

# CENTRAL FLORIDA EXPRESSWAY AUTHORITY

**MINUTES  
CENTRAL FLORIDA EXPRESSWAY AUTHORITY  
BOARD MEETING  
March 9, 2017**

**Location: Central Florida Expressway Authority  
4974 ORL Tower Road  
Orlando, FL 32807  
Board Room**

**Board Members Present:**

Mayor Buddy Dyer, City of Orlando (Chairman)  
Commissioner Fred Hawkins, Jr., Osceola County (Vice Chairman)  
Jay Madara, Gubernatorial Appointment (Treasurer)  
Commissioner Brenda Carey, Seminole County  
Andria Herr, Gubernatorial Appointment  
S. Michael Scheeringa, Gubernatorial Appointment  
Commissioner Jennifer Thompson, Orange County

**Board Member Participating by Phone:**

Commissioner Sean Parks, Lake County

**Board Member Not Present:**

Mayor Teresa Jacobs, Orange County

**Non-Voting Advisor Not Present:**

Diane Gutierrez-Scaccetti, Florida's Turnpike Enterprise

**Staff Present at Dais:**

Laura Kelley, Executive Director  
Joseph L. Passiatore, General Counsel  
Darleen Mazzillo, Executive Assistant/Recording Secretary

**A. CALL TO ORDER**

The meeting was called to order at 9:00 a.m. by Chairman Buddy Dyer.

**B. PUBLIC COMMENT**

- 1) Linda Chapin made comments about the Osceola Parkway Eastern Extension.

- 2) Deborah Green, representing Orange Audubon Society, made comments relating to the Osceola Parkway Eastern Extension going through Split Oak Forest.
- 3) Valerie Anderson made comments relating to the Osceola Parkway Eastern Extension and Split Oak.
- 4) Mary Wilson made comments relating to the Osceola Parkway Eastern Extension and Split Oak.
- 5) Crissy Fogelson, Executive Director of the ETC, thanked CFX for calling attention to issues relating to the Turnpike's SR 528 expansion project at International Drive. ETC is meeting with the Executive Director of the Turnpike, Diane Scacetti on March 10. Commissioner Carey suggested that a CFX staff member attend that meeting and report back to the CFX Board members.

**C. APPROVAL OF MINUTES**

A motion was made by Commissioner Hawkins and seconded by Commissioner Thompson to approve the February 9, 2017 Board Meeting Minutes as presented. The motion carried unanimously with eight (8) members voting AYE by voice vote; Mayor Jacobs was not present.

**D. APPROVAL OF CONSENT AGENDA**

The Consent Agenda was presented for approval.

**ACCOUNTING/FINANCE**

1. Authorization to advertise for Financial Advisor Services

**CONSTRUCTION**

2. Authorization to advertise for construction bids for CFX Headquarter Renovations – Project 599-413/Contract No. 001296

**ENGINEERING**

3. Authorization to award contract to CH2M Hill, Inc. for Concept, Feasibility & Mobility Study for the Osceola Parkway Extension Project 599-221/Contract No. 001248 (Agreement value: Not to exceed \$1,141,000)
4. Authorization to award contract to Inwood Consulting Engineers, Inc. for Concept, Feasibility & Mobility Study for the Northeast Connector Expressway Project 599-222/Contract No. 001249 (Agreement value: Not to exceed \$1,438,000)
5. Authorization to award contract to RS&H, Inc. for Concept, Feasibility & Mobility Study for the Southport Connector Expressway Project 599-223/Contract No. 001250 (Agreement value: Not to exceed \$1,156,000)
6. Authorization to award contract to Kimley-Horn & Associates, Inc. for Concept, Feasibility & Mobility Study for the Poinciana Parkway Extension/I-4 Connector Project 599-224/Contract No. 001251 (Agreement value: Not to exceed \$1,271,000)

7. Approval of Walker Parking Consultants as a Subconsultant to the General Engineering Consultant Services Contract with Dewberry Engineers, Inc. – Contract No. 001145

#### INFORMATION TECHNOLOGY (IT)

8. Approval of Purchase Order to Convergent Technologies for upgrades and installation of Headquarters Security System (P.O. amount: \$66,975.00)
9. Approval of Renewal of Agreement with Computer Aid, Inc. for Information Technology Services – Contract No. 000939 (Agreement value: \$0)
10. Authorization to negotiate with the Orlando Venues and Orlando Magic for E-PASS Services in the Amway Parking Garage

#### LEGAL

11. Approval of settlement in the amount of \$205,000 for Parcel 135 (Orange County, FL) - Wekiva Parkway Project 429-202
12. Approval of settlement in the amount of \$772,250.00 for Parcel 158 Parts A & B (Shirley Merrill and S&L Nurseries) – Wekiva Parkway Project 429-202
13. Approval of settlement in the amount of \$310,000 for Parcel 255 (Khoi Nguyen & Thuynhan Huynh) – Wekiva Parkway Project 429-204
14. Approval of settlement offer for Klepzig Easement Interest in the amount of \$2,500 for Parcel 168 (Simmons) – Wekiva Parkway Project 429-203

#### MAINTENANCE

15. Approval of Supplemental Agreement No. 2 to Kisinger Campo & Associates for bridge inspection services – Contract No. 001127 (Agreement value: \$82,635.15)

#### TRAFFIC OPERATIONS

16. Authorization to advertise for Letters of Interest for design services for the Network Phase II Project – Contract No. 001292/Project 599-524
17. Approval of Purchase Order to Carousel Industries for service support for Extreme Networks Internet Protocol (IP) Network Equipment (P.O. amount: \$56,810.04)

Consent Agenda Items #3 and #4 were pulled for further discussion.

**A motion was made by Commissioner Carey and seconded by Commissioner Thompson to approve the Consent Agenda with the exception of items #3 and #4. The motion carried unanimously with eight (8) members voting AYE by voice vote; Mayor Jacobs was not present.**

Item #3: Commissioner Thompson requested that the language within Exhibit A-Scope of Services, items 7.3 and 7.4 be more inclusive to the needs of Orange County and citizen participation. Under item 7.3 she requested an additional meeting in Orange County. Under item 7.4 she requested that a presentation be made to the Orange County Board of County Commissioners.

In addition, Ms. Kelley commented that the subconsultant scope includes a Public Involvement Manager. She requested that the line item be deleted from the contract.

**A motion was made by Commissioner Thompson and seconded by Commissioner Carey to approve Consent Agenda Item #3 with amendments as stated above. The motion carried unanimously with eight (8) members voting AYE by voice vote; Mayor Jacobs was not present.**

Item #4: Ms. Herr stated that she will abstain from voting on this item because she has a client that is a subcontractor on this contract. (Form 8B Memorandum of Voting Conflict, attached as Exhibit A)

Ms. Kelley requested that the Secretary/Clerical Position on the Geotechnical Contract be re-classified before the contract is executed.

**A motion was made by Commissioner Thompson and seconded by Commissioner Carey to approve Consent Agenda Item #4 with the amendment as requested by Ms. Kelley. The motion carried with seven (7) members voting AYE by voice vote; Ms. Herr abstained from voting and Mayor Jacobs was not present.**

## **E. REPORTS**

### **1. Chairman's Report**

Chairman Dyer reported on his meeting with Governor Scott regarding the purchase of portions of FDOT/FTE expressways.

Chairman Dyer reported that the next CFX Board meeting will be held in Osceola County in conjunction with the opening of the ICAMR facility.

### **2. TREASURER'S REPORT**

Mr. Madara reported that toll revenues for January were \$33.5 million, which is 9% above projections and 11% above prior year. Total operating expenses were under budget for the month. Net cash flow exceeded budget for the month as well as year-to-date.

Mr. Madara gave a follow up to the "customer first" toll policy. No negative news has come from the rating agencies or bondholders. We should know more in June, after the rating agencies do their annual updates in May.

**3. EXECUTIVE DIRECTOR'S REPORT**

Laura Kelley provided the Executive Director's Report in written form.

In addition, Ms. Kelley mentioned the following items:

- Ms. Kelley will be going to Washington, DC next week to speak with legislative members and discuss funding.
- The bill designating the Arnold Palmer Expressway passed in the Senate yesterday.

**F. REGULAR AGENDA ITEMS**

**1. FDOT'S PRESENTATION OF THE I-4 ULTIMATE PROJECT'S PROPOSAL TO TEMPORARILY CLOSE S.R. 408 ORANGE AVENUE OFF-RAMP**

Loreen Bobo, FDOT I-4 Ultimate Construction Program Manager, presented FDOT's plan to temporarily close the eastbound S.R. 408 Orange Avenue exit ramp for 140 days in the May to July 2018 time frame. Ms. Bobo also explained the plan to detour the traffic to the S.R. 408 eastbound exit ramp to Mills Avenue.

The Board members asked questions and made comments.

A motion was made by Ms. Herr and seconded by Commissioner Carey to approve the concept as presented to temporarily close the S.R. 408 eastbound exit ramp to Orange Avenue and detour the traffic to the S.R. 408 eastbound exit ramp to Mills Avenue for a period of 140 days beginning in May of 2018 with the understanding that FDOT will reimburse CFX for tolls at the Mills Avenue exit while the detour is in place and such reimbursement will be in accordance with a future amendment to the executed I-4/SR 408 Interlocal Agreement between CFX and FDOT that will be presented to the CFX Board in April 2017 for consideration. The motion carried unanimously with eight (8) members voting AYE by voice vote; Mayor Jacobs was not present.

**2. DISCUSSION REGARDING ADDITION OF BREVARD COUNTY TO CFX BOARD**

Executive Director Laura Kelley reported that there are bills moving through the House and Senate to add a Brevard County seat to the CFX Board.

Curt Smith, Chairman of the Brevard County Board of County Commissioners, talked about the advantages of having Brevard County on the CFX Board.

The Board members asked questions and made comments.

**A motion was made by Commissioner Hawkins and seconded by Commissioner Carey to adopt a resolution in support of legislation that would add Brevard County to the CFX Board and to send the resolution to members that are sponsoring the legislation. The motion carried unanimously with eight (8) members voting AYE by voice vote; Mayor Jacobs was not present.**

### **3. UPDATE ON INTEROPERABILITY AGREEMENT**

Executive Director Laura Kelley reported that, although we received a 180 day termination notice from Florida's Turnpike Enterprise in January, they have not provided us with a proposed draft interoperability agreement. Ms. Kelley has been unsuccessful in setting up a meeting with the Executive Director of Florida's Turnpike, Diane Scaccetti to discuss the terms of a new interoperability agreement.

Ms. Kelley has a meeting scheduled with FDOT Secretary Cone on March 20 to discuss the interoperability agreement and other issues. She will update the Board on those discussions following that meeting.

The Board members made comments and asked questions, which were answered by Ms. Kelley and CFO Lisa Lombard.

(This item was for discussion only. No action was taken by the Board.)

### **4. AMENDMENT OF 2040 MASTER PLAN FOR INCLUSION OF MULTIMODAL POLICY AND RECOMMENDATIONS**

Director of Engineering Glenn Pressimone explained that when the 2040 Master Plan was adopted in May 2016, inclusion of a policy statement pertaining to multimodal projects was deferred until after the Multimodal Investment Study was finalized by the Center for Urban Transportation Research (CUTR). CUTR completed the final multimodal report in January and the recommendations were accepted by the CFX Board in February.

Recommended Policy Profile for Multimodal Projects:

- Two types of multimodal initiatives:
  - Projects with direct benefits to CFX toll users – “Cost Equals User Benefits”
  - Projects meeting financial or revenue tests but not of direct benefit to CFX toll users – “Cost Equals Revenue”

Recommended Multimodal Policy Statement:

Fund or partner on multimodal initiatives where revenue generated from the investment equals the project cost or where toll user benefits are equal to or exceed the project cost. Candidate projects must comply with CFX's Master Bond Resolution and CFX's enabling legislation.

A motion was made by Mr. Scheeringa and seconded by Mr. Madara to adopt the 2040 Master Plan Amendment to include a Multimodal Policy Statement and amended Policy Profile. The motion carried unanimously with eight (8) members voting AYE by voice vote; Mayor Jacobs was not present.

**5. AWARD OF CONTRACT NO. 001151 FOR ROADWAY AND BRIDGE MAINTENANCE ON S.R. 408, S.R. 417, S.R. 528 AND S.R. 551**

Director of Maintenance Claude Miller requested Board approval to award the Roadway and Bridge Maintenance Services for SR 408, SR 417, SR 528 and SR 551 to Jorgensen Contract Services, LLC for an initial five year term in the amount of \$17,483,700 with five one-year options.

A Maintenance Department Quick Fact Sheet was provided to the Board members showing a broad overview of CFX's transportation network and the activities and achievements by the Maintenance Department in FY 2015/2016.

A motion was made by Commissioner Carey and seconded by Commissioner Thompson to award the contract for Roadway and Bridge Maintenance Services for SR 408, SR 417, SR 528 and SR 551 to Jorgensen Contract Services, LLC for an initial five year term in the amount of \$17,483,700 with five one-year options. The motion carried unanimously with eight (8) members voting AYE by voice vote; Mayor Jacobs was not present.

**6. WEKIVA PARKWAY CONSTRUCTION UPDATE**

Resident Engineer/Sr. Project Manager Don Budnovich, P.E. gave an update on the status of the Wekiva Parkway construction projects.

The first section of the Wekiva Parkway (from Connector Road to Kelly Park Road) is scheduled to open in mid-2017. The remainder of the project is scheduled to open in early 2018.

Mary Brooks of Quest Corporation of America narrated a video of the construction activities.

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

**G. BOARD MEMBER COMMENT**

There were no comments from the Board members.

H. ADJOURNMENT

Chairman Dyer adjourned the meeting at 10:25 a.m.



Buddy Dyer  
Chairman  
Central Florida Expressway Authority



Darleen Mazzillo  
Recording Secretary/Executive Assistant  
Central Florida Expressway Authority

Minutes approved on April 13, 2017.

*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](mailto: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](http://www.expresswayauthority.com)*



## EXHIBIT "A"

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>HERR, ANDRIA, RITA</b>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>CENTRAL FLORIDA EXPRESSWAY AUTHORITY</b>	
MAILING ADDRESS <b>P.O. Box 954203</b>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <b>Lake Mary,</b>	COUNTY <b>Seminole</b>	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <b>3.9.2017</b>		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.358 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

### APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, ANDREA HEEL, hereby disclose that on \_\_\_\_\_, 20 17 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_;
- ☒ inured to the special gain or loss of AVCON, by  
whom I am retained; or
- ☐ inured to the special gain or loss of \_\_\_\_\_, which  
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3-16-2017  
Date Filed

Andrea Heel  
Signature

**NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.**