

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MINUTES
CENTRAL FLORIDA EXPRESSWAY AUTHORITY
BOARD MEETING
May 12, 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
Commissioner Sean Parks, Lake County
Commissioner Jennifer Thompson, Orange County

Board Members Participating by Phone:

Mayor Teresa Jacobs, Orange County
S. Michael Scheeringa, Gubernatorial Appointment

Board Member Not Present:

Andria Herr, Gubernatorial Appointment

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

Bob Hartnett, Executive Director of TEAMFL, gave an update on the TEAMFL meeting held on May 4 and 5 in Orlando.

C. APPROVAL OF MINUTES

A motion was made by Commissioner Parks and seconded by Commissioner Thompson to approve the April 13, 2017 Board Meeting Minutes as presented. The motion carried unanimously with eight (8) members voting AYE by voice vote; Ms. Herr was not present.

D. APPROVAL OF CONSENT AGENDA

The Consent Agenda was presented for approval.

ACCOUNTING/FINANCE

1. Approval of Roadway Insurance Policy with Zurich American Insurance Company (Policy cost: \$681,855)
2. Approval of Revised Debt Policy and Resolution
3. Approval of Revised Interest Rate Risk Management Policy and Resolution

CONSTRUCTION

4. Authorization to advertise for construction bids for S.R. 429 Wekiva Parkway Landscaping – Contract No. 001289/Project 429-824
5. Authorization to advertise for construction bids for S.R. 417/Boggy Creek Road Systems Interchange Landscape Improvements – Contract No. 001311/Project 417-301D
6. Authorization to advertise for construction bids for Goldenrod Road Resurfacing from Lee Vista Blvd. to Narcoossee Road – Contract No. 001317/Project 800-903E
7. Authorization to advertise for CEI services for S.R. 417 Widening from Econlockhatchee Trail to Seminole County Line – Contract No. 001315/Project 417-135
8. Approval of final ranking and authorization to enter into fee negotiations with CDM Smith, Inc. for S.R. 408/S.R. 417 Interchange Improvements Phase 2 – Contract No. 001278/Project 408-253G
9. Approval of construction contract modifications on the following projects:

a. Project 599-526B	Sice, Inc.	(\$31,301.91)
b. Project 429-206	GLF Construction Corp.	\$68,998.09
c. Project 429-202	Prince Contracting LLC	\$115,330.85
d. Project 528-313	The Lane Construction Corp.	\$30,437.14

ENGINEERING

10. Approval of contract award to the Horizon Engineering Group, Inc./Sema Construction for S.R. 408/S.R. 417 Interchange Improvements Phase 2 Design/Build Services – Contract No. 001266 (Agreement value: \$63,700,000)

11. Approval of contract award to Preferred Materials for S.R. 408 Milling & Resurfacing from the Lake Underhill Bridge to Yucatan Drive – Contract No. 001268/Project 408-739 (Agreement value: \$6,197,428.98)
12. Authorization to advertise for Letters of Interest for Interchange Modification Report Consultant Services for S.R. 429/Florida's Turnpike Systems Interchange – Contract No. 001316/Project 429-144
13. Authorization to advertise for Letters of Interest for Design Consultant Services for S.R. 528/S.R. 436 Interchange Improvements and S.R. 528 Widening from S.R. 436 to Goldenrod Road – Contract No. 001314/Project 528-143
14. Authorization to advertise for Letters of Interest for Design Consultant Services for S.R. 417 Widening from John Young Parkway to Landstar Blvd. – Contract No. 001313/Project 417-142
15. Authorization to advertise for Letters of Interest for Design Consultant Services for S.R. 417 Widening from International Drive to John Young Parkway – Contract No. 001312/Project 417-141

INTERNAL AUDIT

16. Approval of contract renewal agreement with Protiviti, Inc. for Internal Auditing Services – Contract No. 000931 (Agreement value: \$499,000)
17. Approval of contract renewal agreement with Protiviti, Inc. for Payment Card Industry (PCI) Compliance Audit Services – Contract No. 000960 (Agreement value: \$65,000)

LEGAL

18. Authorization to accept Settlement Agreement in the amount of \$356,700 for the taking of Parcel 250 (Odis & Polly Dover, et al), Project 429-204
19. Authorization to accept Settlement Agreement in the amount of \$573,716.00 for Parcel 153 (Ponkin Road Property, LLC), Project 429-202
20. Approval to serve Offer of Judgment in the amount of \$338,150 for Parcel 252 (Anthony Randall Carter, et al)
21. Approval to serve Offer of Judgment in the amount of \$695,075 for Parcel 253 (Aran Glen Carter, et al)
22. Approval to serve Offer of Judgment in the amount of \$225,000 plus statutory attorney's fees and expert fees and costs for Parcel 288, Project 429-205 (Thomas Olin Mahaffey, Jr. & Julia Mahaffey)
23. Authorization to accept mediated settlement in the amount of \$699,990 for Parcel 292 (Kimberly Buchheit), Project 429-205

MAINTENANCE

- 24. Authorization to advertise Request for Proposals for Systemwide Landscape Maintenance Services for S.R. 408, S.R. 417, S.R. 528, S.R. 429, S.R. 414, S.R. 451 and CFX Headquarters Building – Contract No. 001309
- 25. Approval of contract renewal with Kisinger Campo & Associates for Bridge Inspection Services – Contract No. 001127 (Agreement value: \$350,000)
- 26. Approval of contract renewal with Ayres Associates, Inc. for Systemwide Overhead Sign Inspection Services – Contract No. 000988 (Agreement value: \$300,000)

PROCUREMENT

- 27. Approval of Amendments to Procurement Policy and Resolution

SPECIAL PROJECTS

- 28. Approval to purchase E6 Readers from Amtech in support of the Toll System Upgrade Project (total cost of \$703,500)

TECHNOLOGY

- 29. Authorization to advertise for bids for the procurement of High Definition CCTV Cameras for use on the CFX ITS network – Project 599-528

TOLL OPERATIONS

- 30. Approval of Purchase Order to Cummins-Allison Corp. for bill & coin counters for the plazas (Purchase Order amount: \$117,708)
- 31. Approval of contract renewal agreement with TransCore, LP for System Hardware Maintenance - Contract No. 000178 (Agreement value: \$6,850,870.12)
- 32. Approval of contract renewal agreement with TransCore, LP for System Software Maintenance – Contract No. 000179 (Agreement value: \$1,956,279.07)
- 33. Approval of Express Services, Inc., d/b/a Express Employment Professionals as subconsultant for the Toll Facilities Operations and Management Services Contract with AECOM Energy & Construction, Inc. – Contract No. 001286
- 34. Approval of AceApplications, LLC as subconsultant for the E-PASS and VES Enforcement Operations Contract with Egis Projects, Inc. – Contract No. 001105

FOR INFORMATION ONLY

- 35. Notification that MSE Group, LLC will replace 3E Consultants, Inc. as a subconsultant to Inwood Consulting Engineers, Inc. – Contract No. 001249/Project No. 599-222

General Counsel Joseph Passiatore requested that Consent Agenda Item #22 be pulled due to new information that has been received.

A motion was made by Commissioner Carey and seconded by Commissioner Parks to approve the Consent Agenda with the exception of item #22. The motion carried unanimously with eight (8) members voting AYE by voice vote; Ms. Herr was not present.

E. REPORTS

1. CHAIRMAN'S REPORT

- Chairman Dyer thanked those who came out to the UCF Downtown Campus ribbon cutting yesterday. He also thanked the CFX Board Members for adjusting their schedules to have the meeting today.
- Since our last meeting, Ms. Kelley and her team met with the Turnpike on the interoperability agreement.
- While in Tallahassee last month, Chairman Dyer had the opportunity to meet with Ben Watkins from the Division of Bond Finance and Rachel Cone, Interim FDOT Secretary, about several items including the potential transfer of the Turnpike's sections of SR 528, SR 417 and SR 429.
- Chairman Dyer pointed out that SB/HB 299 passed to add Brevard County as a 10th member on the CFX Board. At the next meeting, Ms. Kelley and her team will present to the Board the revised committees and policy changes due to the new board make-up.
- Staff has determined that we do not need a Board meeting in June.

2. TREASURER'S REPORT

Mr. Madara reported that toll revenues for March were \$37,545,728, which is 7% above projections and 8% above prior year. CFX's total revenues were \$41.2 million for the month.

Mr. Madara commented that the 2% increase in revenues for February over last year is not an indication of slowing growth, but was due to fewer work days in February.

Total OM&A expenses were \$7.4 million for the month and \$48.7 million year-to-date, which is 8% under budget.

After debt service, the total net revenue available for projects was \$20 million for March and \$146 million year-to-date. Our projected year end senior lien debt service ratio is 2.08 which is higher than our budgeted ratio of 1.98

3. EXECUTIVE DIRECTOR'S REPORT

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

In addition, Ms. Kelley reported on the following:

- In preparation for Brevard County joining our Board in July, we have scheduled a briefing with Brevard County later this month.
- We have asked our Traffic and Revenue Consultant, CDM Smith to do an analysis on moving traffic to off-peak hours during construction of the I-4 Ultimate Project. We will provide our recommendations at the July 13 Board meeting based on that analysis.
- Commissioner Sean Parks reported on the TEAMFL meeting which was held on May 4 and 5.
- We have been meeting with Commissioner Sean Parks and Commissioner Betsy VanderLey about the US 27/SR 429 connector, which crosses the Orange/Lake County line. Staff will be coming to the Board on July 13 to talk about the options moving forward.
- Ms. Kelley recognized Diane Bonnett, who is retiring after 23 years at the E-PASS service center. Ms. Bonnett was one of the first E-PASS customer service representatives.

F. REGULAR AGENDA ITEMS

1. APPOINTMENT OF CITIZEN MEMBER TO AUDIT COMMITTEE

Jay Madara requested that Megan Zee be appointed to the Audit Committee as a replacement to Tamrin Mahon, who has resigned from the Committee. The Board members were provided background information on Ms. Zee.

A motion was made by Mr. Madara and seconded by Commissioner Carey to appoint Megan Zee to the Audit Committee. The motion carried unanimously with eight (8) members voting AYE by voice vote; Ms. Herr was not present.

2. LEGISLATIVE UPDATE

In Ms. Maikisch's absence, Mr. Chris Dudley of Southern Strategy Group gave an update on the 2017 State legislative session, which concluded on May 9.

Highlights:

- SB 368 formally designates that portion of S.R. 408 between Kirkman Road and Clarke Road in Orange County as the "Arnold Palmer Expressway."
 - HB 299 created a 10th seat on the Central Florida Expressway Authority by adding a member of the Brevard County Commission to the CFX board.
 - HB 1049 makes some significant policy changes to the MDX and FDOT/FTE toll policy.
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- FDOT Package: HB 865 adopted a series of proposals related to the FDOT legislative request.
- SB 80 provided new safeguards for public agencies to timely respond to request for public records without the immediate threat of lawsuit and damages. The bill also clarifies that it does not create a private right of action, and a court may only require an agency to pay attorney fees and costs directly related to the public records enforcement action.
- After a multi-year battle, SB 221 will establish minimum insurance requirements for Transportation Network Companies (Uber and Lyft), require thorough background screening standards for TNC drivers, and include consumer protection provisions. In addition, the bill provides regulatory certainty for TNC services in Florida by replacing a patchwork of conflicting local regulations with a unified statewide framework through the Department of Highway Safety and Motor Vehicles.
- HB 695 primarily addressed the liability needs of All-Aboard Florida utilizing the Florida East Coast Railway lines. The bill also placed additional FDOT oversight on SFRTA expenditures.

(Mayor Jacobs ceased her phone participation during this presentation.)

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

3. **APPROVAL OF FY 2018 OPERATIONS, MAINTENANCE & ADMINISTRATION BUDGET AND FY 2018 - FY 2022 FIVE-YEAR WORK PLAN**

CFO Lisa Lumbard presented the FY 2018 Operations, Maintenance & Administration Budget for approval (Exhibit "A"). She explained one minor revision from the draft budget that was presented last month, which resulted in a reduction of approximately \$100,000 to the operations budget. The OM&A Budget is 12% of the proposed spending for next year.

	FY 2017 Budget	FY 2018 Budget	Change	%
Operations Budget	\$52,180,152	\$57,121,172	\$4,941,020	9.5%
Maintenance Budget	\$17,131,201	\$17,804,909	\$673,708	3.9%
Administration Budget	\$7,811,620	\$8,213,774	\$402,154	5.1%
Other Operating	\$2,669,000	\$2,535,599	(\$133,401)	-5.0%
TOTAL BUDGET	\$79,791,973	\$85,675,454	\$5,883,481	7.4%

Director of Engineering Glenn Pressimone presented for approval the FY 2018 – FY 2022 Five-Year Work Plan, which totals \$1.63 billion (Exhibit "B"). There are no changes to the final Work Plan that was presented as a draft last month.

Ms. Lumbard confirmed that the Work Plan is fully fundable. It will require additional debt of approximately \$835 million to be issued over six years. The debt coverage ratios meet our 1.60 planning target. After OM&A expenses and debt service, there will be approximately \$164 million available for system projects.

A motion was made by Mr. Madara and seconded by Commissioner Hawkins to approve the FY 2018 Operations, Maintenance & Administration Budget and FY 2018 - FY 2022 Five-Year Work Plan as presented. The motion carried unanimously with seven (7) members voting AYE by voice vote; Ms. Herr and Mayor Jacobs were not present.

G. BOARD MEMBER COMMENT

There were no comments from the Board Members.

H. ADJOURNMENT

Chairman Dyer adjourned the meeting at 9:35 a.m.

Buddy Dyer
Chairman
Central Florida Expressway Authority

Darleen Mazzillo
Recording Secretary/Executive Assistant
Central Florida Expressway Authority

Minutes approved on _____, 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 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