

# CENTRAL FLORIDA EXPRESSWAY AUTHORITY

## MINUTES CENTRAL FLORIDA EXPRESSWAY AUTHORITY BOARD WORKSHOP November 13, 2014

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### 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., Gubernatorial Appointment

### Non-Voting Advisor Present:

Diane Gutierrez-Scaccetti, Florida's Turnpike Enterprise

### Staff Present at Dais:

Laura Kelley, Deputy Executive Director Finance & Administration  
Joseph L. Passiatore, General Counsel  
Mimi Lamaute, Recording Secretary/Paralegal

### CALL TO ORDER

The meeting was called to order at 10:30 a.m. by Chairman Welton Cadwell.

### PUBLIC COMMENT

There was no public comment.

### DISCUSSION ON ALL ABOARD FLORIDA

General Counsel Joseph Passiatore began with some history. The CFX has been working with All Aboard Florida (AAF) since early 2013 to facilitate them in providing intercity passenger rail service from Miami to Orlando. The premise has been that the corridor will traverse the southern right of way on the Beachline (SR 528) from I-95 to the Orlando International Airport. We have a purchase agreement with Farmland Reserve and Suburban Land Reserve for a good portion of that right of way east of Innovation Way. The portion of land west of Innovation Way involves properties that are owned by different third parties. That property has not been acquired by CFX.

In October 2014 CFX received a letter from All Aboard Florida President Mike Reininger requesting that we redirect our efforts and explore the viability of an alignment that would utilize SR 528 land in the median running west of the International Corporate Park/SR 528 Interchange to the Narcoossee Blvd./SR 528 Interchange. Mr. Passiatore responded to AAF that we were willing to facilitate a study to see if the median location would support that infrastructure, however, he made it clear to AAF that the final decision was a Board decision. At today's workshop we are seeking the Board's direction in terms of how to proceed with the final location of the corridor.

Mike Reininger, President of All Aboard Florida, explained the median alternatives. (Presentation attached as Exhibit "A")

Alignment alternatives:

- Early concepts presented two primary approaches
  - "Median alignment" - utilizes existing right of way
  - "Southern alignment(s)" - predicated on purchase of expanded ROW
- Expanded ROW contributes to "super corridor" concept
  - Supports multi-modal future integration
  - Supports additional ROW uses (utilities, etc.)
  - Supports drainage and other needs for expressway expansion
- Agreement structure with AAF facilitates either alternative

"Median" Alternative:

- Does not depend on additional land acquisition
- Requires more infrastructure investment by AAF
- Technical solutions to integrate rail and roadway improvements being developed jointly by CFX and AAF
- Alternative advances a planned expressway investment in future roadway widening to an immediate roadway improvement in lieu of land acquisition
- Supports AAF schedule

"Southern" Alignment:

- Lower initial infrastructure costs
- Land acquisition required – pursued but not achieved
- Additional land facilitates future opportunities (commuter, etc.)
- Initial focus of engineering activities
- Southern alignment an option if land made available within the next 90 days to maintain AAF implementation schedule

CFX Director of Engineering Glenn Pressimone gave an overview of the alternatives. (Presentation attached as Exhibit "B")

- Two alternatives for rail placement with SR 528 corridor
  - Southern Alternative

- Construct one or two new tracks within additional ROW purchased along the southern SR 528 ROW edge
- Median Alternative
  - Eastern and western segments similar to the Southern Alternative
  - Middle segment (approx. 7.5 miles long); Construct a single track in the median of SR 528

Mr. Pressimone showed the SR 528 existing and proposed ultimate typical sections. The existing 300 feet of right of way adequately accommodates current and ultimate Beachline lane needs. Additional property may be required for ultimate storm water ponds.

Median Alternative:

- Requires reconstruction of a portion of existing eastbound SR 528
- Access across median for CFX operations and emergency services is restricted
- Access to AAF tracks in emergency situations is restricted
- Requires substandard shoulder widths through SR 417 bridge area for ultimate SR 528
- Continued coordination for the following items:
  - SR 528 Main Toll Plaza impacts
  - Profile of track and Ultimate SR 528
  - Rail bridges entering and exiting SR 528 median (geometry, type, pier locations, etc.)
  - Track maintenance operations
  - Emergency response plans
  - SR 528 drainage, ITS and sign impacts
  - Functionality of existing contraflow crossing
  - Complicates future bridge widenings and new bridge crossings over SR 528

Southern Alternative:

- Provides greatest flexibility for future SR 528 widening
- Additional ROW required; \$16 million in current Work Plan
- Supports future regional rail solution (freight and/or commuter rail) along SR 528 corridor

General Right of Way Counsel Ken Wright of Shutts & Bowen, provided a review of the existing agreements between CFX, Suburban Land Reserve and Farmland Reserve, Inc. (see Exhibit "C"). The dates in the agreements have expired and the agreements are no longer in effect.

There are options for the Board to consider now that CFX has the ability to condemn property for a fixed guideway system and make it available for a private railway operator. In addition, CFX has the authority to accommodate an additional 200 feet of right of way for a super corridor for rail and future commuter rail.

There was discussion regarding eminent domain acquisition for ROW needed for the Southern Alternative. Both the Median and Southern Alternatives will necessitate purchase contracts with SLR and FRI. We have negotiated contracts with those two landowners and will continue to do so. In addition, there are two

properties owned by the Brunetti family that are necessary for the Southern Alternative. Mr. Brunetti has indicated to Mr. Wright that he is willing to sell the property.

Mr. Wright explained the timing. Appraisals are already done on SLR and FRI. An appraisal on the Brunetti track will take 30 – 60 days. First offers will be made after the appraisal is done, followed by the required 30 day period. The earliest we could get an order of taking is April, May or June of 2015.

Mr. Wright requested direction from the Board on how to proceed.

By consensus, the Board members agreed that the Southern Alignment is the favored option, with the ability to fall back to the Median Alternative if necessary. A stipulated order of taking and then agreement on the value at a later date is the best scenario.

Mr. Wright will keep the Board informed and bring back all future actions for Board approval.

#### **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 11:30 a.m.

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Commissioner Welton G. Cadwell  
Chairman  
Central Florida Expressway Authority

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Mimi Lamaute  
Recording Secretary/Paralegal  
Central Florida Expressway Authority

Minutes approved on \_\_\_\_\_, 2014.

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