

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MINUTES CENTRAL FLORIDA EXPRESSWAY AUTHORITY Right of Way Committee Meeting July 17, 2024

Committee Members Present:

Mindy Cummings, Orange County Representative, Chairman
Laurie Botts, City of Orlando Representative
John Denninghoff, Brevard County
Juan F. Diaz, Citizen Representative
Anita Geraci-Carver, Lake County Representative Alternate
Christopher Murvin, Citizen Representative
Neil Newton, Seminole County Representative Alternate
Paul Satchfield, Osceola County Representative

CFX Staff Present:

Michelle Maikisch, Executive Director
Angela Wallace, General Counsel
Mimi Lamaute, Recording Secretary/Manager of Executive and Board Services

Item A: CALL TO ORDER

The meeting was called to order at 2:00 p.m. by Chairman Cummings. Recording Secretary, Mimi Lamaute, announced there was a quorum.

Item B: PUBLIC COMMENT

There was no public comment.

Item C: APPROVAL OF MAY 15, 2024 RIGHT OF WAY COMMITTEE MEETING MINUTES

A motion was made by Mr. Satchfield and seconded by Mr. Denninghoff to approve the May 15, 2024 minutes.

Vote: The motion carried unanimously with all eight (8) Committee members present voting AYE by voice vote.

D. AGENDA ITEMS

**D.1. AMENDED AND RESTATED RESOLUTION OF THE CENTRAL FLORIDA EXPRESSWAY
AUTHORITY DECLARING PROPERTY AS NECESSARY FOR ACQUISITION FOR EXPRESSWAY
SYSTEM PROJECT: SR 538 POINCIANA PARKWAY EXTENSION (PROJECT NOS. 538-234, 538-
235 AND 538-235A)**

Ms. Angela Wallace, General Counsel, provided background on the SR 538 Poinciana Parkway Extension Project. She detailed the history of the Amended and Restated Resolution before the Committee for approval.

The legal descriptions of the Property, as defined in the Resolution, have been revised and corrected to accurately reflect the interests being sought by CFX and there have also been some parcels added. She informed the Committee Members that as of today there was an additional parcel added, bringing the necessary parcels for acquisition for the project to 123 parcels. An updated list of parcels which include parcel number 123 was distributed to Committee Members and is attached hereto as **Exhibit "A."**

The Committee Members asked questions which were answered by Ms. Wallace.

A motion was made by Ms. Botts and seconded by Mr. Murvin for the Right of Way Committee recommendation for Board approval of the Amended and Restated Resolution Declaring Property as Necessary for Acquisition for SR 538 Poinciana Parkway Extension, subject to minor or clerical modifications or revisions approved by CFX's General Counsel.

Vote: The motion carried unanimously with all eight (8) Committee members present voting AYE by voice vote.

Ms. Wallace informed the Committee Members that CFX is in the process of drafting proposed revisions to the CFX property acquisition policy for Board consideration during the August 8th board meeting. The interest of the proposed revisions is to save time and money by setting parameters including increasing approval of the thresholds to allow for expedited property acquisition. A copy of will be forwarded to the Committee.

The Committee Members commented and were in accordance with the described draft revision.

**D.2. UTILITY RELOCATION AGREEMENT BETWEEN THE CENTRAL FLORIDA EXPRESSWAY
AUTHORITY AND DUKE ENERGY, LLC, PROJECT: SR 516 LAKE/ORANGE EXPRESSWAY
(PROJECT NO. 516-236)**

Ms. Angela Wallace, General Counsel, briefly detailed the background of the SR 516 Lake/Orange Expressway Project. The new expressway is expected to improve connectivity between Lake and Orange counties and meet future traffic needs.

Duke Energy Florida owns a certain existing electric transmission line. As part of the construction of the Project, CFX requires the relocation of the transmission Line.

CFX and Duke Energy desire to enter into the proposed CFX-Duke Energy Engineering and Utility Relocation Agreement to effectuate the relocation of the Transmission Line. Pursuant to the terms of the proposed Agreement:

- CFX agrees to pay, in advance, Duke Energy for all direct out-of-pocket costs and expenses associated with the engineering, permitting, construction, and installation of the Transmission Line.
- The relocation cost is estimated to be \$8,712,000.00.
- The Agreement will outline the scope of work, schedule, and obligations of both CFX and Duke Energy.

The Committee Members commented and asked questions which were answered by Mr. Keith Jackson, Project Manager with Dewberry and Ms. Wallace.

A motion was made by Mr. Murvin and seconded by Mr. Satchfield for Right of Way Committee recommendation for Board approval of the Utility Relocation Agreement between CFX and Duke Energy for the SR 516 Lake/Orange Expressway project, subject to minor or clerical modifications or revisions approved by CFX's General Counsel.

Vote: The motion carried unanimously with all eight (8) Committee members present voting AYE by voice vote.

D.3. UTILITY RELOCATION AGREEMENT BETWEEN THE CENTRAL FLORIDA EXPRESSWAY AUTHORITY AND AT&T ENTERPRISES FLORIDA, LLC PROJECT: SR 516 LAKE/ORANGE EXPRESSWAY (PROJECT NO. 516-236)

Ms. Angela Wallace, General Counsel, stated that CFX has designed a new four-lane limited access expressway from US 27 to SR 429, designated as the SR 516 Lake/Orange Expressway Project.

CFX staff identified the need to relocate certain utilities located in parcels required for the proposed right of way of the Project. One such utility is AT&T Enterprises Florida, LLC ("AT&T"), which owns existing buried cables and associated facilities that will be adversely impacted by the Project. To accommodate the Project, CFX requested that AT&T relocate a portion of its buried cable and associated facilities.

CFX and AT&T negotiated a Utility Relocation Agreement ("Agreement") to facilitate the relocation of AT&T's buried cable and associated facilities. Under the terms of the Agreement, CFX agrees to pay AT&T, in advance, the actual cost of engineering, permitting, plant protection, labor, materials, and supervision necessary to protect, relocate, lower, and/or install the cable and associated facilities. The estimated cost is \$389,010.00. Both parties reviewed and agreed to the form of the Agreement.

A motion was made by Ms. Botts and seconded by Mr. Denninghoff for Right of Way Committee recommendation for Board approval of the Utility Relocation Agreement between CFX and AT&T Enterprises, LLC for the SR 516 Lake/Orange Expressway project, subject to minor or clerical modification or revisions approved by CFX's General Counsel.

Vote: The motion carried unanimously with all eight (8) Committee members present voting AYE by voice vote.

Item E: OTHER BUSINESS

Ms. Botts requested a regional map depicting the locations of the projects and items coming before the Committee.

Chairman Cummings stated that the next Right of Way Committee Meeting is scheduled for August 28, 2024.

Item F: ADJOURNMENT

Chairman Cummings adjourned the meeting at 2:28 p.m.

Minutes approved on August 28, 2024

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