

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

**MINUTES
CENTRAL FLORIDA EXPRESSWAY AUTHORITY
BOARD MEETING
March 14, 2019**

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

Board Members Present:

Commissioner Brenda Carey, Seminole County (Vice Chairman)
Mayor Buddy Dyer, City of Orlando (Treasurer)
Mayor Jerry Demings, Orange County
Commissioner Fred Hawkins, Jr., Osceola County
Andria Herr, Gubernatorial Appointment
Commissioner Leslie Campione, Lake County
Commissioner Betsy VanderLey, Orange County

Board Members Appearing by Phone:

S. Michael Scheeringa, Gubernatorial Appointment

Board Members Not Present:

Jay Madara, Gubernatorial Appointment (Chairman)
Commissioner Curt Smith, Brevard County

Staff Present at Dais:

Laura Kelley, Executive Director
Joseph L. Passiatore, General Counsel
Mimi Lamaute, Recording Secretary

Non-Voting Advisor Not Present:

Paul Wai, Florida's Turnpike Enterprise

A. CALL TO ORDER

The meeting was called to order at 9:00 a.m. by Vice Chairman Carey.

B. PUBLIC COMMENT

The following individuals commented on the Osceola Parkway Extension project:

- Catherine Lewis, Resident of Lake Ajay Village. Ms. Lewis distributed maps and pictures attached as **Exhibit "A"**
- Bob Turner, Resident of Lake Ajay Village

C. APPROVAL OF MINUTES

A motion was made by Commissioner Hawkins and seconded by Mayor Dyer to approve the February 21, 2019 Board Meeting Minutes as presented. The motion carried unanimously with seven (7) members present voting AYE by voice vote. One (1) member, Mr. Scheeringa voting AYE by phone. Chairman Madara and Commissioner Smith were not present.

D. APPROVAL OF CONSENT AGENDA

The Consent Agenda was presented for approval.

CONSTRUCTION

1. Approval of Construction Contract Modifications on the following projects:
 - a. Project 408-128 Lane Construction Corp. \$ 286,150.90
 - b. Project 408-742A Preferred Materials, Inc. \$ 280,816.53
 - c. Project 429-654D Southland Construction, Inc. (\$ 169,598.93)
 - d. Project 417-134 Hubbard Construction Co. (\$ 552,653.00)

ENGINEERING

2. Approval of Fourth Contract Renewal with CH2M Hill, Inc. for Wekiva Parkway Corridor Consultant Services, Contract No. 000746 (Agreement Value: \$0)
3. Approval of First Contract Renewal with Pegasus Engineering, LLC, for Miscellaneous Design Consultant Services, Contract No. 001161 (Agreement Value: \$830,000.00)
4. Approval of Supplemental Agreement No. 2 with RS&H, Inc. for the Osceola Parkway Extension Project Development and Environmental Study from Nova Road to Cyrils Drive, Project 599-223, Contract No. 001250 (Agreement Value: \$722,294.22)
5. Approval of Contract Award to Moffatt & Nichol, Inc. for Design Consultant Services for SR 429 Widening from West Road to SR 414, Project 429-153, Contract No. 001396 (Agreement Value: \$5,160,000.00)

INTERNAL AUDIT

6. Acceptance of Internal Audit Reports:
 - a. Payment Card Industry Assessment with Report on Compliance
 - b. Department of Highway Safety and Motor Vehicles Data Security Assessment
 - c. Procurement and Contract Billing Audits

LEGAL

7. Approval of Access and Continuing Maintenance Agreement with City of Apopka for the Belgian Street Bridge over the Wekiva Parkway, Project 429-202, Parcel 124, Stanton Ridge Subdivision (Agreement Value: \$0)
8. Approval of Second Contract Renewal with Mateer & Harbert, P.A. for Right of Way Counsel Services, Contract No. 001116 (Agreement Value: \$0)

RECORDS RETENTION

9. Authorization to Execute Cooperative Purchase Agreement with Retrievox Acquisition LLC II for Offsite Records Storage Services, Contract No. 001523 (Agreement Value: not-to-exceed \$108,000.00)

TOLL OPERATIONS/TECHNOLOGY

10. Approval of Second Contract Renewal with TC Delivers, Inc. for Toll Operations Printing and Mailing Services, Contract No. 001085 (Agreement Value: \$72,600.00)
11. Approval of Final Ranking and Contract Award to DRMP, Inc. for Design Consultant Services for Wrong-Way Driving Deployment, Project 599-526C, Contract No. 001438 (Agreement Value: \$310,000.00)
12. Approval of Contract Award to United Signs & Signals, Inc. for Supplemental Data Collection Sensor and Close-Circuit Television Deployment, Project 599-537, Contract No. 001464 (Agreement Value: \$6,414,469.00)

Commissioner VanderLey requested that Item #11 be pulled for separate consideration. She stated that she will abstain from voting on Item #11, due to a conflict of interest with DRMP, Inc. (Form 8B, Memorandum of Voting Conflict Form, attached as **Exhibit "B"**).

A motion was made by Commissioner VanderLey and seconded by Commissioner Campione to approve the Consent Agenda except for item #11. The motion carried unanimously with seven (7) members present voting AYE by voice vote. One (1) member, Mr. Scheeringa voting AYE by phone. Chairman Madara and Commissioner Smith were not present.

A motion was made by Commissioner Hawkins and seconded by Commissioner Campione to approve Consent Agenda Item #11. The motion carried unanimously with six (6) members present voting AYE by voice vote. One (1) member, Mr. Scheeringa voting AYE by phone. Commissioner VanderLey abstained from voting. Chairman Madara and Commissioner Smith were not present.

E. REPORTS

1. CHAIRMAN'S REPORT

- The Chairman recognized the heroic actions of CFX Road Ranger, Garrett Popovich. Mr. Popovich witnessed a submerged vehicle on SR 417 and Lake Nona. He dove into the pond, heroically saving the driver's life.

Commissioner Herr read the Proclamation proclaiming March 14, 2019 as Road Ranger Garrett Popovich Day.

A motion was made by Mayor Dyer and seconded by Commissioner Hawkins to approve the Proclamation proclaiming March 14, 2019 as Road Ranger Garrett Popovich Day. The motion carried unanimously with seven (7) members present voting AYE by voice vote. One (1) member, Mr. Scheeringa voting AYE by phone. Chairman Madara and Commissioner Smith were not present.

2. TREASURER'S REPORT

Mayor Dyer reported total revenues year-to-date as of January were \$268,368,327, which is 1.3% over projection and 10.5% over prior year.

Total Operations, Maintenance and Administration expenses are \$42.6 million year-to-date, which is 9.1% under budget.

3. EXECUTIVE DIRECTOR'S REPORT

Ms. Kelley provided the Executive Director's Report in written form. In addition, she expanded on the following:

- Process for the offer of the electronic toll rate to 20,000 pay-by-plate customers
- Details of Ms. Kelley's participation in the Good Morning Seminole panel
- Invitation to IBTTA Technology Summit on March 31st
- Update on Virgin USA Trains

F. REGULAR AGENDA ITEMS

1. APPROVAL OF LEASE AMENDMENT AGREEMENT WITH WOMEN'S CARE OF FLORIDA, LLC

The Lease Amendment Agreement with Women's Care of Florida, LLC, which was pulled from last month's agenda for requested amendments, it is now being presented for approval.

A motion was made by Mayor Demings and seconded by Commissioner Campione to approve the Lease Amendment Agreement with Women's Care of Florida, LLC. The motion carried unanimously with seven (7) members present voting AYE by voice vote. One (1) member, Mr. Scheeringa voting AYE by phone. Chairman Madara and Commissioner Smith were not present.

2. 2019 LEGISLATIVE UPDATE

Chief of Staff/Public Affairs Officer Michelle Maikisch provided an update on bills being tracked by CFX during the current legislative session.

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

3. STRATEGIC PLAN UPDATE

Chief of Staff/Public Affairs Officer Michelle Maikisch described the current CFX Strategic Plan and achieved performance measures. At a future Board meeting, recommendations for revisions and adoption of a revised strategic plan will be presented.

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

4. CONSTRUCTION UPDATE

Director of Construction Ben Dreiling and Resident Engineer Jack Burch provided an update on the status of CFX construction projects.

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

5. VISITOR TOLL PASS TECHNOLOGY PREVIEW

Chief of Technology Operations Corey Quinn provided technology details of the Visitor Toll Pass Program. The Visitor Toll Pass Program is a three-month pilot program consisting of an automated toll payment solution for visitors to Central Florida renting a car from the Orlando International Airport. It is the first of its kind with a U.S. patent pending.

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

G. BOARD MEMBER COMMENT

The following Board members provided comments:

- Commissioner VanderLey
- Ms. Herr

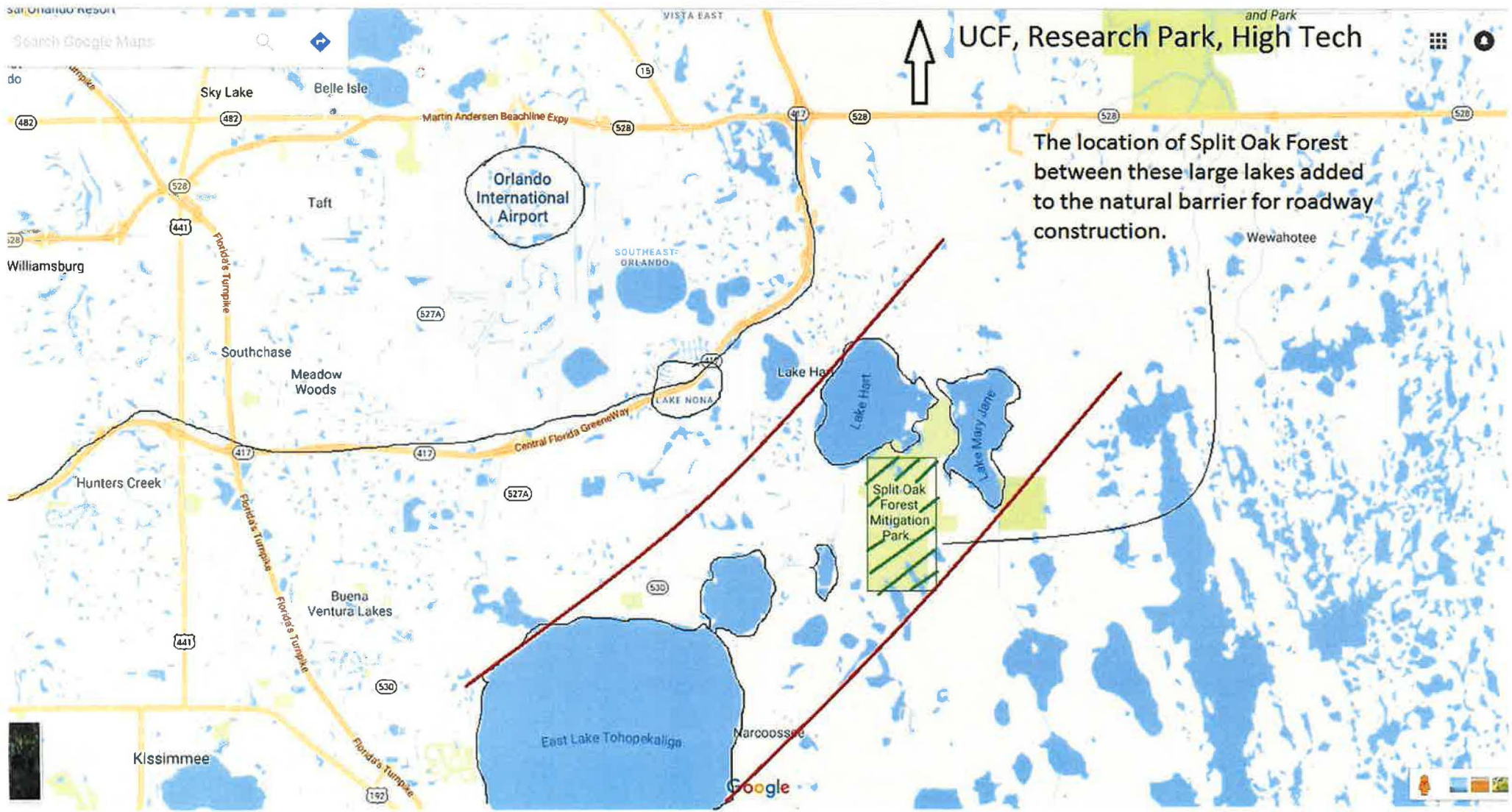
H. ADJOURNMENT

Vice Chairman Carey adjourned the meeting at 10:05 a.m.

	
Commissioner Brenda Carey Vice Chairman Central Florida Expressway Authority	Mimi Lamante Recording Secretary Central Florida Expressway Authority

Minutes approved on 4/11/, 2019.

Pursuant to the Florida Public Records Law and the CFX Records & Information Management Program Policy, audiotapes of all Board and applicable Committee meetings are maintained and available upon request to the Custodian of Public Records at (407) 690-5326, PublicRecords@CFXway.com, or 4974 ORL Tower Road, Orlando, FL 32807. Additionally, videotapes of Board meetings are available at the CFX website, www.CFXway.com.



The location of Split Oak Forest between these large lakes added to the natural barrier for roadway construction.

Exhibit "A"

ANNUAL MTG 11/15
MEET & GREET 6:30
MEETING 7
EAGLECREEK GOLF CLUB
10350 EMERSON BLVD

YARD SALE
11/10 8-2

FRIENDSGIVING
11/17 2-5
BOAT RAMP
\$5 PP

ACC
MEETING

Monday, 11/12/18

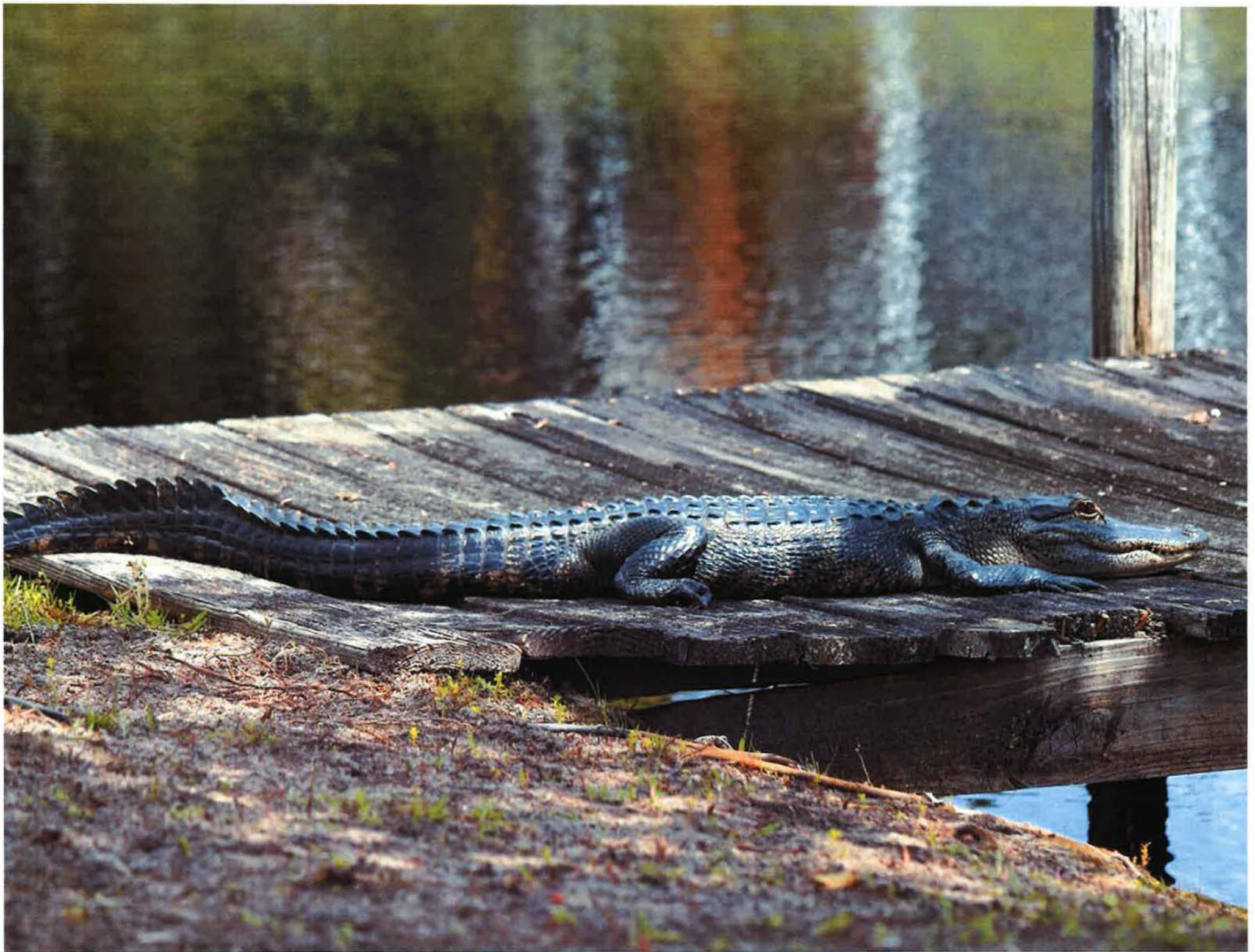
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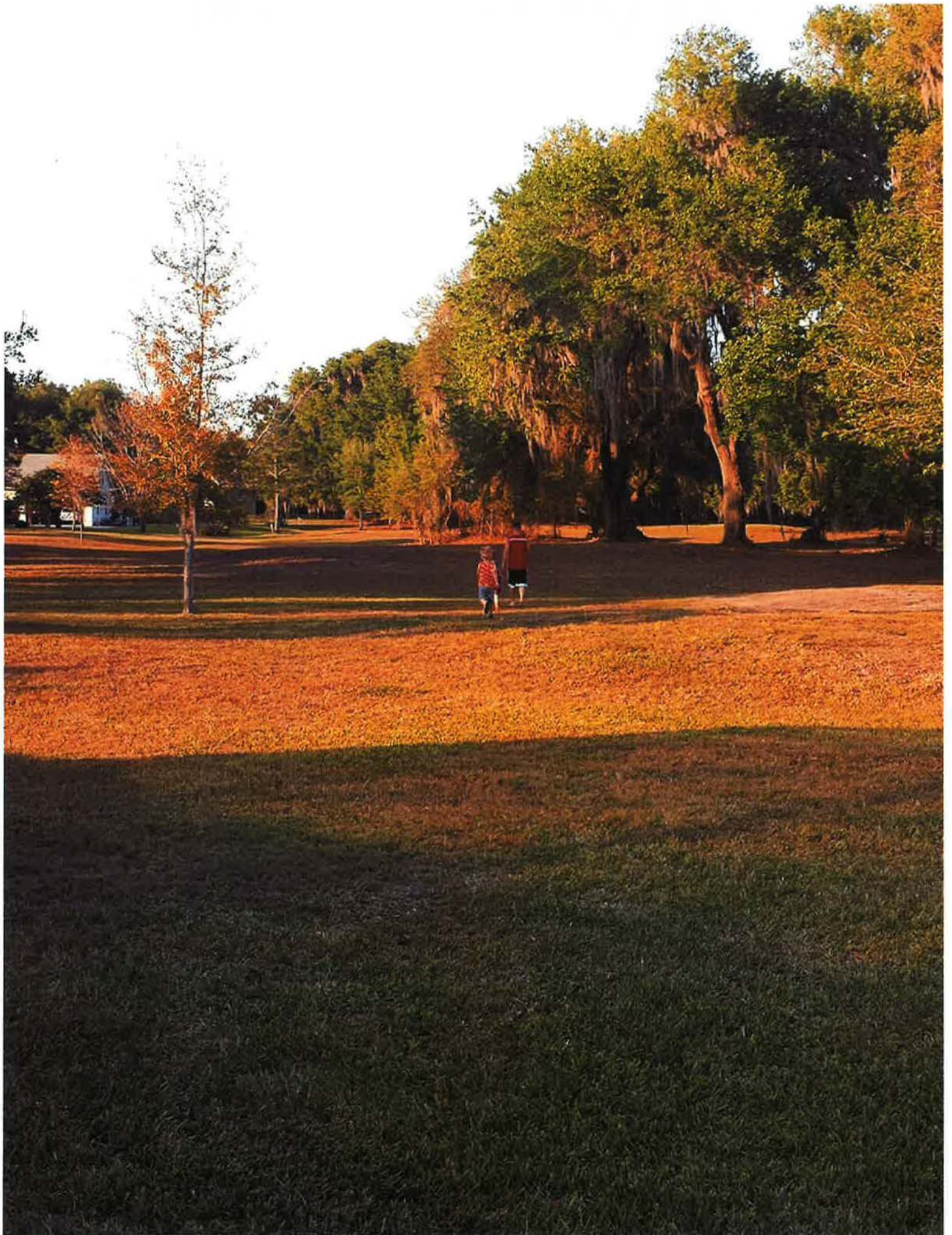








Exhibit "B"

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

LAST NAME—FIRST NAME—MIDDLE NAME VANDERLEY - BETSY - KAY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CENTRAL FLORIDA EXPRESSWAY AUTHORITY	
MAILING ADDRESS 201 S. ROSALIND AVE.		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY ORLANDO	COUNTY ORANGE	<input type="checkbox"/> CITY	<input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED 3/14/2019		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE	

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. 163.356 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, BETSY VANDERLEY, hereby disclose that on MARCH 14TH, 20 19 :

(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 DRMP, INC., 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.

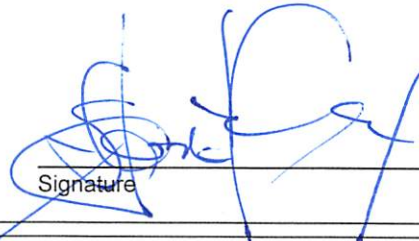
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

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.

Date Filed

3/18/19

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.