

# CENTRAL FLORIDA EXPRESSWAY AUTHORITY

## MINUTES BOARD MEETING May 13, 2021

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

### **A. CALL TO ORDER**

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

#### Board Members Present:

Mayor Buddy Dyer, City of Orlando (Chairman)  
Commissioner Sean Parks, Lake County (Vice Chairman)  
Mayor Jerry Demings, Orange County (Treasurer)  
Commissioner Brandon Arrington, Osceola County  
Commissioner Lee Constantine, Seminole County  
Jay Madara, Gubernatorial Appointment  
Christopher "CJ" Maier, Gubernatorial Appointment  
Rafael "Ralph" Martinez, Gubernatorial Appointment  
Commissioner Victoria Siplin, Orange County  
Commissioner Curt Smith, Brevard County

#### Staff Present at Dais:

Laura Kelley, Executive Director  
Mimi Lamaute, Recording Secretary  
Diego "Woody" Rodriguez, General Counsel

#### Non-Voting Advisor Not Present:

Nicola Liquori, Executive Director, Florida's Turnpike Enterprise

### **B. PUBLIC COMMENT**

Mr. Diego "Woody" Rodriguez, General Counsel, read into the record a written comment that was received in accordance with CFX's policy, attached **Exhibit "A."**

**C. APPROVAL OF MEETING MINUTES**

1. April 8, 2021 Board Meeting

**A motion was made by Commissioner Constantine and seconded by Mayor Demings to approve the April 8, 2021 Board Meeting Minutes as presented. The motion carried unanimously with all ten (10) board members in attendance voting AYE by voice vote.**

2. April 8, 2021 Board Workshop

**A motion was made by Commissioner Arrington and seconded by Mr. Madara to approve the April 8, 2021 Board Workshop Minutes as presented. The motion carried unanimously with all ten (10) board members in attendance voting AYE by voice vote.**

**D. APPROVAL OF CONSENT AGENDA**

The Consent Agenda was presented for approval.

**CONSTRUCTION**

1. Approval of Construction Contract Modifications on the following projects:

a. Projects 417-162 & 528-166	Southern Development & Construction, Inc.	(\$ 20,389.12)
b. Project 414-754	Ranger Construction Industries, Inc.	(\$306,173.58)
c. Project 414-755	Ranger Construction Industries, Inc.	(\$305,428.26)
2. Approval of Contract Award to Mehta and Associates, Inc. for Construction Engineering and Inspection Services for SR 429 Widening from Florida's Turnpike to West Road, Project No. 429-152, Contract No. 001739 (Agreement Value: \$11,315,400.00)

**ENGINEERING**

3. Approval of Supplemental Agreement No. 5 with Inwood Consulting Engineers, Inc. for Design Consultant Services for SR 417 Widening from Boggy Creek Road to Narcoossee Road - Post Design Services, Project No. 417-151, Contract No. 001394 (Agreement Value: not-to-exceed \$694,619.05)
4. Authorization of Mitigation Credit Purchases with TM-Econ Mitigation Bank for Project No. 417-151 (Agreement Value: not-to-exceed \$405,000.00)

### FINANCE

5. Approval of Second Contract Renewal with PFM Financial Advisors LLC for Financial Advisory Services, Contract No. 001245 (Agreement Value: \$260,000.00)
6. Approval of Contract Award to U.S. Bank N.A. for Treasury Custody Services, Contract No. 001757 (Agreement Value: \$54,000.00)

### INTERNAL AUDIT

7. Acceptance of the Following Completed Internal Audits:
  - a) Prior Audit Recommendations: Semi-Annual Follow Up
  - b) Contact Center Transition Review
  - c) Toll Revenue Audit
  - d) Business Continuity Management Review

### LEGAL

8. Approval of Cooperative Purchase Agreement with The Appraisal Group of Central Florida, Inc. for Appraisal Services, Contract No. 001789 (Agreement value: not-to-exceed \$150,000.00)
9. Approval of Cooperative Purchase Agreement with Pinel & Carpenter, Inc. for Appraisal Services, Contract No. 001790 (Agreement value: not-to-exceed \$150,000.00)
10. Approval of Cooperative Purchase Agreement with The Spivey Group, Inc. for Appraisal Services, Contract No. 001791 (Agreement value: not-to-exceed \$150,000.00)
11. Approval of Single Source Contract with Lowndes, Drosdick, Doster, Kantor & Reed, P.A. for Right of Way Counsel Services, Contract No. 001792 (Agreement Value: \$175,000.00)

### MAINTENANCE

12. Approval of Second Contract Renewal with Traffic Engineering and Management, LLC d/b/a Control Specialists for Traffic Signal Maintenance Services, Contract No. 001322 (Agreement Value: \$200,000.00)
13. Approval of Third Contract Renewal with Rockhopper Services, Inc. for Systemwide Aquatic Vegetation Control Services, Contract No. 001412 (Agreement Value: \$200,400.00)
14. Approval of Second Contract Renewal with Ayres Associates, Inc. for Systemwide Overhead Sign Inspection Services, Contract No. 001432 (Agreement Value: \$320,000.00)

15. Approval of Supplemental Agreement No. 7 with AutoBase, Inc. for Road Ranger Safety Service Patrol, Contract No. 001437 (Agreement Value: not-to-exceed \$311,029.44)
16. Approval of Third Contract Renewal with Chavez's Lawn Services, Inc. for Mowing and Landscaping Services of the Poinciana Parkway, Contract No. 001650 (Agreement Value: \$250,000.00)

#### RISK MANAGEMENT

17. Approval of Roadway Insurance Policy with Zurich American Insurance Company (Agreement Value: \$750,000.00)

#### TECHNOLOGY/TOLL OPERATIONS

18. Approval of Cooperative Purchase Agreement with Kyra Solutions, Inc. for Informational Technology Staff Augmentation Services, Contract No. 001785 (Agreement Value: not-to-exceed \$2,700,000.00)
19. Approval of Cooperative Purchase Agreement with Epic Engineering & Consulting Group, LLC for Informational Technology Staff Augmentation Services, Contract No. 001786 (Agreement Value: not-to-exceed \$1,600,000.00)
20. Approval of Purchase Order to PC Solutions & Integrations, Inc. for Extreme Network Switches Annual Support and Maintenance (Agreement Value: \$129,883.85)

**A motion was made by Commissioner Siplin and seconded by Commissioner Arrington to approve the Consent Agenda as presented. The motion carried unanimously with all ten (10) board members in attendance voting AYE by voice vote.**

#### **E. REPORTS**

##### **1. CHAIRMAN'S REPORT**

Chairman Dyer provided an overview of the upcoming items for today's Board meeting.

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

Mayor Demings reported that as of the end of March, CFX's toll revenue year-to-date was \$350,480,867, which is 17.0% over budget and 5% under prior year.

Total Operations, Maintenance and Administration expenses were \$59,673,646 year-to-date, which is 6% under budget.

After debt service, the total net revenue available for projects year-to-date through March was \$141.8 million.

### 3. EXECUTIVE DIRECTOR'S REPORT

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

In addition, Ms. Kelley expanded on the following:

- Commissioner Sean Parks represented CFX Knight Pass at the UCF Spring Game;
- Ms. Kelley thanked Yvonne Rodriguez and Brad Friel for their assistance with the CFX Visitor Toll Pass program at the Orlando International Airport; and
- Provided details of her April 28<sup>th</sup> meeting with FDOT regarding Brightline.

## F. REGULAR AGENDA ITEMS

### 1. BRIGHTLINE UPDATE

Mr. Michael Cegelis, Executive Vice President with Brightline provided a status update on Brightline's Florida system including their new stations. He detailed the nine (9) requirements that must be completed by Brightline prior to July 31<sup>st</sup>.

The board members asked questions which were answered by Mr. Cegelis.

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

### 2. MONTHLY COVID-19 FINANCIAL ASSESSMENT

Lisa Lumbard, Chief Financial Officer, explained how CFX's revenue and expenses are tracking as a result of COVID-19, because of the real time information provided some of the amounts are estimates and not the final numbers. She detailed the following: actual revenue versus budgeted and CDM Smith's revised projections, CFX strengths and estimated budget versus actual.

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

**3. BUDGET - FY 2022 OPERATIONS, MAINTENANCE & ADMINISTRATION/FY 2022 THROUGH FY 2026 FIVE-YEAR WORK PLAN**

Lisa Lumbard, Chief Financial Officer, and Glenn Pressimone, Chief of Infrastructure, detailed the FY 2022 Operations, Maintenance & Administration Budget / FY 2022 through FY 2026 Five-Year Work Plan Budget.

Ms. Lumbard stated that the FY 2022 through FY 2026 Five-Year Work Plan is fully fundable. She explained the capital planning model results and projected senior lien coverage ratio.

The board members asked questions which were answered by Ms. Lumbard.

**A motion was made by Mayor Demings and seconded by Mr. Madara for approval of Fiscal Year 2022 Operations, Maintenance and Administration and Fiscal Years 2022-2026 Five-Year Work Plan Budget. The motion carried unanimously with all ten (10) board members in attendance voting AYE by voice vote.**

**4. SR 417 WIDENING FROM LANDSTAR BOULEVARD TO BOGGY CREEK ROAD**

Mr. Will Hawthorne, Director of Engineering presented CFX's next segment of widening on SR 417 from Landstar Boulevard to Boggy Creek Road.

The project is currently scheduled to begin construction in May and is slated for completion in the 4<sup>th</sup> quarter of 2023. Mr. Hawthorn detailed the bids received for this project.

The board members asked questions which were answered by Mr. Hawthorne.

**A motion was made by Mr. Madara and seconded by Commissioner Siplin for award of the contract to Sacyr Construccion SA, Inc. for the SR 417 Widening from Landstar Boulevard to Boggy Creek Road in the amount of \$77,876,338.00. The motion carried unanimously with all ten (10) board members in attendance voting AYE by voice vote.**

**G. BOARD MEMBER COMMENT**

There were no board member comments.

**H. ADJOURNMENT**

Chairman Dyer adjourned the meeting at approximately 10:03 a.m.



Mayor Buddy Dyer  
Chairman  
Central Florida Expressway Authority



Mimi Lamaute  
Recording Secretary  
Central Florida Expressway Authority

Minutes approved on June 10, 2021.

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



May 10, 2021

**Via Email Only** (Public.comment@cfxway.com)

Governing Board  
Central Florida Expressway Authority  
4974 ORL Tower Road  
Orlando, FL 32807

Re: Brightline High-Speed Rail  
Orlando to Tampa, Florida

To the Honorable CFX Governing Board:

This firm represents Hunter's Creek Community Association, Inc. ("HCCA"), as well as Hunter's Creek Town Center Property Owners Association, Inc. (HCTCPOA) and Tract 181 Property Owners Association, Inc. (181POA). HCCA is the master association for the Hunter's Creek residential community located in Orlando, Orange County, Florida. HCTCPOA and 181POA are property owners' associations for commercial development. Hunter's Creek is a mature and thriving master planned mixed use golf course community with over 5,900 single family residences and over 2,700 apartment units, along with supporting commercial and institutional uses such as parks, schools, and churches. As you are well aware the Hunter's Creek Community is bisected by SR-417, a limited access toll road owned and operated by CFX.

HCCA, HCTCPOA, and 181POA (together "the Associations") have learned that CFX is in discussions with Brightline regarding the proposed use of the SR-417 corridor for the installation of segments of the Brightline high-speed rail from Orlando to Tampa. Quite naturally, the Associations are concerned about the impacts to the Hunter's Creek Community caused by such corridor sharing. Our residents and business owners are expressing concerns about noise, safety, dirt, and property values. The proposed route through the SR-417 would impose all of the burdens of a high-speed train on the Hunter's Creek community with none of the benefit. The Associations would request that their opposition to the use of the SR-417 corridor for high-speed rail be on record with CFX.

It is our understanding that the very large Hunter's Creek community is now the only residential community proposed to be impacted by the Brightline SR-417 route. The right-of-way for SR-417 was acquired through eminent domain from American Newland, the developer of Hunter's Creek, when the project was in the beginning stages of development. We are certain that you must be aware of a reservation of rights set forth in the Stipulated Final Judgment that

**Mary Doty Solik**

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CFX Governing Board  
May 10, 2021

concluded that litigation. The Stipulated Final Judgment reserved to American Newland and its successors in title the right to claim additional damages if the acquired right-of-way was ever used for high-speed rail. Initial research indicates that nearly all of the property owners within Hunter's Creek north of Town Center Boulevard would be successors in title to American Newland. If the SR-417 corridor is ultimately selected for the construction of the Brightline train, the Associations intend to exercise any and all rights conferred upon them by the Stipulated Final Judgment as it relates to Association-owned property. The Associations cannot speak for individual property owners but the Associations are endeavoring to keep their constituents apprised of developments and informed of their rights.

Development of Hunter's Creek began in the 1980s and today this community stands as a model for master planned community success. Almost 25,000 Orange County residents call Hunter's Creek Home. On behalf of these residents and the commercial community within Hunter's Creek, we ask that you not allow the community to be ruined by a high-speed train.

Very truly yours,



Mary Doty Solik

MDS/aw

cc: Ruthanne Connor-King (general@hunterscreek.net)  
Michelle Ouimet (mouimet@hunterscreek.net)  
Lori Joens (ljoens@hunterscreek.net)  
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