

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MINUTES CENTRAL FLORIDA EXPRESSWAY AUTHORITY BOARD MEETING October 9, 2014

Board Members Present:

Commissioner Welton G. Cadwell, Lake County (Chairman)
Commissioner S. Scott Boyd, Orange County (Vice Chairman)
Commissioner Brenda Carey, Seminole County (Secretary-Treasurer)
Mayor Buddy Dyer, City of Orlando
Commissioner Fred Hawkins, Jr., Osceola County
Mayor Teresa Jacobs, Orange County
Walter A. Ketcham, Jr.

Non-Voting Advisor Present:

Diane Gutierrez-Scaccetti, Florida's Turnpike Enterprise

Staff Present at Dais:

Joseph A. Berenis, Deputy Executive Director
Joseph L. Passiatore, General Counsel
Darleen Mazzillo, Recording Secretary/Executive Assistant

CALL TO ORDER

The meeting was called to order at 9:00 a.m. by Chairman Welton Cadwell.

PUBLIC COMMENT

- 1) Ms. Sally Baptiste thanked Chairman Cadwell for agreeing to meet with her next month to talk about ways to improve transportation. She would also like to meet with the other Board members.
- 2) Dr. Charles Tolbert, a write-in candidate for governor, listed several questions. He wants the questions answered by February 1, 2015 should he become governor.

APPROVAL OF MINUTES

A motion was made by Mayor Dyer and seconded by Commissioner Carey to approve the minutes of the September 11, 2014 Board meeting as presented. The motion carried unanimously with all seven Board members present and voting AYE by voice vote.

APPROVAL OF CONSENT AGENDA

The Consent Agenda was presented for approval (Exhibit A):

Construction & Maintenance

1. Confirmation and Approval of Declaration of Emergency for Replacement of Sign Truss (Costs incurrent in the amount of \$172,007.72)
2. Approval of Lease with Stantec Consulting Services, Inc. – Contract No. 001067
3. Authorization to Advertise for Construction Bids for Wekiva Parkway Phase I, Project Nos. 429-202 and 429-203
4. Authorization to Advertise for Letters of Interest for Construction Engineering and Inspection (CEI) Services for S.R. 408/S.R. 417 Interchange Improvements – Project No. 253F
5. Approval for Award of Contract to Commercial Companies, Inc. for Landscape Maintenance on S.R. 528, S.R. 429, S.R. 451 and S.R. 414 – Contract No. 001050 (Contract amount: \$5,177,540.00)

Engineering

6. Authorization to Advertise for Letters of Interest to Provide Professional Engineering Consultant Services to Perform the Project Development and Environment (PD&E) Study for the S.R. 408 Eastern Extension
7. Authorization to Advertise for Letters of Interest for Design Consultant Services for Widening of S.R. 408 from Good Homes Road to Hiawasse Road – Contract No. 001065
8. Authorization to Advertise for Letters of Interest for Design Consultant Services for Widening of S.R. 408 from S.R. 417 to Alafaya Trail – Contract No. 001066

Finance/Accounting

9. Authorization to Advertise for Request for Proposals for Issuer's Counsel – Contract No. 001046
10. Authorization to Advertise for Request for Proposals for Disclosure Counsel and Co-Disclosure Counsel – Contract No. 001057
11. Approval for Disposal/Donation of Inventory Items

Legal

12. Approval of Contract Renewal with Winderweede, Haines, Ward & Woodman, P.A. for Right of Way Counsel Services – Contract No. 000427 (Contract renewal amount: Not-to-exceed \$1,000,000)
13. Approval of Addendum No. 3 with Pinel & Carpenter for Appraisal Services regarding Wekiva Parkway Parcels 197/897, 230, 257 & 267 - Contract No. 000986 (Contract increase to \$195,000)
14. Approval of Time Extension and Fee Increase with Donald W. McIntosh Associates, Inc. – Contract No. 000916 (Contract increase of \$50,000)
15. Approval of Second Addendum to Agreement for Appraisal Review Services between Consortium Appraisal, Inc. and Shutts & Bowen for appraisal review services for the Wekiva Parkway Project Nos. 429-202, 429-203, 429-204, 429-205 and 429-206
16. Approval of Second Addendum to Agreement for Appraisal Services between Pinel & Carpenter, Inc. and Shutts & Bowen for appraisal services for the Wekiva Parkway Project Nos. 429-202, 429-203, 429-204, 429-205 and 429-206

Toll Operations

17. Approval of Supplemental Agreement No. 14-02 with TransCore, L.P. for System Hardware Maintenance on S.R. 429/Schofield Road Ramp Toll Plazas – Contract No. 000178 (Supplemental Agreement amount: Not-to-Exceed \$524,543.44)

General Counsel Joseph Passiatore requested that Consent Agenda Items #15 and #16 be pulled in order to be reviewed by the Right of Way Committee.

It was also noted that the memo for Consent Agenda item #3 has been revised to correct the project limit descriptions.

A motion was made by Mayor Jacobs and seconded by Commissioner Boyd to approve the Consent Agenda with the exception of items #15 & #16 and the revision to item #3. The motion carried unanimously with all seven members present and voting AYE by voice vote.

CHAIRMAN'S REPORT

- 1) The following employees were recognized for their service to CFX:
 - ~ Chris Bloodwell, Landscape Architect, for 5 years of service
 - ~ Mike Carlisle, Assistant Finance & Accounting Manager, for 10 years of service
 - ~ Joann Chizlett, Director of IT, for 15 years of service
 - ~ Sheri Gibson-Taylor, Receptionist, for 15 years of service
 - ~ Paul Crawford, Systems Administrator, for 20 years of service

- 2) General Counsel Joseph Passiatore introduced Linda Brehmer-Lanosa, who was hired as our new in-house deputy General Counsel effective October 27.
- 3) Chairman Cadwell will be attending the TEAMFL meeting on October 30 & 31 in Tampa. Bob Hartnett, Executive Director of TEAMFL, talked about the meeting and invited everyone to attend.
- 4) The Florida Association of Counties will be holding their Curriculum Review Committee meeting at CFX on October 23.
- 5) The first meeting of the newly structured Operations Committee meeting took place on October 6.
- 6) Chairman Cadwell met with the CFX directors a few weeks ago to get their input on the executive director and other issues.
- 7) Chairman Cadwell would like to have a workshop on issues relating to All Aboard Florida, in particular CFX's role/responsibilities in the project.
- 8) Mayor Jacobs suggested that we have a workshop after the gubernatorial appointments are made to talk about the role of board members. Commissioner Carey suggested orientations for new board members, particularly the members coming from the private sector, regarding board members' responsibilities and ethics. Mr. Ketcham commented that there is a lot of misunderstanding on the public's part about the board members' role.

TREASURER'S REPORT

Commissioner Carey reported that toll revenues for August were \$26,900,092 which is 2.58% above projections and 4.83% above prior year. The Authority's total revenues were \$28.4 million for the month.

Total OM&A expenses were \$3.9 million for the month and \$5.8 million year-to-date, which is 3.2% under budget.

After debt service the total net revenue was \$12.6 million for August and \$27.2 million year-to-date.

STAFF'S REPORT

Deputy Executive Director Joseph Berenis provided the Staff Report in written form (Exhibit "B").

PRESENTATION ON I-4 ULTIMATE PROJECT

Ms. Loreen Bobo, P.E, I-4 Ultimate Construction Program Manager for FDOT District Five, briefed the Board on the I-4 Ultimate Project.

Overview

- 21 miles from west of Kirkman Rd. to east of SR 434 (Orange & Seminole Counties)
- \$2.3 billion (yoe) design-build cost
- Scope:
 - Reconstruct mainline and interchanges
 - Addition of 4 express lanes
 - Reconstructs 15 major interchanges
 - Bridges: widens 13; adds 53; replaces 74
- Construction start: early 2015
- Estimated completion: early 2021
- 40 year concession

I-4/SR 408 Interchange

- Widening (3 lanes in each direction) and reconstruction of SR 408 mainline over I-4
- I-4 and SR 408 will be connected by full ramps
- Adding direct connects from I-4 Express Lanes to SR 408 EB and WB
- During construction period, additional service patrols on SR 408 mainline
- After construction, FDOT/Concessionaire will operate/maintain all ramps
- We will be removing the 3 remaining movements from the trumpet configuration which results in operational deficiencies in the interchange
 - Those 3 movements will be accommodated by high speed flyover ramps
 - Existing area of trumpet is converted to open green space
- High level of aesthetics
- Bonus Work Element to complete work on SR 408 mainline
- Lane closure times: 9pm to 6 am

(This item was presented for information only. No Board action was taken.)

UPDATE ON EXECUTIVE DIRECTOR SEARCH

Colin Baenziger of Colin Baenziger & Associates gave an update on the search for an executive director.

Mr. Baenziger reported that we advertised in several transportation publications. We are also in the process of contacting transportation officials for their feedback. We have received 20 applications so far. The deadline is Friday, October 17.

The subject of salary was brought up. The salary range was not included in the advertisement. Deputy Executive Director Laura Kelley stated that the Board members have been provided the updated salary survey prepared by Cody & Associates. She suggested that the Board members contact Cody & Associates directly if they have any questions. Mayor Jacobs stated that the proposed salary range seems on the high end and out of step with the salaries in this region for comparable positions. Commissioner Hawkins agreed.

(This item was presented for information only. No Board action was taken.)

DISCUSSION AND APPROVAL OF REMAINING BUDGET ITEMS IN FY 2015 BUDGET

This item pertains to the salary adjustment for employees, which was pulled from the Budget at the last meeting.

Chairman Cadwell supports a 3% pay adjustment.

A motion was made by Mayor Jacobs and seconded by Commissioner Carey to approve a 2.5% salary adjustment retroactive from July 1, 2014.

Under discussion, Commissioner Carey supports performance pay with annual employee evaluations rather than across the board raises. She would like to see that adopted as one of our policies.

Chairman Cadwell called for a vote. The motion failed 3 to 4 with Mayor Jacobs, Commissioner Carey, and Commissioner Hawkins voting AYE by voice vote and Commissioner Cadwell, Mr. Ketcham, Mayor Dyer, and Commissioner Boyd voting NAY by voice vote.

A motion was made by Mayor Dyer and seconded by Mr. Ketcham to approve a 3% salary adjustment retroactive from July 1, 2014. The motion carried 5 to 2 with Mayor Dyer, Mr. Ketcham, Mayor Jacobs, Commissioner Cadwell, and Commissioner Boyd voting AYE by voice vote and Commissioner Carey and Commissioner Hawkins voting NAY.

CONSENT TO SUBLEASE OF FORMER ADMINISTRATION BUILDING PARKING LOT TO DR. PHILLIPS CENTER FOR THE PERFORMING ARTS

General Counsel Joseph Passiatore stated that CFX has received a request from Dr. Phillips Performing Arts Center (DPAC) for consent to a sublease by its tenant, Delaney OB/GYN, of the parking lot at the former OOCEA Administration Building. DPAC desires to use sixty-one spaces of the parking lot to facilitate valet parking during performances at the new Performing Arts Center.

Consent was previously given in June by the former OOCEA Board; however, the lease was subsequently revised and now requires a second consent.

CFX will not share in the rental because the original lease allows Delaney OB/GYN continuous occupation of the premises. All remaining issues such as liability, insurance and indemnification of CFX are adequately addressed in the Sublease.

Staff recommends approval and authorization for the Interim Executive Director to execute the Consent to Sublease.

A motion was made by Commissioner Carey and seconded by Mayor Dyer to approve the Consent to Sublease as presented. The motion carried unanimously with all seven members present and voting AYE by voice vote.

APPROVAL OF SPEED LIMIT ADJUSTMENT FOR S.R. 417 AND S.R. 429

Director of Expressway Operations Corey Quinn requested Board approval to adjust the speed limit from 65 mph to 70 mph on CFX portions of S.R. 417 and S.R. 429.

He explained that in early 2013 the Board requested that a speed study be conducted on various segments of our system. In accordance with Florida Statute 316.187 we submitted the speed studies to FDOT for approval. FDOT approved the speed limit modifications on August 21, 2014.

Florida's Turnpike Enterprise has completed their independent studies for their segments of S.R. 417 and S.R. 429. Their results are consistent with ours; their study recommends a change to 70 mph on their system. Ms. Gutierrez-Scaccetti, Florida's Turnpike Enterprise Executive Director, was present and confirmed that they will be going through the process to request Secretary Prasad's approval to raise the speed limit on the Turnpike's sections.

Mr. Quinn provided the following information:

SR 417

- Requesting speed limit adjustment from I-Drive to Seminole County line
- Current speed limit: 65 mph
- Roadway design criteria: 70 mph
- 85th percentile speed: 72 – 79 mph

SR 429

- Requesting speed limit adjustment from Seidel Road to US 441
- Current speed limit: 65 mph
- Roadway design criteria: 70 mph
- 85th percentile speed: 70 – 79 mph

The cost for replacement/modification of 65 existing signs is estimated to be \$76,000. Estimated completion time is 60 – 90 days.

A motion was made by Commissioner Boyd and seconded by Commissioner Carey for approval to adjust the speed limit from 65 mph to 70 mph on CFX portions of S.R. 417 and S.R. 429. The motion carried unanimously with seven members present and voting AYE by voice vote.

Staff was instructed to coordinate with Florida's Turnpike Enterprise to implement the speed limit increase in conjunction with one another.

BOARD MEMBER COMMENT

There were no comments from the Board members.

ADJOURNMENT

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:15 a.m.

Commissioner Welton G. Cadwell
Chairman
Central Florida Expressway Authority

Darleen Mazzillo
Recording Secretary/Executive Assistant
Central Florida Expressway Authority

Minutes approved on _____, 2014.

Pursuant to the Florida Public Records Law and CFX Records Management Policy, audio tapes of all Board and applicable Committee meetings are maintained and available upon request to the Records Management Liaison Officer at publicrecords@CFXWay.com or 4974 ORL Tower Road, Orlando, FL 32807. Additionally, video tapes of Board meetings commencing July 25, 2012 are available at the CFX website, www.expresswayauthority.com