  | LB       | 2016  | Grand Caravan-Dodge   | 2C7WDGBG6GR202927     | X5095B | 5310    | 06/30/17 | 6,050  | 40,088.0  | Gas    | 98133        | 3 & 1 WC      |
| 23 | 39   | Para Trans  | Clew     | 2016  | Grand Caravan-Dodge   | 2C7WDGBG6GR202930     | X5096B | 5310    | 06/30/17 | 6,050  | 20,856.0  | Gas    | 98134        | 3 & 1 WC      |
| 24 | 40   | Para Trans  | LB       | 2016  | Grand Caravan-Dodge   | 2C7WDGBG7GR195504     | X5097B | 5310    | 06/30/17 | 6,050  | 50,785.0  | Gas    | 98135        | 3 & 1 WC      |
| 25 | 41   | Para Trans  | Lee      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG7GR202936     | X0391D | 5310    | 06/30/17 | 6,050  | 20,822.0  | Gas    | 98136        | 3 & 1 WC      |
| 26 | 42   | Para Trans  | Lee      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG8GR195513     | 5098B  | 5310    | 06/30/17 | 6,050  | 34,979.0  | Gas    | 98137        | 3 & 1 WC      |
| 27 | 43   | Para Trans  | Lee      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG8GR202928     | X0392D | 5310    | 06/30/17 | 6,050  | 26,512.0  | Gas    | 98138        | 3 & 1 WC      |
| 28 | 44   | Para Trans  | Lee      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG2GR371861     | X0878D | LEASE   | 06/30/17 | 6,050  | 7,781.0   | Gas    | Leased       | 3& 1 WC       |
| 29 | 45   | Para Trans  | Lee      | 2016  | Grand Caravan-Dodge   | 2C7WDGBG4GR385339     | X0879D | 5310    | 06/30/17 | 6,050  | 750.0     | Gas    | 98172        | 3& 1 WC       |
| 30 | 401  | Para Trans  | Lee      | 2014  | Chevy Express Cutaway | 1GB6G5BL5E1162707     | X1655C | SC      | 06/30/17 | 14,200 | 119,112.0 | Diesel | SC           | 12&2 or 10&3  |
| 31 | 402  | Para Trans  | Lee      | 2014  | Chevy Express Cutaway | 1GB6G5BL4E1163542     | X1656C | SC      | 06/30/17 | 14,200 | 161,466.0 | Diesel | SC           | 12&2 or 10&3  |
| 32 | 404  | Para Trans  | Lee      | 2006  | Chevy/Glaval Bus      | 1GBE4V1276F419450     | 089QWD | GW      | 06/30/17 | 17,500 | 339,225.0 | Diesel | GW           | 12&2 or 10&3  |

## CURRENT VEHICLE INVENTORY FORM

02/15/17

|    | Unit | Assigned   | LOCA<br>TION | Model | Vehicle Make          | Manufacturer Vehicle  | Tag    |             | EXP.     | GVWR   | Current   | Fuel   | FDOT     | Passengers   |
|----|------|------------|--------------|-------|-----------------------|-----------------------|--------|-------------|----------|--------|-----------|--------|----------|--------------|
|    | #    | To         |              | Year  | and Type              | Identification Number | Number | Fundi<br>ng | Date     |        | Odometer  | Type   | No. / GW | Amb. - W/C   |
| 33 | 405  | Para Trans | Lee          | 2006  | Chevy/Glaval Bus      | 1GBE4V1216F419573     | 090QWD | GWI         | 06/30/17 | 17,500 | 353,567.0 | Diesel | GWI      | 16 & 1       |
| 34 | 406  | Clew/BELL  | Clew         | 2009  | Chevy/Glaval Bus      | 1GBE5V19X9F407615     | X3807C | 5310        | 06/30/17 | 14,678 | 159,635.0 | Gas    | 96101    | 26 & 4       |
| 35 | 407  | Para Trans | Clew         | 2014  | Chevy/Glaval Bus      | 1GB6G5BG6E1200075     | X5717C | SC          | 06/30/17 | 14,678 | 78,818.0  | Diesel | SC       | 10 AND 4     |
| 36 | 408  | Clew/BELL  | Clew         | 2015  | FREIGHTLINER          | 4UZADRDUXFCGR9427     | X5941C | 5311        | 06/30/17 | 14,678 | 58,756.0  | Diesel | 98160    | 26 & 2       |
| 37 | 409  | Para Trans | Lee          | 2015  | Chevy Express Cutaway | 1GB6G5BL7F1262678     | X9564C | 5310        | 06/30/17 | 14,200 | 46,259.0  | Diesel | 98123    | 12&2 or 10&3 |
| 38 | 410  | Para Trans | Lee          | 2015  | Chevy Express Cutaway | 1GB6G5BL0F1264434     | X9566C | 5310        | 06/30/17 | 14,200 | 35,926.0  | Diesel | 98124    | 12&2 or 10&3 |
| 39 | 411  | Para Trans | Lee          | 2015  | Chevy Express Cutaway | 1GB6G5BL6F1264664     | X9563C | 5310        | 06/30/17 | 14,200 | 48,713.0  | Diesel | 5310     | 12&2 or 10&3 |
| 40 | 412  | Para Trans | Clew         | 2016  | Chevy Express Cutaway | 1GB6GUBGXG1141772     | X9299C | SC          | 06/30/17 | 14,200 | 25,710.0  | Gas    | SC       | 12&2 or 10&3 |
| 41 | 413  | Para Trans | Clew         | 2016  | Chevy Express Cutaway | 1GB6GUBG3G1138678     | X8300C | SC          | 06/30/17 | 14,200 | 23,237.0  | Gas    | SC       | 12&2 or 10&3 |
| 42 | 426  | Para Trans | Lee          | 2007  | Chevy/Glaval Bus      | 1GBE4V1277F410684     | X0210A | GWI         | 06/30/17 | 17,500 | 386,725.0 | Diesel | GWI      | 12&2 or 10&3 |
| 43 | 429  | Para Trans | Lee          | 2007  | Chevy/Glaval Bus      | 1GBE4V1297F411562     | X0211A | GWI         | 06/30/17 | 17,500 | 356,011.0 | Diesel | GWI      | 12&2 or 10&3 |
| 44 | 430  | Para Trans | Lee          | 2007  | Chevy/Glaval Bus      | 1GBE4V1227F411497     | X0214A | GWI         | 06/30/17 | 17,500 | 406,991.0 | Diesel | GWI      | 12&2 or 10&3 |
| 45 | 434  | Para Trans | Lee          | 2007  | Chevy/Glaval Bus      | 1GBE4V1297F414882     | X1378A | GWI         | 06/30/17 | 17,500 | 446,109.0 | Diesel | GWI      | 12&2 or 10&3 |
| 46 | 440  | Para Trans | Lee          | 2007  | Chevy/Glaval Bus      | 1GBE4V1987F424896     | X6908A | GWI         | 06/30/17 | 17,500 | 335,181.0 | Diesel | GWI      | 12&2 or 10&3 |
| 47 | 441  | Para Trans | Lee          | 2007  | Chevy/Glaval Bus      | 1GBE4V1907F424343     | X7620A | GWI         | 06/30/17 | 17,500 | 370,752.0 | Diesel | GWI      | 12&2 or 10&3 |
| 48 | 442  | Para Trans | Clew         | 2007  | Chevy/Glaval Bus      | 1GBE4V1917F424402     | X8595C | GWI         | 06/30/17 | 17,500 | 191,479.0 | Diesel | GWI      | 12&2 or 10&3 |
| 49 | 445  | Para Trans | Lee          | 2007  | Chevy/Glaval Bus      | 1GBE4V1987F426065     | X0367B | GWI         | 06/30/17 | 17,500 | 365,430.0 | Diesel | GWI      | 12&2 or 10&3 |
| 50 | 447  | Para Trans | Lee          | 2007  | Chevy/Glaval Bus      | 1GBE4V1917F426263     | X0369B | GWI         | 06/30/17 | 17,500 | 387,862.0 | Diesel | GWI      | 12&2 or 10&3 |
| 51 | 448  | Para Trans | LB           | 2009  | Chevy/Glaval Bus      | 1GBE4V1939F402355     | X6473B | GWI         | 06/30/17 | 17,500 | 301,637.0 | Diesel | GWI      | 12&2 or 10&3 |
| 52 | 450  | Para Trans | LB           | 2009  | Chevy/Glaval Bus      | 1GBE4V1939F403716     | X6474B | GWI         | 06/30/17 | 17,500 | 323,509.0 | Diesel | GWI      | 14 or 10&2   |
| 53 | 451  | Para Trans | Lee          | 2009  | Chevy/Glaval Bus      | 1GBE4V1979F403802     | X6477B | GWI         | 06/30/17 | 17,500 | 316,793.0 | Diesel | GWI      | 14 or 10&2   |
| 54 | 452  | Para Trans | Lee          | 2009  | Chevy/Glaval Bus      | 1GBE4V1959F403653     | X6476B | GWI         | 06/30/17 | 17,500 | 287,852.0 | Diesel | GWI      | 14 or 10&2   |
| 55 | 453  | Para Trans | Lee          | 2009  | Chevy/Glaval Bus      | 1GBE4V1949F403983     | X6478B | GWI         | 06/30/17 | 17,500 | 296,357.0 | Diesel | GWI      | 14 or 10&2   |
| 56 | 455  | Para Trans | Lee          | 2009  | Chevy/Glaval Bus      | 1GBE4V1939F403991     | X7140B | 5310        | 06/30/17 | 17,500 | 264,469.0 | Diesel | 96116    | 14 or 10&2   |
| 57 | 456  | Para Trans | Lee          | 2009  | Chevy/Glaval Bus      | 1GBE4V1959F404513     | X7141B | GWI         | 06/30/17 | 17,500 | 287,456.0 | Diesel | GWI      | 14 or 10&2   |
| 58 | 457  | Para Trans | Lee          | 2009  | Chevy/Glaval Bus      | 1GBE4V1919F407814     | X2880B | GWI         | 06/30/17 | 17,500 | 255,511.0 | Diesel | GWI      | 14 or 10&2   |
| 59 | 460  | Para Trans | Lee          | 2009  | Chevy/Glaval Bus      | 1GBE4V19X9F407620     | X2883B | GWI         | 06/30/17 | 17,500 | 295,386.0 | Diesel | GWI      | 14 or 10&2   |
| 60 | 462  | Para Trans | Lee          | 2009  | Chevy/Glaval Bus      | 1GBE4V1999F413294     | X2885B | 5310        | 06/30/17 | 17,500 | 276,510.0 | Diesel | 96123    | 14 or 10&2   |
| 61 | 463  | Para Trans | Lee          | 2011  | Chevy/Express Cutaway | 1GB6G5BL0C1160960     | X7979B | 5310        | 06/30/17 | 14,200 | 208,184.0 | Diesel | 97105    | 12 / 2       |
| 62 | 464  | Para Trans | Lee          | 2011  | Chevy/Express Cutaway | 1GB6G5BL6C1159604     | X7978B | 5310        | 06/30/17 | 14,200 | 160,961.0 | Diesel | 97106    | 12 / 2       |
| 63 | 496  | Para Trans | Lee          | 2010  | Chevy/Express Cutaway | 1GB9G5BL9A1173037     | X2926B | 5310        | 06/30/17 | 14,200 | 204,014.0 | Diesel | 9197     | 12 / 2       |
| 64 | 498  | Para Trans | Lee          | 2011  | Chevy/Express Cutaway | 1GB6G5BL8B1144259     | X9893B | 5310        | 06/30/17 | 14,200 | 212,878.0 | Diesel | 96172    | 12 / 2       |

## CURRENT VEHICLE INVENTORY FORM

02/15/17

|    | Unit | Assigned | LOCA<br>TION | Model | Vehicle Make  | Manufacturer Vehicle  | Tag    | Fundi<br>ng | EXP.      | GVWR   | Current   | Fuel   | FDOT<br>Control | Passengers     |
|----|------|----------|--------------|-------|---------------|-----------------------|--------|-------------|-----------|--------|-----------|--------|-----------------|----------------|
|    | #    | To       |              | Year  | and Type      | Identification Number | Number |             | Date      |        | Odometer  | Type   | No. / GW        | Amb. - W/C     |
| 65 | 701  | CHARTER  | Lee          | 2007  | GMC/TITAN     | 1GBJ5V1937F418838     | X1388A | GW          | 06/30/17  | 26,500 | 144,921.0 | Diesel | GW              | 33             |
| 66 | 702  | CHARTER  | Lee          | 2008  | Blue Bird     | 1BAKF CPA08F254107    | 310IAK | GW          | 06/30/17  | 31,000 | 74,777.0  | Diesel | GW              | 65             |
| 67 | 703  | CHARTER  | Lee          | 2008  | Blue Bird     | 1BAKF CPA28F254108    | 311IAK | GW          | 06/30/17  | 31,000 | 104,963.0 | Diesel | GW              | 65             |
| 68 | 704  | CHARTER  | Lee          | 2008  | Blue Bird     | 1BAKF CPA18F254116    | 589JQW | GW          | 06/30/17  | 31,000 | 85,012.0  | Diesel | GW              | 65             |
| 69 | 705  | CHTR SCH | Lee          | 2006  | International | 4DRBWAAN66A234066     | X5666C | GW          | 06/30/17  | 31,000 | 144,977.0 | Diesel | Leased          | 84             |
| 70 | 706  | CHTR SCH | Lee          | 2006  | International | 4DRBWAAN56A234043     | X6634C | GW          | 06/30/17  | 31,000 | 142,132.0 | Diesel | Leased          | 84             |
| 71 | 707  | CHTR SCH | Lee          | 2005  | International | 4DRBWAAR85A978219     | GVNS84 | GW          | 06/30/17  | 31,000 | 167,288.0 | Diesel | Leased          | 84             |
| 72 | 708  | CHTR SCH | Lee          | 2006  | International | 4DRBUAAN86A237167     | GVNS83 | GW          | 06/30/17  | 31,000 | 200,247.0 | Diesel | Leased          | 84             |
| 73 | 709  | CHARTER  | Lee          | 2012  | International | 4DRASAAN3CJ536837     |        | GW          | 6/30/2017 | 31,000 | 129,501.0 | Diesel | Leased          | 32 OR 30 /1 WC |

**TRANSPORTATION DISADVANTAGED SERVICE PLAN, TDSP**

The Five-Year Plan for the Glades-Hendry Joint Service Area

Annual Update, February 2017

**EXHIBIT D**  
**CTC SYSTEM SAFETY**  
**PROGRAM PLAN**



Transportation for the Disabled and Disadvantaged

10075 Bavaria Road • Fort Myers, Florida 33913

goes in  
both  
TDSF  
updates

172 of 405

## BUS TRANSIT SYSTEM

### ANNUAL SAFETY AND SECURITY CERTIFICATION

Alan M. Mandel  
CEO

#### Board of Directors

Joni Logan  
Chairman of the Board

Glee Duff  
Vice Chairman

Gen. James L. Dozier  
Secretary

Fred Atkins  
Treasurer

Rosalie Berlin

Viva Robinson

Lucinda Tevlin

Alan Katzman  
Emeritus

Date: January 27, 2015

Name: Good Wheels, Inc.

Address: 10075 Bavaria Road  
Fort Myers, FL 33913

**IN ACCORDANCE WITH FLORIDA STATUTE 341.061, THE BUS TRANSIT SYSTEM NAMED ABOVE HEREBY CERTIFIES TO THE FOLLOWING:**

1. The adoption of a Safety System Program Plan (SSPP) pursuant to Florida Department of Transportation safety standards set forth in Rule Chapter 14-90, Florida Administrative Code, revised February 2014.
2. The adoption of a System Hazard and Security Program Plan (HSP) pursuant to Florida Department of Transportation safety standards set forth in Rule Chapter 14-90, Florida Administrative Code, revised January 2015.
3. Compliance with adopted safety standards in the SSPP and SHSP.
4. Performance of annual safety inspections on all operational buses in accordance with Rule 14-902.009.



Partner Agency



Signature: \_\_\_\_\_

Name: Alan M. Mandel  
Title: CEO

[www.goodwheels.org](http://www.goodwheels.org)

Main Phone 239.768.2900 Dispatch 239.768.6185 Fax 239.768.6187 Glades & Hendry 800-741-1570

Don't forget to donate \$1.00 to the Transportation Disadvantaged Trust Fund the next time you renew your car tag!



# Commission for the Transportation Disadvantaged NET Safety Compliance and Emergency Management Self Certification

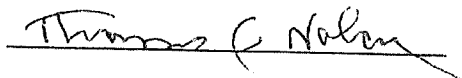
THIS CERTIFIES CALENDAR YEAR 2013DATE: JANUARY 22, 2013SUBCONTRACTED TRANSPORTATION PROVIDER: GOOD WHEELS, INC. - GLADES COUNTYADDRESS: 10075 BAVARIA ROAD, FORT MYERS, FL 33913

In accordance with the Medicaid Non-Emergency Transportation Subcontracted Transportation Provider (STP) Contract with the Commission for the Transportation Disadvantaged, the above STP, hereby certifies to the following:

1. The adoption of a System Safety Program Plan and a Security Program Plan (a.k.a. Emergency Management Plan) based on established standards set forth in **Rule Chapter 14.90, F.A.C.** Such plans ensure the continuation of appropriate services during an emergency, including but not limited to localized acts of nature, accidents, and technological and/or attached-related emergencies, both natural and manmade;
2. Compliance with its adopted System Safety Program Plan and Security Program Plan, including:
  - a. Safety inspections of all service vehicles;
  - b. Applicable Drug and Alcohol procedures, including training and monitoring;
  - c. Driver Training and Monitoring.
3. Compliance with requirement of monitoring subcontracted operators;
4. Compliance with maintenance of support documentation for plans, inspections, training and monitoring, and that said documentation is available upon request by an authorized representative of the Commission or the Agency for Health Care Administration.

I understand that providing false information may result in an unfavorable action by the Commission.

Signature:



Name:

THOMAS F. NOLAN

(Type or Print)

Title:

CEO/CFO

# Commission for the Transportation Disadvantaged NET Safety Compliance and Emergency Management Self Certification

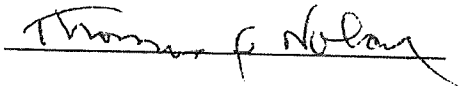
THIS CERTIFIES CALENDAR YEAR 2013DATE: JANUARY 22, 2013SUBCONTRACTED TRANSPORTATION PROVIDER: GOOD WHEELS, INC. - HENDRY COUNTYADDRESS: 10075 BAVARIA ROAD, FORT MYERS, FL 33913

In accordance with the Medicaid Non-Emergency Transportation Subcontracted Transportation Provider (STP) Contract with the Commission for the Transportation Disadvantaged, the above STP, hereby certifies to the following:

1. The adoption of a System Safety Program Plan and a Security Program Plan (a.k.a. Emergency Management Plan) based on established standards set forth in **Rule Chapter 14.90, F.A.C.** Such plans ensure the continuation of appropriate services during an emergency, including but not limited to localized acts of nature, accidents, and technological and/or attached-related emergencies, both natural and manmade;
2. Compliance with its adopted System Safety Program Plan and Security Program Plan, including:
  - a. Safety inspections of all service vehicles;
  - b. Applicable Drug and Alcohol procedures, including training and monitoring;
  - c. Driver Training and Monitoring.
3. Compliance with requirement of monitoring subcontracted operators;
4. Compliance with maintenance of support documentation for plans, inspections, training and monitoring, and that said documentation is available upon request by an authorized representative of the Commission or the Agency for Health Care Administration.

I understand that providing false information may result in an unfavorable action by the Commission.

Signature:



Name:

THOMAS F. NOLAN

(Type or Print)

Title:

CEO/CFO



# System Safety Program Plan

*Amended June 2012*



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## Management Commitment

Good Wheels, Inc. maintains that safety and loss prevention is the responsibility of all employees.

Good Wheels, Inc. has an obligation to its employees and the citizens of Southwest Florida to provide a hazard free environment and safe place to work. We eliminate the cause of accidents which may result in injuries to the public and loss in their ability to perform daily activities.

It is the responsibility of Good Wheels, Inc. to make sure that our safety regulations, as outlined in our System Safety Program Plan (SSPP) and the standards established by the State of Florida, are adhered to by all personnel so that we can reduce incidences of bodily injury, property damage and operation costs.

*Policy item changes/additions are italicized throughout this program plan.*

This System Safety Program Plan was approved by the President of Good Wheels June, 2012 and is effective on that d

Name: LARRY L. BRYANT

Title: PRES/ CEO

Signature: Larry L. Bryant

Date: 2 July 2012

## Introduction and Purpose

The System Safety Program Plan (SSPP) describes the functions and responsibilities that shall be implemented and maintained to achieve a high level of safety at Good Wheels, Inc. The SSPP is a means of improving communication, documentation and coordination within the entire system and can reduce actual and potential incidents of injuries, property damage and delays in service. The SSPP applies to all areas of Good Wheels, Inc. including design, procurement, operations, administration and maintenance.

### 1. Goals and Objectives

The overall goal of Good Wheels, Inc. is to coordinate and provide cost effective, compassionate, and reliable transportation to the disadvantaged, disabled, those working to gain economic self-sufficiency and the general public safely and to reduce costs associated with accidents. The objectives for attaining the safest operating conditions and environments are as follows:

- a. Identify unsafe conditions
- b. Develop methods to control or eliminate hazards
- c. Determine the simplest, most effective solutions to control hazards
- d. Estimate the cost to eliminate or control the hazard
- e. Estimate losses as a result of the hazard
- f. Determine or estimate the cost savings or benefits as a result of eliminating or controlling the hazard.

These objectives are applied to all aspects of the system in reducing accidents and are presented to all employees during training.



## Regulatory Agencies

Florida Law requires Good Wheels, Inc. to develop a System Safety Program Plan (SSPP) that complies with the State's minimum equipment and operations safety standards established pursuant to Subsection 341.061, Florida Statutes, and to at least annually inspect all equipment operated in accordance with established standards. Minimum State standards are contained in Rule Chapter 14-90, Florida Administrative Code (FAC). It is Good Wheels, Inc. intent to comply with these standards, at a minimum, and certify to the State of Florida, Department of Transportation annually, the following:

- a. A SSPP has been developed in accordance with Rule Chapter 14-90, FAC;
- b. Compliance by Good Wheels, Inc. with the SSPP; and
- c. Safety inspections have been performed on all equipment pursuant to Rule Chapter 14-90. Good Wheels shall suspend system operations, or any portion thereof, that poses an immediate danger to public safety.

## Implementation

Good Wheels, Inc. is in compliance with the guidelines set forth in Rule Chapter 14-90, (FAC) (See Appendix E). Any changes in policy will be noted in the yearly submission.

### **1. Management/Administrative, Operations and Maintenance Rules – Management/Administrative Responsibilities:**

- a. Direct the development of the System Safety Program Plan (SSPP);
- b. Assure the existence of all safety considerations in the SSPP;
- c. Direct compliance by the operation with the SSPP;
- d. Assure annual safety inspection of all operational vehicles;
- e. Assure that annual safety certifications are submitted to the Florida Department of Transportation (FDOT);
- f. Establish guidelines for suspension of any system service not believed safe or which poses potential danger to public safety;
- g. Establish methods to validate driving licenses for currency and type (Commercial Drivers License);
- h. Require the establishment of training and completion of training and testing programs for all new employees;
- i. Document each driver's work period, days worked and on-duty hours;
- j. Establish policies prohibiting the use of alcoholic beverages or controlled substances by any employee - establish a Drug-Free Work Place Policy (See Appendix A);
- k. Establish policies preventing the unsafe operation of any equipment;
- l. Require daily written pre-trip safety inspections by all drivers, and retain for two weeks. Retain all other records for a minimum of four years;
- m. Direct the establishment of a preventive maintenance program and documentation of all inspections (See Appendix B);
- n. Require a medical examination for all new employees and current employees.

# System Description and History

## 1. History and Services

On or about May 1, 1990, the Lee County Metropolitan Planning Organization was informed that Community Transit, Inc. (Care Cab) would no longer be able to meet the transportation needs of persons with disabilities, of the elderly and of disadvantaged persons as of June 1, 1990. Subsequent to this resignation, Goodwill Industries of Southwest Florida, Inc. was appointed by the Lee County Metropolitan Planning Organization as the designated Transportation Coordinator.

As a result of this appointment, on the advice of Counsel, and with the approval of the Lee County Metropolitan Planning Organization, a separate and independent non-profit corporation was formed.

The new corporation was named Good Wheels, Inc. In keeping with its tradition of providing services to the disabled, disadvantaged and elderly, Goodwill Industries provided the financing for Good Wheels, Inc. More important than financing, Goodwill Industries pledged its name, honor and reputation to Good Wheels, Inc. With their support, Good Wheels, Inc. started operation on June 1, 1990, with seed money of \$250,000, and has provided continued service since that time.

An additional benefit for Good Wheels, Inc. was that it had the advantage of assuming a contract with mechanics in place. Routes were already established, employees were experienced, and the method of operation was in place. Therefore, Good Wheels, Inc. did not have to reinvent the proverbial wheel, but only modify it. In that regard, Good Wheels, Inc. has years of experience to draw from in providing services to the elderly and people with disabilities.

The creation of Good Wheels, Inc. represented a commitment to meet the needs and provide transportation for people with disabilities, the elderly and disadvantaged persons in Lee County. All officers and directors of Good Wheels, Inc. lived and worked in Lee County - continuing to the present.

Good Wheels, Inc. met and continues to meet the challenge to deliver services to people with disabilities, the elderly and the disadvantaged population with the same enthusiasm and effective management as its parent company. We are aware of the need to train and evaluate drivers, emphasize driver safety, provide preventive maintenance on vehicles, examine routes on a monthly basis and minimize administrative overhead.

### a. Designation Date and Background of Coordinator System:

On or about May 23, 1990, Goodwill Industries was officially designated the Community Transportation Coordinator for Lee County. This designation was the result of Community Transit's providing a thirty (30) day notice to the Metropolitan Planning Organization that as of June 1, 1990, they would terminate services as Transportation Coordinator for Lee County. The reputation of Goodwill Industries in Southwest Florida as efficient and competent,

uninterrupted service was the major reason for designating Goodwill Industries as the Transportation Coordinator.

In January of 1991, Good Wheels, Inc. accepted the responsibility for coordination in Hendry and Glades counties.

During the time which Good Wheels, Inc. has been in operation, it has increased its services in all categories. As an example, although there was no history of providing subscription services for the elderly and people with disabilities, it was a natural extension for Goodwill Industries, which created Good Wheels, Inc.

In January of 1995, Goodwill Industries cut all ties to Good Wheels, Inc. and at that time the organization became a stand-alone 501(c)(3) not-for-profit company. In August, 1997, the agency was designated the CTC (Community Transportation Coordinator) for Collier County. That service began on October 1, 1997, but was discontinued on April 1, 1999.

**b. Hours and Days of Service:**

It is the goal of the Coordinator to provide door-to-door services six (6) days a week, twenty-four (24) hours a day, if necessary. Should demand exceed our ability to provide service, we will seek contractors to provide for these services.

Good Wheels, Inc. has a dispatcher on duty from 4:30 a.m. until 8:00 p.m. Monday through Friday and 4:30 a.m. until 6:00 p.m. on Saturday. The majority of our clients are going to the doctor's office, school or day cares, which are mostly weekday functions, however, weekend service is a necessity as dialysis passengers use our services six (6) days a week.

**c. Advance Notification Time:**

We request that all reservations be made twenty-four (24) hours in advance. However, we will accept cancellations up to one (1) hour prior to the driver's arrival at the pickup point.

**d. Roles and Functions:**

Good Wheels, Inc. is presently serving as the CTC (Community Transportation Coordinator) in Lee, Hendry and Glades counties and is provider of TD transportation in Lee County.

**e. Fiscal Verification:**

All financial data is prepared "in house" by Good Wheels, Inc. finance department, which is audited annually by an independent C.P.A. per Circular A-133.

f. **Off-Peak Services and Cost Incentives:**

We offer no off-peak services or discounts. However, we do offer a group rate to encourage multi-loading as a cost-effective incentive.

g. **Other:**

The (CTC) Community Coordinator Transportation Provider only operates successfully with the cooperation of all agencies and entities. It is the joint efforts of all those involved which determines the success or failure of this project. As of this date, the cooperation from state, local and independent agencies has been exemplary. We know the task to be difficult. This program is about more than money, and it takes more than just money to make it work. It takes committed people – people who will cooperate with one another, people who will go that “extra mile”. Good Wheels, Inc. employs those people, from the officers and managers to the drivers and office staff.

# System Safety Management

**Organizational Structure:** Good Wheels, Inc. staff consists of the following:

**Administration**

Grant/Fundraiser/Community Relations, Human Resources, Driver Training and Safety

**Operations**

Dispatchers, Reservationists, Customer Service, Paratransit Drivers and Charter Drivers

**Finance**

Accounts Payable and Receivable

**Maintenance**

Mechanics and Helper

The President and CEO and the department heads of Administration, Operations, Finance and Maintenance and the Driver Trainer & Safety Manager are responsible for the implementation, maintenance and update of the SSPP. Safety related responsibilities for all areas of Good Wheels, Inc. are assigned to designated employees or individuals of the operations and maintenance sections. Management has the responsibility to ensure that an annual safety inspection occurs in compliance with Florida Law - Rule Chapter 14-90. All sub-contractors are required to meet all standards as established by the Safety Plan or their individual SSPP.

1. **Human Resources:**

The Human Resources department is responsible for pre-employment qualifications for drivers, proof of valid licenses, records of licenses, DCF fingerprinting and checks, training and testing, all drug and alcohol testing and medical examination requirements.

Human Resources rules and procedures are in compliance with Florida Law - Rule Chapter 14-90, and all newly employed drivers are instructed on such rules and procedures.

2. **Operations:**

Operations management is responsible for driver's work periods and driving hours and daily driver bus inspections.

- a. The Good Wheels, Inc. Leadership team is responsible for the annual safety inspection of all vehicles which are agency owned, leased or sub-contractor owned, to insure compliance with Rule Chapter 14-90 and the A.D.A.

3. **Maintenance:**

The Director of Maintenance is responsible for all vehicles, equipment, buildings and devices and ensures that they are regularly and systematically inspected, and maintained for safe operation. Maintenance and operations coordinates all daily activities to ensure that safe practices are not overlooked, preventive maintenance and safety inspections,

repairs and other maintenance functions are properly documented, contracted maintenance services are reviewed for accuracy and completeness and records of such services maintained. All records are maintained in accordance with Florida Law - Rule Chapter 14-90. All employees must get approval from the company President before proceeding with any work outside the scope of the written job description for their position.

- a. Good Wheels, Inc. follows FDOT guidelines for preventive maintenance (P.M.) type A, B, C inspections at 7,500 mile intervals. All vehicles operated are regularly inspected by means of a preventive maintenance program to ensure that all vehicles are properly equipped with all required parts and accessories in good safe working order.
- b. All preventive maintenance and repair actions are documented and include a positive means of vehicle I.D., date, mileage and type and description of maintenance or inspection and include the name, address and signature of the Mechanic or Director of Maintenance and are kept on file for at least four years.
- c. The equipment on each vehicle receives a safety inspection at least annually for compliance with the provisions of Rule Chapter 14-90. The Director of Maintenance is designated as the individual who ensures that an annual safety inspection occurs.
- d. Law enforcement officers or persons designated by the Department of Transportation are permitted to perform system reviews for compliance with Rule Chapter 14-90.

#### 4. **Equipment and Devices:**

All vehicles operated by Good Wheels, Inc. are equipped with all safety equipment necessary and required by Florida Law - Rule Chapter 14-90 and Chapter 316.F.S. It is mandatory that all new equipment specifications will be specified to include all required safety equipment, at a minimum. This equipment includes that for transporting wheelchairs. Drivers should understand that "bus" in this Plan also means vans or any other vehicle used in revenue service.

New equipment specifications and equipment includes the following information:

- a. Installation of a wheelchair lift or ramp shall not cause the manufacturer's gross vehicle weight rating, gross axle weight rating, or tire rating to be exceeded on the accessible bus.
- b. Except in locations within 3½ inches of the bus floor, all readily accessible exposed edges or other hazardous protrusions of parts of wheelchair lift assemblies or ramps that are located in the passenger compartment of accessible buses shall be padded with energy absorbing material to mitigate injury in normal use and in case of accident. This requirement shall also apply to parts of the bus associated with the operation of the lift or ramp.

- c. The controls for operating the lift shall be at a location where the bus driver or lift attendant has a full view, unobstructed by passengers, of the lift platform, its entrance and exit, and the wheelchair passenger, either directly or with partial assistance of mirrors. Lifts located entirely to the rear of the driver's seat shall not be operable from the driver's seat, but shall have an override control at the driver's position that can be activated to prevent the lift from being operated by the other controls (except for emergency manual operation upon power failure.)
- d. The installation of the wheelchair lift or ramp and its controls and the method of attachment in the accessible bus body or chassis shall not diminish the structural integrity of the accessible bus nor cause a hazardous imbalance of the bus. No part of the assembly, when installed and stowed, shall extend laterally beyond the normal side contour of the bus or vertically beyond the lowest part of the rim of the wheel closest to the lift.
- e. Each wheelchair lift or ramp assembly shall be legibly and permanently marked by the manufacturer or installer with the following minimum information:
  - 1. The manufacturer's name and address;
  - 2. The month and year of manufacture; and
  - 3. A certificate that the wheelchair lift or ramp and its installation conforms to State of Florida requirements applicable to accessible buses.
- f. Wheelchair lifts and their controls are inspected and maintained as required by applicable sections of Rule Chapter 14-90.
- g. Instructions for normal and emergency operation of the lift or ramp are carried or displayed in every accessible bus.

5. ***Safety Inspections:***

Safety inspections for all Good Wheels, Inc. vehicles and vehicles operated by sub-contractors under contract to Good Wheels, Inc. include, at a minimum, the equipment and devices required by Florida Law - Chapter 14-90.009. All inspections contracted to an outside vendor are monitored and reviewed for accuracy and completeness. Safety inspections are documented and maintained in a file that is readily available for periodic reviews by the DOT.

*See Appendix B: Preventative Maintenance Planning & Training Program Maintenance Plan for additional maintenance information.*

6. **Incident/Accidents and Incident/Accident Reporting:**

Good Wheels, Inc. maintains a comprehensive accident reporting, evaluation and record maintenance system. All drivers are equipped with walkie-talkie cellular phones, and each driver is trained on proper operation, use and discipline. Through the use of the equipped walkie-talkies, drivers are apprised of road conditions as reported and have the capability to request assistance and report schedule status and accidents or incidents. In



the case of an accident involving a Good Wheels vehicle, Dispatch is notified and will, in turn, contact the appropriate law enforcement accident investigating office, ambulance service and supervisor as required. The Driver Trainer and Safety Manager reports to the scene of the accident to assess and manage the situation as necessary. The driver will subsequently complete an Incident/Accident Form. This form, along with the Investigating Officer's Report Form and other pertinent documentation are obtained for the Safety Committee to review.

- a. Any accident involving a fatality is reported to the Department of Transportation District Office by the end of regular working hours on the next regular working day. A written report follows to the District Office of the Florida Department of Transportation (FDOT), within thirty (30) days.
- b. If a person dies within thirty days of such an accident, Good Wheels, Inc. gives a written report to DOT in compliance with Florida Law - Rule Chapter 14-90.005(2)(C) within twenty four (24) hours.
- c. A record of all accidents and incidents involving a Good Wheels, Inc. vehicle owned, leased or contractor owned, is retained for a period of seven (7) years.
- d. All accidents and incidents are reviewed by a Safety Committee. The purpose of the committee is to act as a resource for enhancing and facilitating safety. This committee meets monthly and consists of: the President, the Chief Financial Officer, Vice President of Operations, the Director of Maintenance, the Human Resources Director, Driver Trainer and Safety Manager, Paratransit Road Supervisor and a Driver.

This committee will review details of all accidents, decide if the accident was chargeable or non-chargeable, and make recommendations to prevent future occurrences. The committee may also recommend disciplinary action to be taken.

**7. Substance Abuse Policy and Procedures:**

See Appendix A.

**8. Stretcher Service**

As CTC (Community Transportation Coordinator), Good Wheels policy will be to hire its own employees to provide stretcher transportation to all clients in need of this service. Currently Community Transportation provides this service in Hendry and Glades counties.

## Human Resources

**Selection of New Drivers:** Good Wheels, Inc. selection process for new drivers is well defined. After the pre-employment process is completed, Good Wheels, Inc. will hire on an introductory period. Training procedures start after Human Resources has processed a new employee.

### 1. Minimum Requirements for Pre-Employment Driving Record:

A driver applicant will be determined to be unacceptable for employment if the motor vehicle report (MVR) shows any of the following,

- a. A driver with one (1) serious violation committed during the past three years;
- b. A driver with three (3) or more serious violations committed more than three years ago;
- c. A driver with at least three (3) occurrences of any combination of accidents (regardless of fault) or moving violations during the past three (3) years;
- d. A driver with an international drivers license;
- e. A driver who has been licensed less than three (3) years, regardless of age;
- f. Any driver that does not hold a Florida drivers license; and
- g. A driver with more than 4.0 points.

Serious Violations are considered to be:

- a. DWI/DUI - Drugs or Alcohol;
- b. Negligent homicide using a motor vehicle;
- c. Driving while license is suspended or revoked;
- d. Operating a motor vehicle for the commission of a felony;
- e. Aggravated Assault with a motor vehicle;
- f. Operating a motor vehicle without the owners authority (Grand theft);
- g. Permitting an unlicensed person to drive;
- h. Reckless driving;
- i. Speed contest (Racing);
- j. Hit and Run (Bodily injury or property damage);
- k. Failure to report an accident;
- l. Illegal passing of a school bus; and
- m. Other violations considered serious by state law.

All applicants will be required to sign consent for Good Wheels, Inc. to obtain a motor vehicle report. Once employed a motor vehicle report will be obtained at least quarterly for each driver and any other time management has a reason to believe the employee's driving record may have deteriorated.

### 2. Pre-employment Procedures:

Applications and resumes are reviewed. Due to insurance requirements, drivers must be at least twenty-five (25) years of age. Drivers must be able to read, write and speak the English language. The driver, upon application, also presents a valid Driver's License number, as determined applicable. Persons seeking employment as commercial vehicle

drivers (CDL) are required to provide Good Wheels, Inc. with information on all driving jobs held for the past ten (10) years. Candidates for interviews are selected based upon meeting the minimum training and experience qualifications for the job. After an applicant has been preliminarily selected for a driver position, a report of the applicant's driving record for the proceeding seven years is requested along with a mandatory State of Florida criminal background check on the applicant prior to employment. Good Wheels, Inc. will review the driving record to ensure there is no history of flagrant violations or negative trends.

### **3. Physical Exam and Drug Test:**

Each driver, prior to final selection, is required to undergo a complete pre-employment DOT (Department of Transportation) physical examination and a drug screening test. No driver is hired until both examinations have been conducted and the driver is certified to be in good physical and mental condition. Insulin dependent diabetes disqualifies an employee from any duty involving the operation of a vehicle.

- a. The company physician conducts the entire physical including an eye and hearing exam. The drug screen is conducted in accordance with the "Substance Abuse Policy" and the "Drug Free Work Place" policy for employees (See Appendix A).
- b. Employees submitting to a physical examination shall be assured that the utmost confidentiality shall be observed. All results will be placed in a confidential file. Physical examinations are conducted biennially or unless otherwise noted. If an employee fails to pass a biennial physical, his or her employment will be suspended until such time as he or she can be certified by a physician to be fit to return to work.
- c. When a driver has been off duty for 30 or more days due to an illness, medical condition, or injury that may compromise the safety of the employee and/or clients, a return-to-duty evaluation will be conducted before they return to active status.

### **4. Training ---- Orientation/Training Schedule for New Drivers:**

Each new driver is required to attend training by supervisory personnel. They shall be made aware of operational rules and procedures in compliance with Chapter 14-90, FAC. The training consists of the following:

- a. Day One:
  - Hiring Packet Completed
  - Road Test
  - Defensive Driving
  - Pre-Trip Film
  - Pre/Post-Trip Inspection
  - Maintenance Facility & Staff
  - Vehicle Operations
  - Certification renewal to operate specific vehicles and lift equipment (triennial)

## Lift Troubleshooting

- b. Day Two – Day Five (Route Familiarization):
  - Train/Drive with Driver Supervisor/Lead Driver
  - Wheelchair Securement
  - Stretcher Securement
  - Required Paperwork
  - Interaction with Dispatch
  - Written Evaluation by Driver Supv./Lead Driver
- c. Day Six:
  - Wheelchair Securement
  - Stretcher Securement
  - Lift Operation
  - Accident/Injury Reporting
  - Nextel – *Wireless* Communication
  - Passenger Assistance
  - Passenger Sensitivity
- d. Day Seven:
  - SSPP Manual Review
  - Driver Handbook Review
  - Copy of Florida Drivers Handbook
  - Company Reports
  - Client Confidentiality
  - Employee Handbook Review
  - Company Benefits
  - Cell Phones Distribution
  - Uniforms
  - ID Badge
  - Facility Tour

5. **Bi-annual Training for Experienced Drivers:**

- a. Drive Safe Florida or the National Safety Council's Defensive Driving Course
- b. Handling Passengers with Special Needs (Good Wheels renews this annually)
- c. Road Test (Good Wheels renews this annually)
- d. Certification renewal to operate specific vehicles and lift equipment (triennial)
- e. First Aid (triennial)
- f. CPR
- g. Substance Abuse (Good Wheels renews this annually)

Additional and refresher training will be provided on safety and relevant topics as needed. Individual and group driver meetings are conducted as needed to discuss safety, vehicle operation and operator maintenance. Training sessions are provided to discuss and review other operational issues including the condition of the equipment and vehicles, customer service and safety, and road and traffic concerns. All drivers are required to attend mandatory, monthly safety meetings.

## 6. *Wireless Communication Plan*

*Wireless communication devices are a valuable tool in conducting business. More people are using them to perform their jobs. Among other things, they help boost productivity by keeping employees connected to the office and to clients. However, wireless devices are raising a number of issues involving safety, security, and privacy.*

- *“Wireless Communications Device” is an electronic or electrical device capable of remote communication. Examples include cell phones, personal digital assistants (PDAs) and portable computers (commonly called laptop computers).*
- *“Personal Wireless Communications Device” is an electronic or electrical device that was not provided by the bus transit system for business purposes.*
- *“Use of a Wireless Communication Device” is the utilization of a mobile telephone or other electronic or electrical device, hands-on or hands-free, to conduct an oral communication; to place or receive a telephone call; to send or read electronic mail or a text message; to play a game; to navigate the internet; to play, view, or listen to a video; to play, view, or listen to a television broadcast; to play or listen to music; to execute a computational function, or to perform any other function that is not necessary for the health or safety of the person and that entails the risk of distracting the employee from a safety-critical task. Use of an electronic or electrical device that enhances the individual’s physical ability to perform, such as a hearing aid, is not included in this definition.*

*Therefore, in conjunction with Rule Chapter 14-90.004 (FAC), it is critical for you to interpret and comply with Good Wheels, Inc. policies and procedures regarding wireless communications.*

*Personally owned wireless devices (i.e. cell phones, pagers, hand held computer devices, etc.) must be turned completely off when you are in our vehicle. Those devices are not to be turned on when you are in our vehicle. You must also have any ear pieces out of your ears. You can turn on and use your personal cell phones only when outside of our vehicle.*

*Drivers or other employees who operate company vehicles are not to use any wireless communication device while the vehicle is in motion, while loading/unloading, while in contact with passengers, or while conducting any other safety related duty that requires the driver’s undivided attention. You are not allowed to be in a moving vehicle when using a wireless device in any way.*

*All drivers are issued a company wireless device (cell phone) for contacting the dispatcher. Company wireless devices (company-issued cell phones) can be turned on when you are in the vehicle, but you cannot use them when the vehicle is in motion. You can only use our Good Wheels cell phones when the vehicle is stopped. You are permitted to use those devices only if you need to communicate with dispatch and vice-versa, if you are requesting medical or emergency assistance, or if you are reporting an illegal activity, a traffic accident, a road hazard, or a safety or security threat.*

*If a call is received while driving a company vehicle, pull off the road, at a safe place, and then return the call. Do not make any outgoing calls until you are stopped. Keep walkie-talkie and any necessary telephone communications short and to the point. The walkie-talkie "radio" feature is the standard form of operational conversation.*

*In an emergency, if a driver is unable to use the radio (walkie-talkie feature – e.g., driver is separated from the vehicle due to a need to evacuate, or the radio is inoperable because it is beyond the radio coverage area, or other malfunction), a personal cellular phone may be used to contact Good Wheels. In such a situation, the driver must park the vehicle in a safe place off the road and call the direct line to the dispatcher.*

*Your Road Supervisor and Lead Drivers will be checking closely and will correct anyone on the spot for using a wireless communication device while driving. Any driver observed using a wireless communication device, as defined above, while moving will be disciplined up to and including termination. We will take the following action as required.*

- a. Suspension from duty without pay;*
- b. Treatment of wireless communication device usage as if it were a safety violation or chargeable accident/incident leading to possible dismissal; or*
- c. Termination*

*In addition, Good Wheels requires all drivers to participate in a driver education training and testing program which covers the proper use of wireless communication devices while in the performance of safety-related duties and hazards associated with driving and utilizing these devices.*

*All employees are responsible for complying with this policy while operating company vehicles. Supervisors/Managers are responsible for enforcing this policy.*

## **7. Operational and Driving Requirements:**

- a. Any driver receiving a notice of license suspension, cancellation, revocation or who is disqualified shall report such action to his/her supervisor immediately or no later than the end of the next business day. This driver shall not be permitted to drive until the license is restored by the Department of Motor Vehicles (DMV). Failure to do so will place your employment in jeopardy.*
- b. No driver may possess more than one license to operate a commercial vehicle. If drivers have licenses from additional states, they should return them to the licensing agency in each state and request cancellation. Destroying or discarding the additional license(s) is not sufficient. A driver having a license issued by a state other than the driver's legal residence can expect to be required to explain why.*
- c. Within thirty (30) days of conviction of any traffic violation, except parking, a driver must notify Good Wheels. This applies without regard to the nature of the violation or the type of vehicle driven at the time.*

- d. No driver may have more than 4 points on their driving record. If Good Wheels, Inc. is notified of a traffic violation as required, we may be able to assist in getting the points off the driver's record or reduced. Otherwise, Good Wheels, Inc. is forced to terminate your employment.
- e. Drivers shall not drive more than twelve (12) hours in any one 24-hour period, or drive after having been on duty for sixteen (16) hours in any one 24-hour period, or drive more than 72 hours in any period of seven (7) consecutive calendar days.
  - i. Drivers shall have a minimum cumulative off-duty time of eight hours within any one 24-hour period.
  - ii. A driver's work period shall begin from the time he/she first reports for duty (See 14-90.006(3)(b)).
  - iii. A driver may be permitted to exceed his/her regulated hours in order to reach a regularly established relief point provided the additional driving time does not exceed one hour (See 14-90.006(5)).
  - iv. One additional driving 1/2 hour (30 minutes) may be allowed for driver planning before each shift. In addition, 1/4 hour (15 minutes) will be allowed on each end of a shift for a walk-around, paper work, etc.
  - v. A driver waits five (5) minutes for a client, then continues on his/her route.
  - vi. No additional stops are to be made except for scheduled transportation appointments. Passengers are only to be picked up and dropped off at addresses listed on the manifest only or by add-ons approved by the Dispatcher.
- f. The use of seat-belts by all drivers is mandatory while operating all Agency vehicles.
- g. Drivers shall complete manifests and time sheets accurately. Any gaps on a manifest must be explained with written notes.
- h. Drivers shall not transport any animals on our vehicles except "working" dogs that the passengers depend on for their help. That includes transporting children and family members. Only passengers listed on the manifest are allowed to ride on our vehicle.
- i. A driver shall not drive if his or her ability is impaired, or likely to be impaired, by fatigue, illness or other causes making it unsafe for the driver to drive or continue driving.
- j. Drivers shall make a daily inspection of the assigned vehicle which shall include the following information:

- i. ID of the vehicle, date, run number, time of inspection
- ii. Inspection and check of the following for satisfactory operating condition:
  - Windshield wipers
  - Service brakes
  - Rear vision and side view mirrors
  - Parking brakes
  - Passenger doors
  - Tires and wheels
  - Exhaust system
  - Steering
  - Fire extinguisher
  - Horn
  - Lighting devices
  - Wheelchair manufacturing certificate
  - Wheelchair lifts/ramps and tie-down equipment
- k. No driver will be permitted to operate any Good Wheels, Inc. vehicle without a training session conducted by the Driver Trainer and Safety Manager.
- l. Drivers must obey all applicable traffic laws and regulations.
- m. If a residential area is not posted then the speed limit is 30 mph. This includes obeying posted speed limits entering the parking lot of Good Wheels, Inc.
- n. Drivers are only permitted to park in a “handicapped” parking space for momentary loading and unloading. “Fire access” lanes are not to be used for parking at any time.
- o. All drivers must adhere to the “Move Over Act”. According to the statute, when drivers approach law enforcement or other emergency vehicle with lights flashing, they must vacate the lane closest to the stopped vehicle. If drivers are traveling on a two-lane street or can't safely move over, the driver must drop their speed to 20 mph less than the limit, the statute states. If the posted speed limit is 20 mph or less, however, drivers must reduce speed to 5 mph.
- p. Directional signals are to be used at all times under any circumstances.
- q. All drivers must stop at all railroad crossings.
- r. Drivers shall display the proper hazard lights and warning devices when stopped at railroad crossings and upon being disabled on a roadway or adjacent shoulder.
- s. Flashing hazard lights are to be used anytime the vehicle is stopped to load or unload passengers or anytime vehicles are parked on or near an active roadway for any reason. Also flip them on anytime you are in a situation where you think somebody might hit you.



- t. No driver shall operate his/her vehicle in darkness without providing interior lighting for boarding or exiting the vehicle.
- u. Drivers shall not leave their vehicle unattended longer than five minutes with passengers aboard. Florida State law says that you must be able to “observe” your vehicle and all passengers as you load and unload.
- v. Vehicles shall not be left running or with keys in the ignition while the driver is out of sight of the vehicle.
- w. Drivers shall assure all emergency exit doors operable by a key are unlocked during passenger operations.
- x. Drivers shall not drive with doors open at any time or open doors until the vehicle has come to a complete stop.
- y. Buses with inoperable doors shall not be operated if passengers are aboard.
- z. The back door of passenger vehicles shall not be used for loading or unloading passengers, cargo or any other items such as coolers or luggage. This also includes drivers. Only passengers/people are permitted to exit through the back door of our vehicles and only then in the event of an emergency. The back door of any vehicle is not to be used for normal operations. Emergency use only!
- aa. Drivers may not permit passengers in the step-wells of the vehicle while in motion or occupy any area forward of the marked standee line.
- bb. Passengers shall not be permitted to stand on any bus.
- cc. Passengers Vehicles shall not be refueled in a closed building. The policy towards the fueling of vehicles when passengers are being carried shall be to fuel when vehicles are not occupied.
- dd. Drivers shall document the amount of fuel put into the vehicles on the fuel log. Drivers are not to use the fuel cap of the vehicle to hold the trigger open.
- ee. During darkness, wheelchair lifts shall be properly lighted when in use.
- ff. Pay attention to the safety and structure of every wheelchair. Wheelchairs with no brakes, no foot rests, worn, broken parts or any other defects should not be transported. When a wheelchair is not suited for the passenger or is not in good condition, notify Dispatch.
- gg. Drivers shall assure that wheelchair passengers are properly secured in the appropriate positions whenever the vehicle is in motion.
- hh. Drivers shall assure that wheelchair passengers are secured and restrained in accordance with their disability and type of mobility device in use (as it's manufactured to use - manufacturer's design).

- ii. Lifting of any significant weight is not allowed. That includes transferring passengers from scooters to seats and lifting wheelchairs up steps or curbs. Always use wheelchair ramps and totally avoid step and curbs. Also, transferring passengers must do so under their own strength. The driver is to stand by the passenger's side for assistance.
- jj. If a passenger in a scooter or motorized seat needs to be transported, the passenger must transfer to a regular seat and be secured with a regular installed safety seatbelt.
- kk. Only passengers in regular wheelchairs can be allowed to remain in/on their mobility device, all other passengers must be in a regular seat with a regular installed safety seatbelt.
- ll. Passengers are not to be tied to a seat at anytime.
- mm. Do not ride on the wheelchair lift unless you absolutely have to insure the safety of the passenger.
- nn. Passengers are to be loaded facing forward with all the tie downs and lap belt applied.
- oo. Every child must be properly secured in a child restraint seat.
- pp. When a driver is entering or exiting a vehicle, the rule of "three points of contact" applies. Either two hands and one foot, or two feet and one hand should be in contact with the vehicle at all times.
- qq. The driver will offer assistance with such items as groceries, bags, luggage etc. Never lift heavy items that warrant the use of a safety belt.
- rr. On routes where a nurse - escorts is provided (PPEC, Kids and Nurses) the nurse - escort is responsible for loading and securing the clients aboard the vehicle. This includes the securement of lap belts, wheelchairs, and child restraint seats.
- ss. All oxygen canisters must be secured at all times. Canisters cannot be left unsecured when moving or transporting any passenger. Tie them down for safety.
- tt. All drivers are to be alert for individuals following them out of locked doors at facilities.
- uu. All passenger transfers are to be approved by dispatch. Drivers cannot hand-off passengers to other drivers without dispatch coordination.
- vv. Do not park company vehicles or personal vehicles in front of the office buildings. No picking up or dropping off at anytime.
- ww. Backing is prohibited unless absolutely necessary. When backing is necessary, Drivers are to call Dispatch or a Supervisor before doing so.

- xx. Drivers are not permitted to give passengers anything of their own to eat or drink. If it is an emergency, call 911.
- yy. Passengers or escorts shall not operate the wheelchair lifts or the lift doors.
- zz. Cell phones are not to be used while driving company vehicles or driving while on company business or while loading or unloading passengers.
- aaa. Personally owned cell phones, pagers, hand held computer devices, etc, must be turned completely off when you are in our vehicle. Those devices are not to be turned on when you are in our vehicle. You must also have any ear pieces out of your ears. You can turn on and use your personal cell phones only when outside of our vehicle.
- bbb. Company cell phones can be turned on when you are in the vehicle, but you cannot use them when the vehicle is in motion. You can only use our Good Wheels phones when the vehicle is stopped. You must be able to use those cell phones to call for emergency assistance, but they cannot prevent you in any way from operating the vehicle safely.
- ccc. If Dispatch calls you when the vehicle is moving, wait until you can come to a safe stop to take or return that call.
- ddd. Loud playing radios in the vehicles are not permitted. Soft, smooth, peaceful music only or none at all.
- eee. Any violation of safety regulations may lead to corrective action.
- fff. Drivers may not drive, move, or cause the driving or movement of a bus on a street or highway under the following conditions:
  - i. When it is in such unsafe condition as to endanger any person or property.
  - ii. When it does not contain those safety parts or is not at all times equipped with safety equipment and devices in proper condition and adjustment as required by Chapter 316, Florida Statutes and Rule Chapter 14-90.
  - iii. When it is equipped in any manner in violation of Chapter 316, Florida Statutes, and Rule Chapter 14-90
  - iv. The provisions of this subsection shall not apply to personnel authorized to temporarily drive, move, or road test a bus to perform repairs or maintenance services and it has been determined that such temporary operation does not create an unsafe operating condition or create a hazard to public safety.

Drivers shall be instructed that when in doubt about any aspect of a procedure or process, they are not to proceed until they have requested and received instructions from an authorized supervisor.

## 8. **Hazard Identification and Resolution:**

Hazard management is a mechanism by which hazards are identified, analyzed for potential impact on the operating system, and resolved in a manner acceptable to the management and regulatory agencies. Good Wheels hazard management consists of three primary components – hazard identification, hazard categorization, and hazard resolution.

### **Hazard Identification**

By means of safety data acquisition and analysis and coordination with the Vice President of Operations and Maintenance Director, the Driver Trainer and Safety Manager will identify system hazards on an ongoing basis.

### **Hazard Categorization**

Once the key system hazards have been identified, the Driver Trainer and Safety Manager will categorize the hazards based on severity and probability of occurrence.

Hazard severity is a subjective measure of hazard, supported by factual data, and will be categorized as follows:

- Catastrophic – Death or system loss
- Critical – Severe injury, severe occupational illness, or major system damage
- Marginal – Minor injury, minor occupational illness, or minor system damage
- Negligible – less than minor injury, occupational illness, or system damage

Hazard probability is a subjective measure of likelihood that a specific hazard will occur and will be categorized as follows –

- Frequent – Likely to occur frequently
- Probable – Likely to occur several times
- Occasional – Likely to occur sometime
- Remote – Unlikely but possible to occur
- Improbable – So unlikely that it can be rejected from consideration

### **Hazard Resolution**

Once the hazards are identified and categorized, subsequent analysis will be undertaken to resolve the issue and minimize risk associated with the identified hazard. A hazard resolution matrix will be developed combining hazard severity and hazard frequency, as shown in the matrix on the following page, to identify the level of acceptance for a specific hazard/risk.

| <b>Hazard Resolution Matrix</b> | <b>Catastrophic</b>         | <b>Critical</b>             | <b>Marginal</b>             | <b>Negligible</b>           |
|---------------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| <b>Frequent</b>                 | Unacceptable                | Unacceptable                | Unacceptable                | Acceptable with reservation |
| <b>Probable</b>                 | Unacceptable                | Unacceptable                | Undesirable                 | Acceptable with reservation |
| <b>Occasional</b>               | Unacceptable                | Undesirable                 | Undesirable                 | Acceptable                  |
| <b>Remote</b>                   | Undesirable                 | Undesirable                 | Acceptable with reservation | Acceptable                  |
| <b>Improbable</b>               | Acceptable with reservation | Acceptable with reservation | Acceptable with reservation | Acceptable                  |

The results of the analysis will be shared by the Driver Trainer and Safety Manager with the President/CEO on an ongoing basis to identify appropriate actions. All “unacceptable” hazards must be eliminated and measures will be taken for the remaining risk acceptance categories to minimize risk. The results of such analysis will be shared with agency staff and law enforcement agencies on a quarterly basis for awareness and support.

#### 9. **Emergency Preparedness:**

Perhaps the most potentially devastating natural disaster that Lee, Hendry, and Glades Counties are vulnerable to is a severe hurricane. Good Wheels, Inc. function is to assist in assuring a safe and orderly evacuation of Good Wheels, Inc. dependent coastal residents to designated hurricane shelters.

Good Wheels, Inc. Hurricane Evacuation Plan encompasses all Good Wheels, Inc. employees who are expected to respond and fulfill their role during the evacuation process. Good Wheels, Inc. mission is vital to the well being of thousands of county residents and the company will be ready to do its part when called upon.

As a hurricane approaches the Southwest Florida area and the risk to Lee, Hendry and Glades Counties becomes greater, all employees should take preliminary precautions to safeguard their homes and families, since Good Wheels, Inc. will need their assistance.

All drivers and key Good Wheels, Inc. personnel should be ready to respond when the President begins implementation of the Hurricane Evacuation Plan.

The driver has the most integral role in the Good Wheels, Inc. plan to transport coastal, near coastal, barrier islands, or trailer park residents to evacuation shelters inland. All drivers will be assigned particular zones and explained their specific duties. They will also be involved in the reverse evacuation and should monitor the news media and Good Wheels, Inc. communication devices as to when to report back to work.

## **Effective Date - Notice to Employees**

1. The policies set forth in this policy are effective immediately upon notice to employees. Each present employee will be furnished a copy of this policy and sign a receipt for same. Later-hired employees will be furnished a copy during the initial training process. These policies have been implemented in a manner that complies with all applicable federal and state laws. The company will continue to monitor the developing laws impacting this area, to be certain administration of this program complies with applicable laws.
2. The company shall include notice of drug testing on vacancy announcements for those positions for which drug testing is required.
3. Cut-off levels used by the testing laboratory when analyzing specimens to determine whether they are positive or negative for drugs and metabolites may change from time to time. The company will follow recommendations established for these agencies and will modify the company's policy to comply with any new standards.

## **Reservation of Rights**

1. The company retains the sole right to interpret, change, or discontinue this policy as may be necessary from time to time.
4. Nothing in this policy should be construed as creating a contract of employment. Your employment-at-will relationship cannot be changed except in writing by the President of the company.

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# **APPENDIX A**

## **Substance Abuse Policy**



*Appendix A***Substance Abuse Policy**

**Good Wheels, Inc.**  
**Substance Abuse Policy**  
**Zero Tolerance**  
**January, 2012**

*President/CEO Statement*

Good Wheels, Inc. is dedicated to providing safe, dependable, and economical transportation services to its patrons. Good Wheels, Inc. employees are a valuable resource and it is also our goal to provide a safe, healthy and satisfying working environment for employees. In meeting these goals, it is our policy to:

1. Assure that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner;
2. Create a workplace environment free from the adverse effects of drug and alcohol abuse or misuse;
3. Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances; and
4. Encourage employees to seek professional assistance when substance abuse adversely affects their ability to perform their assigned duties.

This Substance Abuse Policy implements a *Zero Tolerance* drug and alcohol-testing program for all safety-sensitive employees. Each employee shall be provided a signed copy of the adopted policy. *Policy items implemented under the authority of Good Wheels, Inc. are italicized throughout this policy.* All other policy items are implemented under the authority of the US DOT and/or the Federal Transit Administration.

*All areas highlighted in yellow have been revised to meet any updated DOT authorized policies.*

*Per Good Wheels, Inc. authority, violation of this substance abuse policy will result in termination of employment and/or exclusion from hire.*

This policy is approved by Good Wheels, Inc. Board of Directors and is effective January, 2012.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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## 1. Background

Pursuant to the Omnibus Transportation Employee Testing Act of 1991, the Federal Transit Administration (FTA) published regulations prohibiting drug use and alcohol misuse by transit employees and required transit agencies to test for prohibited drug use and alcohol misuse. 49 Code of Federal Regulations Part 655, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations" mandates urine drug testing and breath alcohol testing for all employees in safety-sensitive positions. These regulations prohibit the performance of safety-sensitive functions when there is a positive drug or positive alcohol test result or an employee refuses to submit to DOT required drug or alcohol testing.

In addition, the U.S. Department of Transportation (DOT) has issued 49 CFR Part 40, "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" to provide uniform procedures and standards for conducting drug and alcohol testing programs. The drug and alcohol testing program of Good Wheels, Inc. will be conducted in accordance with 49 CFR Parts 40 and 655, as amended. Employees may request copies of the applicable regulations by contacting Good Wheels, Inc. designated employer representative listed in Section 25 of this policy.

## 2. Purpose

This policy is established to comply with the *Federal Transit Administration* (FTA) drug and alcohol testing requirements to ensure employee fitness for duty and to protect our employees, passengers, and the general public from the risks posed by the use of alcohol and prohibited drugs. This policy is also intended to comply with and incorporate 49 CFR Part 32, The Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA, including the reporting of employees convicted of criminal drug offenses that occur in the workplace.

## 3. Covered Employees

This policy applies to all safety-sensitive transit system employees as identified and described herein. Paid part-time employees and contractors, when performing safety-sensitive duties, are also covered by this policy when performing any Good Wheels, Inc. related business. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Additionally, this policy applies to volunteers who perform safety-sensitive duties who are required to hold a Commercial Driver's License (CDL), or who receive remuneration in excess of his or her actual expenses incurred while engaging in the volunteer activity. This written policy shall be distributed to all employees and applicable volunteers in safety-sensitive positions. *Each employee shall sign a Confirmation of Receipt form acknowledging receipt of a copy of the adopted policy. Adherence to this policy and its provisions are a condition of employment in a safety-sensitive position; per 49 CFR Part 655.*

Safety-Sensitive Employees and Applicants for Safety-Sensitive Positions covered by this Policy include those who:

1. Operate a revenue service vehicle, including when not in revenue service;
2. Operate a non-revenue service vehicle when such is required to be operated by a holder of a commercial driver's license;
3. Control the movement/dispatch of a revenue service vehicle;
4. Perform maintenance on a revenue service vehicle or equipment used in revenue service;
5. Carry a firearm for security purposes;
6. May perform any of the above safety-sensitive functions in a supervisory or training role.

This policy is applicable to the following positions within Good Wheels, Inc:

- *Driver Trainer and Safety Manager*
- *Charter Driver*
- *Paratransit Road Supervisor*
- *Mobility Manager/Lead Paratransit Driver*
- *Lead Paratransit Driver*
- *Paratransit Driver*
- *Stretcher Driver*
- *Dispatcher*
- *Director of Maintenance*
- *Mechanic*
- *Mechanic's Helper*

#### **4. Prohibited Substances**

In accordance with US DOT 49 CFR Parts 655 and 40, the following are prohibited substances:

- Cocaine
- Opiates (e.g., heroin, codeine)
- Phencyclidine (PCP)
- Cannabinoids (Marijuana)
- Amphetamines (includes methamphetamine and MDMA- Ecstasy)
- Alcohol Misuse as defined in Section 23, below.

#### **5. Prescription and Over the Counter Medications**

The appropriate use of legally prescribed drugs and non-prescription medications are not prohibited. A legally prescribed drug means a prescription or other written approval from a physician for the use of a drug by an individual in the course of medical treatment. However, the use of any substance which carries a warning label that indicates mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel and medical advice must be sought, before performing safety-sensitive duties.

The misuse or abuse of legally prescribed drugs is prohibited; this includes the use of medication that is prescribed to another individual as well as illegally obtained prescription drugs.

*Good Wheels, Inc. strongly encourages employees to inform their prescribing physician of the safety-sensitive job functions that they perform, in order to ensure that appropriate medications are prescribed.*

## **6. Employee Protections**

The procedures that will be used to test for the presence of prohibited substances or misuse of alcohol shall be such that they protect the employee's privacy, the validity of the testing process and the confidentiality of the test results.

All urine drug testing and breath alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended. All urine specimen collections, analysis and reporting of results shall be in accordance with 49 CFR Part 40, as amended.

Drug and alcohol testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Services (DHHS).

Alcohol initial screening tests will be conducted by a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing Device (EBT) or non-evidential alcohol screening device that has been approved by NHTSA. Confirmatory tests for alcohol concentration will be conducted utilizing a NHTSA approved EBT.

1. Except as required by law or expressly authorized in this section, Good Wheels, Inc. shall not release employee information that is contained in records maintained per 49 CFR Part 655.73.
2. An employee may, upon written request, obtain copies of any records pertaining to the employee's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests.
3. Good Wheels, Inc. shall release information regarding an employee's records as directed by the specific, written consent of the employee authorizing release of the information to an identified person. Release of such information is permitted only in accordance with the terms of the employee's consent.
4. Records pertaining to a Substance Abuse Professional's evaluation, treatment and follow up testing results shall be made available to a subsequent DOT employer upon receipt of written consent from an employee.

## **7. Employee Responsibility to Notify Good Wheels, Inc. of Criminal Drug Conviction**

It is a violation of this policy for any employee to fail to immediately notify Good Wheels, Inc. of any criminal drug statute conviction, or a finding of guilt whether or not adjudication is withheld, or the entry into a diversionary program in lieu of prosecution. Violating employee shall be immediately removed from safety-sensitive duties.

*Per Good Wheels, Inc. authority, violation of this substance abuse policy will result in termination of employment and/or exclusion from hire.*

## **8. Employee Training**

Safety-sensitive employees will receive at least 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use.

Supervisors who make reasonable suspicion determinations shall receive at least 60 minutes of training on the physical, behavioral and performance indicators of probable drug use and 60 minutes on the physical, behavioral and performance indicators of probable alcohol use.

## **9. Pre-employment Drug and Alcohol Background Checks**

In compliance with 49 CFR Part 40.25, Good Wheels, Inc. must make a good faith effort to obtain drug and alcohol testing records from prior DOT covered employer(s) for the previous two years for all applicants seeking safety-sensitive positions and all current employees transferring into a safety-sensitive position. Good Wheels, Inc. will require each applicant/transferee for a safety-sensitive position to complete a written consent that allows the release of drug and alcohol testing information from previous DOT covered employers to Good Wheels, Inc. An applicant/transferee who refuses to provide written consent will not be permitted to perform safety-sensitive functions for Good Wheels, Inc.

All safety-sensitive applicants who have previously failed a DOT pre-employment test must provide proof that they have completed a Substance Abuse Professional's evaluation, treatment and return to duty process in addition to a pre-employment drug test with negative results, prior to their employment into a safety-sensitive job function. The credentials, training and education of the Substance Abuse Professional must meet the requirements of 49 CFR Part 40 Subpart O.

## **10. Pre-Employment Testing**

All safety-sensitive position applicants shall undergo a urine drug test prior to placement in a safety-sensitive position. Good Wheels, Inc. must be in receipt of a negative urine drug test result prior to the applicant's performance of any safety-sensitive function. A cancelled test result will require an applicant to undergo a subsequent pre-employment urine drug test, until a negative test result can be obtained.

*If an applicant's pre-employment urine drug test result is verified as **positive**, the applicant will be excluded from consideration for employment per Good Wheels, Inc. authority. Applicant will be provided a referral to a Substance Abuse Professional meeting the required qualifications per 49 CFR Part 40.281, as amended.*

An employee returning from an extended leave period of 90 consecutive days or more, and whose name was removed from the random testing selection pool, will be subject to a pre-employment urine drug test. Good Wheels, Inc. must be in receipt of a negative drug test result prior to the employee being reinstated to safety-sensitive duty.



## 11. Random Testing

Employees in safety-sensitive positions shall be subject to random, unannounced testing. The minimum annual percentage rate for random alcohol testing and the minimum annual percentage rate for random controlled substances testing shall be in accordance with 49 CFR Part 655, as amended. The percentages of testing shall be based on the average number of safety-sensitive employees per calendar year.

The administering of random testing shall be spread reasonably throughout the calendar year and throughout all times of day when safety-sensitive functions are performed. Each covered employee who is notified of selection for random alcohol or drug testing shall immediately proceed to the testing site.

Random alcohol testing shall be conducted on a safety-sensitive employee during, just before or just after the performance of a safety-sensitive function.

Random urine drug testing may be conducted anytime while an employee is on duty or on call, or on standby duty.

The selection of employees for random alcohol and drug testing shall be made by a scientifically valid method. The selection process shall provide each covered employee an equal chance of being tested each time selections are made. A computer based random number generator that is fair and equitable for the covered employees shall derive the list.

## 12. Reasonable Suspicion Testing

All safety-sensitive employees are subject to reasonable suspicion urine drug testing and/or breath alcohol testing. Reasonable suspicion testing is required when one or more trained company officials can articulate and substantiate physical, behavioral and performance indicators of probable drug use or alcohol misuse by observing the appearance, behavior, speech or body odors of the employee. Reasonable suspicion testing for alcohol misuse can only be made when observations leading to that testing occur during, just preceding, or just after the period of the workday that the employee is required to be in compliance with FTA regulations. Reasonable suspicion testing for prohibited drugs may be conducted anytime an employee is on duty.

## 13. Post-Accident Testing

**Fatal Accident:** A safety-sensitive employee shall be required to undergo urine drug and breath alcohol testing following an accident involving a revenue service vehicle that results in a fatality (regardless of whether or not the vehicle is in revenue service at the time of the event). Any other employee(s), i.e.: maintenance personnel, dispatchers, controllers, whose performance could have contributed to the accident, shall also be tested. As soon as practical following an accident involving the loss of human life, surviving covered employee(s) shall undergo drug and breath alcohol testing.

**Non-Fatal Accident:** A post-accident test shall be conducted if an accident results in injuries requiring immediate medical treatment away from the scene, *and/or* if one or more vehicles incurs disabling damage that requires towing from a site, unless Good

Wheels, Inc. determines, using the best information available at the time of the decision, that the employee's performance can be completely discounted as a contributing factor to the accident. Any other safety-sensitive employee whose performance could have contributed to the accident shall be tested. The decision regarding whether or not the employee's performance could have contributed to the accident will be the sole discretion of Good Wheels, Inc. using the best information available at the time of the decision.

Following an accident, the employee must be "readily available" for testing. Post accident tests will be done as soon as possible, all reasonable efforts shall be made to test the safety-sensitive employee(s) within (2) two hours of the accident, but not after eight (8) hours for alcohol testing and thirty two (32) hours for drug testing. If a drug or alcohol test required by this section is not administered within the required time period following the accident, Good Wheels, Inc. shall prepare and maintain on file, a record stating the reasons the testing was not promptly administered and efforts to conduct testing shall cease.

Any safety-sensitive employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident or until the employee undergoes a post-accident alcohol test. Any safety-sensitive employee, who leaves the scene of the accident without a justifiable reason or explanation prior to submitting to drug and alcohol testing, shall be considered to have refused the test.

The post-accident testing requirements shall not delay necessary medical attention for injured persons, nor will they prohibit an employee who was performing a safety-sensitive function from leaving the scene of an accident to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

In the rare event that an employee is unable to submit to a post-accident test within the required time period (i.e., 8 hours for alcohol and 32 hours for drugs) due to circumstances beyond Good Wheels, Inc.'s control, the results of a blood, urine or breath alcohol test conducted by a federal, state or local official having independent authority for the test, will be considered to meet the requirements for a post-accident test. The test must conform to the applicable federal, state, or local testing requirements and the results must be obtained by Good Wheels, Inc. (Per 49 CFR Part 655.44)

#### **14. Refusal to Submit to DOT Required Urine Drug Testing**

All safety-sensitive employees will be subject to urine drug testing and breath alcohol testing as described in sections 10-13. An employee who fails to cooperate with the testing process or attempts to thwart the testing process will be considered to have "refused testing". Refusal to submit to DOT required testing is a violation of this substance abuse policy.

The following actions constitute a "refusal to test" in accordance with 49 CFR Part 40, as amended:

1. Failure to appear for any test within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer (pre-employment testing not applicable);

2. Failure to remain at the testing site until the testing process is completed (after the process has been started);
3. Failure to provide a urine specimen for any drug test required by this part or DOT agency regulations;
4. In the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of your provision of a specimen;
5. Failure to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
6. Failure or decline to take an additional drug test the employer or collector has directed you to take;
7. Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by Good Wheels, Inc.;
8. Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fail to wash hands after being directed to do so by the collector);
9. For an observed collection, failure to follow the observer's instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process;
10. Possessing or wearing a prosthetic or other device that could be used to interfere with the collection process;
11. Admitting to the collector or MRO that you adulterated or substituted the specimen.
12. When the MRO verifies your drug test result as adulterated or substituted.

Refusals to test will result in employee's immediate removal from safety-sensitive duties and a referral to a Substance Abuse Professional that has knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders, and who meets the qualifications outlined in 49 CFR Part 40.281 Subpart O.

*Per Good Wheels, Inc. authority, violation of this substance abuse policy will result in termination of employment and/or exclusion from hire.*

## 15. Observed Collections

During an observed collection, the employee who is being observed will be required to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show the collector, by turning around, that they do not have a prosthetic device. The collector/observer must witness the employee's urine leave the body and enter the collection cup. The collector/observer must be the same gender as the employee being observed.

Observed collections are required in the following circumstances:

- Anytime the employee is directed to provide another specimen because the temperature on the original specimen was out of the accepted temperature range of 90°F - 100°F;

- Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with;
- Anytime a collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;
- Anytime the employee is directed to provide another specimen because the laboratory reported to the MRO that the original specimen was invalid and the MRO determined that there was not an adequate medical explanation for the result;
- Anytime the employee is directed to provide another specimen because the MRO determined that the original specimen was positive, adulterated or substituted, but had to be cancelled because the test of the split specimen could not be performed.
- Anytime a follow up or return-to-duty test is required (test types not applicable to Good Wheels, Inc. policy)

## 16. Specimen Analysis

All specimens will be analyzed in accordance with the procedures set forth in 49 CFR Part 40, as amended. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

## 17. Dilute Results

Upon receipt of MRO verified **negative-dilute** drug test results with creatinine levels greater than 5 mg/dl and less than 20 mg/dl, Good Wheels, Inc. will exercise the option to require that applicants/employees submit to a secondary urine collection as provided in 49 CFR Part 40.197. The collection of the second specimen will not be conducted under direct observation. The result of the second urine drug test will be accepted as the final result.

*Good Wheels, Inc. will exercise this option uniformly for all pre-employment and random tests that produce a negative-dilute test result with creatinine levels greater than 5mg/dl but less than 20mg/dl.*

Upon receipt of a **positive-dilute** urine drug test result, Good Wheels, Inc. will immediately remove the employee from safety-sensitive duty and provide the employee with a referral to a DOT qualified Substance Abuse Professional. A positive-dilute result is always deemed as a final positive result.

*Per Good Wheels, Inc. authority, violation of this substance abuse policy will result in termination of employment and/or exclusion from hire.*

## 18. Medical Review Officer's Role and Responsibilities

The designated Medical Review Officer (MRO) shall be a licensed physician (doctor of medicine or osteopathy) with knowledge of drug disorders. Good Wheels, Inc. shall use the following MRO:



Name of MRO: Dr. Natalie Hartenbaum

Address: First Lab  
100 Highpont Drive, Suite 102  
Chalfont, PA 18914

Phone Number: 215-396-5500, 1-800-732-DRUG (3784)

Fax Number: 215-396-5610

The role of the MRO is to review and interpret confirmed positive test results obtained through the employer's testing program. In carrying out this responsibility, the MRO shall examine alternate medical explanations for any positive test result. This action may include conducting a medical interview and review of the individual's medical history, or review of any other relevant biomedical factors. The MRO shall review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication. The MRO shall not, however, consider the results of urine samples that are not obtained or processed in accordance with DOT regulations.

Additionally, the MRO cannot accept an assertion of consumption of a hemp food product as a basis for verifying a confirmed marijuana (THC) test result as a negative. Consumption of a hemp food product is not to be considered a legitimate medical explanation for a prohibited substance or metabolite in an individual's specimen.

An employee shall be notified by the MRO of a laboratory confirmed positive test and a verification interview will be conducted with the employee, by the MRO, in accordance with 49 CFR Parts 40.131 through 40.141.

## **19. Verified Positive Results**

MRO verified positive urine drug tests will result in immediate removal from safety-sensitive duties and a referral to a Substance Abuse Professional that has knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders, and who meets the qualifications outlined in 49 CFR Part 40.281 Subpart O, will be provided to employee.

*Per Good Wheels, Inc. authority, violation of this substance abuse policy will result in termination of employment and/or exclusion from hire.*

## **20. Canceled/Invalid Test Results**

A drug test that has been declared cancelled by the MRO, because the specimen was invalid or for other reasons, shall be considered neither positive nor negative. Additionally, a specimen that has been rejected for testing by the laboratory is reported by the MRO as a cancelled test.

When a negative urine drug test result is required (as is the case with pre-employment, return-to-duty and follow up test types) the employer must conduct another drug test on the individual. For some categories of cancelled drug tests, the MRO will indicate that a

re-collection of a specimen using direct observation specimen collection procedures is required, regardless of test type. Direct observation collection procedures will be in accordance with 49 CFR Part 40.67 as amended. The MRO may also direct an employee to undergo a medical evaluation to determine whether or not clinical evidence of drug use exists when there are documented medical explanations for an individual producing invalid specimens and a negative result is needed for a pre-employment, return-to-duty or follow-up test.

For alcohol testing, a test that is deemed to be invalid per 49 CFR Part 40.267, shall be cancelled and therefore considered neither positive nor negative.

## **21. Split Specimen Testing**

Split specimen collection procedures will be followed in obtaining specimens. An employee is entitled to request, within 72 hours of learning of a verified positive test result, that the split specimen be tested at a different DHHS certified laboratory than that which conducted the test of the primary specimen. If the test result of the split specimen fails to reconfirm the presence of the drug or drug metabolite, the test result shall be ruled "Canceled". The procedures for canceled tests, as outlined in 49 CFR Part 40.187, will be followed. If the test result of the split specimen is positive, the test results shall be deemed positive. If the laboratory's test of the primary specimen is positive, adulterated or substituted and the split specimen is unavailable for testing, a recollection under direct observation is required. Direct observation collection procedures will be in accordance with 49 CFR Part 40 as amended.

Split Specimen Testing is not authorized for test results reported by the MRO as "Invalid".

### **Payment of Split Specimen Testing**

When an employee has made a request to the MRO for a test of the split specimen, Good Wheels, Inc. is required to ensure that the cost for the split specimen testing is covered, in order for a timely analysis of the sample. Good Wheels, Inc. will seek reimbursement *from the employee for the cost of the completed test, if the results reconfirm the original positive finding.*

## **22. Alcohol**

For the purposes of this policy, alcohol is defined as the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol. Alcohol use means the consumption of any beverage, mixture, or preparation, including any medication containing alcohol. 49 CFR Part 655 authorizes alcohol testing and requires Good Wheels, Inc. to take action on the findings, regardless of whether it was ingested as a beverage alcohol or in a medicinal or other preparation.

## **23. Alcohol Use and Breath Alcohol Testing**

No safety-sensitive employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02

or greater. If there is actual knowledge that an employee may be under the influence of alcohol while performing safety-sensitive functions, the employee shall not be permitted to perform or continue to perform safety-sensitive functions, pending a reasonable suspicion interview, conducted per section 12. No safety-sensitive employee shall use alcohol while performing safety-sensitive functions, within (4) four hours prior to performing a safety-sensitive function, or during the hours that they are on call or standby for duty. No safety-sensitive employee shall use alcohol within eight (8) hours following an accident or until the employee undergoes a post-accident test, whichever occurs first.

A Breath Alcohol Technician (BAT) qualified to conduct DOT breath alcohol testing shall conduct all DOT required alcohol screening tests.

In accordance with the provisions of 49 CFR Part 40, as amended, the results of both the screening and confirmation of breath alcohol tests, as applicable, shall be displayed to the individual being tested immediately following the test(s).

The results of breath alcohol testing will be transmitted by the breath alcohol technician to Good Wheels, Inc. in a confidential manner, in writing, in person, by telephone or electronic means in accordance with 49 CFR Part 40, as amended. All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40, as amended.

Good Wheels, Inc. affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. Handling of tests and confidentiality shall be in conformance with 49 CFR Part 40, and as described below:

1. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. A safety-sensitive employee who has a confirmed alcohol concentration of greater than 0.02 but less than 0.04 will result in removal from his/her position for (8) eight hours unless a retest results in a concentration measure of less an 0.02.
2. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. An employee testing positive for alcohol will be immediately removed from safety-sensitive duty and will be provided with a referral to a DOT qualified Substance Abuse Professional, in accordance with 49 CFR Part 40, as amended.

*Per Good Wheels, Inc. authority, violation of this substance abuse policy will result in termination of employment and/or exclusion from hire.*

## **24. Refusal to Submit to DOT Required Alcohol Testing**

The following actions constitute a refusal to submit to Alcohol Testing:

1. Fail to appear for any test within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer;
2. Fail to remain at the testing site until the testing process is complete;

3. Fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations;
4. Fail to provide a sufficient breath specimen, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
5. Fail to undergo a medical examination or evaluation, as directed by Good Wheels, Inc.;
6. Fail to sign the certification at Step 2 of the ATF;
7. Fail to cooperate with any part of the testing process.

A referral to a Substance Abuse Professional that has knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders, and who meets the qualifications outlined in 49 CFR Part 40.281 Subpart O will be provided.

*Per Good Wheels, Inc. authority, violation of this substance abuse policy will result in termination of employment and/or exclusion from hire.*

## **25. System Contacts and Substance Abuse Assistance Resources**

*Any employee with questions regarding this policy or any other aspect of Good Wheels, Inc.'s drug-free and alcohol-free program should contact the following representative(s):*

### **Drug and Alcohol Program Manager or Designated Employer Representative**

Name: Michel Harris, Human Resources Director  
 Address: Good Wheels, Inc.  
 10075 Bavaria Road, Fort Myers, FL 33913  
 Phone: 239-768-7181, 239-768-2900 ext. 204  
 Cell: 239-292-8401  
 Fax: 239-768-7183  
 E-mail: mharris@goodwheels.org

### **Alternate**

Name: Lynn "Butch" Bridenbaker, Driver Trainer and Safety Manager  
 Address: Good Wheels, Inc.  
 10075 Bavaria Road, Fort Myers, FL 33913  
 Phone: 239-768-2900 ext. 226  
 Cell: 239-292-8407  
 Fax: 239-768-7183  
 E-mail: butchb@goodwheels.org

### **Substance Abuse Professional**

Name: Julia Corbett, LCSW, CEAP, Director  
 Address: Southwest Florida Employee Assistance Program (SWFEAP)  
 3949 Evans Avenue, Suite 202, Fort Myers, FL 33901  
 Phone: 239-278-7435 or 1-800-226-7930  
 Fax: 239-278-7439  
 E-mail: JCorbett@swfas.org



**National Hot-Line Numbers and Help Lines:**

Cocaine Help Line

1-800-COCAINE (1-800-262-2463)

The American Council on Alcoholism Help Line

1-800-527-5344

National Institute on Drug Abuse Hotline (Alcohol/Drug)

(Substance Abuse and Mental Health Services Administration - SAMHSA)

1-800-662-HELP (1-800-662-4357)

Alcoholics Anonymous

212-686-1100

A copy of the referenced regulations (49 CFR Parts 40 and Part 655) are available on the CUTR Substance Abuse Management Resource Website: [sam.cutr.usf.edu](http://sam.cutr.usf.edu)

Please sign the Acknowledgement of Receipt of this Policy (attached) and return to your supervisor or Designated Employer Representative.

Employee Acknowledgement of Receipt of  
Good Wheels, Inc. Substance Abuse Policy  
Certificate of Agreement

*Good Wheels, Inc. has adopted a Zero Tolerance policy. Any employee who is in violation of this Substance Abuse Policy will face removal from safety-sensitive duties or termination, or will not be considered for employment. We are committed to creating a DRUG-FREE WORKPLACE, without jeopardizing our valued employees' job security.*

*I, \_\_\_\_\_, hereby acknowledge that I have received a legible copy of Good Wheels, Inc. Substance Abuse Policy, amended January 2012, mandated by the U.S. Department of Transportation, Federal Transit Administration, for all covered employees who perform a safety-sensitive function. I understand this policy is required by 49 CFR Part 655, as amended, and has been duly adopted by the governing board of Good Wheels, Inc. I understand my rights and obligations contained in the policy. Therefore, I realize that as part of my employment, I may be subjected to future drug and/or alcohol screens for post-accident, reasonable suspicion, and/or random drug testing. I understand that refusal to submit to DOT required drug testing will result in immediate termination of employment. I also understand that a tampered or an adulterated drug and/or alcohol specimen will be considered a refusal to test, resulting in immediate termination.*

I understand that my employment with Good Wheels, Inc. is conditioned upon full adherence to this policy.

*Finally, I understand that if I am injured during the course and scope of my employment and I test positive for the presence of prohibited alcohol and /or drugs, that I will forfeit my eligibility for medical and indemnity benefits under Florida's Workers' Compensation Law. I also understand that a refusal to test under this circumstance will automatically result in forfeiture of my eligibility for medical and indemnity benefits and immediate termination from employment. I understand that a confirmed positive drug and/or alcohol test, a tampered with or an adulterated specimen or a refusal to test may result in forfeiture of unemployment benefits under Florida Law.*

Employee Print Name \_\_\_\_\_

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Supervisor Print Name \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

**KEEP THIS COPY FOR YOUR RECORDS**

**NOTES**

**NOTES**

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Employee Acknowledgement of Receipt of  
Good Wheels, Inc. Substance Abuse Policy  
Certificate of Agreement

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*I, \_\_\_\_\_, hereby acknowledge that I have received a legible copy of Good Wheels, Inc. Substance Abuse Policy, amended March, 2011, mandated by the U.S. Department of Transportation, Federal Transit Administration, for all covered employees who perform a safety-sensitive function. I understand this policy is required by 49 CFR Part 655, as amended, and has been duly adopted by the governing board of Good Wheels, Inc. I understand my rights and obligations contained in the policy. Therefore, I realize that as part of my employment, I may be subjected to future drug and/or alcohol screens for post-accident, reasonable suspicion, and/or random drug testing. I understand that refusal to submit to DOT required drug testing will result in immediate termination of employment. I also understand that a tampered or an adulterated drug and/or alcohol specimen will be considered a refusal to test, resulting in immediate termination.*

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Employee Print Name \_\_\_\_\_

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Supervisor Print Name \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

***PLEASE SIGN THIS COPY AND RETURN TO HUMAN RESOURCES***

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**APPENDIX B:**

**Good Wheels, Inc.**  
**Preventive Maintenance Planning &**  
**Training Program**

**Maintenance Plan**



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Maintenance Plan****TABLE OF CONTENTS**

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## **Introduction**

The mission of Good Wheels, Inc. is to provide safe, reliable, clean, and well-maintained vehicles. The function of the maintenance plan is to provide a consistent systematic program that will enable Good Wheels, Inc. to properly maintain and service vehicles to meet or exceed the manufacturer's recommended maintenance schedule. It is designed to keep vehicle repair and maintenance costs to a minimum. Good preventative maintenance requires accountability for specific roles and is a result of all employees working together as a team.

### **1. Maintenance Goals and Objectives**

The Maintenance Plan is a "living document" including maintenance guidelines, schedules, and reports which will be updated periodically to reflect changes in maintenance policies, equipment, and program improvements. The objectives of the maintenance program include:

- Standardized procedures;
- Repairs and inspections performed under local environmental, state, federal, and other regulations that apply;
- An effective preventive maintenance program;
- Defect Reporting;
- The proper management of parts, equipment, and fleet;
- The fleet life plan;
- A warrant recovery program;
- Quality assurance

### **2. Fleet Summary**

A physical inventory of equipment shall be kept on file and updated annually. The vehicle number, year of manufacture type of vehicle, vehicle identification. ADA information, total mileage, and mileage operated annually shall be on the list.

See Attachment A.

### **3. Fleet Life Plan**

The Fleet Plan is an internal, working document that will be updated whenever conditions justify or at least annually. This document will cover five (5) calendar years. The fleet

plan addresses replacement and expansion without regard to funding availability. The fleet plan should be based on service needs and economic replacement life. It is used to project new equipment deliveries and disposal, and helps to plan grant activities. It keeps track of spare ratios and can help predict when to augment or reduce parts levels. It helps the Maintenance Director consider vehicle rehabilitation or replacement in lieu of extensive repair and constant unscheduled maintenance.

#### **4. Vehicle History File**

Each vehicle will have a written record documenting preventive maintenance, regular maintenance, inspections, lubrication and repairs performed. A vehicle's history is also valuable in locating persistent problems and may serve to determine problems that could be classified as a fleet defect.

Such records shall be maintained for the life of the vehicle and include at a minimum the following information:

- Identification of the vehicle, including make, model, license number or other means of positive identification and ownership;
- Date, mileage, and description of each inspection, maintenance, repair or lubrication performed;
- If not owned by the transit agency, the name of the person or company furnishing service with this vehicle; and
- The name and address of any business firm performing an inspection, maintenance, lubrication or repair.

#### **5. Vehicle Procurement/Replacement Plan**

Good Wheels, Inc. will ensure that buses procured and operated shall meet Chapter 14-90.007 Vehicle Equipment Standards and Procurement Criteria.

#### **6. Standardization of Equipment**

Because so many factors play a role in procurement decisions careful consideration is taken on all aspects of the procedure when purchasing new vehicles and equipment.

When feasible, standardization of equipment will be utilized to help minimize maintenance and administration costs by:

- Increased operational efficiency and safety.
- Providing closer vendor relations.
- Proven reliability.

- Fewer contracts and invoices to process.

The process of standardization of components in new vehicle specifications can be executed through the following sub-systems:

- Drive train
- Electronic components
- Air conditioning systems
- Brakes
- Interior seats and fabric

Below is the FTA-Defined Service Life for Transit Vehicles.

| <u>Vehicle</u>                                                       | <u>FTA-Defined Service Life</u> |
|----------------------------------------------------------------------|---------------------------------|
| 35' - 40' heavy duty transit bus                                     | 12 years or 500,000 miles       |
| 30' heavy duty transit bus                                           | 10 years or 350,000 miles       |
| 30' medium-duty transit bus                                          | 7 years or 200,000 miles        |
| 25' - 35' light-duty transit bus<br>(e.g., body on chassis vehicles) | 5 years or 150,000 miles        |
| Other vehicles<br>(e.g., small buses, regular and specialized vans)  | 4 years or 100,000 miles        |

## 7. Vehicle Replacement Considerations

- Has met age or mileage criteria for replacement
- Initial cost
- Depreciation/resale value
- Fuel economy
- Safety/repair record
- Can no longer accomplish organizational goals

## 8. Environmental Considerations

- Alternative fuels
- Developing "green fleets"
- Federal and State requirements
- Funding opportunities



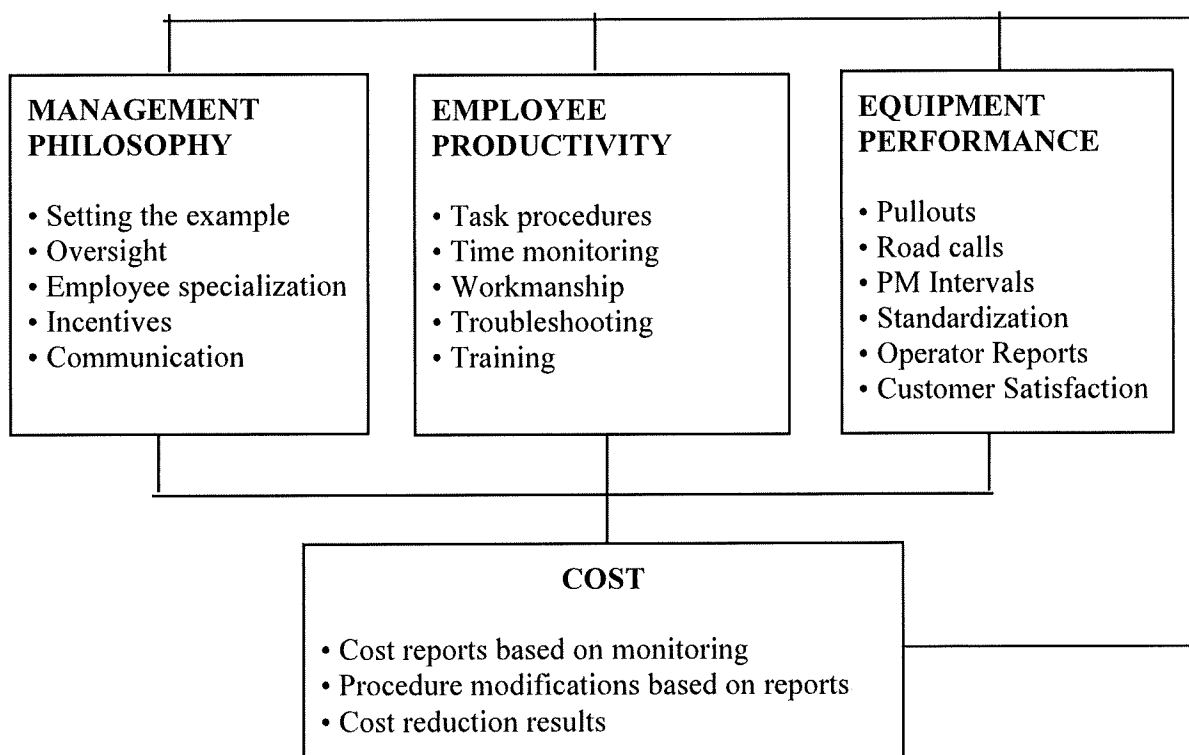
### General Maintenance Guidelines

It is the goal of Good Wheels, Inc. to operate a proactive maintenance program as opposed to reactive. Scheduling work allows time, materials, tools, equipment, and labor to be managed easier than having unpredictable maintenance costs, workloads, and vehicle downtime. A comprehensive preventative maintenance program has been adopted to make these goals attainable.

The Maintenance Director or designated employee will ensure that the activities of the maintenance function maximize:

- Vehicle reliability (measured by miles per road call)
- Vehicle operation efficiency (measured by fuel and parts cost per mile)
- Labor productivity (measured by labor hours per thousand miles)

The flowchart below identifies key issues associated with maintenance performance monitoring.



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**Preventative Maintenance**

Preventative maintenance inspections will be scheduled by mileage projections in most cases. If a vehicle does not reach a pre-determined mileage target in a twelve month period an annual inspection must be performed. When a vehicle is due for an inspection it will be taken out of service until the inspection is completed. This allows a series of repairs to be carried out while minimizing costs and optimizing the number of operational vehicles.

The checklists for preventive maintenance will be consistent with the current operating fleet and in particular with the minimum maintenance requirements for vehicles under warranty to ensure maximum vehicle longevity. Below is a guideline of a preventive maintenance sequence. However, mileages can vary depending on manufacturer's requirements.

Vehicles will be scheduled in "A," "B," "C," and "Annual" inspections. These will be performed 7,500, 10,000, 30,000 and 60,000 miles following the sequence: "A," "B," "A," "C." Vehicle manufacturers and component suppliers provide service manuals containing detailed information for repair, maintenance, and recommended PM intervals. Recommendations provided in OEM service manuals will assist our agency to formulate our maintenance procedures and PM intervals. These procedures will be based on the OEM maintenance requirements for warranty, compliance regulations, and operating conditions.

Chapter 14-90.009 (3) states that each bus receiving a safety inspection shall be checked for compliance with the safety devices and equipment listed below. This is applicable to Type I and II bus(es).

- (a.) Horn
- (b.) Windshield wipers
- (c.) Mirrors
- (d.) Wiring and battery(ies)
- (e.) Service and parking brakes
- (f.) Warning devices
- (g.) Directional signals
- (h.) Hazard warning signals
- (I.) Lighting systems and signaling devices
- (j.) Handrails and stanchions
- (k.) Standee line and warning
- (l.) Doors and interlock devices
- (m.) Step wells and flooring
- (n.) Emergency exists
- (o.) Tires and wheels
- (p.) Suspension system
- (q.) Steering system
- (r.) Exhaust system
- (s.) Seat belts
- (t.) Safety equipment

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- (u.) Equipment for transporting wheelchairs
- (v.) A safety inspection report shall be prepared by the individual(s) performing the inspection which shall include the following:
  - a. Identification of the individual(s) performing the inspection.
  - b. Identification of the bus transit system operating the bus.
  - c. The date of the inspection.
  - d. Identification of the bus inspected.
  - e. Identification of the equipment and devices inspected including the identification of equipment and devices found deficient or defective.
  - f. Identification of corrective action(s) for deficient or defective items and date(s) of completion of corrective action(s).

See Attachment B

Records of annual safety inspections and documentation of any required corrective actions shall be retained a minimum of four years by the bus transit system for compliance review.

The Maintenance Director or designated employee will perform regularly scheduled Quality Assurance (QA) checks to ensure that inspections and repairs are completed properly. Safety related items are always checked.

#### **Scheduled Component Change-out Program**

As part of the preventive maintenance plan; this program is designed to replace all components before failure at the end of the components useful life. It is based on manufacturer's recommendations, failure history, and failure analysis. Designated components are tracked and monitored to ensure that the program is efficient and cost effective. This program allows for the preparation of standardized replacement practices for improved efficiency.

Change-out components can include but are not limited to:

Engines  
Transmissions  
A/C Compressors  
Alternators  
Batteries

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### **RUNNING REPAIR/CORRECTIVE MAINTENANCE**

This establishes a procedure to repair items identified by operators during the daily operation of the bus. These repairs are usually completed without removing or withholding a vehicle from normal service. The daily pre-trip/post-trip inspection cards must be documented with the operator's signature and a check in each box to document that the items are "OK" or a defect is noted in the comments section.

The Maintenance Director shall review daily inspections and document the corrective actions taken as a result of any deficiencies identified by the operator. Once defects are noted they will be prioritized and sorted into categories. Daily inspections shall be retained for a minimum of two weeks.

The identified defects will be placed into one of four categories:

**Safety Defect** - Safety cannot be compromised. The vehicle cannot be placed into service until repairs are completed.

**Mechanical Defect** - A defect that will gradually get worse and increase cost. The vehicle cannot be placed into service until repairs are completed, except for emergencies.

**Elective Mechanical Defect** - A defect that does not compromise safety, but can if operated beyond a pre-determined mileage and needs to be corrected prior to next PM cycle. Example: The front tires average 1,000 miles per 32<sup>nd</sup> of tread wear and are measured at 6/32<sup>nd</sup>. Since the front tires must be removed at 4/32<sup>nd</sup> it is estimated the vehicle needs to be scheduled for a tire replacement in 2,000 miles. The vehicle must be rescheduled for the replacement of the front tires before the next PM inspection.

**Elective or Cosmetic Defect** - The defect will not compromise safety and will not cause further damage or cost as it is an aesthetic defect. This vehicle can be scheduled for an off-peak time in the future or at the next PM service to be repaired.

- **Pre-trip Inspection**

The pre-trip inspection is required to make sure the following parts and devices are in safe condition and in good working order at the beginning of the trip:

1. Service brakes
2. Parking brakes
3. Tires and wheels
4. Steering
5. Horn
6. Lighting devices
7. Windshield wipers
8. Rear vision mirrors
9. Passenger doors

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10. Exhaust systems
11. Equipment for transporting wheelchairs
12. Safety, security, and emergency equipment

If an operator finds a defect on a pre-trip inspection it must be determined by the Maintenance Director or designated employee if the vehicle can be put in operation at that time or the defect can be repaired at a later date.

The Pre-trip checklist displays mechanical and safety related checks for defects. There are also two examples to record body damage.

- **Post-trip Report**

During the scheduled trips the operator will not any defects on the pre-trip/post-trip card to be turned into the Maintenance Director or designated employee at the end of the day. If a defect is found it must be determined if the vehicle can be rescheduled or the defect must be repaired prior to rescheduling.

See Attachment C

- **Lift Maintenance**

As part of the preventative maintenance on wheelchair lifts a complete cycle of the lift shall be performed during the operator's pre-trip inspection. The operators will report, by the most immediate means available, any failure of a lift to operate.

When a lift is discovered to be inoperative, the agency shall take the vehicle out of service before the beginning of the vehicle's next service day and ensure that the lift is repaired before the vehicle returns to service.

If there is no spare vehicle available to take the place of a vehicle with an inoperable lift, such that taking the vehicle out of service will reduce the transportation service the entity is able to provide, the public entity may keep the vehicle in service with the inoperable lift for no more than five days (if the entity serves an area of 50,000 or less population) or three days (if the entity serves an area of over 50,000 population) from the day on which the lift is discovered to be inoperative.

In any case in which a vehicle is operating on a fixed route with an inoperative lift, and the headway to the next accessible vehicle on the route exceeds 30 minutes, the entity shall promptly provide alternative transportation to individuals with disabilities who are unable to use the vehicle because its lift does not work.<sup>1</sup>

The lift will be serviced on preventative maintenance inspections according to the manufacturer's specifications. Instructions for normal and emergency operations of the lift or ramp will be carried or displayed in every accessible vehicle.

See Attachment D

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<sup>1</sup>49 C.F.R. PART 37.163 Keeping vehicle lifts in operative condition: Public entities.

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- **Road Calls**

Monitoring road calls is arguably the single most important indicator of an agency's overall performance. Road calls are categorized as listed below.

- **Major Mechanical**

A failure of some mechanical element of the revenue vehicle that prevents the vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip because actual movement is limited or because of safety concerns.

Examples of major bus failures include breakdowns of air equipment, brakes, doors, engine cooling system, steering and front axle, rear axle and suspension and torque converters.

- **Other Mechanical**

A failure of some other mechanical element of the revenue vehicle that, because of local agency policy, prevents the revenue vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip even though the vehicle is physically able to continue in revenue service.<sup>2</sup>

Classifying failures into specific bus sub-systems allows Maintenance Director to identify trends, determines the underlying cause of the problem, and can help in making modifications to the Preventive Maintenance Program as needed to minimize failures.

Prior arrangements with a towing service that is competent in recovering vehicles the size and type operated by the transit agency will be made. After a determination is made of the status of a downed vehicle the towing service will be contacted in a timely manner to have the vehicle moved.

Road call reports include types of failures and mean distance between failures. The graphs are useful in giving a monthly report to monitor road call frequency to set goals for improvement.

See Attachment E

- **In-House Maintenance**

Based on internal audits of the maintenance program, training will be provided for the technician(s) in deficient areas. This will ensure that employees have the necessary skills to perform their duties according to established time and work standards. It is important to determine whether employees are troubleshooting problems correctly or simply changing parts until a problem is corrected. Monitoring an employee's time to determine how individual jobs are accomplished and tracking faulty workmanship to individual employees can help prevent unnecessary expenses.

Each individual performing bus safety inspections shall be qualified as follows:

---

<sup>2</sup>[http://www.ntdprogram.gov/ntdprogram/pubs/ARM/2007/html/2007\\_Resource\)Module.htm#r1](http://www.ntdprogram.gov/ntdprogram/pubs/ARM/2007/html/2007_Resource)Module.htm#r1)

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- a. Understands the requirements set forth in Rule: Chapter 14-90.009 Bus Safety Inspections and can identify defective components.
- b. Is knowledgeable of and has mastered the methods, procedures, tools, and equipment used when performing an inspection.
- c. Has at least one year of training and/or experience as a mechanic or inspector in vehicle maintenance program and has sufficient general knowledge of buses owned and operated by the bus transit system to recognize deficiencies or mechanical defects.

- **Outsourced Maintenance**

Out sourcing will be utilized for services that require constant training and expensive tools. Automatic transmission repair, front end alignment, radiator repair, upholstery, and windshield replacement are some examples of specialized services.

Good Wheels, Inc. will maintain a contract administration system that ensures that contractors perform in accordance with terms, conditions, and specifications of their contracts or purchase orders.

When an outside maintenance contractor is responsible for maintaining the vehicles, Good Wheels will have a maintenance plan for the contractor to follow. Written reports will consist of completed preventive maintenance checklists and invoices for repairs from the contractor. The maintenance activities of the contractor will be monitored by quality assurance checks on vehicles and periodic inspections of the contractor's facility by a designated representative.

Service and maintenance reports from contractors will be kept at the transit agency's office.

See Attachment F

- **Cleaning**

A goal of Good Wheels is to maintain a positive public image. To do so, we must strive for a "body perfect" fleet which goes on the road clean and gleaming. The Good Wheels reputation is positively influenced by what people see.

#### THE APPEARANCE OF THE FLEET REFLECTS THE SKILL AND CARE OF THE MAINTENANCE EFFORT

Body: An evaluation should be made of the current fleet condition and when any unit is transferred to a location. A way to initially record each unit's condition is to use the Body Condition Report. Upon completion of the evaluation, repairs must be prioritized, budgeted and scheduled. Once the fleet is completed, future repairs should be done when the damage occurs. Such damage should be reported by drivers on the daily VCR's. Maintenance and management also must check

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vehicles periodically.

- **Lettering**

Each bus should be lettered to meet company, customer or state specifications. Good Wheels provides a decal set to be used to identify ownership of the vehicle. The decals are applied to completely cleaned and degreased surfaces. It is advisable to decal the fuel type at the fill area to eliminate errors in fueling. In removal of lettering, if letters do not peel off easily, heat from a heat gun or hair dryer will aid.

- **Cleanliness**

In addition to a daily sweeping and picking up of trash by the driver, Good Wheels has a goal to wash each unit once per week. Weather conditions and road type may alter the schedule. A record of units washed may be kept on a blank calendar. The rule is that when they are dirty, wash them. Washing a unit should take heed of the following process.

- **Exterior Wash - Weekly**

- Be sure all windows and doors are closed.
- Soap down entire exterior of vehicle.
- Wash vehicle from lower skirt and work up to more easily see what has been cleaned, doing half a side from bottom of top, a section at a time. Rinse thoroughly to remove all soap film.

- **Motor and Exterior Detail Wash - Semi-annually**

Degrease engine, under hood, front axle, springs, king pins, tires, wheels, around and under fenders and lower skirt area if necessary to remove road oil. Power wash or use soft bristle brush to wash entire vehicle with a good grade of soap and rinse thoroughly.

- **Interior Clean: (Rubber Floor Coverings Only)**

- Raise front of vehicle on jack stands if vehicle has a back door. Thoroughly sweep debris from the floor. Soap down interior floor, ceiling, seats, windows, scrub ceiling and windows, then rinse with clear water. Rinse soap and dirt out back door.

**Note: When washing inside of bus, make sure a small trash bag is placed over switch panel to keep water out of switches. Do not spray on horn button or dash.**

- **Annual Appearance Service**

- Wax floor (with liquid wax), either spray on with spray bottle or pour small amounts between seats and sponge around.
- Clean dash, heater and defroster covers. Apply Armour-All or equivalent.
- Clean (and paint if necessary) outside mirrors, rub rails and black around warning



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- lights.
  - Clean seats. If cloth upholstered, apply Scotch Guard or equivalent. Paint wheels and bumpers with high quality gloss paint. Use a piece of cardboard, or mask off bumpers to keep overspray off of painted body. If overspray occurs, wipe off with rag dampened with enamel reducer.
  - Wax entire vehicle from windows down on school buses.
- **Vans and Sedans (Interior Clean)**
    - All vehicles with carpet shall be vacuumed regularly at least two times per month.
    - All vehicles with carpeted interiors shall have the carpet shampooed annually.
    - All windows shall be cleaned inside at least two times per month.

Encourage drivers to keep up daily housekeeping by sweeping daily and dusting dash weekly. These are essential tasks to maintain.

During pre-trip inspections it is the duty of the operator to perform a walkthrough on the vehicle and ensure that any debris on the flooring or step wells that could result any falls or slips. Any unsafe conditions must be corrected before any scheduled trips.

The driver must report all graffiti/etchings, gum, spills, or any other issues in the interior that would warrant extra material and labor from normal clean-up, on their post-trip report.

It is the responsibility of the Maintenance Director to inspect the interior and exterior of the vehicles and determine if the cleaning is being performed to company standards.

- **Accidents**

All accidents are tracked by the frequency, type and which party was at fault. An investigation will be performed and documented. In the case of an accident in which the mechanical condition of the bus comes into question, the Maintenance Director or designated employee will decide if the bus can be placed into service before repairs are made.

It will be the responsibility of the transit system, the operator, and maintenance personnel for collision prevention. An essential ingredient critical to the success of collision prevention is a clearly defined preventive maintenance program. Mechanics must have the knowledge, skills and competence to service and repair vehicles and identify unsafe conditions. If an unsafe condition is identified the vehicle will be removed from service.

In the event of an accident the primary responsibility of all staff is to ensure the safety of the passengers. The driver will immediately report the time and location of the accident to the Supervisor/Dispatcher. Because accident situations are unpredictable it is standard that procedures allow enough flexibility to accommodate for each condition.

An Accident Review Board will be in place to investigate accidents and determine root cause of any incidents. One member from the maintenance department will be appointed

to serve on an Accident Review Board.

### **BODY REPAIRS**

During the routine operation of a fleet it will occasionally be necessary to have body repair and paint work performed. It is essential that all work performed on the Good Wheels fleet be performed to a level that restores the original manufacturer's specifications.

#### **Outside Repairs:**

When considering an outside facility for body repairs, place a high priority on finding a facility that specializes in truck or bus repair. These repair facilities will better understand the need to quickly return a damaged piece of equipment to service. Their skills will better align themselves with the repair requirements on medium duty equipment. It is important to verify that any outside repair facility that is considered must have necessary insurance to cover Good Wheels vehicles while in their possession. Often repair facilities will allow a customer to furnish its own parts which can often save as much as 40%.

#### **Internal Repairs:**

Internal repair of Good Wheels equipment is often the best course to follow; however, a cost vs. benefit analysis must be performed before approval is sought to operate a repair facility of this nature. As part of this decision we must consider the following:

1. As with outside repair facilities, it is necessary to have staff that is willing and capable of making repairs to the original manufacturer's specifications.
2. All repairs made and products used must be in accordance with state, local and federal guidelines. This includes, but is not limited to, OSHA requirements limiting exposure of our employees to lead (a common element in paint), isocyanates and other proven hazardous materials. OSHA further requires that employees exposed to lead be tested on a quarterly basis.
3. Flammable material must be properly stored in approved fire and explosion proof cabinets.
4. Waster streams from body repair operations must be dealt with as hazardous materials. This necessitates the application for an EPA hazardous waste generation number and in most cases a state hazardous waste generation number. All listed hazardous waste such as thinner, paints and reducers must be manifested and removed by a properly licensed hazardous waste hauler.

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## **MANAGEMENT INFORMATION SYSTEMS**

- **General Guidelines**

One of the most important fundamentals in maintenance monitoring is equipment performance, including on-time performance for meeting pullouts, rate of road calls, adherence to PM schedules, and customer satisfaction. Because employee competence and equipment performance are interconnected, agencies must use performance monitoring data carefully to differentiate between the two. The capability to determine whether a mechanical failure was caused by a malfunction of the equipment or through faulty workmanship is the true test of an effective maintenance performance monitoring system.

The work order, also referred to as a repair order, is the backbone of any maintenance performance monitoring program. Information on all aspects of maintenance performance can be obtained from work orders. Agencies with small fleets can rely exclusively on the work order to monitor maintenance performance. For agencies with large fleets, however, this approach may not be realistic. Instead, information obtained from the work order is entered into a computerized management information system (MIS), which summarizes data and identifies recurring problems.

- **Material Handling**

All chemicals, lubricants, cleaners, etc., purchased must accompany a Material Safety Data Sheet. A MSDS binder will be maintained and made available to the employee upon request. The binder will have a cover sheet index for quick reference in case of an emergency.

When a chemical is taken out of inventory the MSDS sheet will be taken out of the binders and placed in a dead file. All MSDS sheets must be kept on file for thirty years.

When purchasing products for different functions careful consideration will be taken as to the toxicity and flammability of chemicals used. Environmentally friendly products will be taken into consideration when purchasing products. Some include:

- Propylene-glycol antifreeze
- Re-refined motor oil
- Retread tires
- Water-based part cleaner and brake cleaner
- Reconditioned batteries

- **Parts Inventory**

Computers are an important tool in tracking and ordering parts. If information is entered on each part used it can automatically generate a report of all parts used and issue replacements automatically.

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The potential effect on inventory include fleet size, fleet mix by vehicle type, number of different vehicle models, average annual miles per vehicle, and the average age of the fleet.

Total inventory dollars will be calculated by multiplying the number of units for each item times the item's unit cost, and summing across all items. Changes in the size of inventory will be determined by examining the value at different points in time.

Inventory dollars per vehicle is the average amount of inventory dollars on hand at a point in time to support a vehicle in the fleet.

Inventory turnover is the number of times the "total inventory dollars" is used by the agency. The higher the inventory turnover the more efficiently the inventory level is managed relative to the demand for usage.

Indicators to be considered in inventory management:

- Percent of items out of stock when requested.
- Number of unanticipated stock outs.
- Number of open back orders.
- Vehicles out of service due to unavailability of parts.

- **TRACKING WARRANTY**

A warranty recovery system, warranty records, and annual summaries of warranty claims submitted and received will be maintained by the transit agency.

Warranty repairs will be identified by maintaining a list of items from the manufacturer that are under warranty and when the warranty expires. When a component fails it can be checked against the list for time and/or mileage to determine if it is still under warranty. Documentation of warranty repairs, claims, and a recovery program will be kept on file to guarantee the cost of the defects under warranty is paid by the equipment manufacturer and not the agency. All warranty claims will be pursued until the claim is settled.

To ensure that the vehicles engine warranty is protected, the engine oil and filters will be changed at the maximum interval specified in the engine manufactures maintenance manual. If oil analysis is relied upon to extend the oil change intervals, a letter from the manufacturer stating it will not void the engine warranty will be kept on file. Prior to performing repairs and seeking restitution, the transit agency should request approval to perform warranty repairs from the vendor or the manufacturer. To facilitate the process of identifying warranty items, a review of the individual vehicle's history file should be conducted.

Whenever possible, include a copy of the repair order with the warranty claim form. Documentation should include the date and vehicle mileage at time of failure, vehicle identification number, description of work performed, and cost incurred. Make sure the part can be matched with the warranty claim.

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**SHOP PERSONNEL QUALIFICATIONS****• Company Objectives**

- a. The company shall provide safe, healthful, and dependable transportation for all passengers entrusted to its care.
- b. The company shall provide a transportation program commanding respect and dignity in all aspects.
- c. The company shall provide the best possible transportation and shall continually strive to improve performance and raise standards.
- d. The company shall maintain all equipment in the safest, most mechanically sound and cleanest condition possible.
- e. The company shall employ and retain personnel who are capable and willing to fully carry out the foregoing objectives.

**• Qualifications**

- a. Shop personnel shall be at least 18 years of age. Any exceptions to this limitation must be approved in writing by the personnel manager.
- b. Shop personnel must have sufficient physical strength and dexterity to satisfactorily perform all job functions. They may also be required to pass physical examinations, including drug tests, given by qualified physicians in order to gain or maintain employment. Special examinations such as "blood lead level" tests may be periodically required by the company. Such examinations shall, in some instances, be at the employee's expense.
- c. Shop personnel shall have filed with the Operations Manager a completed signed and dated "Application for Employment" as well as other forms required by the Good Wheels and governmental agencies.

**• Personal Requirements**

- a. Shop personnel are required to furnish their own basic tools as specified by the company in the Maintenance Guide. The right to require additional tools is reserved by the Good Wheels.
- b. Shop personnel shall properly protect, handle and maintain all Good Wheels tools, equipment and other property with which they may come in contact.
- c. Shop personnel shall report for work cleanly and appropriately dressed. If uniforms are provided, the employee shall wear a complete, clean uniform each day. Clothing that portrays or promotes the use of alcoholic beverages, drugs, nudity or vulgarity will not be permitted.

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- d. Shop personnel shall report for work with their physical person clean and with their hair well groomed. Hair and beards shall be of moderate lengths and neatly trimmed.
- e. Shop personnel shall wear shoes with solid heels and soles. The upper portion of the shoe shall be of heavy leather, rubber or plastic to afford maximum protection.
- f. Shop personnel may smoke only in areas and at times designated by the management. There shall be no spitting of tobacco products in places other than disposable trash containers.
- g. Shop personnel shall not use or possess illegal drugs while on duty. If any type of drugs or medication have been taken, an employee shall not report for work until the physical or psychological effects that might impair work performance or safety are ended. Alcohol falls under the same restrictions as other drugs. Any employee whose appearance suggests the influence of a drug, including alcohol, shall be prevented from working. This situation may also be cause for drug testing and/or termination.
- h. Shop personnel shall not use vulgar, profane or sexually suggestive language while on duty. All employees are expected to maintain a high level of dignity and professionalism.
- i. Shop personnel clean their work areas each day along with any other areas assigned by the supervisor. Employees shall keep the shop free of all pictures, signs or posters which in any way depict drugs, alcoholic beverages or sexually suggestive subjects.
- j. Shop personnel shall be expected to treat all Good Wheels employees with the respect and dignity necessary to promote harmony, good will and efficient operation.

- **Procedural Regulations**

- a. Shop personnel shall comply with all safety policies, rules and regulations prescribed by the company. Employees failing to use the provided safety equipment may face immediate suspension and/or termination.
- b. Shop personnel shall be expected to perform assigned work at a rate comparable to guidelines set forth by the company.
- c. Shop personnel shall be in their assigned work areas properly dressed and equipped in order to begin work at the designated time. Clothing changes shall not be part of the paid work day.
- d. Shop personnel shall inform the Maintenance Director at least one hour prior to an absence or tardiness. Employees shall give the reason for such absence or tardiness and state when they will report to work.

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- e. Shop personnel shall immediately report all injuries or accidents occurring while on duty. Shop personnel shall, before the start of the work day, report to the Maintenance Director, injuries sustained on or off duty, which might affect the employee's safety or performance. On the job injuries may be sufficient cause for drug testing.
- f. Shop personnel shall initial all maintenance-related sheets or forms to verify the work that has been accomplished.
- g. Shop personnel shall not use company facility, equipment or parts for the repair of personal vehicles or others not authorized by the company.
- h. Shop personnel shall first discuss and attempt to resolve all questions and problems with their immediate supervisor. The company endorses the use of an "open door" policy when attempts to resolve questions and problems with the immediate supervisor have failed.
- I. Shop personnel shall have all tools required for their job classification.

- **Personnel Classification**

- a. Leadman: A "Class A" shop person who shall, in addition to normal duties, "lay out" work to be done by other shop personnel whenever necessary. This position will supervise at least two (2) people including their self.
- b. Class A: Shop personnel capable of satisfactorily making all repairs to such vehicles and equipment assigned by the company within a reasonable length of time and without supervision. Such employee shall, upon request, be willing and able to satisfactorily supervise the work of other shop employees.
- c. Class B: Shop personnel capable of satisfactorily making all repairs to such vehicles and equipment assigned by the company within a reasonable length of time and with minimal supervision.
- d. Class C: Shop personnel who are training for Class B classifications. Such employees shall be capable of satisfactorily assisting higher classified personnel in making all repairs to such vehicles and equipment assigned by the company. Such employees may also be required to satisfactorily perform service labor such as, fueling, washing, and otherwise servicing all assigned vehicles and equipment.
- e. Classification of all personnel shall be at the discretion of operations management.
- f. Operations management reserves the right to require a probationary period before assigning a final classification for shop personnel and before providing such personnel with all benefits (i.e., uniforms).

- **Employment and Termination**

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- a. Shop personnel are subject to disciplinary action for violation of any rules, regulations or policies of Good Wheels.
- b. Shop personnel are expected to use common sense and good judgment in the performance of their job duties.
- c. Shop personnel shall avoid chronic or habitual absenteeism as well as habitual late arrival or early departure. Failure to comply shall be grounds for disciplinary action including termination.
- d. Insubordination is considered to be serious misconduct. Insubordination is defined as the refusal to perform reasonable directions given by management personnel. It may also include disrespectful conduct, language or attitude toward management personnel, fellow employees, customers, or passengers.
- e. In the event of violation of rules, regulations or company policies (misconduct), shop personnel shall ordinarily be subject to "progressive discipline," i.e., shall be given a reasonable opportunity to correct deficiencies and avoid termination. The normal procedure shall, if necessary, be in the order of verbal warning, written warning, suspension and termination. Serious misconduct may cause immediate termination without regard to "progressive discipline" steps.
- f. Each shop person upon hiring shall read and sign an acknowledgment sheet indicating they have read the policies and understand them.
- g. Failure to pass scheduled, random or for cause drug testing will result in termination.



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**SAFETY CULTURE**

**Good Wheels** program is a renewed effort to place emphasis on safety and eliminate accidents and personal injuries. It asks each employee to develop an attitude of “ownership” of the facility’s safety program and their own personal safety.

Maintenance employees must frequently review the Safety Culture Program in a thorough manner, implement its procedures and be aware of and avoid committing unsafe acts. They should be cognizant of the safe behavior and practices critical to the creation of a safe work environment. Particular attention must be given to the Safety Climate Analysis from which provides a detailed inspection of the entire facility for safe/unsafe conditions. After identifying an unsafe or unacceptable condition it is imperative that an action plan is established and corrective action taken.

**Housekeeping:**

A key ingredient to a safe work environment is good housekeeping. Besides providing a pleasant environment that will improve morale and productivity, good housekeeping helps prevent accidents caused by spills, materials and tools carelessly left around. Departments and functional areas kept neat and clean require fewer repairs and replacement of expensive items.

Employees shall be responsible for cleaning up their spills. All spills shall be mopped or cleaned up quickly. Floors and aisles shall be swept at least daily. Floors shall be washed at least monthly to eliminate the heavy buildup of grease and oil. Work benches and other designated work surfaces shall be free of clutter and cleaned daily. Adequate trash containers shall be provided in the shop area and on the fuel island(s). The containers shall be emptied at least daily. The facility lot and fuel island shall be kept clean of trash and debris.

Only designated storage areas are used to store materials and equipment. Makeshift sites tend to quickly become cluttered, hampering employee mobility, and adding to the chance of accidents and injury. Designated storage areas should be well maintained and free of clutter. Inspect storage racks, shelves and storage equipment regularly for safety and strength. Platforms, stairwells and walkways should be well maintained to eliminate clutter and spills. Stairwells often become temporary storage areas making hazardous for all personnel.

A well-kept shop is an essential part of an effective disaster and fire safety program. Dirty, cluttered aisles and floor space prevent a quick exit in the event of an emergency and increases the chance of fire.

**Personal Safety:**

The health and well-being of every employee is of vital importance. The active participation of each employee is mandatory in establishing a safe work environment. The company will keep the employees aware of required safety and health procedures and the employee will be expected to comply with the prescribed guidelines and procedures.

**Personal Protective Equipment:**

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Employees are required to wear all protective equipment at the proper times and in the proper environment. Failure to wear required protective equipment is cause for disciplinary action.

**Tool Use Technique:**

If the employee is unsure about the proper use of a tool or proper technique, ask for assistance before continuing.

**Eye Protection:**

Eye protection shall be worn at all times when under a vehicle, using grinders, buffers, cutting equipment, lathes, etc.

**Hand Protection:**

Gloves shall be worn to protect employee while handling chemicals, using razor blades, and when welding or cutting. The gloves should extend over the forearms to protect against sparks or chemical splash.

**Welding Hood:**

A welding hood shall be worn at all times when welding. Welding goggles shall be worn when using cutting torches.

**Footwear:**

Soft-soled shoes are prohibited. A steel or reinforced toe area is recommended. A non-skid sole is also recommended.

**Respirators:**

To help insure the health of its employees, Good Wheels asks that the following be adhered to:

Respirators are to be worn any time a technician is exposed to lead, volatile organic compounds, or any EPA listed airborne hazardous material. An approved respirator or NIOSH/OSHA approved dust mask is to be worn during any sanding or grinding of painted or primed surfaces. Use is extended to anyone exposed regardless of their distance from the point of contamination generation.

Cartridge respirators provide a high level of protection while allowing maximum mobility without impairing the ability to see. Cartridge respirators require the following:

Fit is a function of the seal on the perimeter of the respirator. Facial hair or a uniquely shaped face can impair the respirator's ability to form a seal. Check the fit of the respirator in place by breaking a capsule of ammonia or banana oil. Hold it at locations around the respirator while inhaling. If the capsule contents can be smelled, the respirator is not sealing properly and should not be worn until properly fit.

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Verify that the proper charcoal cartridge is being utilized for the exposure.

Respirators are to be stored in a sealed container. Respirators cannot distinguish paint solvents from atmosphere humidity. If the respirator is left exposed to shop air when not in use, it begins to absorb humidity diminishing the respirator's ability to absorb solvents. Sealed storage also protects the respirator from airborne contaminants.

Prior to the use of any respirator it is important to use an alcohol wipe to remove any trace of contamination on the respirator and to fully disinfect the respirator before use.

Respirators should be inspected prior to use for proper exhaust and inhalation valves, cartridge filters, headband adjustment and the overall condition.

**Horseplay:**

Horseplay is prohibited. Serious accidents and injuries have occurred as a result of practical jokes and thoughtless pranks played on unsuspecting workers.

**Lifting Technique:**

Use proper lifting techniques at all times when lifting objects. Bend knees to utilize leg power and get in proper position before lifting. Get assistance from fellow workers for heavy loads. Avoid twisting and awkward/jerky movements during a lift or while carrying objects.

**Push/Pull Torque:**

Use caution to no overexert when pushing, pulling or using a torque wrench. Watch hand clearance closely.

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**SHOP/FACILITY SAFETY****Shop Access:**

Access to the shops is restricted to shop personnel and management only. Signs shall be displayed to indicate that it is a restricted area.

**No Smoking:**

Smoking is prohibited in all shops. Signs shall be posted.

**Emergency Numbers:**

Emergency numbers shall be posted near the shop phone(s).

**Emergency Exits:**

Signs shall be posted indicating emergency exits.

**Fuel Island:**

The fuel island shall be inspected on a regular basis for defective or worn hoses and nozzles. A fire extinguisher will be kept on the fuel island at all times when the pumps are turned on.

**Exhaust Hoses:**

Hoses shall be used when vehicles are running and garage doors are closed. Hoses shall be inspected for wear or damage.

**Glass:**

Care shall be taken when handling or disposing of glass in the shop. Gloves shall be worn when glass is being handled.

**Siphoning:**

Siphoning by mouth is **PROHIBITED**. Proper pumps shall be used to extract gas or other fluids from tanks, barrels, etc.

**Flammables:**

Proper procedures shall be explained to shop employees for handling, storage and disposal.

**Batteries/Acid:**

Protective clothing including apron, gloves and safety glasses must be worn when filling batteries. Proper storage, handling and disposal of all batteries is mandatory. Check local and state requirements for disposal.

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**Jump Start Procedures:**

Employees shall be properly instructed in jump starting procedures, including cable connections and disconnections.

**Overhead Clearance:**

Caution should be exhibited to avoid striking head on bus mirrors or other projections in and around the shop.

**Overhead Doors:**

Overhead doors shall be all the way up or all the way down. Doors shall not be left in a partially open/closed position.

**Sharp Instruments:**

Razor blades and other sharp cutting objects shall be stored properly in a designated drawer or cabinet. Proper razor blade holder shall be used.

**Bus Movement:**

When vehicles are being moved for any reason, including for fueling, speed restrictions shall be followed. Shop personnel shall get assistance when backing, wear seat belts and drive with the service door closed. If anyone, including shop or management personnel are on board, they shall be properly seated and not standing in the step well area.

**Entry/Exit from Vehicles:**

Shop personnel shall not vault or jump into or out of a vehicle.

**Machines, Tools and Equipment:**

Preventative maintenance and proper care of machinery, equipment and tools is essential. Equipment and tools in disrepair pose unnecessary hazards. It is important to place them in their proper designated storage place after use.

**Jack Stands:**

Jack stands shall be used whenever the wheels are raised two inches or more off the ground. The vehicle will be lowered onto the jack stands and not suspending over them.

**Floor Jacks/Lifting Devices:**

Care should be taken to instruct all shop personnel in the proper use and positioning of floor jacks and other lifting devices.

**Equipment Guards:**

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Guards shall be installed and used on all equipment with belts or pulleys.

**Tire Cages/Inflation Devices:**

Instructions for mounting/dismounting tires shall be posted and strictly followed. Cages or safety inflation devices shall be used any time tires are being aired up.

**Tools:**

Tools shall be kept clean of grease and oil. The tool shall be properly selected for the job with proper hand position and technique used for the employee's protection. Tools shall be inspected regularly for defective conditions.

**Cords/Hoses:**

Air hoses, extension cords, drop lights, etc. shall be inspected regularly for worn or frayed condition. They shall be kept in a stored or hanging position when not in use. They shall be wiped clean after each use. All cords and electrical equipment shall have a grounded plug.

**Eyewash Stations:**

An eyewash station shall be provided and shall be located near a water supply.

**Fire Extinguishers/First Aid Kit:**

At a minimum one fire extinguisher shall be available on each shop wall. A first aid kit shall be displayed in the shop for easy access to shop employees. Both should be inspected on a regular basis (first aid kit supplies, fire extinguisher charge and condition). Both shall be labeled indicating their permanent location.

**Other Shop Equipment:**

The condition and cleanliness of all shop equipment shall be regularly inspected. Broken or worn equipment (ladders, hoses, stools) shall be replaced to eliminate the possibility of injury to an employee.

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**THE UNDERGROUND STORAGE TANK (UST) PROGRAM**

Due to the increasing amount of gasoline and diesel fuel in the nation's water supply, the Environmental Protection Agency (EPA) has set forth regulations that serve as a framework for state authorities to develop their own Underground Storage Tank (UST) program. If your state has an approved program you deal with the appropriate state agency such as the State Department of Environmental Quality (DEQ) or the State Department of Natural Resources (DNR). In the absence of an approved state program, the EPA administers the UST program.

**In the event of a suspected leak, contact the Regulatory Compliance Supervisor in the office immediately.**

Legal requirements are for notification of the state agency within 24 hours of a suspected leak and within 24 hours of a spill or overfill greater than 25 gallons. Attached is a reference sheet that breaks down the "phase-in" period for UST retrofit and the interim requirements.

EPA regulations divide UST's into three categories based on size. The three size divisions are:

- 550 gallons capacity or less
- 551 to 2000 gallons capacity
- 2001 gallons capacity or larger

USTs that contain heating oil for consumption on site and not being stored for resale are exempt from current UST regulation for leak detection, cathodic protection (corrosion protection), and spill/overfill protection.

When considering property with existing fuel facilities, keep in mind that EPA regulations can hold the user liable for a spill or leak, subsequent clean up and any fines separate from or in addition to the owner.

Using customer-owned or leased property does not exempt Good Wheels from liability. The company can be protected by having an environmental audit performed on the property before occupation.

**Leak Detection (2001 and Larger Tanks):**

One of the key elements of the UST program is the early detection of leaks. To accomplish this, the EPA has specific requirements including a "phase in" period for the addition of electronic leak detection.

USTs installed in 1981 or later can use a combination of tightness testing every five years and monthly inventory control. Inventory control involves sticking the tank daily and reconciling these measurements with product used or added to the tank. This method can only be used until the tank is 10 years old or until the "phase in" period for the installation of approved leak detection catches up with the tank. Tightness testing is an EPA approved method used to assess the integrity of the UST and its underground piping. The most common method involves the pressurization of the tank.

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All UST's installed for more than 10 years must combine annual tightness testing with monthly inventory control. Annual tightness testing and monthly inventory control are ongoing requirements until EPA approved electronic leak detection is installed. Electronic leak detection is any EPA-approved device that tests for product release into the environment on a continual basis. USTs of 2001 or greater capacity must have EPA approved electronic lead detection by 1998. Once approved leak detection is operational, tank tightness testing and monthly inventory monitoring are no longer required.

"Phase in" schedule for tightness testing on the installation of approved leak detection is as follows:

TANK INSTALLED

MUST HAVE LEAK DETECTION

Before 1965 or unknown  
1965-1969  
1970-1974  
1975-1979  
1980- Dec. 1988

December 1989  
December 1990  
December 1991  
December 1992  
December 1993

**Leak Detection (550 Gallons and Less):**

USTs of this size are not required to be retrofitted with electronic leak detection, and are not required to have tightness tests performed on them. USTs of this size need only be gauged daily and those measurements reconciled with product used and product added. These records must be kept indefinitely.

**Leak Detection (551 through 2000 Gallon Capacity):**

USTs of this size are not required to be retrofitted with electronic leak detection. You can combine annual tightness testing with inventory control. These records must be kept indefinitely.

In the event that a UST fails a tightness test, contact the Regulatory Compliance Supervisor at the home office immediately. A failed tightness test does not mean the tank is leaking; it simply indicates the situation needs investigation.

**Spill Overfill Protection:**

By December of 1999, all USTs of 2001 gallon capacity or larger must have EPA approved spill/overfill protection. Spill protection protects the environment from the spills that take place when the tanker hose is not properly drained before disconnection. The spill protection is usually a catch basin of several gallon capacity that catches overfill and directs it into the UST. Overfill protection is any EPA approved device that makes it impossible for the truck driver to overfill a UST.

**Cathodic Protection:**

By December of 1999, all steel USTs must have EPA approved sacrificial anodes added to the



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tank and any metal piping that is underground. Cathodic is protection against rust and corrosion.

**Who is Responsible:**

When possible, the tank owners should accept responsibility for their USTs and incur any expense associated with keeping them operational. If tank owners are resistant or refuse to accept their responsibility, deal with the proper chain of command to address the situation. The user of an UST can be fined up to \$1,000 per day for regulator non-compliance. All questions of contamination of site remediation are to be directed to the Regulatory Compliance Supervisor regardless of the level of personnel involved.

**UST Closure:**

USTs cannot be abandoned. USTs may be temporarily closed for up to one year. At the end of that time, they must be placed into active service compliant with current UST regulation of they must be decommissioned in accordance with State, Local and Federal regulations. To decommission a tank, contact the Regulator Compliance Supervisor. Any tanks place temporarily out of service must continue to meet current regulations for USTs.

**Reporting:**

A requirement for complying with the EPA is the compilation and maintenance of detailed records on all tanks that are owned, used or have in custody. This includes customer-owned tanks. Included herein is a UST survey form to be completed with as much detail and accuracy as possible. The EPA or state regulatory agency may call for this documented information. This form applies to all storage tanks larger than a 55 gallon barrel. A new survey form is needed for any change in tank status. The survey form is not limited to USTs and should include information on above-ground storage, including LP tanks. The survey form should be completed within 30 days of occupancy or within 30 days following a change in tank status and forwarded to the Regulatory Compliance Supervisor at the home office with a copy kept on file locally.

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**HAZARD COMMUNICATION STANDARD**

Effective May 23, 1988, it became many company's responsibility to comply with OSHA's Hazard Communication Standard. The Standard causes the company to make available to those employees exposed or potentially exposed to hazardous chemicals to material safety data sheets (MSDS) for such chemicals, to label all containers with appropriate hazard warnings, and to train employees on how to recognize, use and handle chemicals safely. The HCS establishes uniform requirements to make sure that the hazards of all chemicals produced, imported, or used within the United States are evaluated and the hazard information is transmitted to affected employers and employees.

**HCS File:**

The starting point for HCS compliance is a labeled Hazard Communication File that is kept in the office of the Operations Manager and a second copy shall be kept in the shop area. A third copy may be kept in the Dispatch office. This file is required during an OSHA inspection and shall include:

- List of all products stored, consumed or used on the property
- List of known hazardous materials
- Training documentation forms
- Original MSDS sheets
- Any other HCS related material

**Consumable Products Stored, Consumed or Used:**

Assemble the list of all products stored, consumed or used in the facility. This list should include such items as floor dry, oil, ether, antifreeze, paint, tire patch solvent, and gasoline. If in doubt, list it.

**Material Safety Data Sheets (MSDS):**

After the list of consumable products is assembled, request MSDS for each item on the list. It is the responsibility of the retailer to provide the MSDS upon request. The material safety data sheet is the means for information transmission from the chemical manufacturer to the user. Certain information must appear on every MSDS.

- The identity used on the label (the chemical and common names)
- If the substance is a mixture, all ingredients which are health hazards and in a concentration of one percent or more; for carcinogens (cancer causing), the concentration must be 0.1% or more.
- Physical and chemical characteristics of the chemical (such as vapor pressure, flash points)
- Physical hazards of the chemical
- Health hazards of the chemical
- Primary routes of entry (i.e., inhaling, ingested or absorbed through the skin)
- OSHA permissible exposure level, and any other exposure limit used or recommended by the manufacturer
- Whether the chemical is a carcinogen (known to cause cancer)

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**EPA/HAZARD COMMUNICATION****1. Objective:**

To formalize the policy of the company concerning the Hazard Communication Standard (Right to Know Law).

**2. Scope:**

Applies to all employees at all locations. Copies of the policy will be available in the office of the Operations Manager for review by all employees as well as local, state and federal agency representatives.

**3. Policy:**

To clarify and simplify location compliance efforts with the Hazard Communication Standard (Right to Know Law).

**4. Procedure:**

The following five steps must be carried out in order to be in compliance with federal regulations which went into effect May 23, 1988.

- a. Establish what hazardous materials are used at your facility and post this list for employees to review. Because gasoline, automotive paints and anti-freeze are either flammable or can cause harm if they are inhaled, ingested, or come into contact with skin or eyes, these materials should be considered hazardous.

As an example, gasoline, automotive paint products, and anti-freeze are all either flammable or can cause harm if they are inhaled, ingested, or come in contact with skin or eyes. Because of the potential threat to an employee's health presented by the products, they would be listed.

- b. Compile Material Safety Data Sheets (MSDS) for all the materials used in your workplace and make them accessible to your employees (see attachment #1). This is most easily accomplished by making a copy of all MSDS sheets and placing them in a marked notebook, available to employees in their lunch area. File the originals in a safe yet accessible location in case of an emergency. If you do not have the MSDS sheets request them immediately from your vendors. They are required by law to provide them to you and will be receptive to your request.
- c. Label all hazardous materials with appropriate warnings and identification tied to a MSDS. The standard requires that labels outline the hazard warnings and safe handling.

*NOTE: Manufacturers labels should suffice to assure compliance. In most cases, only those materials in unmarked containers will need any additional labeling.*

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*Bulk oil, used motor oil, anti-freeze and windshield washer solvent would be a few common examples.*

The Operations Manager or the designee will verify that all containers received for use at the contract will:

- Be clearly labeled as to the contents
  - Note the appropriate hazard warnings
  - List the name and address of the manufacturer
  - Manufacturers labels should suffice to assure compliance in most cases
- d. The Operations Manager or the designee will train all employees in proper procedures to protect themselves and others during the performance of their jobs. Training should be done during monthly staff meetings and should cover:
- Information on MSDS
  - Spill and leak procedures
  - Discussion of flammable materials
  - Proper use of fire extinguishers
  - Introduction of any new products
  - Cover proper use of safety equipment; i.e., safety glasses, respirators, gloves, etc.
  - Hazard Communication Standard
  - Safe welding procedures
  - What containers must be labeled
- e. The Operations Manager or the designee will document all steps taken to comply with the Hazard Communication Standard.
- Attendance and a brief description of the topics covered will be kept and filed along with the MSDS originals in the contract manager's office.

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**ATTACHMENT #1****LIST OF COMMON ITEMS IN OUR SHOPS TO REQUEST MSDS FOR**

Gasoline - both regular and no-lead  
Diesel Fuel  
Ether  
Propane  
Parts Cleaning Solvent  
Degreaser  
Car Wash Soaps  
Hand Soap  
Gasket Adhesives  
ATV Sealers  
Brake Materials  
Clutch Materials  
Oxygen  
Acetylene  
Argon  
Electrical Tape  
Welding Rods  
Brake Fluid  
Windshield Washer Solvent  
Anti-Freeze  
Motor Oil  
Transmission Fluid  
Grease (Chassis)  
Any Aerosols  
Batteries (Acid)  
Paint and all Paint Products  
Solder  
Flux  
Air Tool Oil  
Jack Oil  
Gear Grease  
Tire Patch Glue and Solvent

Generally speaking, any liquid, gas or item that is or might be turned into dust should have a MSDS on file and in the notebook. This list is not to be considered complete - it is to act solely as a starting point or checklist.

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ATTACHMENT A

4/10/2008

CURRENT VEHICLE INVENTORY FORM

| Unit # | Assigned To | Local      | Model Year | Vehicle Make and Type | Manufacturer Vehicle Identification Number | Tag Number | EXP. Date | GVWR   | Current Odometer | Fuel Type | FDOT Control No. / GWI | Passengers Amb. - W/C | Current Valve |
|--------|-------------|------------|------------|-----------------------|--------------------------------------------|------------|-----------|--------|------------------|-----------|------------------------|-----------------------|---------------|
| 1      | 5           | Training   | 1995       | Ford Aerostar         | 1FMCA11U8SZA40502                          | F974GG     | 06/30/09  | 5,650  | 256,433.0        | Gas       | GWI                    | 0                     | \$500         |
| 2      | 8           | Admin      | 1997       | Chevy Cavalier        | 1G1JC1247VM117682                          | 1585FT     | 06/30/09  | 3,125  | 108,186.0        | Gas       | GWI                    | 3 - Amb.              | \$1,400       |
| 3      | 9           | Long Dist. | 1999       | Mercury Sabal LS      | 1MEFM33UXXGU56572                          | 3579CS     | 06/30/09  | 4,250  | 198,374.0        | Gas       | GWI                    | 5 - Amb.              | \$700         |
| 4      | 10          | Long Dist. | 1995       | Chevy Sub.            | 3GNEC16K2SG107228                          | X76822     | 06/30/09  | 6,800  | 313,468.0        | Gas       | GWI                    | 7 - Amb.              | \$2,450       |
| 5      | 11          | Long Dist. | 1999       | Ford Taurus           | 1FAFP2U7WA165765                           | 1501VQ     | 06/30/09  | 3,170  | 181,727.0        | Gas       | GWI                    | 8 - Amb.              | \$700         |
| 6      | 12          | Long Dist. | 2006       | Ford Taurus           | 1FAFP53U56A135081                          | 688LWU     | 06/30/09  | 3,170  | 80,407.0         | Gas       | GWI                    | 8 - Amb.              | 4600          |
| 9      | 14          | Long Dist. | 2008       | Chevy Eldorado        | 1GBDV13W38D210447                          |            | 06/30/09  | 5,842  | 14,487.0         | Gas       | S. Conroy              | 3 & 1 WC              | \$68,500      |
| 10     | 15          | Long Dist. | 2008       | Chevy Eldorado        | 1GBDV13W68D211138                          |            | 06/30/09  | 5,842  | 23,154.0         | Gas       | S. Conroy              | 3 & 1 WC              | \$68,500      |
| 11     | 64          | ParaTrans  | 2001       | Dodge/Hi-Top          | 2B6LB31ZO1K538675                          | X75295     | 06/30/09  | 9,200  | 266,524.0        | Gas       | 93142                  | 11, or 4 & 2          | \$3,200       |
| 12     | 420         | ParaTrans  | 2006       | Chevy/Glaval Bus      | 1GBE4V1286F408277                          | X81772     | 06/30/09  | 17,500 | 125,714.0        | Diesel    | 94193                  | 14 or 10&2            | \$59,500      |
| 13     | 421         | ParaTrans  | 2006       | Chevy/Glaval Bus      | 1GBE4V1256F408320                          | X81774     | 06/30/09  | 17,500 | 117,470.0        | Diesel    | 94192                  | 14 or 10&2            | \$59,500      |
| 14     | 422         | ParaTrans  | 2006       | Chevy/Glaval Bus      | 1GBE4V1276F408495                          | X81773     | 06/30/09  | 17,500 | 115,969.0        | Diesel    | 94191                  | 14 or 10&2            | \$59,500      |
| 15     | 423         | ParaTrans  | 2006       | Chevy/Glaval Bus      | 1GBE4V1256F408513                          | X81770     | 06/30/09  | 17,500 | 141,052.0        | Diesel    | 94195                  | 12 or 8&3             | \$59,500      |
| 16     | 424         | ParaTrans  | 2006       | Chevy/Glaval Bus      | 1GBE4V1246F408650                          | X81771     | 06/30/09  | 17,500 | 111,056.0        | Diesel    | 94194                  | 14 or 10&2            | \$59,500      |
| 17     | 425         | ParaTrans  | 2006       | Chevy/Glaval Bus      | 1GBE4V1246F408762                          | X81775     | 06/30/09  | 17,500 | 109,593.0        | Diesel    | 94196                  | 12 or 8&3             | \$59,500      |
| 18     | 426         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1277F410684                          | X0210A     | 06/30/09  | 17,500 | 85,837.0         | Diesel    | 95134                  | 12 or 8&3             | \$68,500      |
| 19     | 427         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1237F411198                          | X0209A     | 06/30/09  | 17,500 | 110,919.0        | Diesel    | 95135                  | 12 or 8&3             | \$68,500      |
| 20     | 428         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1257F410991                          | X0208A     | 06/30/09  | 17,500 | 83,803.0         | Diesel    | 95136                  | 12 or 8&3             | \$68,500      |
| 21     | 429         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1297F411562                          | X0211A     | 06/30/09  | 17,500 | 102,668.0        | Diesel    | 95137                  | 12 or 8&3             | \$68,500      |
| 22     | 430         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1297F411497                          | X0214A     | 06/30/09  | 17,500 | 113,710.0        | Diesel    | 95138                  | 12 or 8&3             | \$68,500      |
| 23     | 431         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1227F411871                          | X1337A     | 06/30/09  | 17,500 | 84,649.0         | Diesel    | 95139                  | 12 or 8&3             | \$68,500      |
| 24     | 432         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1287F414646                          | X1376A     | 06/30/09  | 17,500 | 97,007.0         | Diesel    | Conroy                 | 12 or 8&3             | \$68,500      |
| 25     | 433         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1217F411698                          | X1377A     | 06/30/09  | 17,500 | 95,613.0         | Diesel    | 95140                  | 12 or 8&3             | \$68,500      |
| 26     | 434         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1297F414882                          | X1378A     | 06/30/09  | 17,500 | 36,093.0         | Diesel    | 95141                  | 12 or 8&3             | \$68,500      |
| 27     | 435         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1277F415027                          | X1380A     | 06/30/09  | 17,500 | 74,862.0         | Diesel    | 95142                  | 12 or 8&3             | \$68,500      |
| 28     | 436         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1277F415027                          | X1379A     | 06/30/09  | 17,500 | 91,510.0         | Diesel    | 95143                  | 12 or 8&3             | \$68,500      |
| 29     | 437         | ParaTrans  | 2007       | Chevy/Glaval Bus      | 1GBE4V1207F416424                          | X1381A     | 06/30/09  | 17,500 | 74,212.0         | Diesel    | 95144                  | 12 or 8&3             | \$68,500      |
| 30     | 438         | ParaTrans  | 2008       | Chevy/Glaval Bus      | 1GBE4V1907F424567                          | X7619A     | 06/30/09  | 17,500 | 38,160.0         | Diesel    | S. Conroy              | 12 or 8&3             | \$76,790      |
| 31     | 439         | ParaTrans  | 2008       | Chevy/Glaval Bus      | 1GBE4V19X7F424673                          | X7617A     | 06/30/09  | 17,500 | 47,264.0         | Diesel    | 95167                  | 12 or 8&3             | \$76,790      |
| 32     | 440         | ParaTrans  | 2008       | Chevy/Glaval Bus      | 1GBE4V1987F424896                          | X6908A     | 06/30/09  | 17,500 | 42,157.0         | Diesel    | 95168                  | 12 or 8&3             | \$76,790      |
| 33     | 441         | ParaTrans  | 2008       | Chevy/Glaval Bus      | 1GBE4V1907F424343                          | X7620A     | 06/30/09  | 17,500 | 40,274.0         | Diesel    | 95165                  | 12 or 8&3             | \$76,790      |
| 34     | 442         | ParaTrans  | 2008       | Chevy/Glaval Bus      | 1GBE4V1917F424402                          | X7618A     | 06/30/09  | 17,500 | 21,165.0         | Diesel    | 95166                  | 12 or 8&3             | \$76,790      |
| 35     | 443         | ParaTrans  | 2008       | Chevy/Glaval Bus      | 1GBE4V1947F426015                          | X0365B     | 06/30/09  | 17,500 | 22,195.0         | Diesel    | 95181                  | 10&2or8&3             | \$76,790      |
| 36     | 444         | ParaTrans  | 2008       | Chevy/Glaval Bus      | 1GBE4V1937F424871                          | X0364B     | 06/30/09  | 17,500 | 21,485.0         | Diesel    | 95182                  | 10&2or8&3             | \$76,790      |
| 37     | 445         | ParaTrans  | 2008       | Chevy/Glaval Bus      | 1GBE4V1987F426065                          | X0367B     | 06/30/09  | 17,500 | 28,308.0         | Diesel    | 95188                  | 10&2or8&3             | \$76,790      |

|    |     |           |      |      |                  |                   |        |          |        |           |        |       |           |          |
|----|-----|-----------|------|------|------------------|-------------------|--------|----------|--------|-----------|--------|-------|-----------|----------|
| 38 | 446 | ParaTrans | Lee  | 2008 | Chevy/Glaval Bus | 1GBE4V1967F426095 | X0366B | 06/30/09 | 17,500 | 25,350.0  | Diesel | 95189 | 10&2or8&3 | \$76,790 |
| 39 | 447 | ParaTrans | Lee  | 2008 | Chevy/Glaval Bus | 1GBE4V1917F426263 | X0369B | 06/30/09 | 17,500 | 24,113.0  | Diesel | 95190 | 10&2or8&3 | \$76,790 |
| 40 | 468 | ParaTrans | Lee  | 1996 | Ford/ Conv SD    | 1FDLE40F0THB34809 | X68652 | 06/30/09 | 14,050 | 356,075.0 | Diesel | GW1   | 14&2      | \$600    |
| 41 | 478 | ParaTrans | LB   | 2001 | Ford/ Conv N.B.  | 1FDWE35F81HB38572 | X68640 | 06/30/09 | 10,700 | 316,125.0 | Diesel | GW1   | 10 / 2    | \$1,500  |
| 42 | 479 | ParaTrans | Clew | 2001 | Ford/ Conv N.B.  | 1FDWE35FX1HB38573 | X68639 | 06/30/09 | 10,700 | 351,607.0 | Diesel | GW1   | 10 / 2    | \$1,500  |
| 43 | 480 | ParaTrans | Clew | 2001 | Ford/ Conv N.B.  | 1FDWE35F1HB38574  | X68641 | 06/30/09 | 10,700 | 358,473.0 | Diesel | GW1   | 10 / 2    | \$1,500  |
| 44 | 481 | ParaTrans | Clew | 2001 | Ford/ Conv N.B.  | 1FDWE35F31HB38575 | X68638 | 06/30/09 | 10,700 | 319,166.0 | Diesel | GW1   | 10 / 2    | \$1,500  |

CURRENT VEHICLE INVENTORY FORM

4/10/2008

| Unit # | Assigned | Loca      | Model | Year | Vehicle Make and Type | Manufacturer Vehicle Identification Number | Tag Number | EXP Date | GVWR   | Current Odometer | Fuel Type | FDOT Control No. / GWI | Passengers Amb. - W/C | Current Valve |
|--------|----------|-----------|-------|------|-----------------------|--------------------------------------------|------------|----------|--------|------------------|-----------|------------------------|-----------------------|---------------|
| 45     | 482      | ParaTrans | Lee   | 2001 | Ford/ Conv N.B.       | 1FDWE35F51HB38576                          | X68637     | 06/30/09 | 10,700 | 390,413.0        | Diesel    | GW1                    | 10 / 2                | \$1,500       |
| 46     | 483      | ParaTrans | LB    | 2002 | Ford/ Conv N.B.       | 1FDWE35F62HB07578                          | X2987A     | 06/30/09 | 10,700 | 315,924.0        | Diesel    | 94115                  | 12 / 2                | \$2,750       |
| 47     | 484      | ParaTrans | Lee   | 2002 | Ford/ Conv N.B.       | 1FDWE35F82HB07579                          | X3003A     | 06/30/09 | 10,700 | 268,501.0        | Diesel    | 94116                  | 10 / 2                | \$2,750       |
| 48     | 485      | ParaTrans | Lee   | 2002 | Ford/Hi Top Van       | 1FTSS34LX2HB23379                          | X67045     | 06/30/09 | 4,267  | 231,930.0        | Gas       | 94117                  | 1 Sh., 2 Amb          | \$2,000       |
| 49     | 486      | ParaTrans | Clew  | 2002 | Chevy/Cutaway         | 1GBJG31F421229402                          | X74940     | 06/30/09 | 12,300 | 224,592.0        | Diesel    | 94124                  | 14 / 2                | \$7,500       |
| 50     | 487      | ParaTrans | Lee   | 2002 | Chevy/Cutaway         | 1GBJG31F821229466                          | X74089     | 06/30/09 | 12,300 | 239,330.0        | Diesel    | 94125                  | 14 / 2                | \$7,500       |
| 51     | 489      | ParaTrans | Lee   | 2002 | Chevy/Cutaway         | 1GBJG31F721229992                          | X3882A     | 06/30/09 | 12,300 | 207,030.0        | Diesel    | 94127                  | 14 / 2                | \$7,500       |
| 52     | 490      | ParaTrans | Lee   | 2003 | Ford/ Conv N.B.       | 1FDWE35F63HB66227                          | X70681     | 06/30/09 | 10,700 | 206,947.0        | Diesel    | Conroy                 | 10 / 2                | \$7,500       |
| 53     | 491      | ParaTrans | Lee   | 2003 | Ford/ Conv N.B.       | 1FDWE34F83HB66228                          | X68656     | 06/30/09 | 10,700 | 230,989.0        | Diesel    | Conroy                 | 10 / 2                | \$7,500       |
| 54     | 492      | ParaTrans | Clew  | 2003 | Ford/ Conv            | 1FDWE35F33HB79842                          | X42XWB     | 06/30/09 | 10,700 | 273,003.0        | Diesel    | 94157                  | 10 / 2                | \$7,500       |
| 55     | 493      | ParaTrans | Lee   | 2004 | Ford/ Conv            | 1FDWE35PX4HA8879                           | X41XWB     | 06/30/09 | 10,700 | 103,304.0        | Diesel    | 94158                  | 10 / 2                | \$12,500      |
| 56     | 494      | ParaTrans | Clew  | 2006 | Ford/ Conv            | 1FDWE35P76HA88487                          | X82115     | 06/30/09 | 11,500 | 112,108.0        | Diesel    | Conroy                 | 10 / 2                | \$23,000      |
| 57     | 495      | ParaTrans | Clew  | 2006 | Ford/ Conv            | 1FDWE35006DA85714                          | X823642    | 06/30/09 | 11,500 | 136,986.0        | Diesel    | Conroy                 | 10 / 2                | \$23,000      |
| 58     | 501      | Sch-Bus   | Lee   | 1992 | Ford S.B.             | 1FDXJ75C4PVA07095                          | X68672     | 06/30/09 | 26,500 | 281,143.0        | Diesel    | GW1                    | 65                    | \$2,500       |
| 59     | 502      | Sch-Bus   | Lee   | 1992 | Ford S.B.             | 1FDXJ75COPVA07305                          | X68673     | 06/30/09 | 26,500 | 252,234.0        | Diesel    | GW1                    | 65                    | \$2,500       |
| 60     | 701      | Sch-Bus   | Lee   | 2007 | GMC/TITAN             | 1GBJ5V1937F418838                          | X1388A     | 06/30/09 | 26,500 | 33,588.0         | Diesel    | GW1                    | 33                    | \$85,000      |
| 61     | 702      | Sch-Bus   | Lee   | 2008 | Blue Bird             | 1BAKFCPA08F254107                          | 310IAK     | 06/30/09 | 26,500 | 19,003.0         | Diesel    | GW1                    | 65                    | \$75,000      |
| 62     | 703      | Sch-Bus   | Lee   | 2008 | Blue Bird             | 1BAKFCPA28F254108                          | 311IAK     | 06/30/09 | 26,500 | 22,713.0         | Diesel    | GW1                    | 65                    | \$75,000      |
| 63     | 704      | Sch-Bus   | Lee   | 2008 | Blue Bird             | 1BAKFCPA18F254116                          | R-02994C   | 06/30/09 | 26,500 | 13,052.0         | Diesel    | GW1                    | 65                    | \$79,000      |
|        |          |           |       |      |                       |                                            |            |          |        |                  |           |                        | 293                   | \$2,456,550   |

Attachment B

## SHOP/VEHICLE AUDIT SHEETS

Date \_\_\_\_\_  
 Mileage \_\_\_\_\_  
 1st Check \_\_\_\_\_  
 Recheck \_\_\_\_\_

| SHOP                       |          |                 | BUSES                           |          |                 |
|----------------------------|----------|-----------------|---------------------------------|----------|-----------------|
| ITEM                       | APPROVED | NEEDS ATTENTION | ITEM                            | APPROVED | NEEDS ATTENTION |
| <b>1. SHOP SAFETY</b>      |          |                 | <b>1. INTERIOR</b>              |          |                 |
| A. First Aid Equipment     |          |                 | A. Seat Belts (Driver)          |          |                 |
| B. Fire Extinguisher       |          |                 | B. Clutch Adjustment            |          |                 |
| C. Eye Wash Station        |          |                 | C. Emergency Brake Adjustment   |          |                 |
| D. Storage of Flammables   |          |                 | D. Gauges                       |          |                 |
| E. No Smoking Signs        |          |                 | E. Hi Low Indicator             |          |                 |
| F. Tire Reserve            |          |                 | F. Switches (2 speeds)          |          |                 |
| G. Power Cords             |          |                 | G. Entrance Door                |          |                 |
| H. Grinder Shields         |          |                 | H. Transmission Cover Bolts     |          |                 |
| I. Exit Signs              |          |                 | I. Low Warning Device           |          |                 |
| J. Tools Properly Stored   |          |                 | J. Loose Seats                  |          |                 |
| K. Dust Masks              |          |                 | K. Broken Foam                  |          |                 |
| L. Other                   |          |                 | L. Upholstery                   |          |                 |
| <b>2. SHOP CLEANLINESS</b> |          |                 | M. Clean                        |          |                 |
| A. Aisles/Stairs/Walls     |          |                 | N. Emergency Equipment          |          |                 |
| B. Work Benches            |          |                 | Fire Extinguisher F/A           |          |                 |
| C. Ceilings                |          |                 | Triangle Flares                 |          |                 |
| D. Floors                  |          |                 | O. Driver Window Operable       |          |                 |
| E. Lights/Ventilation      |          |                 | P. Floor Covering               |          |                 |
| F. Bathrooms               |          |                 | Q. Emergency Door Buzzer        |          |                 |
| G. Trash Containers        |          |                 | R. Lift Operable                |          |                 |
| H. Waste Oil Containers    |          |                 | S. Cables-Choke-Throttle        |          |                 |
| I. Parking Lots            |          |                 | T. Other                        |          |                 |
| J. Work Areas              |          |                 | <b>2. EXTERIOR</b>              |          |                 |
| K. Break Area              |          |                 | A. Mirrors                      |          |                 |
| L. Parts Room              |          |                 | B. Lens                         |          |                 |
| M. Outside Shop Area       |          |                 | C. Wheel Cover                  |          |                 |
| N. Other                   |          |                 | D. Hinges Lubed                 |          |                 |
| O. Other                   |          |                 | E. Paint                        |          |                 |
| <b>3. SHOP EQUIPMENT</b>   |          |                 | F. Lettering                    |          |                 |
| A. Proper Equipment        |          |                 | G. Reflectors                   |          |                 |
| B. Equipment Condition     |          |                 | H. Body Damage                  |          |                 |
| C. Grinding Stones         |          |                 | I. Rear Door Operation          |          |                 |
| D. Air Hoses               |          |                 | J. Tire Pressure                |          |                 |
|                            |          |                 | K. Wiper Blades                 |          |                 |
|                            |          |                 | L. Broken Glass or Fogged Glass |          |                 |



| ITEM                                        | APPROVED | NEEDS<br>ATTENTION | ITEM                                  | APPROVED | NEEDS<br>ATTENTION |
|---------------------------------------------|----------|--------------------|---------------------------------------|----------|--------------------|
| E. All Pulleys Guarded                      |          |                    | M. Exhaust End                        |          |                    |
| F. Air Compressor<br>Serviced               |          |                    | N. Other                              |          |                    |
| G. Equipment<br>Maintenance                 |          |                    | 3. ENGINE COMP.                       |          |                    |
| H. Other                                    |          |                    | A. Hoses & Routing                    |          |                    |
| 4. BULLETINS<br>POSTED                      |          |                    | B. Fluid Leaks                        |          |                    |
| A. No Tool Insurance                        |          |                    | C. Air Cleaner & Tubing               |          |                    |
| B. Hazard Materials<br>Specification Sheets |          |                    | D. Battery Connections                |          |                    |
| C. Hazard Materials<br>Labels               |          |                    | E. Belts (Conditions)                 |          |                    |
| D. Flammable<br>Materials                   |          |                    | F. Pollution Device                   |          |                    |
| E. Tire Chart                               |          |                    | G. Hood Hinges                        |          |                    |
| F. Other                                    |          |                    | H. Visual Inspection -Leaks           |          |                    |
| 5. UNSAFE WORK<br>PRACTICE.                 |          |                    | 4. UNDERNEATH<br>VEHICLE              |          |                    |
| A. Excess Speed<br>on Lot                   |          |                    | A. Greased Front End<br>Joints        |          |                    |
| B. Improper Equipment<br>Use                |          |                    | B. Exhaust Hangers/Pipes              |          |                    |
| C. Improper Lifting                         |          |                    | C. Broken Springs                     |          |                    |
| D. Smoking in Shops                         |          |                    | D. Shocks Loose/Leaking               |          |                    |
| E. Horseplay                                |          |                    | E. U-joints                           |          |                    |
| F. Not Using<br>Jack Stands                 |          |                    | F. Floor Cracks                       |          |                    |
| G. Other                                    |          |                    | G. Body Bolts                         |          |                    |
| H. Other                                    |          |                    | H. Leaks<br>Differential/Transmission |          |                    |
| COMMENTS:                                   |          |                    | I. Wheel Leaks                        |          |                    |
|                                             |          |                    | J. Brake Hoses - Cracks,<br>Bubbles   |          |                    |
|                                             |          |                    | K. Brake Inspection                   |          |                    |
|                                             |          |                    | 5. PAPER WORK                         |          |                    |
|                                             |          |                    | A. Files (Maintenance<br>Personnel)   |          |                    |
|                                             |          |                    | B. P. M. Calendar                     |          |                    |
|                                             |          |                    | C. Maintenance<br>Bulletin Book       |          |                    |
|                                             |          |                    | D. Proper Maintenance<br>Forms        |          |                    |
|                                             |          |                    | E. Other                              |          |                    |
|                                             |          |                    |                                       |          |                    |

Good Wheels

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Attachment D

GOOD WHEELS, INC.  
VEHICLE INSPECTION SHEET (Preventive Maintenance)  
**A** Inspection (Every 5,000 Miles)

|                                                                            |               |           |              |          |                 |
|----------------------------------------------------------------------------|---------------|-----------|--------------|----------|-----------------|
| Vehicle Number:                                                            | Date:         | Odometer: |              | R.O. #:  |                 |
| Inspection Items                                                           | Comments      | O K       | Needs Repair | Repaired | Schedule Repair |
| <b>Check for D.V.I. Complaints</b>                                         |               |           |              |          |                 |
| Road Test (10Miles) Required                                               |               |           |              |          |                 |
| Brake Performance                                                          |               |           |              |          |                 |
| Engine Performance                                                         |               |           |              |          |                 |
| Transmission Performance                                                   |               |           |              |          |                 |
| Steering, Handling,                                                        |               |           |              |          |                 |
| Fast Idle Operation                                                        |               |           |              |          |                 |
| <b>Outside Vehicle</b>                                                     |               |           |              |          |                 |
| Check Exterior Lighting, Wiper Blades<br>Tail, Brake, Turn, Clips, Back-up |               |           |              |          |                 |
| Check all Fluid Levels, Lubricate Chassis                                  |               |           |              |          |                 |
| Change Oil & Oil Filter                                                    |               |           |              |          |                 |
| Check Charging System                                                      |               |           |              |          |                 |
| Check Cooling and Heating Systems                                          |               |           |              |          |                 |
| Check A/C System, Clean Filters                                            |               |           |              |          |                 |
| Check Belts, Pulleys, Hoses, Connections                                   |               |           |              |          |                 |
| Check Exhaust System                                                       |               |           |              |          |                 |
| Check Front Suspension                                                     |               |           |              |          |                 |
| Check Rear Suspension, Drive Line                                          |               |           |              |          |                 |
| Check Brake System                                                         | Front<br>Rear |           |              |          |                 |
| Check Tire Wear, Tread Depth<br>(Replace Tire/s if under 4/32's)           |               | U/F       | R/F          | RR/I     | LR/O            |
| Check and Correct Tire Pressure                                            |               |           |              |          |                 |
| Note Body Damage, Paint, Signage                                           |               |           |              |          |                 |
| License Plate, Sticker                                                     |               |           |              |          |                 |

| Inspection Items                                    | Comments | O K | Needs Repair | Repaired | Schedule Repair | Mechanic's Init. |
|-----------------------------------------------------|----------|-----|--------------|----------|-----------------|------------------|
| <b>Inside Vehicle</b>                               |          |     |              |          |                 |                  |
| Driver's Seat, Seat Belt                            |          |     |              |          |                 |                  |
| Passenger's Seating                                 |          |     |              |          |                 |                  |
| Passenger's Seat Belts, Operation                   |          |     |              |          |                 |                  |
| Emergency Exits, Window Glass                       |          |     |              |          |                 |                  |
| Windshield Wipers Service Door                      |          |     |              |          |                 |                  |
| Emergency Equipment                                 |          |     |              |          |                 |                  |
| Fire Extinguisher, Triangles,                       |          |     |              |          |                 |                  |
| First Aid Kit, Spill Kit, Accident package          |          |     |              |          |                 |                  |
| Registration & Insurance Card                       |          |     |              |          |                 |                  |
| Stanchions, Grab Rails, Step Well                   |          |     |              |          |                 |                  |
| Interior Lighting, mirrors, inside & outside        |          |     |              |          |                 |                  |
| Warning Systems                                     |          |     |              |          |                 |                  |
| <b>Lift Equipment &amp; Operation (if equipped)</b> |          |     |              |          |                 |                  |
| Two Complete Cycles, Safety Switches                |          |     |              |          |                 |                  |
| Sercument Straps, Lap & Harness Belts               |          |     |              |          |                 |                  |
| Lubricate, Check Fluid Level                        |          |     |              |          |                 |                  |
| Clean out Floor Mounting                            |          |     |              |          |                 |                  |
| <b>Air Brake System (if equipped)</b>               |          |     |              |          |                 |                  |
| Check Lines, Chambers, Connections                  |          |     |              |          |                 |                  |
| Check Free Play and Adjust                          |          |     |              |          |                 |                  |
| Static & Active Leak Down Tests (record)            |          |     |              |          |                 |                  |
| Check & Record Cut-In & Cut-Out Press.              |          |     |              |          |                 |                  |
| Cut-In Cut-Out                                      |          |     |              |          |                 |                  |
| Road Test (Required)                                |          |     |              |          |                 |                  |

Mechanic's Signature

Maintenance Director's Signature

GOOD WHEELS, INC.  
VEHICLE INSPECTION SHEET (Preventive Maintenance)

B

Inspection (Every 10,000 Miles)

| Vehicle Number:                                                            | Date:    | Odometer: |              | R.O. #   |                 |                  |
|----------------------------------------------------------------------------|----------|-----------|--------------|----------|-----------------|------------------|
| Inspection Items                                                           | Comments | O.K.      | Needs Repair | Repaired | Schedule Repair | Mechanic's Init. |
| <b>Check for D.V.I. Complaints</b>                                         |          |           |              |          |                 |                  |
| Road Test (10 Miles) Required                                              |          |           |              |          |                 |                  |
| Brake Performance                                                          |          |           |              |          |                 |                  |
| Engine Performance                                                         |          |           |              |          |                 |                  |
| Transmission Performance                                                   |          |           |              |          |                 |                  |
| Steering, Handling,                                                        |          |           |              |          |                 |                  |
| Fast Idle Operation                                                        |          |           |              |          |                 |                  |
| <b>Outside Vehicle</b>                                                     |          |           |              |          |                 |                  |
| Check Exterior Lighting, Wiper Blades<br>Tail, Brake, Turn, Clips, Back-up |          |           |              |          |                 |                  |
| Check all Fluid Levels, Lubricate Chassis                                  |          |           |              |          |                 |                  |
| Change Oil and Oil & Air Filters                                           |          |           |              |          |                 |                  |
| Check Charging System Clean Batteries,<br>cables & connections             |          |           |              |          |                 |                  |
| Check Cooling and Heating Systems                                          |          |           |              |          |                 |                  |
| Check A/C System, Clean Filters                                            |          |           |              |          |                 |                  |
| Check Belts, Pulleys, Hoses, Connect.                                      |          |           |              |          |                 |                  |
| Check Exhaust System                                                       |          |           |              |          |                 |                  |
| Check Front Suspension                                                     |          |           |              |          |                 |                  |
| Check Rear Suspension, Drive Line                                          |          |           |              |          |                 |                  |
| Check Brake System                                                         |          |           |              |          |                 |                  |
| Check Tire Wear, Tread Depth<br>(Replace Tire/s if under 4/32's)           |          |           |              |          |                 |                  |
| Check and Correct Tire Pressure                                            |          |           |              |          |                 |                  |
| Note Body Damage, Paint, Signage                                           |          |           |              |          |                 |                  |
| License Plate, Sticker                                                     |          |           |              |          |                 |                  |

| Inspection Items                                                   | Comments | O K | Needs Repair | Repaired | Schedule Repair | Mechanic's Init |
|--------------------------------------------------------------------|----------|-----|--------------|----------|-----------------|-----------------|
| <b>Inside Vehicle</b>                                              |          |     |              |          |                 |                 |
| Driver's Seat, Seat Belt                                           |          |     |              |          |                 |                 |
| Passenger's Seating                                                |          |     |              |          |                 |                 |
| Passenger's Seat Belts, Operation                                  |          |     |              |          |                 |                 |
| Emergency Exits, Window Glass                                      |          |     |              |          |                 |                 |
| Windshield Wipers Service Door                                     |          |     |              |          |                 |                 |
| <b>Emergency Equipment</b>                                         |          |     |              |          |                 |                 |
| Fire Extinguisher, Triangles,                                      |          |     |              |          |                 |                 |
| First Aid Kit, Spill Kit, Accident package                         |          |     |              |          |                 |                 |
| Registration & Insurance Card                                      |          |     |              |          |                 |                 |
| Stanchions, Grab Rails, Step Well                                  |          |     |              |          |                 |                 |
| Interior Lighting;<br>mirrors, inside & outside<br>Warning Systems |          |     |              |          |                 |                 |
| <b>Lift Equipment &amp; Operation (If equipped)</b>                |          |     |              |          |                 |                 |
| Two Complete Cycles, Safety Switches                               |          |     |              |          |                 |                 |
| Sercument Straps, Lap & Harness Belts                              |          |     |              |          |                 |                 |
| Lubricate, Check Fluid Level                                       |          |     |              |          |                 |                 |
| Clean out Floor Mounting                                           |          |     |              |          |                 |                 |
| <b>Air Brake System (If equipped)</b>                              |          |     |              |          |                 |                 |
| Check Lines, Chambers, Connections                                 |          |     |              |          |                 |                 |
| Check Free Play and Adjust                                         |          |     |              |          |                 |                 |
| Static & Active Leak Down Tests (record)                           |          |     |              |          |                 |                 |
| Check & Record Cut-In & Cut-Out Press.                             |          |     |              |          |                 |                 |
| Cut-In      Cut-Out                                                |          |     |              |          |                 |                 |
| Road Test (10Miles) Required                                       |          |     |              |          |                 |                 |

Mechanic's Signature

Maintenance Director's Signature

GOOD WHEELS, INC.  
VEHICLE INSPECTION SHEET (Preventive Maintenance)

C

Inspection (Every 30,000 Miles)

| Vehicle Number:                                             | Date:    | Odometer: |     |      |      | R.O. #:   |
|-------------------------------------------------------------|----------|-----------|-----|------|------|-----------|
| Inspection Items                                            | Comments |           |     |      |      |           |
| <b>Check for D.V.I. Complaints</b>                          |          |           |     |      |      |           |
| Road Test (10Miles) Required                                |          |           |     |      |      |           |
| Brake Performance                                           |          |           |     |      |      |           |
| Engine Performance                                          |          |           |     |      |      |           |
| Transmission Performance                                    |          |           |     |      |      |           |
| Steering, Handling,                                         |          |           |     |      |      |           |
| Fast Idle Operation                                         |          |           |     |      |      |           |
| <b>Outside Vehicle</b>                                      |          |           |     |      |      |           |
| Check Exterior Lighting, Wiper Blades                       |          |           |     |      |      |           |
| Tail, Brake, Turn, Clips, Back-up                           |          |           |     |      |      |           |
| Check all Fluid Levels, Lubricate Chassis                   |          |           |     |      |      |           |
| Change Oil & Oil, Air, Fuel Filters                         |          |           |     |      |      |           |
| Check Charging System Clean Batteries, cables & connections |          |           |     |      |      |           |
| T-Tech Transmission                                         |          |           |     |      |      |           |
| Check Cooling and Heating Systems                           |          |           |     |      |      |           |
| Check A/C System, Clean Filters                             |          |           |     |      |      |           |
| Check Belts, Hoses, Connections                             |          |           |     |      |      |           |
| Check Exhaust System                                        |          |           |     |      |      |           |
| Check Front Suspension                                      |          |           |     |      |      |           |
| Check Rear Suspension, Drive Line                           |          |           |     |      |      |           |
| Pull Wheels, Check Brakes                                   |          |           |     |      |      |           |
| Check Tire Wear, Tread Depth                                |          | U/F       | R/F | RR/O | RR/I | LR/O LR/I |
| (Replace Tire/s if under 4/32 s)                            |          |           |     |      |      |           |
| Check and Correct Tire Pressure                             |          |           |     |      |      |           |
| Note Body Damage, Paint, Signage                            |          |           |     |      |      |           |
| License Plate, Sticker                                      |          |           |     |      |      |           |

| Inspection Items                                                   | Comments | O K | Needs Repair | Repaired | Schedule Repair | Mechanic's Init. |
|--------------------------------------------------------------------|----------|-----|--------------|----------|-----------------|------------------|
| <b>Inside Vehicle</b>                                              |          |     |              |          |                 |                  |
| Driver's Seat, Seat Belt                                           |          |     |              |          |                 |                  |
| Passenger's Seating                                                |          |     |              |          |                 |                  |
| Passenger's Seat Belts, Operation                                  |          |     |              |          |                 |                  |
| Emergency Exits, Window Glass                                      |          |     |              |          |                 |                  |
| Windshield Wipers Service Door                                     |          |     |              |          |                 |                  |
| Emergency Equipment                                                |          |     |              |          |                 |                  |
| Fire Extinguisher, Triangles,                                      |          |     |              |          |                 |                  |
| First Aid Kit, Spill Kit, Accident package                         |          |     |              |          |                 |                  |
| Registration & Insurance Card                                      |          |     |              |          |                 |                  |
| Stanchions, Grab Rails, Step Well                                  |          |     |              |          |                 |                  |
| Interior Lighting;<br>mirrors, inside & outside<br>Warning Systems |          |     |              |          |                 |                  |
| <b>Lift Equipment &amp; Operation (if equipped)</b>                |          |     |              |          |                 |                  |
| Two Complete Cycles                                                |          |     |              |          |                 |                  |
| Sercurment Straps, Lap & Harness Belts                             |          |     |              |          |                 |                  |
| Lubricate, Check Fluid Level                                       |          |     |              |          |                 |                  |
| Clean out Floor Mounting                                           |          |     |              |          |                 |                  |
| <b>Air Brake System (if equipped)</b>                              |          |     |              |          |                 |                  |
| Check Lines, Chambers, Connections                                 |          |     |              |          |                 |                  |
| Check Free Play and Adjust                                         |          |     |              |          |                 |                  |
| Static & Active Leak Down Tests (record)                           |          |     |              |          |                 |                  |
| Check & Record Cut-In & Cut-Out Press.                             |          |     |              |          |                 |                  |
| Cut-In      Cut-Out                                                |          |     |              |          |                 |                  |
| Road Test (10Miles) Required                                       |          |     |              |          |                 |                  |

\_\_\_\_\_  
Maintenance Director's Signature

\_\_\_\_\_  
Mechanic's Signature



Attachment E



|                                                                                                                                                                                                                                                                                                                                                                |             |                                |             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------|-------------|
| <b>VEHICLE ROAD FAILURE REPORT</b>                                                                                                                                                                                                                                                                                                                             |             | Date                           | Time        |
| Vehicle Number                                                                                                                                                                                                                                                                                                                                                 | Type        | Make                           |             |
| Driver                                                                                                                                                                                                                                                                                                                                                         |             | Phone Number                   |             |
| Reason for call:                                                                                                                                                                                                                                                                                                                                               |             |                                |             |
| Accident                                                                                                                                                                                                                                                                                                                                                       | Won't Start | Lift                           | Flat Tire/s |
|                                                                                                                                                                                                                                                                                                                                                                |             |                                | Brakes      |
| Passengers on Board                                                                                                                                                                                                                                                                                                                                            | W/C         | Ambi                           | Other       |
| Location                                                                                                                                                                                                                                                                                                                                                       |             |                                |             |
| Action Taken:                                                                                                                                                                                                                                                                                                                                                  |             |                                |             |
| Repaired by Phone: <input type="checkbox"/> Y <input type="checkbox"/> N<br>Exchange Vehicle <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> W/<br>Vehicle Towed <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> To:<br>Repaired on Route: <input type="checkbox"/> Y <input type="checkbox"/> N |             |                                |             |
| Dispatch Notified: <input type="checkbox"/> Y <input type="checkbox"/> N                                                                                                                                                                                                                                                                                       |             | Time: <input type="checkbox"/> |             |
| Who took call:                                                                                                                                                                                                                                                                                                                                                 |             |                                |             |

Attachment K

09029

10075 Barvaria Road S.E.  
Ft. Myers, FL 33913  
239-768-6183

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Good Wheels, Inc.

GWINVOC.XLS

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## **APPENDIX C:**

### **Accident Procedures**

## *Appendix C*

### **Accident Procedures:**

1. Driver reports an accident or incident to the dispatcher.
2. In every case, driver will follow the steps listed below:
  - A. Secure the vehicle
  - B. Check for injuries, if any call 911 immediately
  - C. Call Dispatch
  - D. Report that you are involved in an emergency and give the following information:
    - Your location
    - Vehicle number
    - Your name
    - Any injuries
    - The type of assistance you need
  - A. Protect the Scene
  - B. Only move the vehicle if it is in danger or if you are told to by the police
  - C. Assist the passenger(s), get names, and seating locations
  - D. DO NOT discuss fault with anyone
  - E. Fill out a written incident/accident report
  - F. Follow instructions from your supervisor.
3. Dispatcher obtains the following:
  - A. Name of Driver
  - B. Location
  - C. Severity
  - D. Number of Clients on Board
  - E. Vehicle Number involved
4. Using only the following notification order, Dispatcher notifies at least one of the following people:
  - A. Gordon Deadmond, Director of Maintenance
    - Walkie-Talkie: Admin. 3
    - Cell: 239-292-8492
    - Phone: 239-768-6183
  - B. Rob Bowman, Vice President of Operations
    - Walkie-Talkie: Admin. 2
    - Cell: 239-292-8495
    - Phone: 239-768-2900 ext. 225
  - C. Michel Harris, Human Resources Director
    - Walkie-Talkie: Admin. 4
    - Cell: 239-292-8401
    - Phone: 239-768-7181
  - D. Gary Bryant, President/CEO
    - Walkie-Talkie: Admin. 3
    - Cell: 239-209-1479

Phone: 239-768-6184

5. Dispatcher notifies Police and/or EMS. If there is a vehicle accident involving possible or potential injuries, EMS should always be sent. If there is an incident in a vehicle, such as someone falling out of seat, one of the people named above, based on information provided by the driver, will determine if EMS needs to be called.

Police - EMS Phone Numbers:

|                      |                |             |
|----------------------|----------------|-------------|
| Lee County           | 911            |             |
| Hendry County Police | (863) 674-4060 | LaBelle     |
| Hendry County EMS    | (863) 675-1537 | LaBelle     |
| Glades County Police | (863) 983-1440 | Clewiston   |
|                      | (863) 946-0100 | Moore Haven |

6. A supervisor will be dispatched to the scene as needed. Once there, the supervisor will take charge of the situation and decide what action needs to be taken. Consideration will always be given to notifying the Chair of the Good Wheels Board of Directors. The on scene supervisor will determine if the driver needs to report for a drug and alcohol test.

#### **Break Down Procedures:**

In the event a vehicle has a mechanical breakdown, every effort should be made to get the vehicle out of the flow of traffic. If possible, pull into the nearest parking lot or onto a side street.

When driver is stopped in the flow of traffic, follow the steps below:

1. Driver shall call the dispatcher and give location, what happened, and the number of passengers on board.
2. Driver shall engage flashing hazard lights and set out reflective triangles behind vehicle - one, even with the driver's side of the vehicle about ten feet to the rear. The second, in the center of the vehicle about fifty feet to the rear. The third, near the road side shoulder about one hundred feet to the rear. This pattern is designed to guide vehicles around your vehicle.
2. Driver is to remain with the vehicle until it is repaired or replaced.
3. Do not leave passengers unattended.

In all cases, all passengers must remain on board the vehicle.

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## **APPENDIX D:**

### **Good Wheels Policy for Private Contractors**



*Appendix D***GOOD WHEELS POLICY REGARDING  
SAFETY STANDARDS FOR PRIVATE CONTRACTORS**

Private contract bus systems that provide continuous or recurring transportation services for compensation as a result of a contractual agreement with Good Wheels, Inc. shall either adopt the SSPP of Good Wheels, Inc. or develop a SSPP, approved by Good Wheels, Inc. that complies with the minimum safety considerations and standards as set forth in Rule Chapter 14-90, including:

- Management
- Vehicles and equipment
- Operation functions
- Driving requirements
- Maintenance
- Equipment for transporting wheelchairs
- Training
- Federal, State, and Local regulations, ordinances or laws

Good Wheels, Inc. will monitor all Private Contractors with the following conditions:

- a. 30-day written notice of a pending safety inspection;
- b. Conduct a site visit to determine compliance with the approved agency SSPP or the adopted Good Wheels, Inc. SSPP;
- c. Notification of compliance or necessary corrective action within 30 days;
- d. Should corrective action be necessary, a second visit shall be conducted within 60 days; and
- e. If private contractor is still found to be in non-compliance, Good Wheels, Inc. may terminate the contractual agreement.

## **APPENDIX E:**

### **State of Florida Statutes: Chapter 14-90**

**Appendix D****CHAPTER 14-90****EQUIPMENT AND OPERATIONAL SAFETY  
STANDARDS FOR BUS TRANSIT SYSTEMS**

|            |                                                             |
|------------|-------------------------------------------------------------|
| 14-90.001  | Scope. (Repealed)                                           |
| 14-90.002  | Definitions.                                                |
| 14-90.003  | Department Responsibilities and Authority. (Repealed)       |
| 14-90.004  | Bus Transit System Operational Standards.                   |
| 14-90.0041 | Medical Examinations for Bus Transit System Drivers.        |
| 14-90.005  | Transit Bus Accidents. (Repealed)                           |
| 14-90.006  | Operational and Driving Requirements.                       |
| 14-90.007  | Vehicle Equipment Standards and Procurement Criteria        |
| 14-90.008  | Standards for Accessible Buses. (Repealed)                  |
| 14-90.009  | Bus Safety Inspections.                                     |
| 14-90.010  | Certification.                                              |
| 14-90.011  | Inspection of Buses by Law Enforcement Officers. (Repealed) |
| 14-90.012  | Safety and Security Inspections and Reviews.                |

## 14-90.001 Scope.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 334.044(12), (21), 341.041(3), 341.061(2) FS. History - New 9-7-87, Amended 11-10-92, 8-2-94, Repealed 8-7-05.

## 14-90.002 Definitions.

(1) "Bus" means any motor vehicle other

than a taxicab, designed, constructed, and used for the public transport of persons for compensation. For purposes of this rule chapter, a bus means a public-sector bus which is owned, operated, leased, or controlled by a bus transit system. Buses are designated in two categories:

(a) Type I. Over 22 feet in length, including bumpers.

(b) Type II. 22 feet or less in length, including bumpers. This category shall include paratransit type vehicles, such as minibuses, standard vans, modified vans, station wagons, and sedans.

(2) "Bus Transit System" means a community transportation coordinator; a public transit provider; a private contract transit provider which owns, operates, leases, or controls buses or taxicabs where such transportation consists of continuous or recurring transportation under the same contract; or a privately owned or operated transit provider that receives operational or capital funding from the Department and owns, operates, leases, or controls buses, other than nonpublic sector buses defined in Section 316.003, Florida Statutes, that provide transportation services available for use by the general riding public.

(3) "Community Transportation Coordinator" means a provider of transportation services or an entity that ensures such services are provided by another bus transit system.

(4) "Department" means the State of Florida Department of Transportation.

(5) "Drive" or "Operate" are terms which include all time spent at the controls of a bus in operation.

(6) "Driver" means any person trained and designated to drive a bus on a street or highway which is being used for the public transport of persons for compensation.

(7) "FMVSS" means Federal Motor Vehicle Safety Standards in effect at the time the bus or component is manufactured.

(8) "For Compensation" means for money, property, or of anything of value whether paid,

received, or realized, directly or indirectly.

(9) "Manufacturer" means the original producer of the chassis, the producer of any type of bus, or the producer of equipment installed on any bus for the purpose of transporting individuals with disabilities.

(10) "On Duty" means the status of the driver from the time he or she begins work, or is required to be in readiness to work, until the time the driver is relieved from work and all responsibility for performing work. "On Duty" includes all time spent by the driver as follows:

(a) Waiting to be dispatched at bus transit system terminals, facilities, or other private or public property, unless the driver has been completely relieved from duty by the bus transit system.

(b) Inspecting, servicing, or conditioning any vehicle.

(c) Driving.

(d) Remaining in readiness to operate a vehicle (stand-by).

(e) Repairing, obtaining assistance, or remaining in attendance in or about a disabled vehicle.

(11) "Passenger" means a person who is on board, boarding, or alighting from a bus for the purposes of public transport.

(12) "Safe Condition" means a condition where hazards are reduced to the lowest level feasible through the most effective use of available resources and where substantial compliance exists with all safety rules, regulations, and requirements.

(13) "Safety Review" means an on-site assessment to determine if a bus transit system has adequate safety management controls in place and functioning that meet safety standards provided and incorporated by reference in this rule chapter.

(14) "Security" means freedom from harm resulting from intentional acts against passengers, employees, equipment, and facilities.

(15) "Security Program Plan (SPP)" means a document developed and adopted by the bus transit system detailing its policies, objectives, responsibilities, and procedures for the protection and

defense of the system and persons from intentional acts of harm.

(16) "Security Review" means an on-site assessment to determine if a bus transit system has security management controls in place and functioning that meet security requirements provided in this rule chapter.

(17) "System Safety Program Plan (SSPP)" means a document developed and adopted by the bus transit system detailing its policies, objectives, responsibilities, and procedures against injuries or damage.

(18) "Taxicab" means any motor vehicle of nine passenger capacity or less, including the driver, engaged in the general transportation of persons for compensation on occasional trips, not on a regular schedule or between fixed termini or over regular routes, where such vehicle does not provide transportation services as a result of a contractual agreement with a bus transit system.

(19) "Trailer Bus" means a trailing or towed vehicle designed or used for the transportation of more than 10 persons, e.g., tram buses.

(20) "Unsafe Condition" means any thing or circumstance which endangers human life or property.

Specific Authority 334.044(2), 341.061(2)(a) FS.  
Law Implemented 341.041(3), 341.061(2) FS.  
History - New 9-7-87, Amended 11-10-92, 8-7-05.

14-90.003 Department Responsibilities and Authority.

Specific Authority 334.044(2), 341.061(2)(a) FS.  
Law Implemented 341.041(3), 341.061(2) FS.  
History - New 9-7-87, Amended 11-10-92, Repealed 8-7-05.

14-90.004 Bus Transit System Operational Standards.

(1) Each bus transit system shall develop and adopt an SSPP that complies, at a minimum, with established safety standards set forth in this rule chapter.

(a) The SSPP shall address the following safety elements and requirements:

1. Safety policies and responsibilities.

2. Vehicle and equipment standards and procurement criteria.

3. Operational standards and procedures.

4. Bus driver and employee selection.

5. Driving requirements.

6. Bus driver and employee training.

7. Vehicle maintenance.

8. Investigations of events described under Section 14-90.004(5).

9. Hazard identification and resolution.

10. Equipment for transporting wheelchairs.

11. Safety data acquisition and analysis.

12. Safety standards for private contract bus transit system(s) that provide(s) continuous or recurring transportation services for compensation as a result of a contractual agreement with the bus transit system.

(b) Each bus transit system shall implement and comply with the SSPP during the operation of the system.

(c) Each bus transit system shall require that all operable transit buses be inspected at least annually in accordance with established standards.

(d) Each bus transit system shall annually submit a safety certification to the Department verifying the following:

1. Adoption of an SSPP in accordance, at a minimum, with established standards set forth in this rule chapter.

2. Compliance with its adopted SSPP and that safety inspections have been performed at least annually on all buses operated by the bus transit system, by persons meeting the requirements of rule 14-90.009, F.A.C.

(e) Bus transit systems shall immediately suspend affected system service operations if, at any time, continued operation of the system or a portion thereof, is unsafe for passenger service or poses a potential danger to public safety.

(2) Each bus transit system shall develop and adopt an SPP that complies, at a minimum, with security requirements set forth in this rule chapter. The SPP shall be adopted separately from the SSPP.

(a) The SPP shall address the following security requirements:

1. Security policies, goals, and objectives.

2. Organization, roles, and responsibilities.

3. Emergency management processes and procedures for mitigation, preparedness, response, and recovery.

4. Procedures for investigation of events described under subsection 14-90.004(5), F.A.C.

5. Procedures for the establishment of interfaces with emergency response organizations.

6. Procedures for interagency coordination with local law enforcement jurisdictions.

7. Employee security and threat awareness training programs.

8. Security data acquisition and analysis.

9. Conduct and participate in emergency preparedness drills and exercises.

10. Security requirements for private contract transit provider(s) that provide(s) continuous or recurring transportation services for compensation as a result of a contractual agreement with the bus transit system.

11. Procedures for SPP maintenance and distribution.

(b) Each bus transit system shall implement and comply with the SPP during the operation of the system.

(c) Bus transit systems that engage in a contract with a private contract transit provider(s) shall:

1. Establish minimum security requirements which apply to private contract transit provider(s).

2. Monitor and assure each private contract transit provider complies with established security

requirements during the term of the contract.

(d) Disclosure. Bus transit systems are prohibited from publicly disclosing the SPP or the security portion of the SSPP, as applicable under any circumstance.

(3) Bus transit systems shall establish criteria and procedures for selection, qualification, and training of all drivers. The criteria shall include the following:

(a) Driver qualifications and background checks with minimum hiring standards.

(b) Driving and criminal background checks for all new drivers.

(c) Verification and documentation of valid driver licenses for all employees who drive buses.

(d) Training and testing to demonstrate and ensure adequate skills and capabilities to safely operate each type of bus or bus combination before driving on a street or highway unsupervised. At a minimum, drivers shall be given explicit instructional and procedural training and testing in the following areas:

1. Bus transit system safety and operational policies and procedures.

2. Operational bus and equipment inspections.

3. Bus equipment familiarization.

4. Basic operations and maneuvering.

5. Boarding and alighting passengers.

6. Operation of wheelchair lift and other special equipment and driving conditions.

7. Defensive driving.

8. Passenger assistance and securement.

9. Handling of emergencies and security threats.

10. Security and threat awareness.

(e) Bus transit systems shall provide written operational and safety procedures to all bus drivers

before driving on a street or highway unsupervised. These procedures and instructions shall address, at a minimum, the following:

1. Communication and handling of unsafe conditions, security threats, and emergencies.

2. Familiarization and operation of safety and emergency equipment, wheelchair lift equipment, and restraining devices.

3. Application and compliance with applicable federal and state rules and regulations.

(f) The provisions in paragraphs (d) and (e) above shall not apply to personnel licensed and authorized by the bus transit system to drive, move, or road test a bus to perform repairs or maintenance services where it has been determined that such temporary operation does not create an unsafe operating condition or create a hazard to public safety.

(g) Bus transit systems shall maintain the following records for at least four years:

1. Records of bus driver background checks and qualifications.

2. Detailed descriptions of training administered and completed by each bus driver.

3. A record of each bus driver's duty status which shall include total days worked, on-duty hours, driving hours, and time of reporting on and off duty each day.

(h) Each bus transit system shall establish a drug-free workplace policy statement in accordance with 49 C.F.R. Part 29 and a substance abuse management and testing program in accordance with 49 C.F.R. Parts 40 and 655, October 1, 2004, hereby incorporated by reference. (i) Bus transit systems shall require that drivers write and submit a daily bus inspection report pursuant to Rule 14-90.006, F.A.C.

(4) Bus Maintenance. Bus transit systems shall establish a maintenance plan and procedures for preventative and routine maintenance for all buses operated. The maintenance plan and procedures shall assure:

(a) That all buses operated, and all parts and accessories on such buses, including those specified in Rule 14-90.007, F.A.C., and any additional parts and accessories which may affect safety of operation, including frame and frame assemblies, suspension

systems, axles and attaching parts, wheels and rims, and steering systems, are regularly and systematically inspected, maintained, and lubricated in accordance with the standards developed and established, at a minimum, according to the bus manufacturer's recommendations and requirements.

(b) That a recording and tracking system is established for the types of inspections, maintenance, and lubrication intervals, including the date or mileage when these services are due. Required maintenance inspections shall be more comprehensive than daily inspections performed by the driver.

(c) That proper preventive maintenance is performed when a bus is assigned away from the system's regular maintenance facility, or when maintenance services are performed under contract.

(d) That records are maintained and provide written documentation of preventive maintenance, regular maintenance, inspections, lubrication, and repairs performed for each bus under their control. Such records shall be maintained by the bus transit system for at least four years and include at a minimum the following information:

1. Identification of the bus, including make, model, and license number or other means of positive identification and ownership.

2. Date, mileage, and type of inspection, maintenance, lubrication, or repair performed.

3. Date, mileage, and description of each inspection, maintenance, and lubrication intervals performed.

4. If not owned by the bus transit system, the name of any person or lessor furnishing any bus.

5. The name and address of any entity or contractor performing an inspection, maintenance, lubrication, or repair.

(5) Each bus transit system shall investigate, or cause to be investigated, any event involving a bus or taking place on bus transit system controlled property resulting in a fatality, injury, or property damage as follows:

(a) A fatality, where an individual is confirmed dead within 30 days of a bus transit system related event, excluding suicides and deaths from illnesses.

(b) Injuries requiring immediate medical attention away from the scene for two or more individuals.

(c) Property damage to bus transit system bus(es), non-bus transit system vehicles, other bus system property or facilities, or any other property, except the bus transit system shall have the discretion to investigate events resulting in property damage less than \$1,000.

(d) Evacuation of a bus due to a life safety event where there is imminent danger to passengers on the bus, excluding evacuations due to operational issues.

(6) Each investigation shall be documented in a final report that includes a description of investigation activities, identified causal factors, and any identified corrective action plan.

(a) Each corrective action plan shall identify the action to be taken by the bus transit system and the schedule for its implementation.

(b) The bus transit system must monitor and track the implementation of each corrective action plan.

(7) Investigation reports, corrective action plans, and related supporting documentation shall be maintained by the bus transit system a minimum of four years from the date of completion of the investigation.

(8) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this rule.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 119.071, 341.041(3), 341.061(2) FS. History - New 9-7-87, Amended 11-10-92, 8-7-05.

14-90.0041 Medical Examinations for Bus Transit System Drivers.

(1) Bus transit systems shall establish medical examination requirements for all applicants for driver positions and for existing drivers. The medical examination requirements shall include a pre-employment examination for applicants, an examination at least once every two years for existing drivers, and a return to duty examination for any driver prior to returning to duty after having been off duty for 30 or more days due to an illness, medical condition, or injury.

(2) Medical examinations may be performed and recorded according to qualification standards adopted by the bus transit system, provided the medical examination qualification standards adopted by the bus transit system meet or exceed those provided in Department Form Number 725-030-11, Medical Examination Report for Bus Transit System Driver, Rev. 07/05, hereby incorporated by reference. Copies of Form Number 725-030-11 are available from the Florida Department of Transportation, Public Transit Office, 605 Suwannee Street, Mail Station 26, Tallahassee, Florida 32399-0450 or on-line at [www.dot.state.fl.us/transit](http://www.dot.state.fl.us/transit).

(3) Medical examinations shall be performed by a Doctor of Medicine or Osteopathy, Physician Assistant, or Advanced Registered Nurse Practitioner licensed or certified by the State of Florida. If medical examinations are performed by a Physician Assistant or Advanced Registered Nurse Practitioner, they must be performed under the supervision or review of a Doctor of Medicine or Osteopathy.

(a) An ophthalmologist or optometrist licensed by the State of Florida may perform as much of the examination as pertains to visual acuity, field of vision, and color recognition.

(b) Upon completion of the examination, the medical examiner shall complete, sign, and date the medical examination report.

(4) Bus transit systems shall have on file proof of medical examination, i.e., a completed and signed medical examination report for each bus driver, dated within the past 24 months. Medical examination reports of employee bus drivers shall be maintained by the bus transit system for a minimum of four years from the date of the examination.

(5) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this rule.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 334.044(12), 341.041(3), 341.061(2) FS. History - New 11-10-92, 8-7-05.

#### 14-90.005 Transit Bus Accidents.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History - New 9-7-87, Amended 11-10-92, Repealed 8-7-05.

#### 14-90.006 Operational and Driving

#### Requirements.

(1) Bus transit systems shall not permit a driver to drive a bus when such driver's license has been suspended, cancelled, or revoked. Bus transit systems shall require a driver who receives a notice that his or her license to operate a motor vehicle has been suspended, cancelled, or revoked to notify his or her employer of the contents of the notice immediately, no later than the end of the business day following the day he or she received the notice.

(2) Buses shall be operated at all times in compliance with applicable traffic regulations, ordinances, and laws of the jurisdiction in which they are being operated.

(3) A driver shall not be permitted or required to drive more than 12 hours in any one 24-hour period, or drive after having been on duty for 16 hours in any one 24-hour period. A driver shall not be permitted to drive until the requirement of a minimum eight consecutive hours off-duty has been fulfilled. A driver's work period shall begin from the time he or she first reports for duty to his or her employer. A driver is permitted to exceed his or her regulated hours in order to reach a regularly established relief or dispatch point, provided the additional driving time does not exceed one hour.

(4) A driver shall not be permitted or required to be on duty more than 72 hours in any period of seven consecutive days; however, 24 consecutive hours off duty shall constitute the end of any such period of seven consecutive days. A driver who has reached the maximum 72 hours of on duty time during the seven consecutive days shall be required to have a minimum of 24 consecutive hours off duty prior to returning to on duty status.

(5) A driver is permitted to drive for more than the regulated hours for safety and protection of the public due to conditions such as adverse weather, disaster, security threat, a road or traffic condition, medical emergency, or an accident.

(6) Bus transit systems shall not permit or require any driver to drive a bus when his or her ability is impaired, or likely to be impaired, by fatigue, illness, or other causes, as to make it unsafe for the driver to begin or continue driving.

(7) Bus transit systems shall require pre-operational or daily inspection and reporting of all defects and deficiencies likely to affect safe operation or cause mechanical malfunctions.



(a) An inspection or test shall be made of the following parts and devices to ascertain that they are in safe condition and in good working order:

1. Service brakes.
2. Parking brakes.
3. Tires and wheels.
4. Steering.
5. Horn.
6. Lighting devices.
7. Windshield wipers.
8. Rear vision mirrors.
9. Passenger doors.
10. Exhaust system.
11. Equipment for transporting wheelchairs.
12. Safety, security, and emergency equipment.

(b) Bus transit systems shall review daily inspection reports and document corrective actions taken as a result of any deficiencies identified by daily inspections.

(c) Bus transit systems shall retain records of daily bus inspections and any corrective action documentation a minimum of two weeks.

(8) A bus with passenger doors in the open position shall not be operated with passengers aboard. The doors shall not be opened until the bus is stopped. A bus with inoperable passenger doors shall not be operated with passengers aboard, except to move a bus to a safe location.

(9) During darkness, interior lighting and lighting in stepwells on buses shall be sufficient for passengers to enter and exit safely.

(10) Passenger(s) shall not be permitted in the stepwell(s) of any bus while the bus is in motion, or to occupy an area forward of the standee line.

(11) Passenger(s) shall not be permitted to stand on buses not designed and constructed for that

purpose.

(12) Buses shall not be refueled in a closed building. The fueling of buses when passengers are being carried shall be reduced to the minimum number of times necessary during such transportation.

(13) The bus transit system shall require the driver to be properly secured to the driver's seat with a restraining belt at all times while the bus is in motion.

(14) Buses shall not be left unattended with passenger(s) aboard for longer than 15 minutes. The parking or holding brake device must be properly set at any time the bus is left unattended.

(15) Buses shall not be left unattended in an unsafe condition with passenger(s) aboard at any time.

(16) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this rule.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History - New 9-7-87, Amended 5-31-89, 11-10-92, 8-7-05.

14-90.007 Vehicle Equipment Standards and Procurement Criteria.

(1) Every bus transit system shall ensure that buses procured and operated meet the following, at a minimum, as applicable:

(a) The capability and strength to carry the maximum allowed load and not exceed the manufacturer's gross vehicle weight rating (GVWR), gross axle weighting, or tire rating.

(b) Structural integrity that mitigates or minimizes the adverse effects of collisions.

(c) Federal Motor Vehicle Safety Standards (FMVSS), 49 C.F.R. Part 571, Sections 102, 103, 104, 105, 108, 207, 209, 210, 217, 220, 221, 225, 302, 403, and 404, October 1, 2004, hereby incorporated by reference.

(2) Proof of strength and structural integrity tests on new buses procured shall be submitted by manufacturers or bus transit systems to the Department.

(3) In addition to the above, every bus operated in this state shall be equipped as follows:

(a) Mirrors. There must be two exterior rear vision mirrors, one at each side. The mirrors shall be firmly attached to the outside of the bus and so located as to reflect to the driver a view of the highway to the rear along both sides of the vehicle. Each exterior rear vision mirror, on Type I buses shall have a minimum reflective surface of 50 square inches and the right (curbside) mirror shall be located on the bus so that the lowest part of the mirror and its mounting is a minimum 80 inches above the ground. All Type I buses shall, in addition to the above requirement, be equipped with an inside rear vision mirror capable of giving the driver a clear view of seated or standing passengers. Buses having a passenger exit door that is located inconveniently for the driver's visual control shall be equipped with additional interior mirror(s) enabling the driver to view the passenger exit door. The exterior right (curbside) rear vision mirror and its mounting on Type I buses may be located lower than 80 inches from the ground, provided such buses are used exclusively for paratransit services, as defined in Section 341.031, Florida Statutes. In lieu of interior mirrors, trailer buses and articulated buses may be equipped with closed circuit video systems or adult monitors in voice control with the driver.

(b) Wiring and Battery. Electrical wiring shall be maintained so as not to come in contact with moving parts, or heated surfaces, or be subject to chafing or abrasion which may cause insulation to become worn. Every Type I bus manufactured on or after February 7, 1988, shall be equipped with a storage battery(ies) electrical power main disconnect switch. The disconnect switch shall be practicably located in an accessible location adjacent to or near to the battery(ies) and be legibly and permanently marked for identification. Every storage battery on each public-sector bus shall be mounted with proper retainment devices in a compartment which provides adequate ventilation and drainage.

(c) Brake Interlock Systems. All Type I buses having a rear exit door shall be equipped with a rear exit door/brake interlock that automatically applies the brake(s) upon driver activation of the rear exit door to the open position. Interlock brake application shall remain activated until deactivation by the driver and the rear exit door returns to the closed position. The rear exit door interlock on such buses shall be equipped with an identified override switch enabling emergency release of the interlock function, which shall not be located within reach of the seated driver. Air pressure application to the brake(s) during interlock operation, on buses

equipped with rear exit door/brake interlock, shall be regulated at the original equipment manufacturer's specifications.

(4) Standee Line and Warning. Every bus designed and constructed to allow standees shall be plainly marked with a line of contrasting color at least two inches wide or be equipped with some other means to indicate that any passenger is prohibited from occupying a space forward of a perpendicular plane drawn through the rear of the driver's seat and perpendicular to the longitudinal axis of the bus. A sign shall be posted at or near the front of the bus stating that it is a violation for a bus to be operated with passengers occupying an area forward of the line.

(5) Handrails and Stanchions. Every bus designed and constructed to allow standees shall be equipped with overhead grab rails for standee passengers. Overhead grab rails shall be continuous, except for a gap at the rear exit door, and terminate into vertical stanchions or turn up into a ceiling fastener. Every Type I and Type II bus designed for carrying more than 16 passengers shall be equipped with grab handles, stanchions, or bars at least 10 inches long and installed to permit safe on-board circulation, seating and standing assistance, and boarding and unboarding by elderly and handicapped persons. Type I buses shall be equipped with a safety bar and panel directly behind each entry and exit stepwell.

(6) Flooring, Steps, and Thresholds. Flooring, steps, and thresholds on all buses shall have slip resistant surfaces without protruding or sharp edges, lips, or overhangs, to prevent tripping hazards. All step edges and thresholds shall have a band of color(s) running the full width of the step or edge which contrasts with the step tread and riser, either light-on-dark or dark-on-light.

(7) Doors. Power activated doors on all buses shall be equipped with a manual device designed to release door closing pressure.

(8) Emergency Exits. All buses shall have an emergency exit door, or in lieu thereof, shall be provided with emergency escape push-out windows. Each emergency escape window shall be in a form of a parallelogram with dimensions of not less than 18" by 24", and each shall contain an area of not less than 432 square inches. There shall be a sufficient number of such push-out or kick-out windows in each vehicle to provide a total escape area equivalent to 67 square inches per seat, including the driver's seat. No less than 40% of the total escape area shall be on one side of the vehicle. Emergency escape

kick-out or push-out windows and emergency exit doors shall be conspicuously marked by a sign or light and shall always be kept in good working order so that they may be readily opened in an emergency. All such windows and doors shall not be obstructed by bars or other such means located either inside or outside so as to hinder escape. Buses equipped with an auxiliary door for emergency exit shall be equipped with an audible alarm and light indicating to the driver when a door is ajar or opened while the engine is running. Supplemental security locks operable by a key are prohibited on emergency exit doors unless these security locks are equipped and connected with an ignition interlock system or an audio visual alarm located in the driver's compartment. Any supplemental security lock system used on emergency exits shall be kept unlocked whenever a bus is in operation.

(9) Tires and Wheels. Tires shall be properly inflated in accordance with manufacturer's recommendations.

(a) No bus shall be operated with a tread groove pattern depth:

1. Less than  $4/32$  ( $1/8$ ) of an inch, measured at any point on a major tread groove for tires on the steering axle of all buses. The measurements shall not be made where tie bars, humps, or fillets are located.

2. Less than  $2/32$  ( $1/16$ ) of an inch, measured at any point on a major tread groove for all other tires of all buses. The measurements shall not be made where tie bars, humps, or fillets are located.

(b) No bus shall be operated with recapped, regrooved, or retreaded tires on the steering axle.

(c) Wheels shall be visibly free from cracks and distortion and shall not have missing, cracked, or broken mounting lugs.

(10) Suspension. The suspension system of all buses, including springs, air bags, and all other suspension parts as applicable, shall be free from cracks, leaks, or any other defect which would or may cause its impairment or failure to function properly.

(11) Steering and Front Axle. The steering system of all buses shall have no indication of leaks which would or may cause its impairment to function properly, and shall be free from cracks and excessive wear of components that would or may cause excessive free play or loose motion in the steering

system or above normal effort in steering control.

(12) Seat Belts. Every bus shall be equipped with an adjustable driver's restraining belt in compliance with the requirements of FMVSS 209, "Seat Belt Assemblies" (49 C.F.R. 571.209) and FMVSS 210, "Seat Belt Assembly Anchorages" (49 C. F. R. 571.210).

(13) Safety Equipment. Every bus shall be equipped with one fully charged dry chemical or carbon dioxide fire extinguisher, having at least a 1A:BC rating and bearing the label of Underwriter's Laboratory, Inc.

(a) Each fire extinguisher shall be securely mounted on the bus in a conspicuous place or a clearly marked compartment and be readily accessible.

(b) Each fire extinguisher shall be maintained in efficient operating condition and equipped with some means of determining if it is fully charged.

(c) Every Type I bus shall be equipped with portable red reflector warning devices in compliance with Section 316.300, Florida Statutes.

(14) Buses used for the purpose of transporting individuals with disabilities shall meet the requirements set forth in 49 C.F.R. Part 38, October 1, 2004, hereby incorporated by reference, and the following:

(a) Installation of a wheelchair lift or ramp shall not cause the manufacturer's GVWR, gross axle weight rating, or tire rating to be exceeded.

(b) Except in locations within 3 1/2 inches of the bus floor, all readily accessible exposed edges or other hazardous protrusions of parts of wheelchair lift assemblies or ramps that are located in the passenger compartment shall be padded with energy absorbing material to mitigate injury in normal use and in case of a collision. This requirement shall also apply to parts of the bus associated with the operation of the lift or ramp.

(c) The controls for operating the lift shall be at a location where the bus driver or lift attendant has a full view, unobstructed by passengers, of the lift platform, its entrance and exit, and the wheelchair passenger, either directly or with partial assistance of mirrors. Lifts located entirely to the rear of the driver's seat shall not be operable from the driver's seat, but shall have an override control at the driver's

position that can be activated to prevent the lift from being operated by the other controls (except for emergency manual operation upon power failure).

(d) The installation of the wheelchair lift or ramp and its controls and the method of attachment in the bus body or chassis shall not diminish the structural integrity of the bus nor cause a hazardous imbalance of the bus. No part of the assembly, when installed and stowed, shall extend laterally beyond the normal side contour of the bus nor vertically beyond the lowest part of the rim of the wheel closest to the lift.

(e) Each wheelchair lift or ramp assembly shall be legibly and permanently marked by the manufacturer or installer with the following minimum information:

1. The manufacturer's name and address.
2. The month and year of manufacture.

3. A certificate that the wheelchair lift or ramp securement devices, and their installation, conform to State of Florida requirements applicable to accessible buses.

(15) Wheelchair lifts, ramps, securement devices, and restraints shall be inspected and maintained as required in this rule chapter. Instructions for normal and emergency operation of the lift or ramp shall be carried or displayed in every bus.

(16) On or before July 1, 2006, every bus transit system and manufacturer shall comply with the 2005 amendments to this rule.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History - New 9-7-87, Amended 11-10-92, 8-2-94, 8-7-05.

#### 14-90.008 Standards for Accessible Buses.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History - New 9-7-87, Amended 11-10-92, Repealed 8-7-05.

#### 14-90.009 Bus Safety Inspections.

(1) Each bus transit system shall require that all buses operated by such bus transit system, and all buses operated by a private contract transit

provider, be inspected at least annually in accordance with bus inspection procedures set forth in this rule.

(2) It shall be the bus transit system's responsibility to ensure that each individual performing a bus safety inspection is qualified as follows:

(a) Understands the requirements set forth in this rule chapter, and can identify defective components.

(b) Is knowledgeable of and has mastered the methods, procedures, tools, and equipment used when performing an inspection.

(c) Has at least one year of training and/or experience as a mechanic or inspector in a vehicle maintenance program and has sufficient general knowledge of buses owned and operated by the bus transit system to recognize deficiencies or mechanical defects.

(3) Each bus receiving a safety inspection shall be checked for compliance with the safety devices and equipment requirements as referenced or specified herein. Specific operable equipment and devices as required by this rule chapter include the following (as applicable to Type I and II bus(es)):

- (a) Horn.
- (b) Windshield wipers.
- (c) Mirrors.
- (d) Wiring and battery(ies).
- (e) Service and parking brakes.
- (f) Warning devices.
- (g) Directional signals.
- (h) Hazard warning signals.
- (i) Lighting systems and signaling devices.
- (j) Handrails and stanchions.
- (k) Standee line and warning.
- (l) Doors and interlock devices.
- (m) Stepwells and flooring.

(n) Emergency exits.

(o) Tires and wheels.

(p) Suspension system.

(q) Steering system.

(r) Exhaust system.

(s) Seat belts.

(t) Safety equipment.

(u) Equipment for transporting wheelchairs.

(4) A safety inspection report shall be prepared by the individual(s) performing the inspection which shall include the following:

(a) Identification of the individual(s) performing the inspection.

(b) Identification of the bus transit system operating the bus.

(c) The date of the inspection.

(d) Identification of the bus inspected.

(e) Identification of the equipment and devices inspected including the identification of equipment and devices found deficient or defective.

(f) Identification of corrective action(s) for deficient or defective items and date(s) of completion of corrective action(s).

(5) Records of annual safety inspections and documentation of any required corrective actions shall be retained a minimum of four years by the bus transit system for compliance review.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History - New 9-7-87, Amended 11-10-92, 8-7-05.

#### 14-90.010 Certification.

(1) Each bus transit system shall annually submit a safety and security certification to the Department. The certification shall be submitted no later than February 15, annually for the prior calendar year period. The certification shall attest to the following:

(a) The adoption of an SSPP and an SPP in accordance, at a minimum, with established standards set forth in this rule chapter.

(b) Compliance with its adopted SSPP and SPP.

(c) Performance of safety inspections on all buses operated by the system in accordance with this rule chapter.

(d) Reviews of the SSPP and SPP have been conducted to ensure they are up to date.

(2) The certification shall include:

(a) The name and address of the bus transit system, and the name and address of the entity(ies) which has (have) performed bus safety inspections and security assessments, if different from that of the bus transit system.

(b) A statement signed by an officer or person directly responsible for management of the bus transit system attesting to compliance with this rule chapter.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 334.044(28), 341.041(3), 341.061(2) FS. History - New 9-7-87, Amended 8-7-05.

#### 14-90.011 Inspection of Buses by Law Enforcement Officers.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2), 316.610 FS. History - New 9-7-87, Repealed 8-7-05.

#### 14-90.012 Safety and Security Inspections and Reviews.

(1) The Department, or its designee, is authorized to conduct inspections of bus transit systems to ascertain compliance with the provisions of this rule chapter.

(2) The Department, or its designee, is authorized to conduct a safety and security review of any bus transit system which the Department believes to be in noncompliance with its SSPP or SPP and providing passenger service operations in an unsafe manner, or there is evidence of an immediate danger to public safety. The Department shall prepare and submit a report of the review to the affected bus transit system. The report shall be submitted to the

bus transit system within three business days of completion of the review and contain the following:

(a) Identification of the findings, including a detailed description of the deficiency(ies).

(b) Required corrective action(s) and schedule for implementation of corrective action(s)

(c) Any requirements for suspension of bus transit system service should the Department determine the continued operation of the service, or a portion thereof, poses an immediate danger to public safety.

(3) The Department shall initiate the following actions to suspend the affected bus transit system service if a specific deficiency(ies) or unsafe condition(s) exists to the extent that the continued operation of the system, or a portion thereof, is not safe for passenger service or is posing a potential danger or threat to public safety.

(a) Immediately notify the affected bus transit system of the unsafe condition(s), followed by a certified letter describing the specific deficiency(ies) or unsafe conditions. The notification shall include the following:

1. Required corrective actions for specific deficiency(ies) or unsafe condition(s).

2. Requirements for the bus transit system to certify in writing to the Department of completion of required corrective action(s) in accordance with an established implementation schedule.

(b) Conduct an on-site review of the bus transit system to verify correction of specific deficiency(ies) in accordance with this rule and the established implementation schedule.

(c) Suspend affected passenger service operations if the bus transit system fails to correct specific deficiency(ies) in accordance with this rule and the established implementation schedule.

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 334.044(28), 341.041(3), 341.061(2), 316.610 FS. History - New 11-10-92, Amended 8-7-05.

**Employee Acknowledgement of Receipt of**  
**Good Wheels, Inc.'s**  
**System Safety Program Plan (SSPP)**

Good Wheels, Inc. maintains that safety and loss prevention is the responsibility of all employees.

Good Wheels, Inc. has an obligation to its employees and the citizens of Southwest Florida to provide a hazard-free environment and safe place to work. We eliminate the cause of accidents which may result in injuries to the public and loss in their ability to perform daily activities.

It is the responsibility of Good Wheels, Inc. to make sure that our safety regulations, as outlined in our System Safety Program Plan (SSPP) and the standards established by the State of Florida, are adhered to by all personnel so that we can reduce incidences of bodily injury, property damage and operation costs.

This System Safety Program Plan was approved by the President of Good Wheels *June 2012* and is effective that date.

I, \_\_\_\_\_, hereby acknowledge that I have received a legible copy of Good Wheels, Inc.'s System Safety Program Plan (SSPP), and I understand my rights and obligations contained in the policy. I understand that it is a condition of my continued employment that I agree to follow the policy.

Employee Print Name \_\_\_\_\_

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Supervisor Print Name \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

**KEEP THIS COPY FOR YOUR RECORDS**

**NOTES**



**NOTES**

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It is the responsibility of Good Wheels, Inc. to make sure that our safety regulations, as outlined in our System Safety Program Plan (SSPP) and the standards established by the State of Florida, are adhered to by all personnel so that we can reduce incidences of bodily injury, property damage and operation costs.

This System Safety Program Plan was approved by the President of Good Wheels *June 2012* and is effective that date.

I, \_\_\_\_\_, hereby acknowledge that I have received a legible copy of Good Wheels, Inc.'s System Safety Program Plan (SSPP), Revised *June 2012*, or am able to access a copy either online at <https://eservices.paychex.com/secure/> or through the Human Resources Department, and I understand my rights and obligations contained in the policy. I understand that it is a condition of my continued employment that I agree to follow the policy.

I understand that this Program Plan is mine to keep, and I will be responsible for obtaining the latest version of the Program Plan, including replacing or adding pages when they are provided to me, if necessary.

Employee Print Name \_\_\_\_\_

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Supervisor Print Name \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

**PLEASE SIGN THIS COPY AND RETURN TO HUMAN RESOURCES**

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**TRANSPORTATION DISADVANTAGED SERVICE PLAN, TDSP**

The Five-Year Plan for the Glades-Hendry Joint Service Area  
Annual Update, February 2017

# **EXHIBIT E**

# **RATE STRUCTURE**

## Preliminary Information Worksheet

Version 1.4

**CTC Name:** Good Wheels, Inc.  
**County (Service Area):** Hendry Glades  
**Contact Person:** Alan Mandel  
**Phone #** 239 768 2900

### Check Applicable Characteristic:

#### ORGANIZATIONAL TYPE:

- ☐ Governmental
- ☒ Private Non-Profit
- ☐ Private For Profit

#### NETWORK TYPE:

- ☐ Fully Brokered
- ☐ Partially Brokered
- ☒ Sole Source

***Once completed, proceed to the Worksheet entitled  
 "Comprehensive Budget"***

## Worksheet for Program-wide Rates

CTC: Good Wheels, Inc. Version 1.4  
County: Hendry Glades

1. Complete Total Projected Passenger Miles and ONE-WAY Passenger Trips ( **GREEN** cells) below

Do **NOT** include trips or miles related to Coordination Contractors!

Do **NOT** include School Board trips or miles UNLESS.....

**INCLUDE** all ONE-WAY passenger trips and passenger miles related to services you purchased from your transportation operators!

Do **NOT** include trips or miles for services provided to the general public/private pay UNLESS..

Do **NOT** include escort activity as passenger trips or passenger miles unless charged the full rate for service!

Do **NOT** include fixed route bus program trips or passenger miles!

| PROGRAM-WIDE RATES                       |         |
|------------------------------------------|---------|
| Total <u>Projected</u> Passenger Miles = | 273,000 |
| Rate Per Passenger Mile = \$             | 2.00    |
| Total <u>Projected</u> Passenger Trips = | 10,350  |
| Rate Per Passenger Trip = \$             | 52.73   |

Fiscal Year

2016 - 2017

Avg. Passenger Trip Length = 26.4 Miles

### Rates If No Revenue Funds Were Identified As Subsidy Funds

Rate Per Passenger Mile = \$ 2.42

Rate Per Passenger Trip = \$ 63.75

**Once Completed, Proceed to the Worksheet entitled "Multiple Service Rates"**

### Vehicle Miles

The miles that a vehicle is scheduled to or actually travels from the time it pulls out from its garage to go into revenue service to the time it pulls in from revenue service.

### Vehicle Revenue Miles (VRM)

The miles that vehicles are scheduled to or actually travel while in revenue service. Vehicle revenue miles exclude:

Deadhead  
Operator training, and  
Vehicle maintenance testing, as well as  
School bus and charter services.

### Passenger Miles (PM)

The cumulative sum of the distances ridden by each passenger.

## Worksheet for Multiple Service Rates

1. Answer the questions by completing the GREEN cells starting in Section I for all services

2. Follow the **DARK RED** prompts directing you to skip or go to certain questions and sections based on previous answers

CTC: **Good Wheels, Inc** Version 1.4  
County: **Hendry Glades**

### SECTION I: Services Provided

1. Will the CTC be providing any of these Services to transportation disadvantaged passengers in the upcoming budget year?.....

| Ambulatory                                                       | Wheelchair                                                       | Stretcher                                                        | Group                                                            |
|------------------------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------------|
| <input checked="" type="radio"/> Yes<br><input type="radio"/> No | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | <input checked="" type="radio"/> Yes<br><input type="radio"/> No | <input type="radio"/> Yes<br><input checked="" type="radio"/> No |
| Go to Section II for Ambulatory Service                          | Go to Section II for Wheelchair Service                          | Go to Section II for Stretcher Service                           | STOP! Do NOT Complete Sections II - V for Group Service          |

### SECTION II: Contracted Services

1. Will the CTC be contracting out any of these Services TOTALLY in the upcoming budget year?....

| Ambulatory                                                       | Wheelchair                                                       | Stretcher                                                        | Group                                                            |
|------------------------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="radio"/> Yes<br><input checked="" type="radio"/> No | <input type="radio"/> Yes<br><input checked="" type="radio"/> No | <input type="radio"/> Yes<br><input checked="" type="radio"/> No | <input type="radio"/> Yes<br><input checked="" type="radio"/> No |
| Skip # 2, 3 & 4 and Go to Section III for Ambulatory Service     | Skip # 2, 3 & 4 and Go to Section III for Wheelchair Service     | Skip # 2, 3 & 4 and Go to Section III for Stretcher Service      | Do Not Complete Section II for Group Service                     |

2. If you answered YES to #1 above, do you want to arrive at the billing rate by simply dividing the proposed contract amount by the projected Passenger Miles / passenger trips?.....

| Ambulatory                                                       | Wheelchair                                                       | Stretcher                                                        | Group                                                            |
|------------------------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="radio"/> Yes<br><input checked="" type="radio"/> No | <input type="radio"/> Yes<br><input checked="" type="radio"/> No | <input type="radio"/> Yes<br><input checked="" type="radio"/> No | <input type="radio"/> Yes<br><input checked="" type="radio"/> No |

3. If you answered YES to #1 & #2 above, how much is the proposed contract amount for the service?  
How many of the total projected Passenger Miles relate to the contracted service?  
How many of the total projected passenger trips relate to the contracted service?

| Ambulatory  | Wheelchair  | Stretcher   | Group                                        |
|-------------|-------------|-------------|----------------------------------------------|
| Leave Blank | Leave Blank | Leave Blank | Do NOT Complete Section II for Group Service |
|             |             |             |                                              |
|             |             |             |                                              |

Effective Rate for Contracted Services:  
per Passenger Mile =  
per Passenger Trip =

| Ambulatory                               | Wheelchair                               | Stretcher                               | Group                                        |
|------------------------------------------|------------------------------------------|-----------------------------------------|----------------------------------------------|
|                                          |                                          |                                         |                                              |
| Go to Section III for Ambulatory Service | Go to Section III for Wheelchair Service | Go to Section III for Stretcher Service | Do NOT Complete Section II for Group Service |

4. If you answered # 3 & want a Combined Rate per Trip PLUS a per Mile add-on for 1 or more services, INPUT the Desired per Trip Rate (but must be less than per trip rate in #3 above =  
Rate per Passenger Mile for Balance =

| Combination Trip and Mile Rate                           |                                                          |                                                         |                                              |
|----------------------------------------------------------|----------------------------------------------------------|---------------------------------------------------------|----------------------------------------------|
|                                                          |                                                          |                                                         |                                              |
| Leave Blank and Go to Section III for Ambulatory Service | Leave Blank and Go to Section III for Wheelchair Service | Leave Blank and Go to Section III for Stretcher Service | Do NOT Complete Section II for Group Service |

## Worksheet for Multiple Service Rates

1. Answer the questions by completing the GREEN cells starting in Section I for all services
2. Follow the **DARK RED** prompts directing you to skip or go to certain questions and sections based on previous answers

CTC: Good Wheels, In Version 1.4  
County: Hendry Glades

### SECTION III: Escort Service

1. Do you want to charge all escorts a fee?.....  

☐ Yes  
☒ No

Skip #2 - 4 and Section IV and Go to Section V
2. If you answered Yes to #1, do you want to charge the fee per passenger trip OR .....  

☒ Pass. Trip  
☐ Pass. Mile

Leave Blank

per passenger mile?.....
3. If you answered Yes to # 1 and completed # 2, for how many of the projected Passenger Trips / Passenger Miles will a passenger be accompanied by an escort?  Leave Blank
4. How much will you charge each escort?.....  Leave Blank

### SECTION IV: Group Service Loading

1. If the message "**You Must Complete This Section**" appears to the right, what is the projected total number of Group Service Passenger Miles? (otherwise leave blank)..... 

Do NOT Complete Section IV

Loading Rate 0.00 to 1.00
- ..... And what is the projected total number of Group Vehicle Revenue Miles?

### SECTION V: Rate Calculations for Multiple Services:

1. Input Projected Passenger Miles and Passenger Trips for each Service in the GREEN cells and the Rates for each Service will be calculated automatically
  - \* Miles and Trips you input must sum to the total for all Services entered on the "Program-wide Rates" Worksheet, MINUS miles and trips for contracted services IF the rates were calculated in the Section II above
  - \* Be sure to leave the service BLANK if you answered NO in Section I or YES to question #2 in Section II

|                                                                                             |         | RATES FOR FY: 2016 - 2017      |                      |                      |               |        |
|---------------------------------------------------------------------------------------------|---------|--------------------------------|----------------------|----------------------|---------------|--------|
|                                                                                             |         | Ambul                          | Wheel Chair          | Stretcher            | Group         |        |
| Projected Passenger Miles (excluding totally contracted services addressed in Section II) = | 273,000 | = 206,000                      | + 66,750             | + 250                | + Leave Blank | 0      |
| Rate per Passenger Mile =                                                                   |         | \$1.70                         | \$2.91               | \$6.07               | \$0.00        | \$0.00 |
|                                                                                             |         |                                |                      | per passenger        | per group     |        |
| Projected Passenger Trips (excluding totally contracted services addressed in Section II) = | 10,350  | = 7,240                        | + 3,100              | + 10                 | + Leave Blank |        |
| Rate per Passenger Trip =                                                                   |         | \$43.35                        | \$74.31              | \$154.82             | \$0.00        | \$0.00 |
|                                                                                             |         |                                |                      | per passenger        | per group     |        |
|                                                                                             |         | Combination Trip and Mile Rate |                      |                      |               |        |
|                                                                                             |         | Ambul                          | Wheel Chair          | Stretcher            | Group         |        |
| ...INPUT the Desired Rate per Trip (but must be less than per trip rate above) =            |         | <input type="text"/>           | <input type="text"/> | <input type="text"/> | Leave Blank   | \$0.00 |
| Rate per Passenger Mile for Balance =                                                       |         | \$1.70                         | \$2.91               | \$6.07               | \$0.00        | \$0.00 |
|                                                                                             |         |                                |                      | per passenger        | per group     |        |

Rate per Passenger Mile =

Rate per Passenger Trip =

| Rates If No Revenue Funds Were Identified As Subsidy Funds |             |               |           |        |
|------------------------------------------------------------|-------------|---------------|-----------|--------|
| Ambul                                                      | Wheel Chair | Stretcher     | Group     |        |
| \$2.05                                                     | \$3.52      | \$7.33        | \$0.00    | \$0.00 |
|                                                            |             | per passenger | per group |        |
| Ambul                                                      | Wheel Chair | Stretcher     | Group     |        |
| \$52.40                                                    | \$89.84     | \$187.16      | \$0.00    | \$0.00 |
|                                                            |             | per passenger | per group |        |
| Program These Rates Into Your Medicaid Encounter Data      |             |               |           |        |

**Worksheet for Multiple Service Rates**

1. Answer the questions by completing the GREEN cells starting in Section I for all services

2. Follow the DARK RED prompts directing you to skip or go to certain questions and sections based on previous answers

CTC: **Good Wheels, Inc** Version 1.4  
County: **Hendry Glades**



# Agenda Item

9d

Hendry County DEO 17-1ESR

9d

9d

1400 Colonial Blvd., Suite 1  
Fort Myers, FL 33907



P: 239.938.1813 | F: 239.938.1817  
www.swfipc.org

## LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS HENDRY COUNTY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Hendry County Comprehensive Plan (DEO 17-1ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

| Factors of Regional Significance    |                 |                  |                  |                                                            |
|-------------------------------------|-----------------|------------------|------------------|------------------------------------------------------------|
| <u>Proposed</u><br><u>Amendment</u> | <u>Location</u> | <u>Magnitude</u> | <u>Character</u> | <u>Consistent</u>                                          |
| DEO 17-1ESR                         | No              | No               | No               | (1) Not Regionally Significant<br>(2) Consistent with SRPP |

### RECOMMENDED ACTION:

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Hendry County

**02/2017**

## COMMUNITY PLANNING ACT

### **Local Government Comprehensive Plans**

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;  
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

## **COMPREHENSIVE PLAN AMENDMENTS**

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

### **Regional Planning Council Review**

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government".

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

**NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.**

## **HENDRY COUNTY COMPREHENSIVE PLAN AMENDMENT (DEO 17-1ESR)**

**DATE RECEIVED: JANUARY 14, 2017**

### **Summary of Proposed Amendment**

Hendry County DEO 17-1ESR consists of text amendments to the Hendry County Comprehensive Plan including, codification of amendments adopted in 2015-2016, amendments relating to Legislative changes, reorganizing and renumbering goals, objectives and policies (GOPs), and relocating 2010 data and analysis to a separate document. The following is a brief description of each of the proposed amendments to the Comprehensive Plan:

1. The Data and Analysis for the 2010 Evaluation and Appraisal Report was included as a preamble in each Element. In order to avoid confusion as to whether these are a part of the GOPs, the language has been struck through and a separate 2010 Data and Analysis Document have been created. This change affords the County the ability to update supporting data and analysis, if needed during the planning horizon, without having to amend the Comprehensive Plan.

2. There were seven CP amendments adopted in 2015- 2016 that are being codified into the CP. These include:

- a. The privately initiated Southwest Hendry County Sector Plan.
- b. The 2015 County initiated CP amendments that included:
  - i. Amendments to the Future Land Use Element to add institution as a use.
  - ii. Grandfather parcels that do not meet the minimum requirement of five acres.
  - iii. Clarify the Agriculture/Conservation Future Land Use Category. Historically there has been confusion as to whether all land designated as Agriculture Conservation are wetlands which they are not. The new language states that these properties may contain wetlands.
  - iv. The Multi-Use Future Land Use Category requires a minimum lot size of five (5) acres. Language was added to be consistent with the vesting of the 1.10+ acre lots in Wheeler Estates.
  - v. The West Hendry Planning Overlay was revised to remove the transfer of development rights requirement and to remove requirements no longer relevant either by the passage of the deadlines or by the change in conditions such as the revised Water Supply Plan.
  - vi. Several Policies were revised to refer to “Final Permit” instead of development order. This is intended to clarify the timing of when certain permitting assessments are required for a final permit vs. a comprehensive plan amendment or rezoning.
  - vii. Revised or added definitions including: Concurrency Management Systems, Detailed Specific Area Plan, Development order, Floor Area Ratio, Final Permit, Institution, Public Facilities, Sector Plan, and Wetland.
- c. Privately initiated text amendments and map amendment relating to the FPL Electrical Generating Facility.
- d. The Water Supply Plan update.

- e. A privately initiated map amendment to change 629+/- acres from Agriculture to Multi-Use.
3. The GOPs were renumbered. The existing CP uses a consecutive numbering system that starts in the FLUE and continues through each element. The proposed new numbering system begins each element with its own Goal 1. This is the numbering system used by most local governments in Florida. In addition, the renumbering system eliminates the use of Chapter numbers and instead relies on the name of each Element for identification.
4. The proposed Comprehensive Plan changes consolidate and centralize the various maps. The required map series are proposed to be contained within a Map Appendix, which should make the Plan more layperson-friendly. The only map updated is the Future Land Use Map.
5. The School Element is being eliminated and many of the GOPs have been blended into other elements such as Concurrency and Interlocal Coordination. Stand-alone School Elements are now optional pursuant to the Florida Statutes.
6. Language has been deleted which is no longer relevant or is redundant to the Land Development Code. These include, but are not limited to, reference to a Transfer of Development Rights program which was rescinded with the Rural Lands Sub-Element. The specific on-site preservation requirements found in both the Conservation Element and Future Land Use Element has been deleted since the specific preservation requirements are included in LDC Section 1-55-2 and are addressed in Planned Unit Developments and Site Development Plans as well as through State and Federal permitting.
7. Housing Element:
- a. The proposed changes would relocate the supporting data and analysis to a consolidated, standalone document is the only change.
8. Recreation and Open Space Element
- a. The proposed changes would relocate the supporting data and analysis to a consolidated, standalone document.
  - b. The proposed change would relocate the level of service standards to the Concurrency Management Element
9. Conservation Element
- a. The proposed changes would relocate the supporting data and analysis to a consolidated, standalone data and analysis document.
  - b. The proposed changes would blend the Historic and Natural Features, Facilities and Services, the Conservation, and Wildlife Habitat of Endangered Species and Threatened and Species of Special Concern/Vegetative Communities found in the FLUE with the same GOPs in the Conservation Element.
  - c. The Onsite preservation specifics were deleted since the requirements are addressed in the Land Development Code.
  - d. The proposed changes would relocate and consolidate the required environmental features maps into the Map Appendix.

10. Infrastructure Element

- a. The proposed changes would relocate the supporting data and analysis to a consolidated, standalone data and analysis document.
- b. The proposed changes would relocate and consolidate level of service standards for potable water, sanitary sewer, solid waste, and drainage to the Concurrency Management Element.
- c. The proposed changes codify standards for the implementation of the South Florida Water Management District's Lower West Coast Water Supply Plan, adopted in 2015.

11. Transportation Element:

- a. The proposed changes would relocate the supporting data and analysis to a consolidated, standalone data and analysis document.
- b. Level of service standards would be relocated and consolidated into the Concurrency Management Element.

12. Concurrency Management Element

- a. The proposed changes would relocate the supporting data and analysis to a consolidated, standalone data and analysis document.
- b. The proposed changes would relocate and consolidate level of service standards GOPs from other Elements into the Concurrency Management Element.
- c. The proposed changes would codify the CP by adding a level of service standard for the Southwest Hendry County Sector Plan.
- d. The proposed changes also include the 2015 amendments adding the term final permit and including PSF Element policies and School Siting policies.

13. Capital Improvements Element

- a. The proposed changes would relocate the supporting data and analysis to a consolidated, standalone data and analysis document.
- b. The proposed changes would relocate and consolidate level of service standards GOPs within the Concurrency Management Element.
- c. The proposed changes would replace the Schedule of Capital Improvements from the 2014 – 2019 schedule to the adopted 2015 – 2020 schedule.

14. Intergovernmental Coordination Element

- a. The proposed changes would relocate the supporting data and analysis to a consolidated, standalone data and analysis document.

15. Economic Development Element

- a. The proposed changes would relocate the supporting data and analysis to a consolidated, standalone data and analysis document.

16. Public Schools Facilities Element

- a. Pursuant to the 2011 Legislative changes, local governments are no longer required to adopt school concurrency requirements. Hendry County proposes to maintain school concurrency level of service standards. The proposed changes would delete the existing School Facilities

Element and relocate and consolidate school siting and coordination requirements into the Intergovernmental Coordination Element and concurrency level of service standards into the Concurrency Management Element.

**Regional Impacts**

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant regional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

**Extra-Jurisdictional Impacts**

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

**Conclusion**

No significant adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that this project is not regionally significant.

**Recommended Action**

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Hendry County.





## *Florida Department of Transportation*

**RICK SCOTT**  
GOVERNOR

10041 Daniels Parkway  
Fort Myers, FL 33913

**JIM BOXOLD**  
SECRETARY

February 9, 2017

Margaret Emblidge, AICP  
Community and Planning Development Director  
Hendry County  
P.O. Box 2340  
640 S Main Street  
LaBelle, FL 33975

### **RE: Hendry County 17-1ESR Proposed Comprehensive Plan Amendment (Expedited State Review Process) – FDOT Technical Assistance Comments**

Dear Ms. Emblidge:

The Florida Department of Transportation (FDOT), District One, has reviewed the Hendry County 17-1ESR Proposed Comprehensive Plan Amendment (CPA), transmitted under the Expedited State Review (ESR) process. The Proposed Amendment was transmitted by the Board of County Commissioners in accordance with the requirements of Florida Statutes (F.S.) Chapter 163.

The proposed 17-1ESR CPA consists of a set of text amendments that reorganize the comprehensive plan, clarify language, and update obsolete language based on two reports prepared for the County: the Keith & Schnars *Concurrency Recommendations & Revisions Report* and the Fishkind & Associates *Mechanisms to Finance Future Public Facilities* report. Specific text amendments include the following:

- Relocation of Data and Analysis from each element to a separate Data and Analysis document
- Renumbering of goals, objectives, and policies
- Relocation of maps to an appendix
- Incorporation of previously adopted amendments from the 15-1ESR, 15-2ESR, 16-1ESR, and 16-CIE1 CPA cycles, including specification of minimum lot size under the Multi-Use future land use designation, allowance of institutional uses under multiple future land use designations, rescission of the Transfer of Development Rights program under the West Hendry Planning Overlay, inclusion of text and map amendments related to the FPL Electrical Generating Facility, inclusion of a map amendment affecting 629 acres at US 27 and Flaghole Road, and revision/addition of definitions
- Relocation of level of service (LOS) and concurrency language to the Concurrency Management Element

Margaret Emblidge, AICP  
Hendry County 17-1ESR Proposed CPA – FDOT Technical Assistance Comments  
January 31, 2017  
Page 2 of 2

- Deletion of the Public School Facilities Element

### **FDOT Technical Assistance Comment #1**

While the proposed amendments do not impact existing transportation facilities in the County, land uses/development patterns drive the development of transportation systems along with their safe and efficient operation.

FDOT supports Hendry County's efforts to develop well-planned, connected mixed-use communities and encourages the use of multimodal alternatives that incorporate Complete Streets and livability strategies into future development to mitigate potential impacts to State and Strategic Intermodal System (SIS) transportation facilities, promote safety, improve quality of life for all communities in the county, and promote economic development. Examples of these strategies include encouraging compact and dense developments, providing multimodal connectivity between existing and future development areas, and adopting multimodal LOS standards.

FDOT welcomes an opportunity to collaborate and provide technical assistance to Hendry County to minimize potential future impacts on State and SIS transportation facilities. FDOT offers several new initiatives that complement the goals expressed in the County's Comprehensive Plan, such as "Complete Streets,"<sup>1</sup> modern roundabouts,<sup>2</sup> and a commitment to bicycle and pedestrian safety.<sup>3</sup>

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment. If you have any questions please free to contact me at (239) 225-1981 or sarah.catala@dot.state.fl.us.

Sincerely,



Sarah Catala  
SIS/Growth Management Coordinator  
FDOT District One

CC: *Mr. Ray Eubanks, Florida Department of Economic Opportunity*

---

<sup>1</sup> <http://www.flcompletestreets.com/>

<sup>2</sup> <http://www.dot.state.fl.us/rddesign/Roundabouts/Default.shtm>

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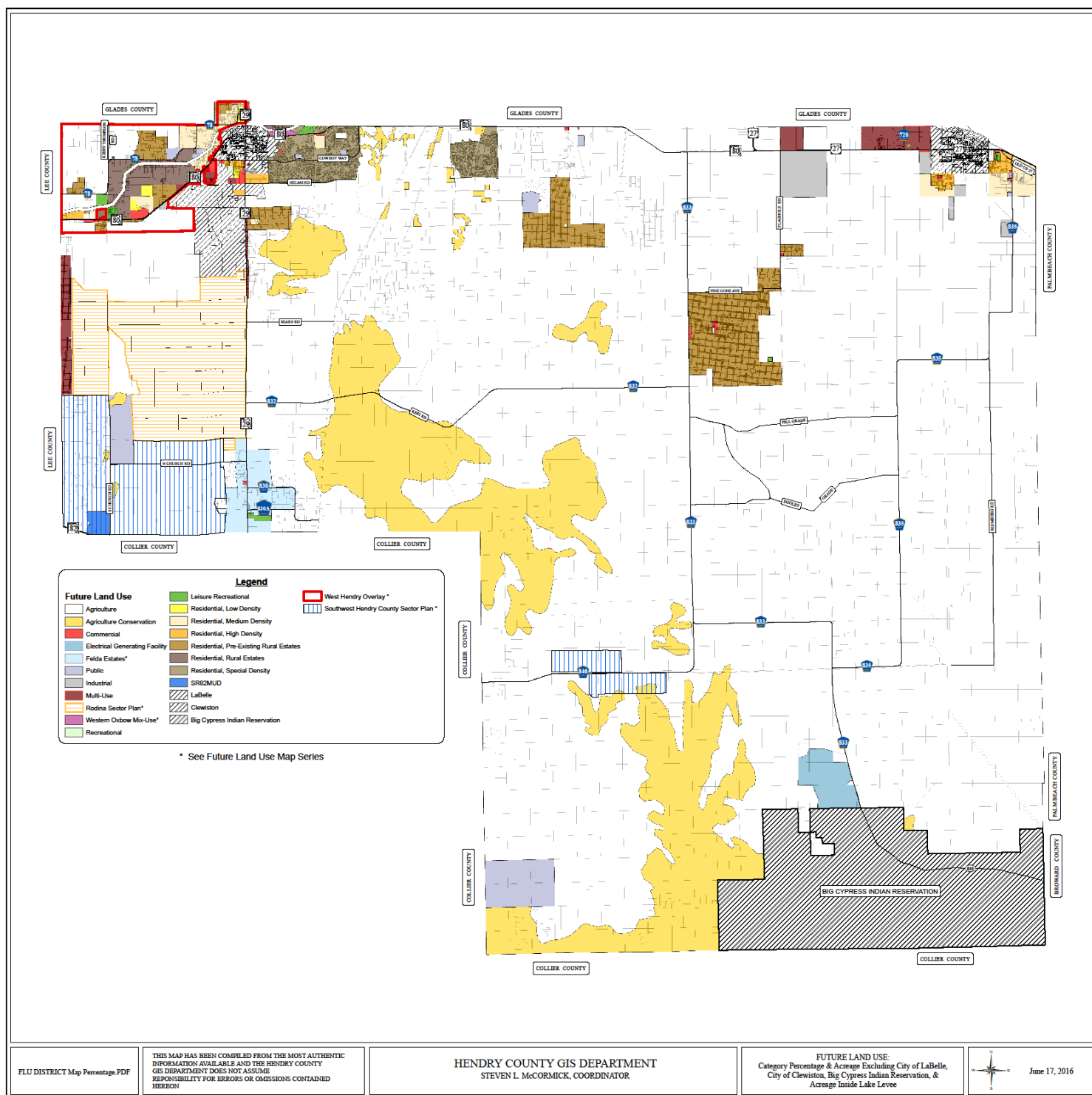
# MAPS

**Hendry County**

**DEO 17-1ESR**

**Growth Management Plan**

**Comprehensive Plan Amendment**



FLU DISTRICT Map Percentage PDF

THIS MAP HAS BEEN COMPILED FROM THE MOST AUTHENTIC INFORMATION AVAILABLE AND THE HENDRY COUNTY GIS DEPARTMENT DOES NOT ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED HEREON

HENDRY COUNTY GIS DEPARTMENT  
STEVEN L. MCCORMICK, COORDINATOR

FUTURE LAND USE:  
Category Percentage & Acreage Excluding City of LaBelle,  
City of Clewiston, Big Cypress Indian Reservation, &  
Acreage Inside Lake Levee



June 17, 2016

## Updated Future Land Use Map Replacing Map Relocated from Future Land Use Element

9e

Hendry County DEO 17-2ESR

9e

9e

1400 Colonial Blvd., Suite 1  
Fort Myers, FL 33907



P: 239.938.1813 | F: 239.938.1817  
www.swfipc.org

## LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS HENDRY COUNTY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Hendry County Comprehensive Plan (DEO 17-2ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

| Factors of Regional Significance    |                 |                  |                  |                                                            |
|-------------------------------------|-----------------|------------------|------------------|------------------------------------------------------------|
| <u>Proposed</u><br><u>Amendment</u> | <u>Location</u> | <u>Magnitude</u> | <u>Character</u> | <u>Consistent</u>                                          |
| DEO 17-2ESR                         | No              | No               | No               | (1) Not Regionally Significant<br>(2) Consistent with SRPP |

### RECOMMENDED ACTION:

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Hendry County

**02/2017**



## COMMUNITY PLANNING ACT

### **Local Government Comprehensive Plans**

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;  
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

## **COMPREHENSIVE PLAN AMENDMENTS**

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

### **Regional Planning Council Review**

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government".

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

**NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.**



## **HENDRY COUNTY COMPREHENSIVE PLAN AMENDMENT (DEO 17-2ESR)**

**DATE RECEIVED: JANUARY 14, 2017**

### **Summary of Proposed Amendment**

Hendry County DEO 17-2ESR is a County initiated comprehensive plan future land use map amendment to redesignate approximately 38.75 acres from Residential-Low Density (RLD) Future Land Use Category (FLUC) to Residential-Medium Density (RMD) FLUC. The subject properties are located in North LaBelle. The subject area consists of 17 parcels primarily developed with mobile homes. It is surrounded by existing mobile home parks, platted mobile home subdivisions and individually subdivided lots to the north and west, commercial uses and mobile homes to the east. South of the subject area is Nobles Road then large undeveloped parcels and large lot site built single family residences. The Future Land Use Designation to the east is Commercial, to the north and west is Residential-Medium Density and to the South is Residential-Low Density. The parcels within the subject area are zoned RG-1M which allows mobile homes. The property owners have relied on the ability to have mobile homes on their property. Since the Residential-Low Density FLUC prohibits mobile homes this has created an inconsistency with the existing land use pattern and the future land use designation. The 2008 Evaluation and Appraisal Report (EAR) and subsequent EAR based amendments recommended that this area be designated as Residential-Medium Density.

Both the existing zoning and FLUC allows residential at one unit per acre. Redesignating the parcels to RMD would allow two units per acre if the parcels were rezoned to RGM-2. Allowing two units per acre would technically double the number of residences that could be permitted. However, the existing public facilities that were assessed in the EAR were based on a population of 43,200 in 2015 and a population of 45,900 in 2020. Currently, per the Bureau of Economic and Business Research, Hendry County has an estimated population of 38,370. The service provider data collected for the EAR determined that there will be adequate services available for a population of 43,200.

### **Regional Impacts**

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant regional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

### **Extra-Jurisdictional Impacts**

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

### **Conclusion**

No significant adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that this project is not regionally significant.

**Recommended Action**

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Hendry County.



## Florida Department of Transportation

**RICK SCOTT**  
GOVERNOR

801 N. Broadway Avenue  
Bartow, FL 33830

**JIM BOXOLD**  
SECRETARY

February 10, 2017

Margaret Emblidge, AICP  
Planning and Community Development Director  
Hendry County  
P.O. Box 2340  
640 South Main Street  
LaBelle, FL 33975

### **RE: Hendry County 17-2ESR Proposed Comprehensive Plan Amendment (Expedited State Review Process) – FDOT Technical Assistance Comments**

Dear Ms. Emblidge:

The Florida Department of Transportation (FDOT), District One, has reviewed the Hendry County 17-2ESR Proposed Comprehensive Plan Map Amendment (CPA). The CPA proposal package was transmitted under the Expedited State Review process by the Hendry County Board of County Commissioners in accordance with the requirements of Florida Statutes Chapter 163. FDOT offers the following technical assistance comments.

The Hendry County 17-2ESR CPA (CPA 16-005) proposes to change the Future Land Use (FLU) designation of 38.75± acres from Residential-Low Density (RLD) to Residential-Medium Density (RMD) on the County's FLU Map. The 38.75± acres consists of 17 parcels that are primarily developed with mobile homes, and is generally located north of Nobles Road and CR 78, south of Marion Avenue, east of Thigpen Road and approximately 0.10 mile west of SR 29 in Hendry County, Florida.



The subject area is surrounded by existing mobile home parks, platted mobile home subdivisions and individually subdivided lots to the north and west, commercial uses and mobile homes to the east. According to the staff report, the property owners intend to develop the subject property as mobile homes. However, the Hendry County Comprehensive Plan, Policy 1.1.2, for "Residential-Low Density" indicates that "Mobile home units are not permitted" under R-LD FLU. This has created an inconsistency with the existing land use pattern and the FLU designation. As a result, the Applicant

proposes to re-designate the FLU on the subject property to R-MD which allows for mobile homes, per Policy 1.1.4.

According to the adopted FLU designation of R-LD, the maximum development that could occur on the 38.75± acres is 38 single family dwelling units (1 DU/Acre), which would result in approximately 431 daily trips or 44 p.m. peak hour trips. The proposed R-MD FLU designation would allow up to 77 single family dwelling units (2 DUs/Acre), in addition to 25,319<sup>1</sup> square feet of commercial uses, which would result in approximately 3,607 daily trips or 322 p.m. peak hour trips; resulting in a net increase of 3,176 daily trips or 278 p.m. peak hour trips. **The following table summarizes the maximum trip generation potential for the adopted and proposed land uses**, as well as the change in trips as a result of the amendment.

#### **MAXIMUM TRIP GENERATION FOR CPA 16-0005**

| Scenario        | Land Use Designation | Maximum Allowed Density / Intensity | Land Use Code | Size of Development |                     | Daily Trips <sup>1</sup> | PM Peak Hour Trips <sup>1</sup> |
|-----------------|----------------------|-------------------------------------|---------------|---------------------|---------------------|--------------------------|---------------------------------|
|                 |                      |                                     |               | Acres               | Allowed Development |                          |                                 |
| Adopted         | R-LD                 | 1 DU/Acre                           | 210           | 38.75               | 38 DUs              | 431                      | 44                              |
| Proposed        | R-MD (RES)           | 2 DUs/Acre                          | 210           | 38.75               | 77 DUs              | 826                      | 83                              |
|                 | R-MD (COM)           | 0.10 FAR @ 15% of the land area     | 820           |                     | 25,319 sf           | 2,781                    | 239                             |
| Change in Trips |                      |                                     |               |                     |                     | +3,176                   | +278                            |

<sup>1</sup> Trip generation based on the rates and equations obtained in the ITE Trip Generation Manual (9th Edition)

As indicated above, the applicant is requesting the R-MD FLU change to allow for development of mobile homes on the subject property, which could be developed up to 77 mobile homes (2 Units/Gross Acre); resulting in approximately 550 daily trips or 45 p.m. peak hour trips. The requested amendment would result in a net increase of 119 daily trips or 1 p.m. peak hour trips. **The following table summarizes the trip generation potential for the adopted and requested land uses**, as well as the change in trips as a result of the requested amendment.

<sup>1</sup> Per FLU Element Policy 1.1.4, thru a Planned Unit Development, the R-MD FLU category can allow up to 15% of the land for commercial uses at a floor area ratio (FAR) of 0.10, which equals 25,319 square feet (0.10\*15%\*38.75\*43,560 = 25,319 sf)



### **TRIP GENERATION FOR CPA 16-0005 AS REQUESTED**

| Scenario        | Land Use Designation       | Maximum Allowed Density / Intensity | Land Use Code | Size of Development |                     | Daily Trips <sup>1</sup> | PM Peak Hour Trips <sup>1</sup> |
|-----------------|----------------------------|-------------------------------------|---------------|---------------------|---------------------|--------------------------|---------------------------------|
|                 |                            |                                     |               | Acres               | Allowed Development |                          |                                 |
| Adopted         | R-LD                       | 1 DU/Acre                           | 210           | 38.75               | 38 DUs              | 431                      | 44                              |
| Requested       | R-MD<br>(Mobile Home Park) | 2 DUs/Acre                          | 240           | 38.75               | 77 DUs              | 550                      | 45                              |
| Change in Trips |                            |                                     |               |                     |                     | +119                     | +1                              |

<sup>1</sup> Trip generation based on the rates and equations obtained in the ITE Trip Generation Manual (9th Edition)

#### **FDOT Comment #1:**

Based on the planning level analysis of the proposed amendment ***as requested***, 119 daily trips (or 1 p.m. peak hour trip) will be added onto the roadway network. **In order to ensure that development does not exceed the proposed intent of this CPA (to build mobile homes on the subject property), FDOT recommends that the CPA be amended to state that the maximum development on the 38.75 acres of the subject property will be limited to 77 mobile homes, as per the applicant's request.**

#### **FDOT Technical Assistance Comment #1:**

While the proposed amendment does not impact existing transportation facilities in the County, land uses/development patterns drive the development of transportation systems along with their safe and efficient operation. The proposed development pattern encourages personal automobile usage and will add passenger trips onto SR 29. Because SR 29 is a Strategic Intermodal System (SIS) transportation facility, and a regional freight corridor, the proposed development increases the potential of local passenger vehicles mixing with freight traffic.

FDOT supports Hendry County's efforts to develop well-planned, connected mixed-use communities, and encourages the use of multimodal alternatives that aid in mitigating potential transportation impacts by reducing the conflict between passenger vehicles and freight traffic. The use of multimodal alternatives aid in encouraging compact and dense developments, providing multimodal connectivity between existing and future development areas, and adopting multimodal LOS standards which promote safety and economic development, and improve quality of life for all communities in the County. FDOT welcomes an opportunity to collaborate and provide technical assistance to Hendry County to minimize potential future transportation impacts on State and SIS transportation facilities and offers several initiatives that complement the goals expressed in the County's Comprehensive Plan, such as "Complete Streets"<sup>2</sup>, modern roundabouts<sup>3</sup>, and a commitment to bicycle and pedestrian safety<sup>4</sup>.

<sup>2</sup> <http://www.flcompletestreets.com/>

<sup>3</sup> <http://www.dot.state.fl.us/rddesign/Roundabouts/Default.shtm>

<sup>4</sup> <http://www.alerttodayflorida.com/>

Margaret Emblidge, AICP  
Hendry County 17-2ESR Proposed CPA – FDOT Technical Assistance Comments  
February 10, 2017  
Page 4 of 4

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment. If you have any questions or need to discuss these comments further, please contact me at (239) 225-1981 or [sarah.catala@dot.state.fl.us](mailto:sarah.catala@dot.state.fl.us).

Sincerely,



Sarah Catala  
SIS/Growth Management Coordinator  
FDOT District One

CC: *Mr. Ray Eubanks, Florida Department of Economic Opportunity*

# MAPS

**Hendry County**

**DEO 17-2ESR**

**Growth Management Plan**

**Comprehensive Plan Amendment**

**Exhibit A**  
Existing Land Use - Residential Low Density

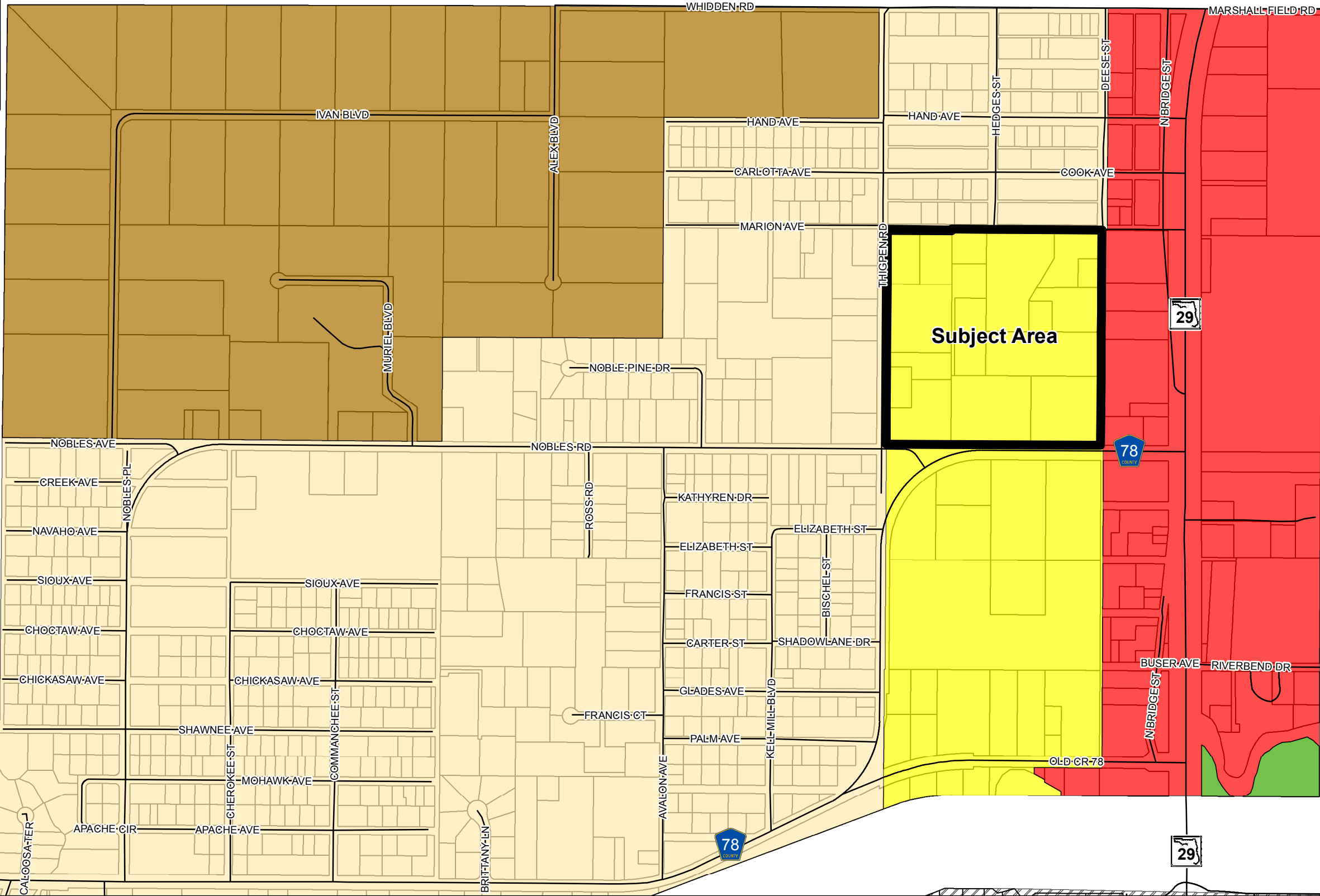
**Future Land Use**

Residential, Low Density

Residential, Medium Density

Residential, Pre-Existing Rural Estates

Commercial



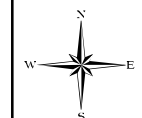
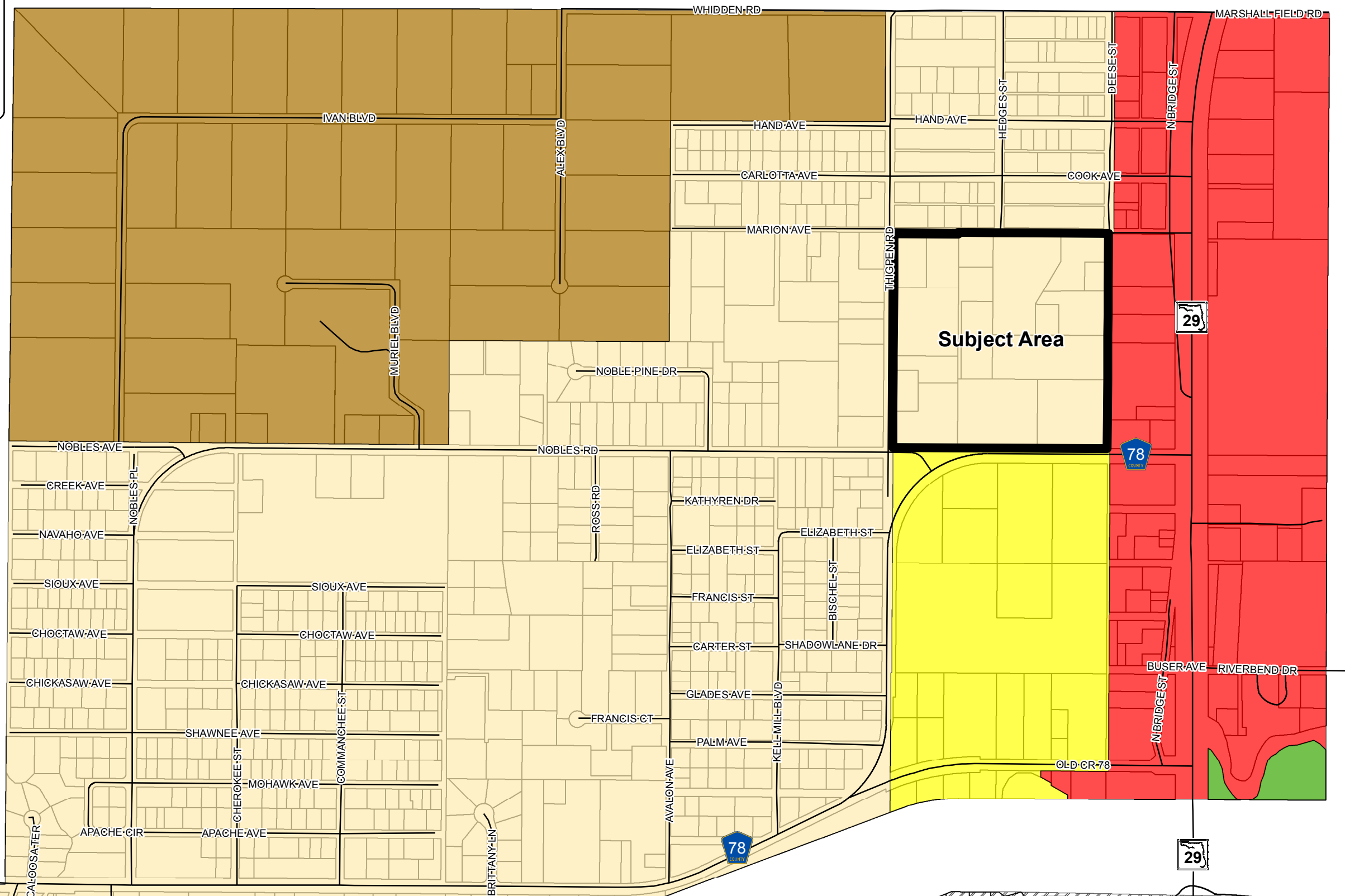


## Exhibit B

### Proposed Land Use - Residential Medium Density

#### Future Land Use

- Residential, Low Density
- Residential, Medium Density
- Residential, Pre-Existing Rural Estates
- Commercial



# --- Agenda --- Item

9f

Sarasota County DEO 17-1ESR

9f

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Fort Myers, FL 33907



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www.swfRPC.org

## LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS SARASOTA COUNTY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Sarasota County Comprehensive Plan (DEO 17-1ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
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3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

| Factors of Regional Significance    |                 |                  |                  |                                                            |
|-------------------------------------|-----------------|------------------|------------------|------------------------------------------------------------|
| <u>Proposed</u><br><u>Amendment</u> | <u>Location</u> | <u>Magnitude</u> | <u>Character</u> | <u>Consistent</u>                                          |
| DEO 17-1ESR                         | No              | No               | No               | (1) Not Regionally Significant<br>(2) Consistent with SRPP |

### RECOMMENDED ACTION:

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County

**02/2017**

## COMMUNITY PLANNING ACT

### **Local Government Comprehensive Plans**

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;  
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
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The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

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Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

## **COMPREHENSIVE PLAN AMENDMENTS**

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

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In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

### **Regional Planning Council Review**

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government".

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

**NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.**

## **SARASOTA COUNTY COMPREHENSIVE PLAN AMENDMENT (DEO 17-1ESR)**

**DATE RECEIVED: JANUARY 18, 2017**

### **Summary of Proposed Amendment**

Sarasota County DEO 17-1ESR is a privately-initiated Comprehensive Plan Amendment (CPA) to revise the Future Land Use (FLU) Map for the 17.96+ acres acre property, located at the southeast quadrant of Honore Avenue and DeSoto Road from Medium Density Residential (MEDR) ( $\geq 5$  du and  $\leq 9$  du/acre) to High Density Residential (HDR) ( $\geq 9$  du and  $\leq 13$  du/acre), for up to 233 units. The project is located within the Urban Service Boundary. The CPA has a companion rezone petition (RZ No. 16-16). The property is surrounded by HDR, MEDR and Moderate Density Residential (MODR) FLUs.

Sarasota County's Planning Commission recommended the following stipulations:

1. Development shall be consistent with all applicable conditions of the University Parkway Corridor Plan East (No. 92-01-SP-East), as amended.
2. Development shall take place in substantial compliance with the Development Concept Plan date stamped October 7, 2016 and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
3. Access to Desoto Road shall be restricted to right-in/right-out only.
4. Prior to Certification of Occupancy, the developer shall construct an ADA compliant bus shelter pad. The pad shall be connected to the public sidewalk. The exact location and design of the facility will be determined during the Site and Development review process in coordination with SCAT. If the bus stop is located on DeSoto Road, a bus-bay/pull-off shall be constructed.

### **Regional Impacts**

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant regional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

### **Extra-Jurisdictional Impacts**

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

### **Conclusion**

No adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that this project is not regionally significant.

### **Recommended Action**

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County.

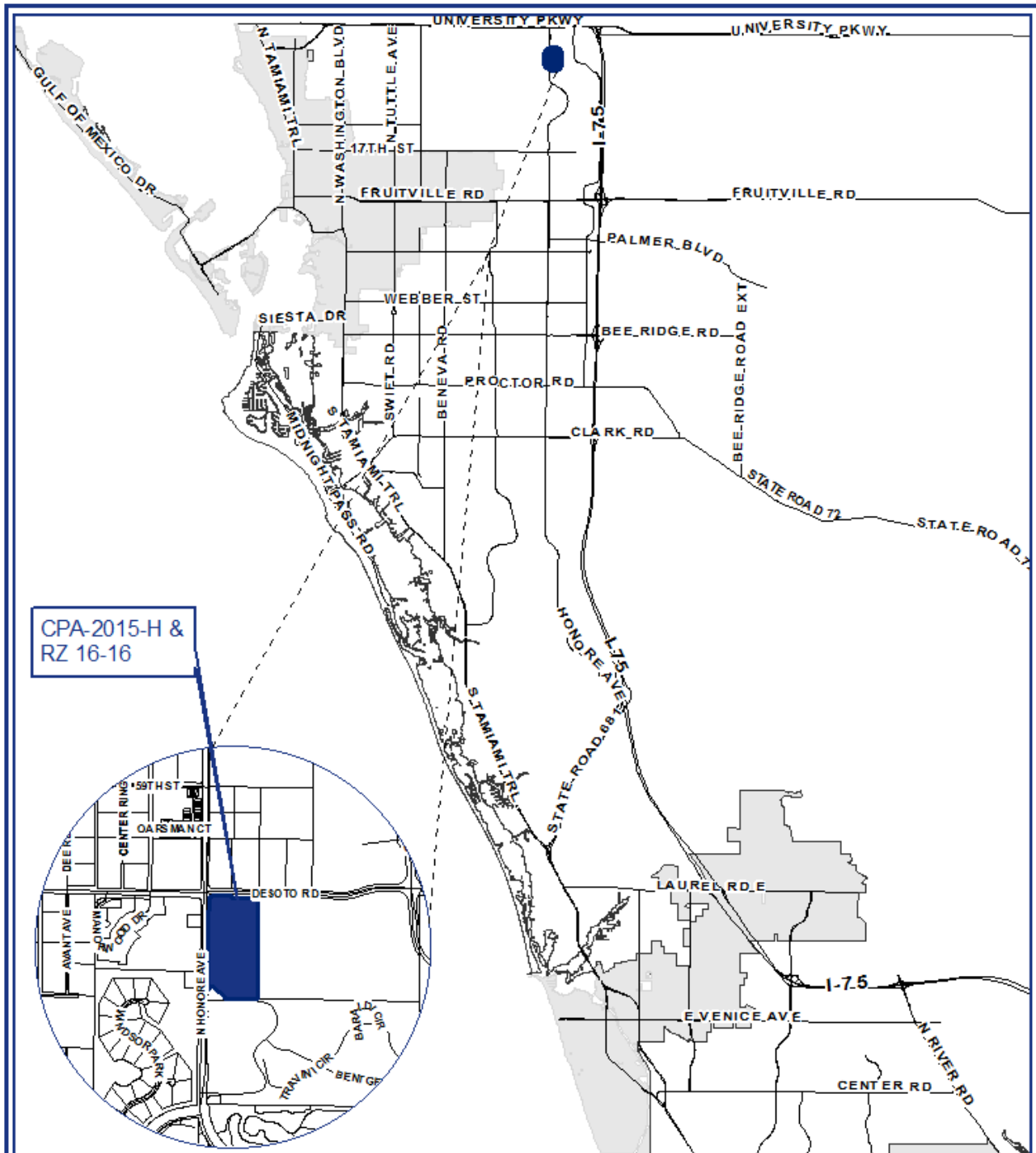
# MAPS

**Sarasota County**

**DEO 17-1ESR**

**Growth Management Plan**

**Comprehensive Plan Amendment**



## SARASOTA COUNTY COMMISSION PUBLIC HEARING

### COMPREHENSIVE PLAN AMENDMENT (CPA)-2015-H & REZONE PETITION NO. 16-16

CPA-2015-H &  
RZ 16-16

**BOARD TRANSMITTAL: NOVEMBER 9, 2016**

This map is produced from Sarasota County GIS, and is representative information only. The County does not warrant, guarantee, or assume any responsibility for geographic information completeness and/or accuracy. This map should not be used as a guide for navigation. Copyright © 2016

Sarasota County  
Sarasota, FL 34237



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Feet

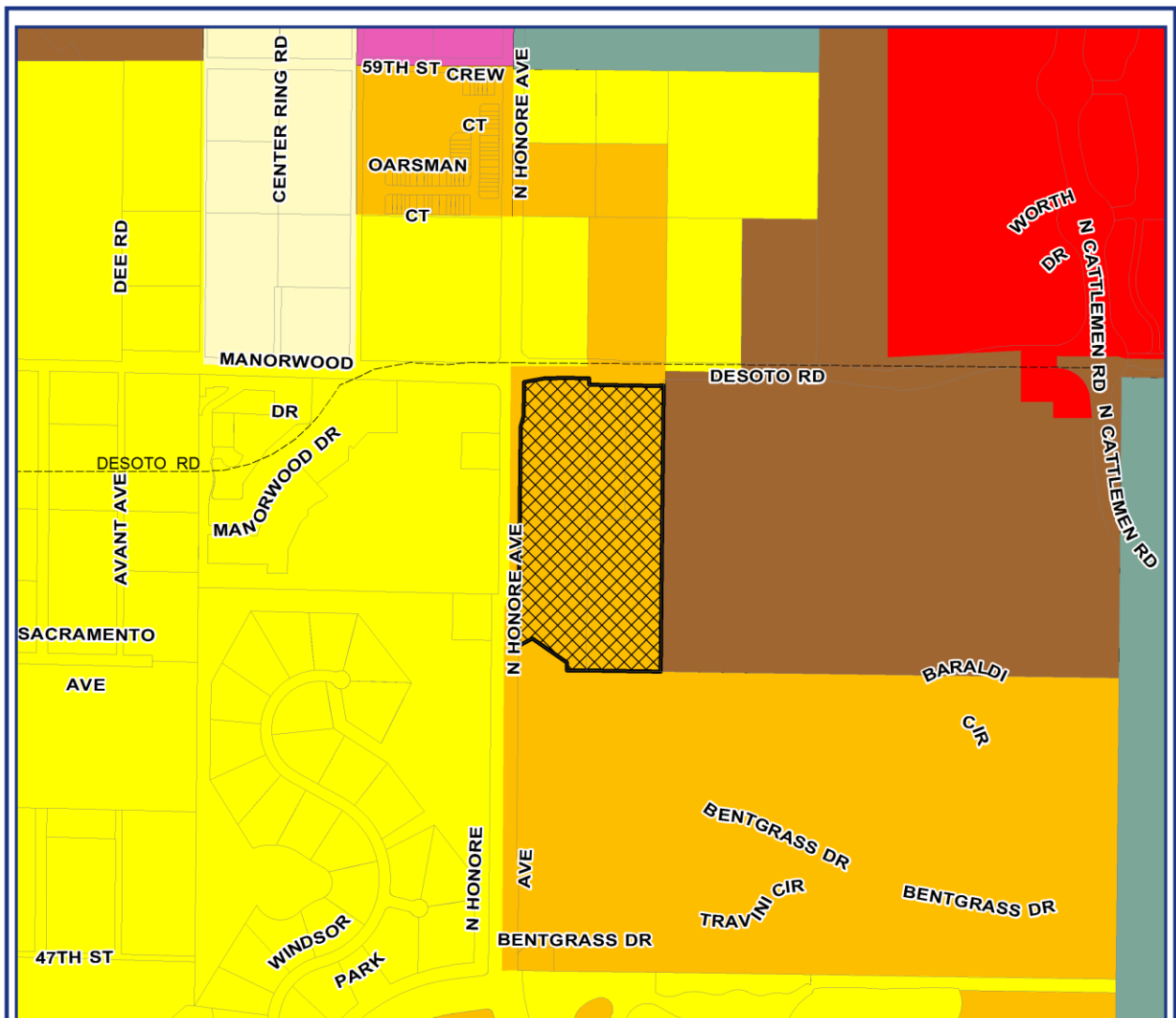
Map published using ArcGIS 10.2 by cphendon on Wednesday, August 21, 2016

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## FUTURE LAND USE DESIGNATION

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### COMPREHENSIVE PLAN AMENDMENT (CPA)-2015-H & REZONE PETITION NO. 16-16

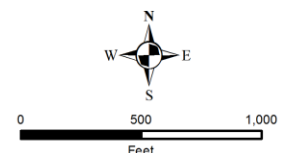
Sarasota County  
scgov.net | 941.861.5000

NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENT OF THE SARASOTA COUNTY COMPREHENSIVE PLAN AS ADOPTED BY SARASOTA COUNTY ORDINANCE NO. 89-18, AS THE SAME MAY BE AMENDED FROM TIME TO TIME. THE BOUNDARIES OF LAND USE DESIGNATIONS, WHERE THEY HAVE BEEN ESTABLISHED, MAY BE REVIEWED AT SARASOTA COUNTY PLANNING SERVICES, 1660 RINGLING BOULEVARD, SARASOTA, FLORIDA.

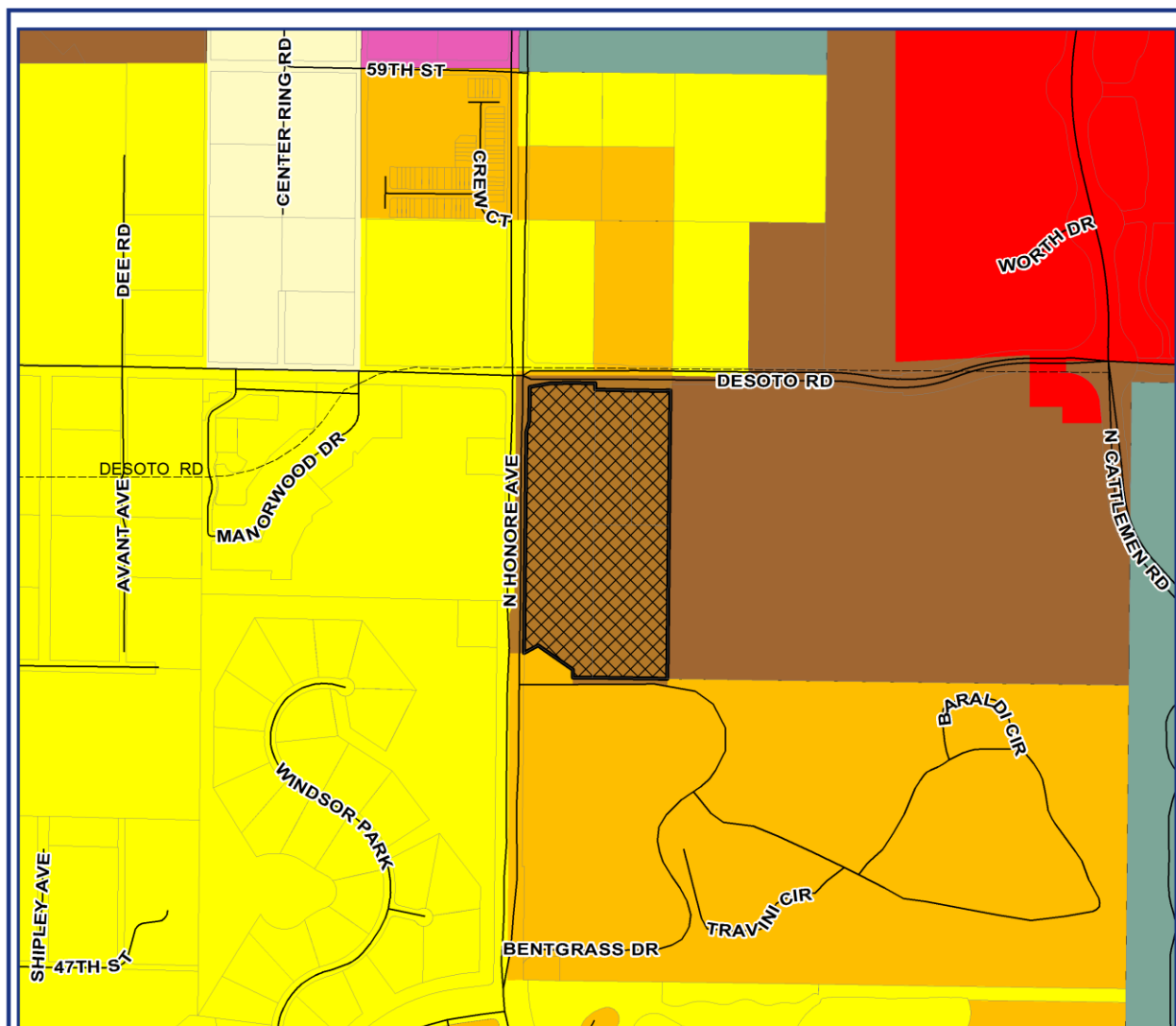
- LOW DENSITY RESIDENTIAL (< 2 DUs/ACRES)
- MODERATE DENSITY RESIDENTIAL (≥ 2 AND < 5 DUs/ACRE)
- MEDIUM DENSITY RESIDENTIAL (≥ 5 AND ≤ 9 DUs/ACRE)
- HIGH DENSITY RESIDENTIAL (> 9 AND ≤ 13 DUs/ACRE)
- SEMI-RURAL
- RURAL
- BARRIER ISLAND
- COMMERCIAL CENTER
- COMMERCIAL CORRIDOR
- COMMERCIAL CENTER (UNDEFINED BOUNDARIES)

- LIGHT OFFICE
- OFFICE/MULTI-FAMILY RESIDENTIAL
- COMMERCIAL HIGHWAY INTERCHANGE
- MAJOR EMPLOYMENT CENTER - MEC
- MAJOR GOVERNMENT USES
- PUBLIC CONSERVATION/PRESERVATION
- INCORPORATED AREA
- WATER
- URBAN SERVICE AREA BOUNDARY
- FUTURE URBAN SERVICE AREA BOUNDARY

- PUBLIC AIRPORT FACILITY
- PRIVATE AIRPORT FACILITY
- FUTURE THOROUGHFARES
- CPA-2015-H & RZ 16-16



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Map published using ArcGIS 10.x by cohendri on Wednesday, July 20, 2016



## PROPOSED FUTURE LAND USE DESIGNATION

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### COMPREHENSIVE PLAN AMENDMENT (CPA)-2015-H & REZONE PETITION NO. 16-16

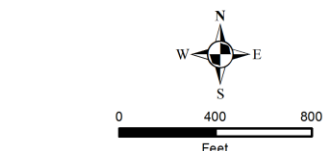
Sarasota County  
scgov.net | 941.861.5000

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Map published using ArcGIS 10.x by cohendri on Thursday, July 21, 2016

# Agenda Item

9g

Sarasota County DEO 17-2 ESR

9g

9g

1400 Colonial Blvd., Suite 1  
Fort Myers, FL 33907



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## LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS SARASOTA COUNTY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Sarasota County Comprehensive Plan (DEO 17-2ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

| Factors of Regional Significance    |                 |                  |                  |                                                        |
|-------------------------------------|-----------------|------------------|------------------|--------------------------------------------------------|
| <u>Proposed</u><br><u>Amendment</u> | <u>Location</u> | <u>Magnitude</u> | <u>Character</u> | <u>Consistent</u>                                      |
| DEO 17-2ESR                         | Yes             | No               | No               | (1) Regionally Significant<br>(2) Consistent with SRPP |

### RECOMMENDED ACTION:

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County

**02/2017**

## COMMUNITY PLANNING ACT

### **Local Government Comprehensive Plans**

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;  
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

## **COMPREHENSIVE PLAN AMENDMENTS**

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

### **Regional Planning Council Review**

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government".

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

**NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.**

## SARASOTA COUNTY COMPREHENSIVE PLAN AMENDMENT (DEO 17-2ESR)

DATE RECEIVED: FEBRUARY 1, 2017

### Summary of Proposed Amendment

Sarasota County DEO 17-2ESR is a County-initiated Amendment to Maps 10-8 and 10-9 of the Year 2040 Future Thoroughfare Plan of the Future Land Use Chapter, Table 10-5 of the Transportation Chapter, all in Volume I, and Table 14-2 of the Capital Improvements Chapter in Volume II, to add an I-75 overpass and connector road between the future Lakewood Ranch Boulevard and Cattlemen Road.

Sarasota County has seen a significant amount of development in the northeastern part of the county. With this development there has been an increase in congestion on the thoroughfare roadways in the area (University Parkway, Honore Avenue, Cattlemen Road, and Fruitville Road). Furthermore, additional development such as, the Fruitville Initiative, Villages of Lakewood Ranch South, University Town Center, is expected to generate a significant amount of traffic on the surrounding roadway network. FDOT as well as county transportation models have demonstrated the need for the I-75 Overpass to alleviate congestion on Fruitville Road due to existing and project traffic. The I-75 Overpass will provide the needed connectivity to help ease traffic east and west of I-75 between University Parkway and Fruitville Road.

It should be noted that the construction of the overpass is not anticipated within the next five to ten years. However, the thoroughfare designation will allow staff to seek state and federal funding.

| Roadway Name            | From                     | To                              | Lanes    |
|-------------------------|--------------------------|---------------------------------|----------|
| <b>Major Collectors</b> |                          |                                 |          |
| Gulf Gate Dr            | Gateway Ave              | Beneva Rd                       | 2        |
| Harbor Dr               | Venice Ave               | South of Beach Rd               | 2        |
| Hatchett Creek Blvd     | Pinebrook Rd             | Jacaranda Blvd                  | 2        |
| <b>I-75 Overpass</b>    | <b>N. Cattlemen Road</b> | <b>Lakewood Ranch Boulevard</b> | <b>4</b> |
| Jackson Rd              | Center Rd                | Venice Ave                      | 2        |
| Myrtle Street           | US 41                    | Tuttle Ave                      | 4        |
| Palmer Blvd             | Honore Ave               | Iona Rd                         | 2        |

**PART OF MODIFIED TABLE 10-5**

| Road Name                    | From                       | To                              | # of Lanes | 2021 v/c Ratio | Congestion Level     | Improvements to Achieve and Maintain Adopted Level of Service                                        |
|------------------------------|----------------------------|---------------------------------|------------|----------------|----------------------|------------------------------------------------------------------------------------------------------|
| Honore Avenue                | University Parkway         | Desoto Road                     | 2          | 1.46           | Severely Congested   | Widen to four (4) lanes.                                                                             |
| Honore Avenue                | Desoto Road                | Longmeadow                      | 2          | 1.29           | Severely Congested   | Widen to four (4) lanes.                                                                             |
| Honore Avenue                | Longmeadow                 | Taywood Meadow                  | 2          | 0.99           | Borderline Congested | No improvements. Segment expected to be shown to achieve adopted LOS under detailed analysis.        |
| Honore Avenue                | Taywood Meadow             | 17th Street                     | 2          | 1.30           | Severely Congested   | Widen to four (4) lanes.                                                                             |
| Honore Avenue                | 17th Street                | Richardson Road                 | 2          | 1.72           | Severely Congested   | Widen to four (4) lanes.                                                                             |
| Honore Avenue                | Richardson Road            | Fruitville Road                 | 2          | 2.20           | Severely Congested   | Widen to four (4) lanes.                                                                             |
| I-75 (SR 93)                 | University Parkway         | Fruitville Road                 | 6          | 1.27           | Severely Congested   | Widen to eight (8) lanes.                                                                            |
| <b>I-75 (SR 93) Overpass</b> | <b>N. Cattlemen Rd</b>     | <b>Lakewood Ranch Boulevard</b> | -          | -              | -                    | <b>Construct four (4) lanes.</b>                                                                     |
| Jacaranda Boulevard          | I-75                       | Executive Dr/Commercial Ct      | 4          | 0.94           | Borderline Congested | No improvements. Segment expected to be shown to achieve adopted LOS under detailed analysis.        |
| Jacaranda Boulevard          | Executive Dr/Commercial Ct | Venice Avenue                   | 4          | 0.97           | Borderline Congested | No improvements. Segment expected to be shown to achieve adopted LOS under detailed analysis.        |
| Jacaranda Boulevard          | Center Road                | Indian Hills Boulevard          | 4          | 1.17           | Congested            | Build to ultimate Thoroughfare Plan laneage designation. Seek TSM improvement funding opportunities. |

**PART OF TABLE 14-2 MODIFIED**



**Regional Impacts**

The proposed amendment will create an overpass over I-75, which is a regional facility. The Traffic Impact Analysis conducted by the County concludes that the proposed overpass will elevate traffic in the area. FDOT's review of the amendment package is attached. FDOT provided technical assistance comments and had no objections to the amendment. Staff finds the proposed amendments regionally significant with regards to location.

**Extra-Jurisdictional Impacts**

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

**Conclusion**

No adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that this project is regionally significant with regards to location.

**Recommended Action**

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County.



## *Florida Department of Transportation*

**RICK SCOTT**  
GOVERNOR

10041 Daniels Parkway  
Fort Myers, FL 33913

**RACHEL D. CONE**  
INTERIM SECRETARY

March 6, 2017

Steve Kirk  
Planner  
Sarasota County Planning Services  
1660 Ringling Boulevard, 1<sup>st</sup> Floor  
Sarasota, FL 34236

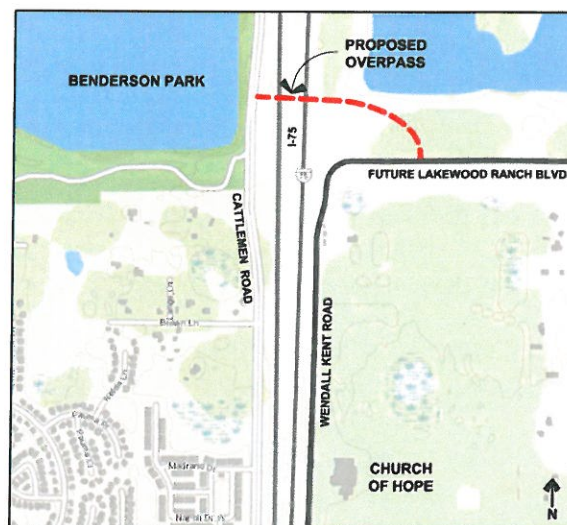
### **RE: Sarasota 17-2ESR Proposed Comprehensive Plan Amendment (Expedited State Review Process) – FDOT Technical Assistance Comments**

Dear Mr. Kirk:

The Florida Department of Transportation (FDOT), District One, has reviewed the Sarasota 17-2ESR Proposed Comprehensive Plan Amendment (CPA), locally known as CPA 2014-G. The CPA proposal package was transmitted under the Expedited State Review process by the Board of County Commissioners, in accordance with the requirements of Florida Statutes Chapter 163. FDOT offers the following technical assistance comments.

#### **OVERVIEW**

The Sarasota 17-2ESR CPA is a County-initiated Amendment to Maps 10-8 and 10-9 of the Year 2040 Future Thoroughfare Plan of the Future Land Use Chapter, Table 10-5 of the Transportation Chapter, all in Volume I, and Table 14-2 of the Capital Improvements Chapter in Volume II, to add an I-75 overpass and connector road between the future Lakewood Ranch Boulevard and Cattlemen Road. Sarasota County notes that the construction of the overpass is not anticipated within the next five to ten years; however, the thoroughfare designation will allow Sarasota County to seek state and federal funding.



#### **BACKGROUND**

In October of 2013, the Board of County Commissioners approved the Second Amended Adequate Transportation Facilities Agreement (Contract No. 2016-277) with Schroeder-Manatee Ranch, Inc., for the Villages of Lakewood Ranch South Development of Regional Impact (the "Villages"). This agreement provides for an alternative proportionate share

project involving an I-75 Overpass connecting Lakewood Ranch Boulevard from the Villages to N. Cattlemen Road. Additionally, as support of FDOT's request for funding and construction of the diverging diamond interchange at I-75 and University Parkway, the Board through Resolution No. 2014-043, committed to the construction of an I-75 Overpass on the southern boundaries of the Nathan Benderson Park and Schroeder-Manatee Ranch to address congestion at the I-75/University Parkway interchange and on University Parkway between N. Cattlemen Road/Cooper Creek Boulevard and Market Street. Furthermore, FDOT as well as county transportation models have demonstrated the need for the I-75 Overpass to alleviate congestion on Fruitville Road due to existing and project traffic.

## **REVIEW**

According to the staff report and based on the review of the revised traffic report dated September 2016, the proposed I-75 east-west overpass and connector road between the future Lakewood Ranch Boulevard and Cattlemen Road, would potentially improve the overall traffic operations of the area, alleviate congestion resulting from the nearby developments and provide a gridded transportation network in the northeastern part of the county, along with the extension of Lakewood Ranch Boulevard from Lorraine Road to Fruitville Road.

### **FDOT Technical Assistance Comment #1**

The analyses provided with the amendment package does not include design hour volumes (DHVs), v/c ratios or levels of service (LOS) for the proposed overpass connector. **Please include the DHVs, v/c ratios and LOS for the proposed overpass connector for the Build conditions, and revise the Tables and Figures in Appendix D accordingly.**

### **FDOT Technical Assistance Comment #2**

The DHVs, v/c ratios and LOS for I-75 from SR 70 to University Parkway and from University Parkway to Fruitville Road, as shown in Table 3 of the Staff Report and Table 6-3 of Appendix D for the recommended alternative (Alternative 2), do not correspond to Figures 6-5 and 6-6 of Appendix D. **Please revise Table 3 of the Staff Report and Table 6-3 of Appendix D to be consistent with Figures 6-5 and 6-6 of Appendix D.**

**In addition, the v/c ratios are incorrect in Table 6-1, Figure 6-1 and Figure 6-2 of Appendix D. Please revise the v/c ratios for the same two I-75 segments accordingly.**

### **FDOT Technical Assistance Comment #3:**

FDOT supports the County with the planning of an east-west connection and looks forward to working with the County as this project moves forward into the design and construction stages. As the proposed overpass project advances, FDOT requests to be included as a review agency in future traffic studies and discussions, in order to ensure that the future traffic diversions do not adversely impact the traffic operations along State and Strategic Intermodal Systems (SIS) transportation facilities, including I-75 from SR 70 to SR



Steve Kirk  
Sarasota 17-2ESR Proposed CPA – FDOT Technical Assistance Comments  
March 6, 2017  
Page 3 of 3

780/Fruitville Road (SIS), University Parkway from I-75 to SR 683/US 301 (SIS-Connector), and Fruitville Road from east of I-75 to SR 683/US 301.

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment. If you have any questions or need to discuss these comments further, please contact me at (239) 225-1981 or [sarah.catala@dot.state.fl.us](mailto:sarah.catala@dot.state.fl.us).

Sincerely,



Sarah Catala  
SIS/Growth Management Coordinator  
FDOT District One

CC: *Mr. Ray Eubanks, Florida Department of Economic Opportunity*

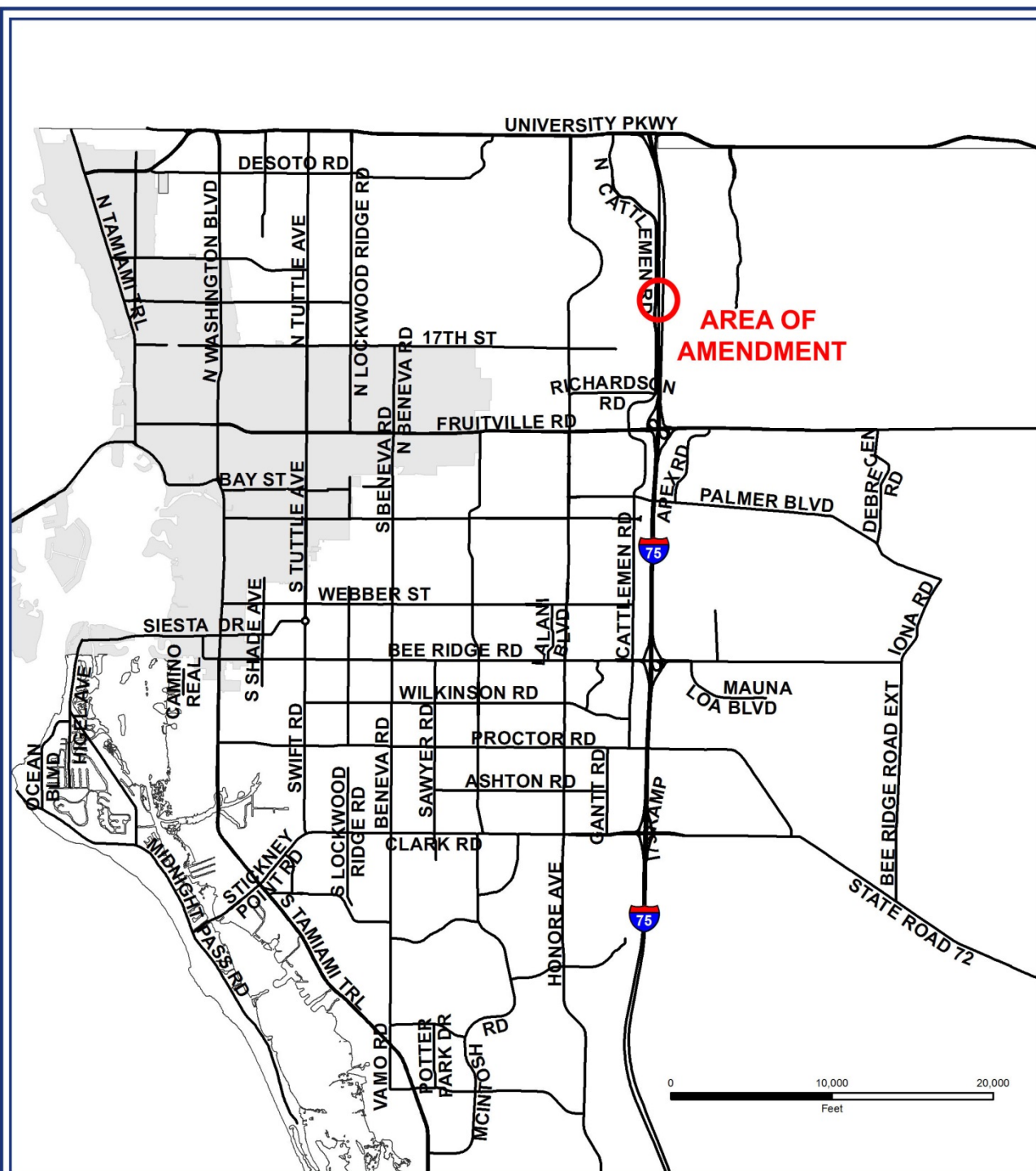
# MAPS

**Sarasota County**

**DEO 17-2ESR**

**Growth Management Plan**

**Comprehensive Plan Amendment**



**SARASOTA COUNTY COMMISSION  
TRANSMITTAL PUBLIC HEARING**

**COMPREHENSIVE PLAN AMENDMENT 2014-G  
I-75 OVERPASS ADDITION TO  
FUTURE THOROUGHFARE PLAN**

**JANUARY 24, 2017**

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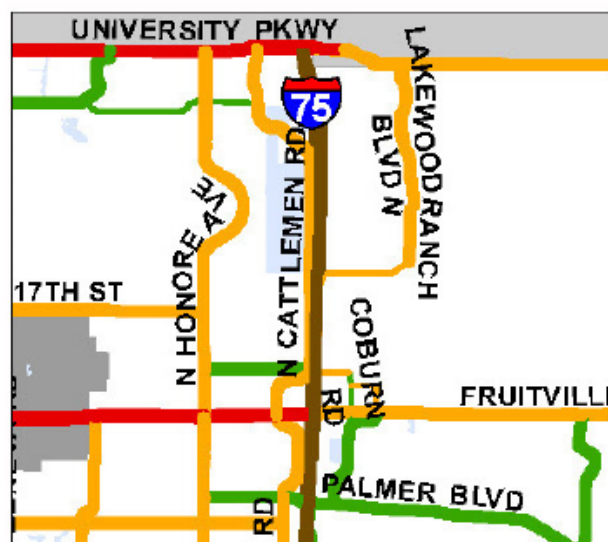
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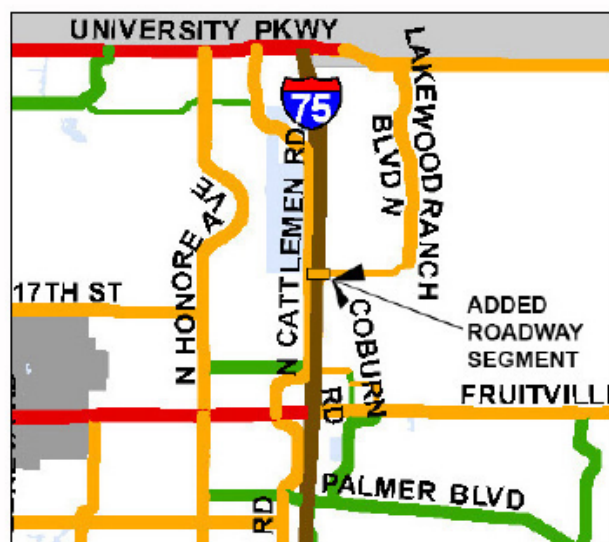


Path: I:\PDSBC\PD\CompPlan\Amendments\CPACycles\2014 CPAs\2014-G East West Connector & Overpass

**Figure 1: Proposed I-75 Overpass**



**PART OF EXISTING MAP**



**PART OF MODIFIED MAP**

# --- Agenda Item ---

9h

Sarasota County DEO 17-3 ESR

9h

9h



1400 Colonial Blvd., Suite 1  
Fort Myers, FL 33907



P: 239.938.1813 | F: 239.938.1817  
www.swfRPC.org

## LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS SARASOTA COUNTY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Sarasota County Comprehensive Plan (DEO 17-3ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
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3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

| Factors of Regional Significance    |                 |                  |                  |                                                            |
|-------------------------------------|-----------------|------------------|------------------|------------------------------------------------------------|
| <u>Proposed</u><br><u>Amendment</u> | <u>Location</u> | <u>Magnitude</u> | <u>Character</u> | <u>Consistent</u>                                          |
| DEO 17-3ESR                         | No              | No               | No               | (1) Not Regionally Significant<br>(2) Consistent with SRPP |

### RECOMMENDED ACTION:

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County

02/2017

## COMMUNITY PLANNING ACT

### **Local Government Comprehensive Plans**

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
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A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
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Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

### **Regional Planning Council Review**

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government".

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

**NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.**

## **SARASOTA COUNTY COMPREHENSIVE PLAN AMENDMENT (DEO 17-3ESR)**

**DATE RECEIVED: FEBRUARY 3, 2017**

### **Summary of Proposed Amendment**

Sarasota County DEO 17-3ESR is a privately-initiated Comprehensive Plan Amendment (CPA) to revise the Future Land Use (FLU) Map for +32.7 acres, located east of I-75 and north of Richardson Road from Major Employment Center (MEC) to Moderate Density Residential (MODR) (>2 du and < 5 du/acre). The project is located within the Urban Service Boundary. The CPA has a companion Rezone Petition No. 16-18.

The application as initially filed was for a FLU Map amendment for 50 acres from MEC and MODR to High Density Residential (HDR) (>9 du and < 13 du/acre), and included a FLU Map and text amendment request to withdraw the entire 137 acres of Rezone Petition No. 16-18 from Special Planning Area 3. After The Planning Commission's public hearing and recommendation, the applicant revised the request to the 32.7 acre FLU Map change from MEC to MODR as reflected in the Board of County Commissioners Transmittal Resolution

The subject property is surrounded by MODR, MEC, and HDR.

### **Regional Impacts**

Council staff has reviewed the requested changes and finds that the revised Comprehensive Plan amendments do not directly produce any significant regional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

FDOT's review of the proposed amendments is attached. Council staff recommends that FDOT Comment #1 be incorporated and followed.

### **Extra-Jurisdictional Impacts**

Council staff has reviewed the requested changes and finds that the revised Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

### **Conclusion**

No adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that the revised amendment is not regionally significant. Staff also recommends that FDOT Comment #1 be incorporated and followed.

### **Recommended Action**

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota County.



## Florida Department of Transportation

RICK SCOTT  
GOVERNOR

10041 Daniels Parkway  
Fort Myers, FL 33913

RACHEL D. CONE  
INTERIM SECRETARY

February 21, 2017

Steve Kirk  
Planner  
Sarasota County Planning Services  
1660 Ringling Boulevard, 1<sup>st</sup> Floor  
Sarasota, FL 34236

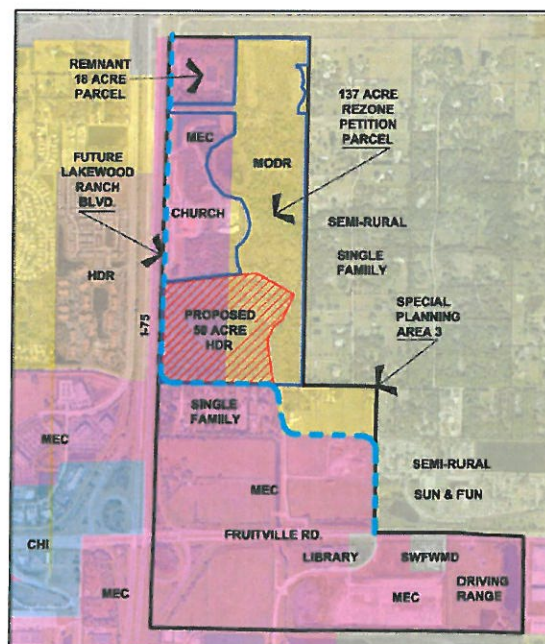
### RE: Sarasota 17-3ESR Proposed Comprehensive Plan Amendment (Expedited State Review Process) – FDOT Comments and Recommendations

Dear Mr. Kirk:

The Florida Department of Transportation (FDOT), District One, has reviewed the Sarasota 17-3ESR Proposed Comprehensive Plan Amendment (CPA), locally known as CPA 2016-A. The CPA proposal package was transmitted under the Expedited State Review process by the Board of County Commissioners, in accordance with the requirements of Florida Statutes Chapter 163. FDOT offers the following technical assistance comments.

The Sarasota 17-3ESR proposed CPA (No. 2016-A) is a privately-initiated amendment to revise the Future Land Use (FLU) Map for  $\pm 32.7$  acres, located east of I-75 and north of Richardson Road, from Major Employment Center (MEC) to Moderate Density Residential (MODR). The application as initially filed was for a FLU Map amendment to change 50 acres from MEC and MODR to High Density Residential (HDR), and included a FLU Map and text amendment request to withdraw the entire site (137 acres) from the Special Planning Area 3 (SPA 3), also known as the Fruitville Initiative.

After the Planning Commission's public hearing and recommendation, the applicant revised the request to the  $\pm 32.7$  acre FLU Map change from MEC to MODR as reflected in the Board of County Commissioners Transmittal Resolution.





The following trip generation calculations are based on the revised FLU change request to revise the ±32.7 acre site from MEC to MODR. The currently adopted MEC FLU category generates approximately 16,860 daily trips or 1,530 p.m. peak-hour trips. The proposed MODR designation would generate approximately 1,850 daily trips or 183 p.m. peak-hour trips; resulting in a net decrease of 15,010 daily trips or 1,347 p.m. peak hour trips.

The following table summarizes the trip generation potential for the currently adopted and proposed land uses for the ±32.7 acres, and the change in trips as a result of the proposed amendment.

### TRIP GENERATION COMPARISON

| Scenario        | Land Use Designation | Maximum Allowed Density / Intensity | Land Use Code | Size of Development |                     | Daily Trips <sup>1</sup> | PM Peak Hour Trips <sup>1</sup> |
|-----------------|----------------------|-------------------------------------|---------------|---------------------|---------------------|--------------------------|---------------------------------|
|                 |                      |                                     |               | Acres               | Allowed Development |                          | Total                           |
| Adopted         | MEC                  | 0.25 FAR                            | 820           | 37.2                | 405,108 SF          | 16,860                   | 1,530                           |
| Proposed        | MODR                 | Up to 5 DUs/Acre <sup>2</sup>       | 210           | 37.2                | 185 DUs             | 1,850                    | 183                             |
| Change in Trips |                      |                                     |               |                     |                     | -15,010                  | -1,347                          |

1. Trip generation based on the rates and/or equations obtained in the ITE Trip Generation Manual (9th Edition).
2. Per Sarasota County Comprehensive Plan FLU Policy 2.3.3, which states, "Moderate Density Residential shall have a gross density equal to or greater than two dwelling units per acre and less than five dwelling units per acre."

In addition to the proposed CPA, the application package includes the following Rezone Petition and Critical Area Plan (CAP) Amendment:

- Rezone Petition No. 16-18: Request to change the zoning district from PED (Planned Economic Development) to RSF-4/PUD (Residential, Single-Family, 5.5 units/acre/Planned Unit Development) for the entire 137-acre site within the 155 acre Sub-area "A", in order construct 485 residential units, consisting of 200 single family and 285 multi-family units (to be developed as townhouse units). The proposed development would result in a density of 3.54 units/acre on the 137 acre subject property.
- Critical Area Plan (CAP) Amendment to the Special Planning Area 3 (SPA 3) CAP No. 2013-01-SP, also known as the Fruitville Initiative: Amendment to revise and update the Interconnectivity Plan.

### **FDOT Technical Assistance Comment #1 – CPA No. 2016-A:**

Based on the revised FLU change request to revise the ±32.7 acre site from MEC to MODR, the proposed CPA is expected to decrease the trip generation potential of the site. As a result, FDOT offers no comments regarding transportation impacts from the Sarasota County 17-3ESR Proposed CPA.

**FDOT Technical Assistance Comment #2 – Rezone Petition No. 16-18:**

Rezone Petition No. 16-18 limits development within the entire 137-acre site to 5.5 DUs/Acre, which is less than the adopted MEC FLU category allows. In addition, the proposed development results in an overall density of 3.54 DU/s/Acre. As a result, FDOT offers no comments on Rezone Petition No. 16-18.

FDOT does however, offer the following comment regarding the proposed CAP Amendment to SPA 3.

**FDOT Comment #1 – CAP Amendment to SPA 3:**

The proposed CAP amendment to SPA 3 does not change the connectivity along Fruitville Road per the adopted Ordinance No. 2014-057, Map 10.1 (Fruitville Initiative/SPA3 Interconnectivity Plan). However, both the modified and adopted Map 10.1 appear to continue to include the alignment of a signalized intersection at Old Coburn Road and Fruitville Road. *FDOT has repeatedly expressed concern for a signal at this intersection and supports removal of the south leg of the intersection (within FDOT right-of-way) as well as the signal from map 10.1. Further, FDOT is currently in the design phase for the ultimate interchange improvement at Fruitville Road which is a Diverging Diamond. At the time of construction of the new interchange, the Department intends to close the Fruitville Road median opening at Old Coburn Road to facilitate the safe and efficient operation of the interchange.*

Over the past several years, there have been several requested modifications to this intersection, a roundabout, auxiliary lanes within the Limited Access (LA) line, and relocation of the LA line along Fruitville Road and within the FDOT right-of-ways. Each of those requests have been carefully considered by FDOT (and the Federal Highway Administration) and have been respectfully declined for operational safety and efficiency reasons (see enclosed response letters dated September 16, 2014, December 19, 2014, and email dated December 19, 2014). For these reasons, FDOT does not support the proposed improvements at this intersection, per adopted Ordinance No. 2014-057, and strongly recommends that Sarasota County directs future development access to the existing signalized intersection further east at New Coburn Road for purposes of Fruitville Road access.

Steve Kirk  
Sarasota 17-3ESR Proposed CPA – FDOT Comments and Recommendations  
February 21, 2017  
Page 4 of 4

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment package. If you have any questions or need to discuss these comments further, please contact me at (239) 225-1981 or [sarah.catala@dot.state.fl.us](mailto:sarah.catala@dot.state.fl.us).

Sincerely,



Sarah Catala  
SIS/Growth Management Coordinator  
FDOT District One

CC: *Mr. Ray Eubanks, Florida Department of Economic Opportunity*



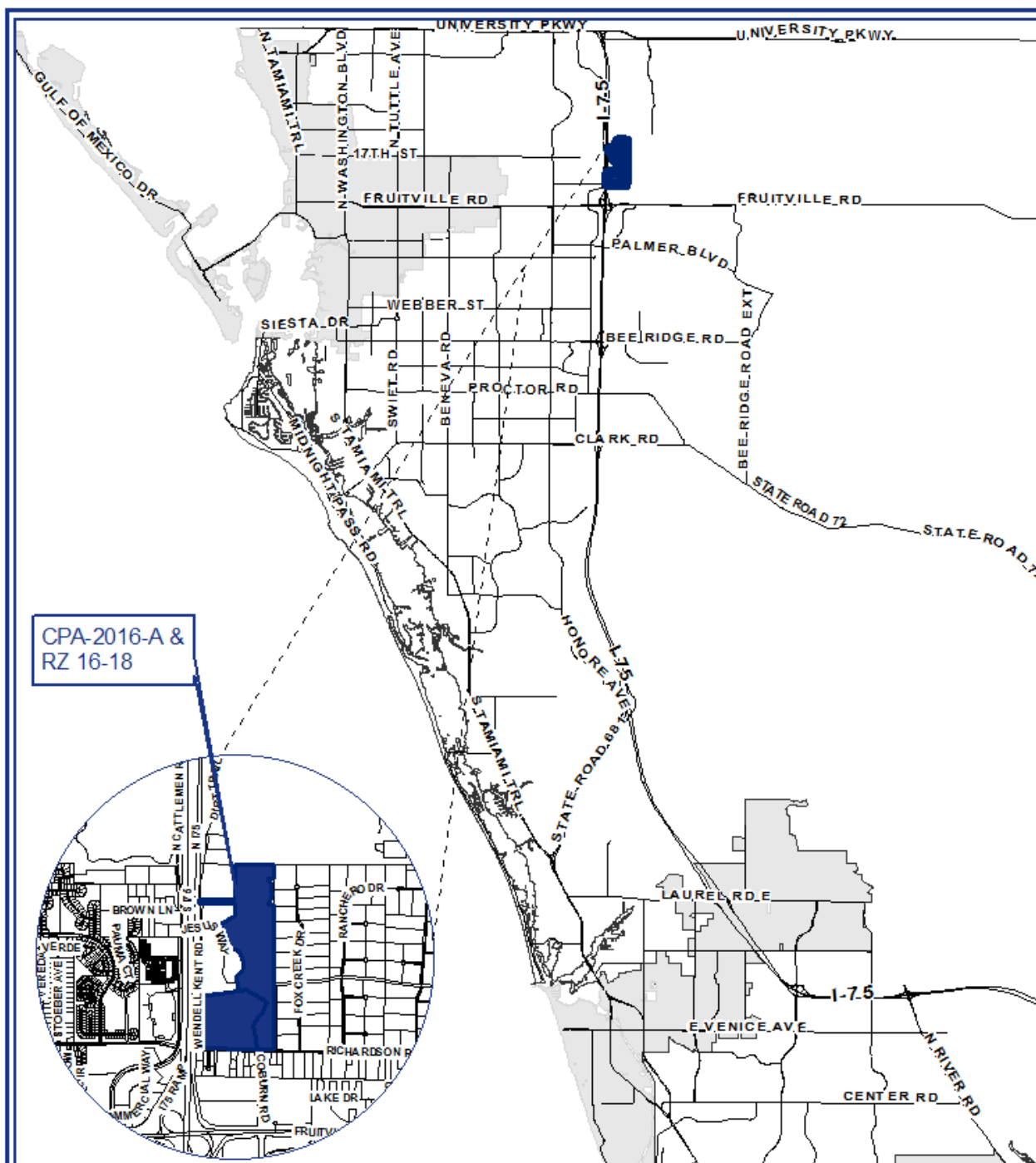
# MAPS

**Sarasota County**

**DEO 17-3ESR**

**Growth Management Plan**

**Comprehensive Plan Amendment**



CPA-2016-A &  
RZ 16-18

## SARASOTA COUNTY COMMISSION PUBLIC HEARING

COMPREHENSIVE PLAN AMENDMENT (CPA)-2016-A,  
CRITICAL AREA PLAN (CAP) AMENDMENT 2013-01-SP, &  
REZONE PETITION NO. 16-18

CPA-2016-A &  
RZ 16-18

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JANUARY 25, 2017

Sarasota County  
www.sarasotacounty.org



0 5,000 10,000  
Feet

Map published using ArcGIS 10.x by chshen on Thursday, November 17, 2016

Path: N:\GIS\MapManagement\Personnel\RZ\_55\_PACKETS\REZONE\2016\16-18\_CPA2016A\16-18\_CPA2016A\_BCC\_LOC.mxd

CPA-2016-A  
RZ 16-18

**2016 Aerial**

**COMPREHENSIVE PLAN AMENDMENT (CPA)-2016-A,  
CRITICAL AREA PLAN (CAP) AMENDMENT 2013-01-SP, &  
REZONE PETITION NO. 16-18**

Produced from San Mateo County GIS

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 **Sarasota County**  
sccnv.net | 941.861.6000



Aerial Imagery Provided by (Pictometry International):  
Seminole County, FL  
January 2016  
1.5" Resolution  
N.A.S. 1983 HARN State Plane Florida West NAD 83 (U.S. Survey Feet)  
IGTS:SEMINOLE201616-15\_CPA2016A1615\_CPA2016A\_Aerial2.mxd





Stantec Consulting Services Inc.  
4800 Professional Parkway East  
Sarasota, FL 34240  
tel 941 967 4800  
fax 941 967 4811

**Fox Creek**  
**Comprehensive Plan Amendment**  
**Future Land Use Map**  
April 2016

Stantec Consulting Services Inc.  
4800 Professional Parkway East  
Sarasota, FL 34240  
tel 941 967 4800  
fax 941 967 4811

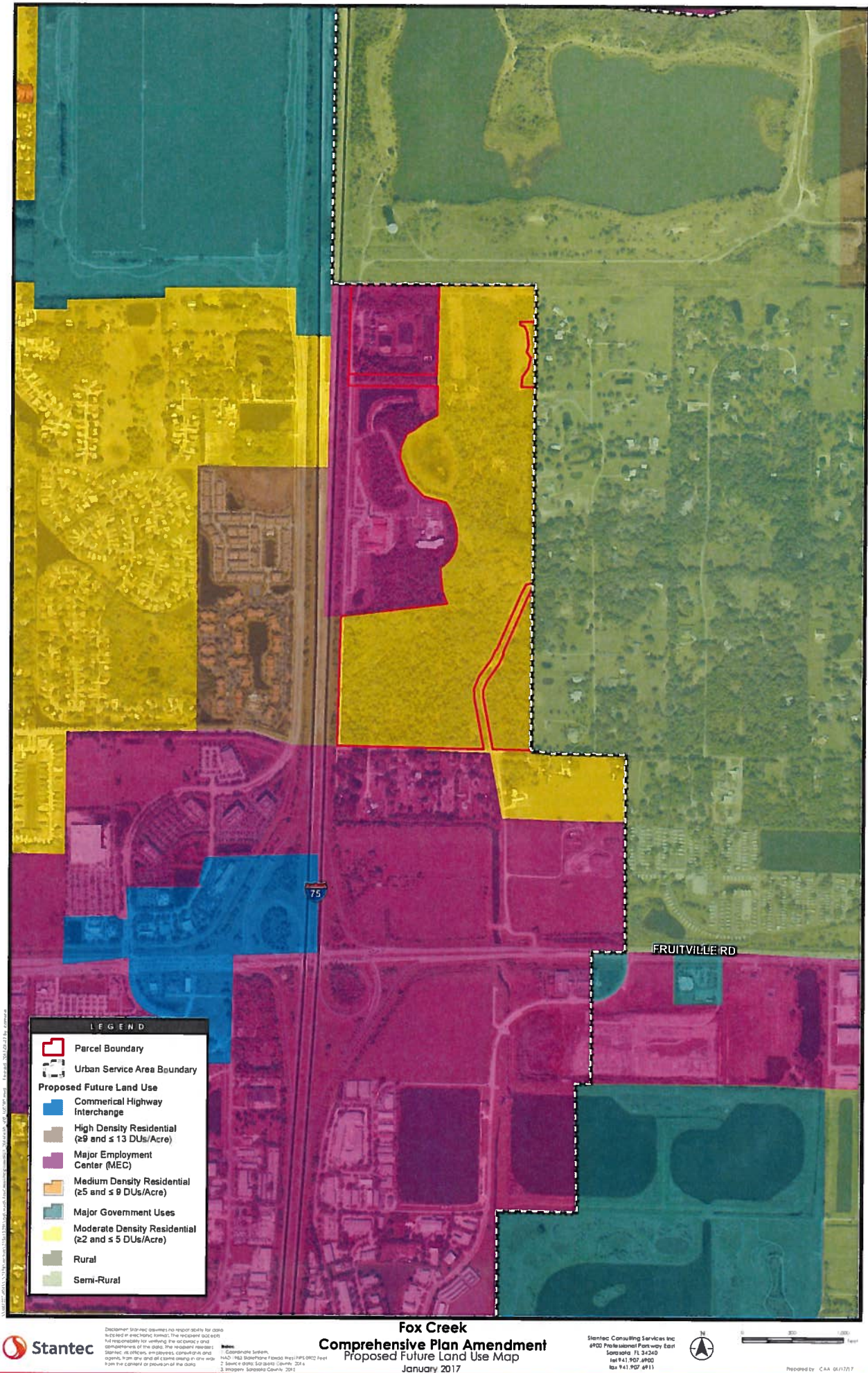


ALL-STATE LEGAL®

EXHIBIT

"A"





# --- Agenda --- Item

10

SWFRPC Committee Reports

10

10

# Agenda Item

10a

10a

Budget & Finance Committee

10a

# Southwest Florida Regional Planning Council

## OCTOBER 1, 2016 TO SEPTEMBER 30, 2017

### 2nd Amendment to 2016-2017 Approved Budget

#### APPROVED BUDGET AMENDMENTS

| Revenues                                          | Adopted FY<br>2017 Budget | Proposed<br>Changes | SWFRPC<br>General Fund | SWFRPC<br>Special<br>Revenue | Proposed<br>Budget<br>Amendment<br>FY2017 |
|---------------------------------------------------|---------------------------|---------------------|------------------------|------------------------------|-------------------------------------------|
| Assessments                                       | \$ 485,948                | \$ -                | \$ 485,948             | \$ -                         | \$ 485,948                                |
| Secured Federal/State Grants                      | 96,934                    | 296,983             | -                      | 393,917                      | 393,917                                   |
| *Program Development (Unsecured Grants/Contracts) | 150,000                   | (150,000) *         | -                      | -                            | -                                         |
| Secured Contractual                               | 3,900                     | 59,600              | -                      | 63,500                       | 63,500                                    |
| DRIs/NOPCs/Other Reviews                          | 35,000                    | -                   | -                      | 35,000                       | 35,000                                    |
| Interest/Misc                                     | 6,000                     | -                   | 6,000                  | -                            | 6,000                                     |
| **Fund Balance from Audit YE 9/30/15 (FY14/15)    | 588,437                   | - **                | 588,437                | -                            | 588,437                                   |
| <b>Total Income (Revenue)</b>                     | <b>\$ 1,366,219</b>       | <b>\$ 206,583</b>   | <b>\$ 1,080,385</b>    | <b>\$ 492,417</b>            | <b>\$ 1,572,802</b>                       |

| Expenditures (Expenses)         |                   |                  |                   |                   |                   |
|---------------------------------|-------------------|------------------|-------------------|-------------------|-------------------|
| Direct:                         |                   |                  |                   |                   |                   |
| Salaries (A)                    | \$ 426,041        | \$ 50,706        | \$ 148,569        | \$ 328,179        | \$ 476,748        |
| FICA                            | 32,592            | 3,879            | 36,471            | -                 | 36,471            |
| Unemployment                    | -                 | -                | -                 | -                 | -                 |
| Workers Compensation            | 3,687             | -                | 3,687             | -                 | 3,687             |
| Retirement                      | 47,769            | (54)             | 47,715            | -                 | 47,715            |
| Health Insurance (B)            | 63,090            | -                | 63,090            | -                 | 63,090            |
| <b>Total Personnel Expenses</b> | <b>\$ 573,179</b> | <b>\$ 54,531</b> | <b>\$ 299,532</b> | <b>\$ 328,179</b> | <b>\$ 627,711</b> |

| Expenses                                       |                   |                   |                   |                   |                   |
|------------------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Consultants (C)                                | \$ 33,100         | \$ 75,500         | \$ 35,463         | \$ 73,137         | \$ 108,600        |
| Grant/Consulting - Contractual (D)             | -                 | 37,049            | -                 | 37,049            | 37,049            |
| Audit Fees                                     | 25,000            | -                 | 25,000            | -                 | 25,000            |
| Travel                                         | 15,680            | 13,940            | 2,120             | 27,500            | 29,620            |
| Telephone                                      | 5,100             | -                 | 5,100             | -                 | 5,100             |
| Postage                                        | 1,625             | 100               | 1,500             | 225               | 1,725             |
| Equipment Rental (E)                           | 7,190             | -                 | 7,190             | -                 | 7,190             |
| Insurance (F)                                  | 10,566            | -                 | 10,566            | -                 | 10,566            |
| Repair/Maint. (Grounds/Bldg/Equip)             | 500               | 1,200             | 1,700             | -                 | 1,700             |
| Printing/Reproduction                          | 2,681             | 1,465             | 1,081             | 3,065             | 4,146             |
| Utilities (Elec/Internet)                      | 13,200            | 11,700            | 24,900            | -                 | 24,900            |
| Advertising                                    | 1,750             | -                 | 600               | 1,150             | 1,750             |
| Other Miscellaneous                            | 200               | 4,637             | 200               | 4,637             | 4,837             |
| Bank Service Charges                           | -                 | -                 | -                 | -                 | -                 |
| Office Supplies                                | 4,000             | 1,211             | 2,000             | 3,211             | 5,211             |
| Computer Related Expenses (G)                  | 21,671            | -                 | 21,671            | -                 | 21,671            |
| Dues and Memberships (H)                       | 25,310            | -                 | 25,310            | -                 | 25,310            |
| Publications                                   | 100               | -                 | 100               | -                 | 100               |
| Professional Development                       | 1,000             | -                 | 1,000             | -                 | 1,000             |
| Meetings/Events                                | 1,250             | 3,500             | 1,250             | 3,500             | 4,750             |
| Capital Outlay-Operations                      | 5,000             | -                 | 5,000             | -                 | 5,000             |
| Capital Outlay-Building                        | 1,000             | -                 | 1,000             | -                 | 1,000             |
| Lease Long Term                                | 42,000            | 1,750             | 43,750            | -                 | 43,750            |
| **Fund Balance from Audit YE 9/30/15 (FY14/15) | 588,437           | - ***             | 588,437           | -                 | 588,437           |
| <b>Operational Expense</b>                     | <b>\$ 806,360</b> | <b>\$ 152,052</b> | <b>\$ 804,938</b> | <b>\$ 153,474</b> | <b>\$ 958,412</b> |

|                                   |                     |                   |                     |                   |                     |
|-----------------------------------|---------------------|-------------------|---------------------|-------------------|---------------------|
| Fringe/Indirect Allocation        |                     |                   | (10,764)            | \$ 10,764         | \$ -                |
| Utilized Reserve                  | (13,320)            |                   | (13,322)            |                   | (13,322)            |
| <b>Total Operational Expenses</b> | <b>793,040</b>      | <b>152,052</b>    | <b>780,852</b>      | <b>164,238</b>    | <b>945,090</b>      |
| <b>Total Cash Outlays</b>         | <b>\$ 1,366,219</b> | <b>\$ 206,583</b> | <b>\$ 1,080,385</b> | <b>\$ 492,417</b> | <b>\$ 1,572,802</b> |

|                        |             |             |               |             |               |
|------------------------|-------------|-------------|---------------|-------------|---------------|
| <b>Net Income/Loss</b> | <b>\$ -</b> | <b>\$ 0</b> | <b>\$ (0)</b> | <b>\$ -</b> | <b>\$ (0)</b> |
|------------------------|-------------|-------------|---------------|-------------|---------------|

\*Program Development (Unsecured Grants/Contracts) was determined based on three previous years budgets which brought in at least \$150,000 in additional revenue after the budget was adopted. To date, the SWFRPC has exceeded the \$150,000 program development by securing funding of \$356,583 as of March 2017.

\*\*Fund Balance from Audit YE 9/30/15 (FY14/15) - included in this fund is the investments, operating funds and net of all assets and liabilities as of 9/30/15.

\*\*\*The Fund Balance - End of Year \$588,437 - is a snapshot as of 9/30/15 per audit report.

\*\*\*\*\* The Council approved by resolution on 4/21/16 to include investments in the budget. Investments consist of Money Market and Government Pool. The balance will increase over time as interest accrues.

|                           | Adopted FY<br>2016 Budget | Proposed<br>Changes | SWFRPC<br>General Fund | SWFRPC<br>Special | Proposed<br>Budget |
|---------------------------|---------------------------|---------------------|------------------------|-------------------|--------------------|
| Investments as of 1/31/17 | -                         | -                   | \$ 794,566             | \$ -              | \$ 794,566         |

Council Approved 1st Amendment: 7/14/16

Council Proposed 2nd Amendment: 3/16/17



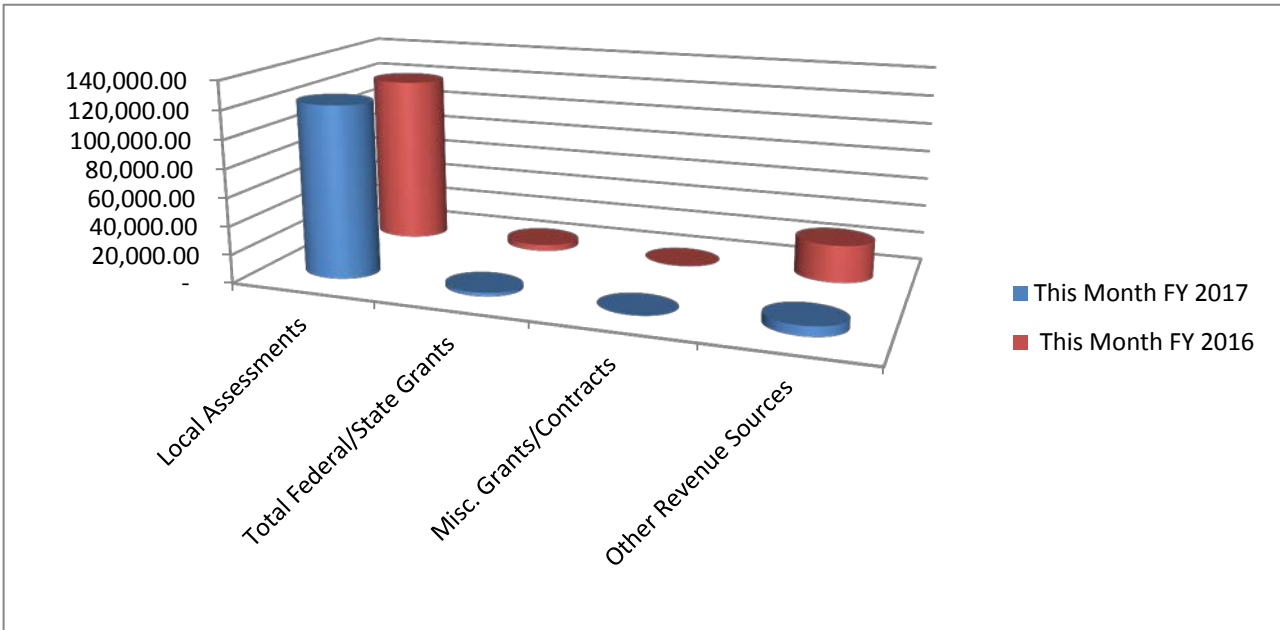
# 2016 - 2017 Workplan & Budget Financial Snapshot

Jan-17

## Revenues

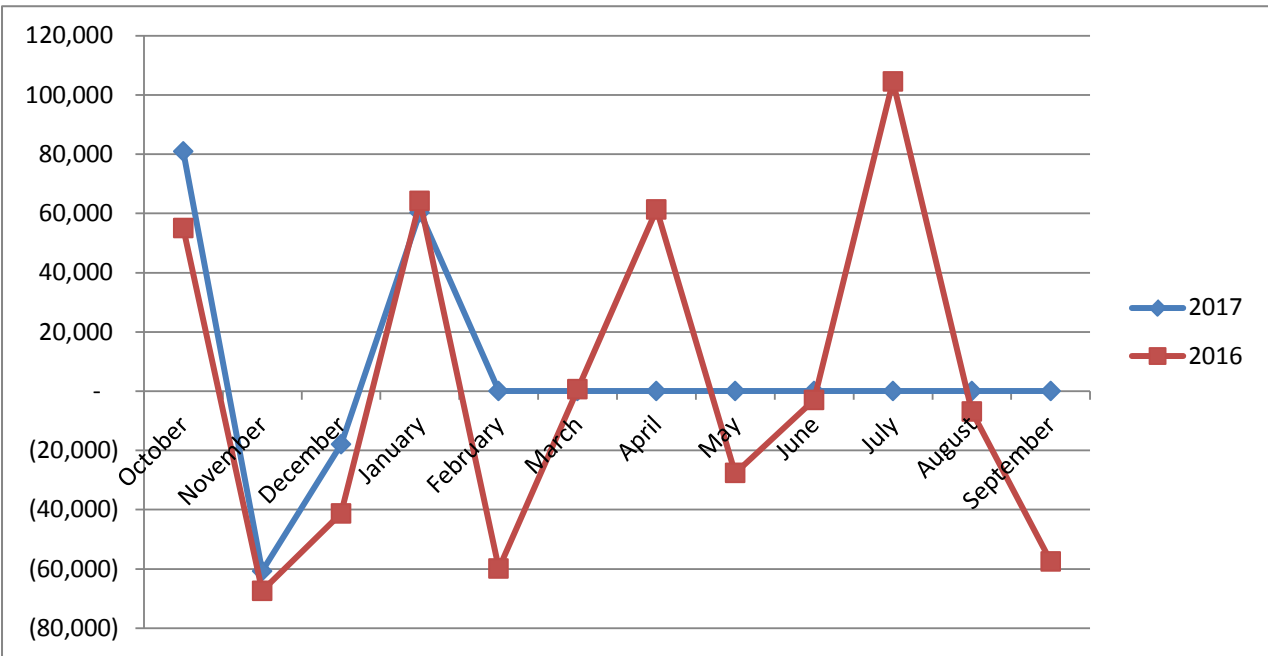
Local Assessments  
Total Federal/State Grants  
Misc. Grants/Contracts  
Other Revenue Sources

Monthly Revenues



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July  
Federal Grants (EPA) billed monthly: EPA: Ecosystems Services  
State/Federal Grants billed quarterly: LEPC, HMEP, TD, and ED  
Misc. Grants/Contracts billed by deliverable: SQG, Interagency PO'S  
Other(DRI) billed /recorded monthly as cost reimbursement

Monthly Net Income (Loss)



YTD: Net Income \$62,540 Unaudited

# SWFRPC

## Detail of Reserve

### As of JANUARY 31, 2017

***Cash and Cash Equivalents:***

|                                               |           |                |
|-----------------------------------------------|-----------|----------------|
| Petty Cash                                    | \$        | 200            |
| FineMark Operating Funds                      |           | 99,601         |
| 2016 Fiscal Year Carryover                    |           | 22,258         |
|                                               |           | <hr/>          |
| <b><i>Total Cash and Cash Equivalents</i></b> | <b>\$</b> | <b>122,059</b> |

***Investments:***

|                                                              |           |                |
|--------------------------------------------------------------|-----------|----------------|
| FineMark Money Market                                        | \$        | 535,790        |
| Local government Surplus Trust Fund Investment Pool (Fund A) |           | 136,717        |
|                                                              |           | <hr/>          |
| <b><i>Total Investments</i></b>                              | <b>\$</b> | <b>672,507</b> |

|                |           |                |
|----------------|-----------|----------------|
| Total Reserves | <hr/>     | <hr/>          |
|                | <b>\$</b> | <b>794,566</b> |
|                |           | <hr/>          |

**SWFRPC INCOME STATEMENT  
COMPARED WITH BUDGET  
FOR THE ONE MONTH ENDING JANUARY 31, 2017**

375 of 405

|                                             | Current<br>Month  | Year to Date<br>A | FY 2016-2017<br>Approved Budget<br>B | % Of Budget<br>Year to Date | Budget<br>Remaining |
|---------------------------------------------|-------------------|-------------------|--------------------------------------|-----------------------------|---------------------|
| <b>REVENUES</b>                             |                   |                   |                                      |                             |                     |
| <b>LOCAL ASSESSMENTS</b>                    |                   |                   |                                      |                             |                     |
| CHARLOTTE COUNTY                            | \$ 12,536         | \$ 25,072         | \$ 50,142                            | 50%                         | \$ 25,070           |
| COLLIER COUNTY                              | 25,785            | 51,570            | 103,141                              | 50%                         | \$ 51,571           |
| GLADES COUNTY                               | 964               | 1,928             | 3,856                                | 50%                         | \$ 1,928            |
| HENDRY COUNTY                               | 2,857             | 5,714             | 11,429                               | 50%                         | \$ 5,715            |
| LEE COUNTY                                  | 27,571            | 55,142            | 110,282                              | 50%                         | \$ 55,140           |
| CITY OF CAPE CORAL                          | 12,488            | 24,976            | 49,952                               | 50%                         | \$ 24,976           |
| CITY OF FORT MYERS                          | 5,430             | 10,860            | 21,719                               | 50%                         | \$ 10,860           |
| TOWN OF FORT MYERS BEACH INC                | 470               | 940               | 1,879                                | 50%                         | \$ 939              |
| BONITA SPRINGS                              | 3,493             | 6,986             | 13,970                               | 50%                         | \$ 6,984            |
| CITY OF SANIBEL                             | 488               | 976               | 1,951                                | 50%                         | \$ 975              |
| SARASOTA COUNTY                             | 29,407            | 58,814            | 117,627                              | 50%                         | \$ 58,813           |
| <b>TOTAL LOCAL ASSESSMENTS</b>              | <b>\$ 121,489</b> | <b>\$ 242,978</b> | <b>\$ 485,948</b>                    | <b>50%</b>                  | <b>\$ 242,970</b>   |
| <b>FEDERAL / STATE GRANTS</b>               |                   |                   |                                      |                             |                     |
| DEM -Title III - LEPC 16/17                 |                   | \$ 14,544         | \$ 44,250                            | 33%                         | 29,706              |
| DEM HMEP PT 16/17                           |                   | \$ 2,384          | -                                    | N/A                         | (2,384)             |
| FL CTD - TD Glades/Hendry 16/17             |                   | 7,329             | 28,880                               | 25%                         | 21,551              |
| DEM - Collier Hazard Analysis 16/17         |                   | -                 | 8,054                                | 0%                          | 8,054               |
| Ecosystem Services - EPA                    | 2,485             | 34,294            | -                                    | N/A                         | (34,294)            |
| Economic Development Planning 14/16         |                   | 15,750            | 15,750                               | 100%                        | -                   |
| Economic Development Planning 17/19         |                   |                   |                                      | N/A                         | -                   |
| <b>TOTAL FEDERAL / STATE GRANTS</b>         | <b>\$ 2,485</b>   | <b>\$ 74,301</b>  | <b>\$ 96,934</b>                     | <b>77%</b>                  | <b>\$ 22,633</b>    |
| <b>MISC. GRANTS / CONTRACTS/CONTRACTUAL</b> |                   |                   |                                      |                             |                     |
| GLADES SQG                                  | -                 | -                 | 3,900                                | 0%                          | \$ 3,900            |
| <b>TOTAL MISC. GRANTS/CONTRACTS</b>         | <b>\$ -</b>       | <b>\$ -</b>       | <b>\$ 3,900</b>                      | <b>0%</b>                   | <b>\$ 3,900</b>     |
| <b>DRIS/NOPCS/MONITORING</b>                |                   |                   |                                      |                             |                     |
| DRI MONITORING FEES                         | \$ 250            | \$ 750            | \$ -                                 |                             | \$ (750)            |
| DRIS/NOPCS INCOME                           | 1,179             | 8,272             | 35,000                               | 24%                         | 26,728              |
| <b>TOTAL</b>                                | <b>\$ 1,429</b>   | <b>\$ 9,022</b>   | <b>\$ 35,000</b>                     | <b>26%</b>                  | <b>\$ 25,978</b>    |

|                                                        | Current<br>Month | Year to Date<br>A | FY 2016-2017<br>Approved Budget<br>B | % Of Budget<br>Year to Date | Budget<br>Remaining |
|--------------------------------------------------------|------------------|-------------------|--------------------------------------|-----------------------------|---------------------|
| <b>Program Development (Unsecured Grants/Contract)</b> |                  |                   |                                      |                             |                     |
| *Program Development (Unsecured                        | -                | -                 | 150,000                              |                             |                     |
| FED EPA - WPDG                                         | -                | -                 | -                                    | N/A                         | -                   |
| Cape Coral CCRS                                        | -                | -                 | -                                    | N/A                         | -                   |
| Pelican Cove CCAP                                      | -                | -                 | -                                    | N/A                         | -                   |
| Train the Trainers                                     |                  | 5,000             | -                                    | N/A                         | (5,000)             |
| DEO Labelle                                            | 5,000            | 5,000             | -                                    | N/A                         | (5,000)             |
| <b>TOTAL PROGRAM DEVELOPMENT</b>                       | <b>\$ 5,000</b>  | <b>\$ 10,000</b>  | <b>\$ 150,000</b>                    | <b>7%</b>                   | <b>\$ (10,000)</b>  |

|                                    |               |                 |                 |            |                 |
|------------------------------------|---------------|-----------------|-----------------|------------|-----------------|
| <b>OTHER REVENUE SOURCES</b>       |               |                 |                 |            |                 |
| ABM SPONSORSHIPS                   | -             | -               | -               | N/A        | -               |
| CELA TEGA SPONSORSHIPS             | 100           | 1,600           | -               | N/A        | (1,600)         |
| Misc. Income                       | -             | -               | 6,000           | 0%         | 6,000           |
| INTEREST INCOME - Money Market     | 137           | 541             | -               | N/A        | (541)           |
| Fund A Investment Income           | 115           | 415             | -               | N/A        | (415)           |
| <b>TOTAL OTHER REVENUE SOURCES</b> | <b>\$ 352</b> | <b>\$ 2,556</b> | <b>\$ 6,000</b> | <b>43%</b> | <b>\$ 3,444</b> |

*Fund Balance*    \$       -       \$       -       \$       588,437

**TOTAL REVENUES**                    **\$       130,755    \$       338,857    \$       1,366,219                    \$       288,925**

## EXPENSES

|                                 |                  |                   |                   |            |                |
|---------------------------------|------------------|-------------------|-------------------|------------|----------------|
| <b>PERSONNEL EXPENSES</b>       |                  |                   |                   |            |                |
| SALARIES EXPENSE                | \$ 32,715        | \$ 125,954        | \$ 426,041        | 30%        | 300,087        |
| FICA EXPENSE                    | 2,419            | 9,316             | 32,592            | 29%        | 23,276         |
| RETIREMENT EXPENSE              | 3,763            | 9,350             | 47,769            | 20%        | 38,419         |
| HEALTH INSURANCE EXPENSE        | 5,474            | 18,752            | 63,090            | 30%        | 44,338         |
| WORKERS COMP. EXPENSE           | 120              | 768               | 3,687             | 21%        | 2,919          |
| UNEMPLOYMENT COMP. EXPENSE      | -                | -                 | -                 | N/A        | 0              |
| <b>TOTAL PERSONNEL EXPENSES</b> | <b>\$ 44,491</b> | <b>\$ 164,139</b> | <b>\$ 573,179</b> | <b>29%</b> | <b>409,040</b> |

|                             |          |           |           |      |         |
|-----------------------------|----------|-----------|-----------|------|---------|
| <b>OPERATIONAL EXPENSES</b> |          |           |           |      |         |
| CONSULTANTS                 | \$ 6,648 | \$ 32,805 | \$ 33,100 | 99%  | 295     |
| GRANT/CONSULTING EXPENSE    | 3,700    | 6,012     | -         | 0%   | (6,012) |
| AUDIT SERVICES EXPENSE      | -        | 1,000     | 25,000    | 4%   | 24,000  |
| TRAVEL EXPENSE              | 2,105    | 7,413     | 15,680    | 47%  | 8,267   |
| TELEPHONE EXPENSE           | 523      | 1,469     | 5,100     | 29%  | 3,631   |
| POSTAGE / SHIPPING EXPENSE  | 258      | 496       | 1,625     | 31%  | 1,129   |
| EQUIPMENT RENTAL EXPENSE    | 784      | 2,119     | 7,190     | 29%  | 5,071   |
| INSURANCE EXPENSE           | 579      | 6,403     | 10,566    | 61%  | 4,163   |
| REPAIR/MAINT. EXPENSE       | -        | 1,324     | 500       | 265% | (824)   |

|                                                     | Current<br>Month | Year to Date<br>A | FY 2016-2017<br>Approved Budget<br>B | % Of Budget<br>Year to Date | Budget<br>Remaining |
|-----------------------------------------------------|------------------|-------------------|--------------------------------------|-----------------------------|---------------------|
| PRINTING/REPRODUCTION EXPENSE                       | 405              | 1,081             | 2,681                                | 40%                         | 1,600               |
| UTILITIES (Elec, Internet)                          | 1,334            | 6,489             | 13,200                               | 49%                         | 6,711               |
| ADVERTISING/LEGAL NOTICES EXP                       | 29               | 469               | 1,750                                | 27%                         | 1,281               |
| OTHER MISC. EXPENSE                                 | -                | 32                | 200                                  | 16%                         | 168                 |
| BANK SERVICE CHARGES                                | -                | -                 | -                                    | 0%                          | 0                   |
| OFFICE SUPPLIES EXPENSE                             | 38               | 851               | 4,000                                | 21%                         | 3,149               |
| COMPUTER RELATED EXPENSE                            | 40               | 13,994            | 21,671                               | 65%                         | 7,677               |
| DUES AND MEMBERSHIP                                 | 5,092            | 13,184            | 25,310                               | 52%                         | 12,126              |
| PUBLICATION EXPENSE                                 | -                | -                 | 100                                  | 0%                          | 100                 |
| PROF. DEVELOP.                                      | 272              | 272               | 1,000                                | 27%                         | 728                 |
| MEETINGS/EVENTS EXPENSE                             | 448              | 2,417             | 1,250                                | 193%                        | (1,167)             |
| CAPITAL OUTLAY - OPERATIONS                         | -                | -                 | 5,000                                | 0%                          | 5,000               |
| CAPITAL OUTLAY - BUILDING                           | -                | -                 | 1,000                                | 0%                          | 1,000               |
| LEASE LONG TERM                                     | 3,675            | 14,350            | 42,000                               | 34%                         | 27,650              |
| UNCOLLECTABLE RECEIVABLES                           | -                | -                 | -                                    | N/A                         | N/A                 |
| FUND BALANCE                                        |                  |                   | \$ 588,437                           |                             |                     |
| <b>OPERATIONAL EXP.</b>                             | <b>\$ 25,930</b> | <b>\$ 112,177</b> | <b>\$ 806,360</b>                    | <b>14%</b>                  | <b>105,746</b>      |
| ALLOCATION FOR FRINGE/INDIRECT (CAPTURED BY GRANTS) |                  |                   | \$ -                                 |                             |                     |
| UTILIZED RESERVE                                    |                  |                   | \$ (13,320)                          |                             |                     |
| <b>TOTAL OPERATIONAL EXP.</b>                       |                  |                   | <b>\$ 793,040</b>                    |                             |                     |
| <b>TOTAL CASH OUTLAY</b>                            | <b>\$ 70,420</b> | <b>\$ 276,317</b> | <b>\$ 1,366,219</b>                  |                             |                     |
| <b>NET INCOME (LOSS)</b>                            | <b>\$ 60,334</b> | <b>\$ 62,540</b>  |                                      |                             |                     |

SWFRPC  
Balance Sheet  
January 31, 2017

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ASSETS

|                                |    |                            |
|--------------------------------|----|----------------------------|
| Current Assets                 |    |                            |
| Cash - Florida Prime           | \$ | 136,716.70                 |
| Cash - FineMark Oper.          |    | 99,601.19                  |
| Cash - FineMark MM             |    | 535,789.91                 |
| Petty Cash                     |    | 200.00                     |
| Accounts Receivable            |    | 153,742.76                 |
|                                |    | <hr/>                      |
| Total Current Assets           |    | 926,050.56                 |
| Property and Equipment         |    |                            |
| Property, Furniture & Equip    |    | 207,603.57                 |
| Accumulated Depreciation       |    | (190,530.93)               |
|                                |    | <hr/>                      |
| Total Property and Equipment   |    | 17,072.64                  |
| Other Assets                   |    |                            |
| Amount t.b.p. for L.T.L.-Leave |    | 45,923.44                  |
| FSA Deposit                    |    | 2,881.29                   |
| Rental Deposits                |    | 3,500.00                   |
| Amt t.b.p. for L.T.Debt-OPEB   |    | 63,441.00                  |
|                                |    | <hr/>                      |
| Total Other Assets             |    | 115,745.73                 |
|                                |    | <hr/>                      |
| Total Assets                   | \$ | <u><u>1,058,868.93</u></u> |

LIABILITIES AND CAPITAL

|                                |    |            |
|--------------------------------|----|------------|
| Current Liabilities            |    |            |
| Accounts Payable               | \$ | 113.28     |
| Deferred Income - EPA_3675     |    | 2,340.28   |
| Deferred NorthPoint NOPC_5328  |    | 662.23     |
| Deferred Pelican Marsh_5329    |    | 468.69     |
| Deferred Alico-3 Oaks_5334     |    | (11.45)    |
| Deferred Commons NOPC_5337     |    | 1,500.00   |
| Deferred BRC Master NOPC_5338  |    | 1,899.11   |
| Deferred BRC Incr 1 NOPC_5339  |    | 1,918.14   |
| Deferred Tern Bay NOPC_5340    |    | 1,126.43   |
| Deferred PR-II CC NOPC_5341    |    | 1,500.00   |
| Deferred PR Parcel 9E DRI_5342 |    | 29,644.28  |
| Deferred Pine Air NOPC_5343    |    | 2,500.00   |
| FICA Taxes Payable             |    | 174.01     |
| United way Payable             |    | (327.00)   |
| FSA Payable                    |    | (1,425.81) |
| LEPC Contingency Fund          |    | 305.25     |
|                                |    | <hr/>      |
| Total Current Liabilities      |    | 42,387.44  |
| Long-Term Liabilities          |    |            |
| Accrued Annual Leave           |    | 45,923.44  |
| Long Term Debt - OPEB          |    | 63,441.00  |
|                                |    | <hr/>      |
| Total Long-Term Liabilities    |    | 109,364.44 |
|                                |    | <hr/>      |
| Total Liabilities              |    | 151,751.88 |
| Capital                        |    |            |
| Fund Balance-Unassigned        |    | 312,157.69 |
| Fund Balance-Assigned          |    | 514,000.00 |
| FB-Non-Spendable/Fixed Assets  |    | 17,072.64  |

Unaudited - For Management Purposes Only

SWFRPC  
Balance Sheet  
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|                             |                  |                            |
|-----------------------------|------------------|----------------------------|
| Net Income                  | <u>63,886.72</u> |                            |
| Total Capital               |                  | <u>907,117.05</u>          |
| Total Liabilities & Capital | \$               | <u><u>1,058,868.93</u></u> |

# Agenda Item

10b

10b

Economic Development  
Committee

10b



# Agenda Item

10c

10c

Energy & Climate Committee

10c

# Agenda Item

10d

10d

Estero Bay Agency on Bay  
Management Committee

10d

# Agenda Item

10e

10e

Executive Committee

10e

# Agenda Item

10f

10f

Legislative Affairs Committee

10f

By Senator Perry

8-00936-17

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A bill to be entitled  
An act relating to administrative proceedings;  
amending s. 57.111, F.S.; revising legislative  
findings and purpose; defining terms; requiring an  
award of attorney fees and costs to be made to a  
prevailing party in specified administrative  
proceedings subject to certain requirements; requiring  
an administrative law judge to conduct an evidentiary  
hearing and issue a final order on application for  
such award; providing a limit on an award of attorney  
fees and costs; amending ss. 379.502 and 403.121,  
F.S.; conforming cross-references; providing an  
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 57.111, Florida  
Statutes, is amended, present paragraphs (b) through (f) of  
subsection (3) of that section are redesignated as paragraphs  
(c), (g), (h), (j), and (i), respectively, and new paragraphs  
(b), (d), (e), and (f) are added to that subsection, present  
subsection (6) of that section is redesignated as subsection  
(7), and a new subsection (6) is added to that section, to read:

57.111 Civil actions and administrative proceedings  
initiated by state agencies; attorneys' fees and costs.—

(2) (a) The Legislature finds that certain persons may be  
deterred from seeking review of, or defending against,  
unreasonable governmental action because of the expense of civil  
actions and administrative proceedings. Because of the greater

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resources of the state, the standard for an award of attorney  
~~attorney's~~ fees and costs against the state should be different  
from the standard for an award against a private litigant.

(b) The Legislature further finds that certain persons may  
be unjustly affected by delay and expense caused by challenges  
to permits or other orders issued by governmental agencies as  
initiated through administrative proceedings. Because the  
financial consequences of delay on projects authorized by  
permits and orders are much greater than the consequences faced  
by plaintiffs in such proceedings, the standard for an award of  
attorney fees and costs should be different from the standard  
for an award in other proceedings.

(c) The purpose of this section is to diminish the  
deterrent effect of seeking review of, or defending against,  
governmental action by providing in certain situations an award  
of attorney ~~attorney's~~ fees and costs against the state and to  
diminish the imbalance of consequences when seeking review of,  
or defending against, such challenges in administrative  
proceedings by providing in certain situations an award of  
attorney fees and costs against the party that does not prevail.

(3) As used in this section:

(b) The term "initiated by a party seeking to challenge a  
permit" means an administrative proceeding filed pursuant to  
chapter 120 requesting the cancellation or modification of a  
permit as defined herein.

(d) The term "party" means a party to an administrative  
proceeding pursuant to chapter 120 which has been initiated by a  
party to cancel or modify a permit as defined herein.

(e) The term "permit" means any permit or other official

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59 action of state government having the effect of authorizing the  
60 development of land.

61 (f) A party is a "prevailing party" when:

62 1. A final judgment or order has been entered in favor of  
63 the party and such judgment or order has not been reversed on  
64 appeal or the time for seeking judicial review of the judgment  
65 or order has expired;

66 2. A settlement has been obtained by the party which is  
67 favorable to the party on the majority of issues that such party  
68 raised during the course of the proceeding; or

69 3. The opposing party who initiated the administrative  
70 proceeding has sought a voluntary dismissal of its complaint or  
71 petition more than 30 days after that party initiated the  
72 proceeding.

73 (6) (a) Unless otherwise provided by law, an award of  
74 attorney fees and costs shall be made to a prevailing party in  
75 any administrative proceeding initiated by a party seeking to  
76 cancel or modify a permit as defined herein unless the challenge  
77 was substantially justified or special circumstances exist which  
78 would make the award unjust.

79 (b) 1. To apply for an award under this section, the  
80 attorney for the prevailing party must submit an itemized  
81 affidavit to the court that first conducted the adversarial  
82 proceeding in the underlying action, or by electronic means  
83 through the website of the Division of Administrative Hearings,  
84 which shall assign an administrative law judge in the case of a  
85 proceeding pursuant to chapter 120. The itemized affidavit  
86 submitted must reveal the nature and extent of the services the  
87 attorney rendered as well as the costs incurred in preparations,

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88 motions, hearings, and appeals in the proceeding.

89 2. The application for an award of attorney fees must be  
90 made within 60 days after the date that the party becomes a  
91 prevailing party.

92 (c) The administrative law judge shall promptly conduct an  
93 evidentiary hearing on the application for an award of attorney  
94 fees and shall issue a final order. The final order of an  
95 administrative law judge is reviewable in accordance with s.  
96 120.68. If a court affirms the award of attorney fees and costs  
97 in whole or in part, it may, in its discretion, award additional  
98 attorney fees and costs for the appeal.

99 (d) An award of attorney fees and costs under this  
100 subsection may not exceed \$50,000.

101 Section 2. Paragraph (f) of subsection (2) of section  
102 379.502, Florida Statutes, is amended to read:

103 379.502 Enforcement; procedure; remedies.—The commission  
104 has the following judicial and administrative remedies available  
105 to it for violations of s. 379.501:

106 (2)

107 (f) In any administrative proceeding brought by the  
108 commission, the prevailing party shall recover all costs as  
109 provided in ss. 57.041 and 57.071. The costs must be included in  
110 the final order. The respondent is the prevailing party when an  
111 order is entered awarding no penalties to the commission and the  
112 order has not been reversed on appeal or the time for seeking  
113 judicial review has expired. The respondent is entitled to an  
114 award of attorney ~~attorney's~~ fees if the administrative law  
115 judge determines that the notice of violation issued by the  
116 commission was not substantially justified as defined in s.



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117 57.111(3) ~~s. 57.111(3)(e)~~. An award of attorney ~~attorney's~~ fees  
118 as provided by this subsection may not exceed \$15,000.

119 Section 3. Paragraph (f) of subsection (2) of section  
120 403.121, Florida Statutes, is amended to read:

121 403.121 Enforcement; procedure; remedies.—The department  
122 shall have the following judicial and administrative remedies  
123 available to it for violations of this chapter, as specified in  
124 s. 403.161(1).

125 (2) Administrative remedies:

126 (f) In any administrative proceeding brought by the  
127 department, the prevailing party shall recover all costs as  
128 provided in ss. 57.041 and 57.071. The costs must be included in  
129 the final order. The respondent is the prevailing party when an  
130 order is entered awarding no penalties to the department and  
131 such order has not been reversed on appeal or the time for  
132 seeking judicial review has expired. The respondent shall be  
133 entitled to an award of attorney ~~attorney's~~ fees if the  
134 administrative law judge determines that the notice of violation  
135 issued by the department seeking the imposition of  
136 administrative penalties was not substantially justified as  
137 defined in s. 57.111(3) ~~s. 57.111(3)(e)~~. No award of attorney  
138 ~~attorney's~~ fees as provided by this subsection shall exceed  
139 \$15,000.

140 Section 4. This act shall take effect July 1, 2017.

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1 A bill to be entitled  
2 An act relating to the Florida Equal Access to Justice  
3 Act; amending s. 57.111, F.S.; creating and revising  
4 definitions; revising terminology; providing  
5 legislative intent concerning certain persons who may  
6 be unjustly affected by delay and expense caused by  
7 challenges to permits or other orders issued by  
8 government agencies initiated through administrative  
9 proceedings; providing for an award of attorney fees  
10 and costs to a prevailing party in an administrative  
11 proceeding initiated by a party seeking to challenge a  
12 permit in certain circumstances; providing procedures  
13 for applying for such award; limiting such award;  
14 amending ss. 379.502, and 403.121, F.S.; conforming  
15 provisions to changes made by the act; providing an  
16 effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20 Section 1. Section 57.111, Florida Statutes, is amended to  
21 read:

22 57.111 Civil actions and administrative proceedings  
23 initiated by state agencies and administrative proceedings  
24 initiated to challenge permits and orders issued by state  
25 agencies; attorney ~~attorneys~~' fees and costs.—

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26 (1) This section may be cited as the "Florida Equal Access  
27 to Justice Act."

28 (2) The Legislature finds that certain persons may be  
29 deterred from seeking review of, or defending against,  
30 unreasonable governmental action because of the expense of civil  
31 actions and administrative proceedings. Because of the greater  
32 resources of the state, the standard for an award of attorney  
33 ~~attorney's~~ fees and costs against the state should be different  
34 from the standard for an award against a private litigant. The  
35 purpose of this section is to diminish the deterrent effect of  
36 seeking review of, or defending against, governmental action by  
37 providing in certain situations an award of attorney ~~attorney's~~  
38 fees and costs against the state.

39 (3) As used in this section, the term:

40 (a) ~~The term~~ "Attorney ~~attorney's~~ fees and costs" means  
41 the reasonable and necessary attorney ~~attorney's~~ fees and costs  
42 incurred for all preparations, motions, hearings, trials, and  
43 appeals in a proceeding.

44 (b) "Division" means the Division of Administrative  
45 Hearings within the Department of Management Services.

46 (c) "Initiated by a party seeking to challenge a permit"  
47 means an administrative proceeding filed pursuant to chapter 120  
48 requesting the cancellation or modification of a permit as  
49 defined herein.

50 (d) ~~(b)~~ ~~The term~~ "Initiated by a state agency" means that

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the state agency:

1. Filed the first pleading in any state or federal court in this state;

2. Filed a request for an administrative hearing pursuant to chapter 120; or

3. Was required by law or rule to advise a small business party of a clear point of entry after some recognizable event in the investigatory or other free-form proceeding of the agency.

(e) "Party" means a party to an administrative proceeding pursuant to chapter 120 that has been initiated by a party to cancel or modify a permit as defined in this subsection.

(f) "Permit" means any permit or other official action of state government having the effect of permitting the development of land.

(g) "Prevailing party" is a party when:

1. A final judgment or order has been entered in favor of the party and such judgment or order has not been reversed on appeal or the time for seeking judicial review of the judgment or order has expired;

2. A settlement has been obtained by the party which is favorable to the party on the majority of issues which such party raised during the course of the proceeding; or

3. The party initiating the administrative proceeding has sought a voluntary dismissal of its complaint or petition more than 30 days after that party initiated the proceeding.

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76        ~~(h)(c)~~ ~~A small business party is a~~ "Prevailing small  
77 business party" means a small business party when:

78            1. A final judgment or order has been entered in favor of  
79 the small business party and such judgment or order has not been  
80 reversed on appeal or the time for seeking judicial review of  
81 the judgment or order has expired;

82            2. A settlement has been obtained by the small business  
83 party which is favorable to the small business party on the  
84 majority of issues which such party raised during the course of  
85 the proceeding; or

86            3. The state agency has sought a voluntary dismissal of  
87 its complaint.

88        ~~(i)(d)~~ ~~The term~~ "Small business party" means:

89            1.a. A sole proprietor of an unincorporated business,  
90 including a professional practice, whose principal office is in  
91 this state, who is domiciled in this state, and whose business  
92 or professional practice has, at the time the action is  
93 initiated by a state agency, not more than 25 full-time  
94 employees or a net worth of not more than \$2 million, including  
95 both personal and business investments;

96            b. A partnership or corporation, including a professional  
97 practice, which has its principal office in this state and has  
98 at the time the action is initiated by a state agency not more  
99 than 25 full-time employees or a net worth of not more than \$2  
100 million; or

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c. An individual whose net worth did not exceed \$2 million at the time the action is initiated by a state agency when the action is brought against that individual's license to engage in the practice or operation of a business, profession, or trade; or

2. Any small business party as defined in subparagraph 1., without regard to the number of its employees or its net worth, in any action under s. 72.011 or in any administrative proceeding under that section to contest the legality of any assessment of tax imposed for the sale or use of services as provided in chapter 212, or interest thereon, or penalty therefor.

(j)(e) ~~A proceeding is~~ "Substantially justified" when applied to a proceeding means ~~if~~ it had a reasonable basis in law and fact at the time it was initiated by a state agency.

(k)(f) ~~The term~~ "State agency" has the meaning described in s. 120.52(1).

(4)(a) Unless otherwise provided by law, an award of attorney ~~attorney's~~ fees and costs shall be made to a prevailing small business party in any adjudicatory proceeding or administrative proceeding pursuant to chapter 120 initiated by a state agency, unless the actions of the agency were substantially justified or special circumstances exist which would make the award unjust.

(b)1. To apply for an award under this subsection ~~section~~,

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the attorney for the prevailing small business party must submit an itemized affidavit to the court which first conducted the adversarial proceeding in the underlying action, or by electronic means through the division's website to the division ~~of Administrative Hearings~~ which shall assign an administrative law judge, in the case of a proceeding pursuant to chapter 120, which affidavit shall reveal the nature and extent of the services rendered by the attorney as well as the costs incurred in preparations, motions, hearings, and appeals in the proceeding.

2. The application for an award of attorney ~~attorney's~~ fees must be made within 60 days after the date that the small business party becomes a prevailing small business party.

(c) The state agency may oppose the application for the award of attorney ~~attorney's~~ fees and costs by affidavit.

(d) The court, or the administrative law judge in the case of a proceeding under chapter 120, shall promptly conduct an evidentiary hearing on the application for an award of attorney ~~attorney's~~ fees and shall issue a judgment, or a final order in the case of an administrative law judge. The final order of an administrative law judge is reviewable in accordance with ~~the provisions of~~ s. 120.68. If the court affirms the award of attorney ~~attorney's~~ fees and costs in whole or in part, it may, in its discretion, award additional attorney ~~attorney's~~ fees and costs for the appeal.

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1. No award of attorney ~~attorney's~~ fees and costs shall be made in any case in which the state agency was a nominal party.

2. No award of attorney ~~attorney's~~ fees and costs for an action initiated by a state agency shall exceed \$50,000.

~~(e)~~ ~~(5)~~ If the state agency fails to tender payment of the award of attorney ~~attorney's~~ fees and costs within 30 days after the date that the order or judgment becomes final, the prevailing small business party may petition the circuit court where the subject matter of the underlying action arose for enforcement of the award by writ of mandamus, including additional attorney ~~attorney's~~ fees and costs incurred for issuance of the writ.

(5) (a) The Legislature also finds that certain persons may be unjustly affected by the delay and expense caused by challenges to permits or other orders issued by government agencies initiated through administrative proceedings. Because the financial consequences of the delay on projects authorized by permits and other orders are much greater than the consequences faced by plaintiffs in such proceedings, the standard for an award of attorney fees and costs in an administrative proceeding should be different from the standard for an award in other proceedings. The purpose of this subsection is to diminish the imbalance of consequences when seeking review of, or defending against, such challenges in administrative proceedings and to provide an award of attorney



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176 fees and costs against the nonprevailing party.

177 (b) Unless otherwise provided by law, an award of attorney  
178 fees and costs shall be made to a prevailing party in any  
179 administrative proceeding initiated by a party seeking to  
180 challenge a permit unless the challenge was substantially  
181 justified or special circumstances exist which would make the  
182 award unjust.

183 1.a. To apply for an award under this section, the  
184 attorney for the prevailing party must submit an itemized  
185 affidavit to the court that first conducted the adversarial  
186 proceeding in the underlying action, or to the division by  
187 electronic means through the division's website. The affidavit  
188 shall reveal the nature and extent of the services rendered by  
189 the attorney as well as the costs incurred in preparations,  
190 motions, hearings, and appeals in the proceeding. In the case of  
191 a proceeding pursuant to chapter 120, the division shall assign  
192 an administrative law judge.

193 b. The application for an award of attorney fees must be  
194 made within 60 days after the date the party becomes a  
195 prevailing party.

196 2. The administrative law judge shall promptly conduct an  
197 evidentiary hearing on the application for an award of attorney  
198 fees and shall issue a final order. The final order of an  
199 administrative law judge is reviewable in accordance with s.  
200 120.68. If a court affirms the award of attorney fees and costs

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201 in whole or in part, it may, in its discretion, award additional  
202 attorney fees and costs for the appeal.

203 3. No award of attorney fees and costs under this  
204 subsection shall exceed \$50,000.

205 (6) This section does not apply to any proceeding  
206 involving the establishment of a rate or rule or to any action  
207 sounding in tort.

208 Section 2. Paragraph (f) of subsection (2) of section  
209 379.502, Florida Statutes, is amended to read:

210 379.502 Enforcement; procedure; remedies.—The commission  
211 has the following judicial and administrative remedies available  
212 to it for violations of s. 379.501:

213 (2)

214 (f) In any administrative proceeding brought by the  
215 commission, the prevailing party shall recover all costs as  
216 provided in ss. 57.041 and 57.071. The costs must be included in  
217 the final order. The respondent is the prevailing party when an  
218 order is entered awarding no penalties to the commission and the  
219 order has not been reversed on appeal or the time for seeking  
220 judicial review has expired. The respondent is entitled to an  
221 award of attorney's fees if the administrative law judge  
222 determines that the notice of violation issued by the commission  
223 was not substantially justified as defined in s. 57.111(3)(j)  
224 ~~57.111(3)(e)~~. An award of attorney's fees as provided by this  
225 subsection may not exceed \$15,000.

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Section 3. Paragraph (f) of subsection (2) of section 403.121, Florida Statutes, is amended to read:

403.121 Enforcement; procedure; remedies.—The department shall have the following judicial and administrative remedies available to it for violations of this chapter, as specified in s. 403.161(1).

(2) Administrative remedies:

(f) In any administrative proceeding brought by the department, the prevailing party shall recover all costs as provided in ss. 57.041 and 57.071. The costs must be included in the final order. The respondent is the prevailing party when an order is entered awarding no penalties to the department and such order has not been reversed on appeal or the time for seeking judicial review has expired. The respondent shall be entitled to an award of attorney's fees if the administrative law judge determines that the notice of violation issued by the department seeking the imposition of administrative penalties was not substantially justified as defined in s. 57.111(3)(j) ~~57.111(3)(e)~~. No award of attorney's fees as provided by this subsection shall exceed \$15,000.

Section 4. This act shall take effect July 1, 2017.

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1 A bill to be entitled  
2 An act relating to local regulation preemption;  
3 creating s. 163.20, F.S.; providing definitions;  
4 prohibiting certain local governments from imposing or  
5 adopting certain regulations on businesses,  
6 professions, and occupations after a certain date;  
7 preempting the regulation of businesses, professions,  
8 and occupations to the state; providing exceptions to  
9 such preemption; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Section 163.20, Florida Statutes, is created to  
14 read:

15 163.20 Regulation of businesses, professions, and  
16 occupations preempted to the state.-

17 (1) DEFINITIONS.-As used in this section:

18 (a) "Local government" means a county, municipality,  
19 special district, school district, or political subdivision of  
20 the state.

21 (b) "Regulation" means a rule or regulation, license,  
22 permit, or requirement, along with any associated fee.

23 (2) LOCAL GOVERNMENT REGULATION.-On or after July 1, 2017,  
24 a local government may not adopt or impose a new regulation on a  
25 business, profession, or occupation unless the regulation is

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26 expressly authorized by general law.

27 (3) PREEMPTION OF REGULATION TO THE STATE.-Notwithstanding  
28 any law to the contrary, this section expressly preempts the  
29 regulation of businesses, professions, and occupations to the  
30 state and supersedes any local government regulation of  
31 businesses, professions, and occupations with the exception of  
32 the following:

33 (a) A regulation adopted prior to July 1, 2017, without  
34 general law authority. Any such regulation expires on July 1,  
35 2020.

36 (b) A regulation expressly authorized by general law.

37 (4) EXISTING REGULATION LIMIT.-A local government with a  
38 local regulation concerning a business, profession, or  
39 occupation that is retained pursuant to paragraph (3)(a) may not  
40 impose additional regulations on that business, profession, or  
41 occupation or modify such regulation except to repeal or reduce  
42 the regulation.

43 (5) REGULATIONS NOT AUTHORIZED.-Any local regulation of a  
44 business, profession, or occupation that is not authorized under  
45 this section or expressly authorized by general law does not  
46 apply and may not be enforced.

47 Section 2. This act shall take effect July 1, 2017.

# Agenda Item

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Quality of Life & Safety  
Committee

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# Agenda Item

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Regional Transportation  
Committee

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# Agenda Item

10i

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Interlocal Agreement/Future  
of the SWFRPC Committee

10i



# Agenda Item

10j

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Water Quality and Water  
Resources Management

10j