

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MINUTES CENTRAL FLORIDA EXPRESSWAY AUTHORITY Right of Way Committee Meeting August 28, 2024

Committee Members Present:

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

Committee Member Not Present:

Christopher Murvin, Citizen Representative

CFX Staff Present:

Michelle Maikisch, Executive Director
Angela J. Wallace, General Counsel
Mimi Lamaute, Recording Secretary/Manager of Executive and Board Services
Glenn Pressimone, Chief of Infrastructure

Item A: CALL TO ORDER

The meeting was called to order at 2:04 p.m. by Acting Chairman Botts.

Item B: PUBLIC COMMENT

There was no public comment.

Item C: APPROVAL OF JULY 17, 2024 RIGHT OF WAY COMMITTEE MEETING MINUTES

A motion was made by Mr. Satchfield and seconded by Mr. Denninghoff to approve the July 17, 2024 meeting minutes.

Vote: The motion carried unanimously with all six (6) Committee members present voting AYE by voice vote. Mr. Murvin and Ms. Cummings were not present.

D. AGENDA ITEMS

D.1. RIGHT OF WAY ACQUISITION AGREEMENT WITH OPLR LLC (INB HOMES) PROJECT: SR 538 POINCIANA PARKWAY EXTENSION (538-235), PARCELS 53-160A AND, 53-160B

Ms. Angela Wallace, General Counsel presented this item in Mr. Robert F. Mallett's absence. She stated that for the right of way acquisition required for the Poinciana Parkway Extension/SR 538 project, CFX needs to acquire a portion of the property owned by OPLR LLC in Osceola County. The property consists of 7.083 acres, part of a larger 22.13-acre tract, which the seller intended for residential development. CFX and FDOT cooperatively negotiated the purchase of the entire tract for \$6,000,000.00, with additional costs covering the seller's legal and consultant fees. CFX's share for the 7.083 acres is \$1,920,600.00, plus its proportionate share of fees, totaling \$2,102,302.52. The purchase price aligns with appraisals from The Appraisal Group of Central Florida, Inc. and The Real Estate Consortium. CFX has 90 days post-agreement to inspect and close the purchase.

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

A motion was made by Mr. Satchfield and seconded by Mr. Newton for Right of Way Committee recommendation for Board approval of the Right of Way Acquisition Agreement between CFX and OPLR LLC for the SR 538 Poinciana Parkway project, subject to minor clerical modifications or revisions approved by CFX's General Counsel.

Vote: The motion carried unanimously with all six (6) Committee members present voting AYE by voice vote. Two (2) Committee Members, Mr. Murvin and Ms. Cummings were not present.

D.2. REVISED PROPERTY ACQUISITION, DISPOSITION AND PERMITTING POLICY

Ms. Cristina Berrios, Deputy General Counsel detailed the proposed revisions to the 2024 Property Acquisition, Disposition and Permitting Policy, including:

General Property Acquisition Threshold Increase:

- General property acquisition threshold delegated to ED increased from \$50,000.00 to \$500,000.00, so long as the total acquisition amount, inclusive of any applicable fees and costs, does not exceed 125% of the established property value.

Post-Resolution of Necessity Delegation:

- Increases the Executive Director's authority only in regard to real property interests identified in a Board adopted Resolution of Necessity.

- Executive Director may approve and execute documents related to property acquisitions with total global (inclusive of fees and costs) settlements up to and including \$500,000.00, regardless of the underlying appraised value of the property.

Other Revisions:

- Added quarterly (at-minimum) real property transaction reporting to Right of Way Committee and Board to balance oversight with increased authority delegated.
- Clarified the authority of the Executive Director and/or General Counsel to make offers.
- Clarified delegation of authority for Executive Director and Chief of Infrastructure regarding:
 - o Conveyances of less-than-fee simple real property interests;
 - o Permits/licenses, and
 - o Permit applications.
- General formatting revisions and language clarifications.

Mindy Cummings arrived at this time 2:20 p.m.

Committee members made comments and asked questions which were answered by Ms. Berrios, Mr. Pressimone and Ms. Maikisch.

A motion was made by Mr. Denninghoff and seconded by Mr. Satchfield for Right of Way Committee recommendation for Board approval of the revised Property Acquisition, Disposition, and Permitting Policy, subject to minor clerical modification or revisions approved by CFX's General Counsel.

Vote: The motion carried unanimously with all seven (7) Committee members present voting AYE by voice vote. One (1) Committee Member, Mr. Murvin was not present.

Item E: OTHER BUSINESS

There was no other business discussed.

Item F: ADJOURNMENT

Chairman Cummings adjourned the meeting at 2:22 p.m.

Minutes approved on _____ November 19, 2024.

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