

**MIAMI-DADE EXPRESSWAY AUTHORITY (MDX)
BOARD OF DIRECTORS MEETING**

**WEDNESDAY, DECEMBER 5, 2018
4:00 PM**

**WILLIAM M. LEHMAN MDX BUILDING
3790 NW 21ST STREET
MIAMI, FLORIDA 33142**

**AGENDA
SUMMARY MINUTES**

Members Present

Carlos A. Gimenez, Chair
Leonard Boord, Vice Chair
Louis V. Martinez, Esq., Treasurer
James Wolfe, P. E., District VI Secretary
Audrey M. Edmonson
Maritza Gutiérrez
Arthur J. Meyer
Luz Weinberg

Members Absent

Shelly Smith Fano

Staff

Javier Rodriguez, P.E., Executive Director
Marie T. Schafer, Director of Finance/CFO
Steve Andriuk, Director of Toll Operations
Juan Toledo, Director of Engineering
Carlos Zaldivar, General Counsel
Francine Steelman, Associate General Counsel
Helen Cordero, Manager of Procurement and Contracts Administration
Maria Luisa Navia Lobo, Board Secretary

Consultants

Albert Sosa, HNTB (GEC-A)
Rick Crooks, EAC Consultants (GEC-B)
Tere Garcia, Ajamil & Partners, Inc. (GEC-A)
Randy Topel, First Southwest Co.

CALL TO ORDER & ROLL CALL

Chair Gimenez called the meeting to order. Ms. Navia Lobo called the roll and announced that a quorum of the MDX Board was present.

PLEDGE OF ALLEGIANCE

Chair Gimenez asked Commissioner Edmonson to lead in the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Martinez moved to approve the agenda as presented. Mr. Boord seconded the motion. The motion was unanimously approved.

DECLARATIONS OF VOTING CONFLICTS

No conflicts were declared.

CITIZEN COMMENT

No comments.

APPROVAL OF SUMMARY MINUTES

- Board Meeting of October 30, 2018

Mr. Martinez moved to approve the Summary Minutes. Commissioner Edmonson seconded the motion. The motion was unanimously approved.

EXECUTIVE DIRECTOR'S REPORT & TPO REPRESENTATIVE REPORT

Mr. Rodriguez briefed Members on the following matters:

- A Public Hearing has been scheduled for December 13, 2018 for the Kendall Parkway Project. The documents supporting the NEPA Study have been available for the public at 3 Miami-Dade County Public Libraries and at the MDX Headquarters for the past three weeks. There have been three challenges filed against the County's Comprehensive Development Master Plan ("CDMP") Amendment, the hearing is scheduled for April 15, 2019. Staff is coordinating with the County Attorney's office.
- A copy of the latest Newsletter was included in the agenda package; which informed MDX registered users that there will not be a customer cash back this year
- Letter to the Transportation Planning Organization ("TPO") Director, formalizing level of financial commitments made to the TPO program of priorities, primarily the SMART Plan projects that are on SR 836, SR 874 and SR 878.
- Update of Project 83611 – the Miami River, River Walk was not addressed in the PD&E documents. Staff is working with the Miami River Commission design group.
- Florida Automated Vehicle Summit was held in Tampa on November 27-28, 2018. In 2019 Miami will host the Summit, MDX-MDC and TPO will work together for the Automated Electric and Connected Vehicle Summit

Members discussed the schedule of monthly MDX Committee meetings and recommended that Committee meeting be scheduled on the same day as the monthly Board Meeting.

GENERAL COUNSEL'S REPORT

Mr. Zaldivar reported on the ETCC litigation. The appellate brief will be filed on December 21, 2018.

TREASURER'S REPORT

Ms. Schafer reported the Treasurer's Report is for the year to date thru October 2018, which is for the 4 months of fiscal year 2019. The year to date toll is negative by \$13.9 million. As discussed at the last Board Meeting the video billings toll by plate revenue will not be recognized until the invoices are mailed out to customers. As an update, invoices were to be mailed out in November the timeline has since moved to December or possibly not until January. Year to date expenses are in line with the budget. Ms. Schafer and Mr. Andriuk entertained questions from Members.

Members discussed the toll savings since the toll reduction and customers' communication. Mr. Boord recommended a ticker be placed on the MDX website with the amount of toll dollars saved daily since the tolls were reduced. He also stated that that number should be reported to Members on a monthly basis.

Commissioner Edmonson directed staff to put together a communications plan on getting the message out.

CONSENT AGENDA

A) Travel Approval:

- January 24-25, 2019, Travel to Orlando, FL, By Board Member Meyer and Executive Director Rodriguez to attend the TEAMFL/ FTC Annual Meeting

Mr. Martinez moved to approve the Consent Agenda. Mr. Boord seconded the motion. The motion was unanimously approved.

REGULAR AGENDA

A) Approval of Fiscal Year 2018 Audited Comprehensive Annual Financial Report (CAFR) (Endorsed by the FPP Committee on 11/13/18)

Mr. Martinez stated that all Board Members should have received the Annual Financial Statements CAFR and the Citizens version of the financial statements.

Mr. Martinez moved to approve the FY 2019 Audited CAFR. Commissioner Edmonson seconded the motion. The motion was unanimously approved.

B) Approval of Revision to MDX Property Acquisition Policy (Endorsed by the FPP Committee on 11/13/18)

Mr. Martinez stated the committee thoroughly discussed the policy. Mr. Rodriguez introduced the item and explained the process of the acquisition of a parcel under the current Based on staff's collective experience gained through the MDX ROW program, staff has identified a number of revisions that will help streamline the process of acquiring the large number of

properties (estimated 600 parcels) required for the Kendall Parkway Project without sacrificing Board oversight. The proposed revisions are intended to clarify and streamline the process of the acquisition of parcels and the handling of business damages claims.

Mr. Martinez moved to approve revisions to the MDX Property Acquisition Policy. Mr. Boord seconded the motion. The motion was unanimously approved.

C) Approval to Advertise for lease of MDX Parcel 11205-158/159

Mr. Martinez moved to approve the advertisement. Mr. Boord seconded the motion. The motion was unanimously approved.

D) MDX Procurement/Contract Number RFP-15-02; MDX Work Program No. 87410.030 Design-Build Services for SR 874 Ramp Connections to SW 128th Street (\$862,221.58)

- Approval of Supplemental Agreement (“SA”) No. 4.

Mr. Toledo introduced the item and explained the SA covers work associated with the Miami Vineyard Community Church. MDX obtained an Order of Taking that resulted in MDX owning Parcels previously owned by the Miami Vineyard Community Church to accommodate the alignment. The church requested that MDX construct the portion of the cure that would impact the construction of MDX 87410 Project. MDX agreed to construct the Interim Cure to ensure that MDX had control over the timing of this work, and to minimize potential delays to the Project if the Church did not implement the Interim Cure on their own in a timely manner. In addition, the Interim Cure work must be coordinated with the work of the MDX 87410 Project. As MDX has already paid the owner for the Interim Cure work, the costs associated with this Supplemental Agreement will be negotiated out of the final payment for the Parcel during the Compensation Phase of the ROW Acquisition Process.

Commissioner Edmonson moved to approve supplemental agreement No. 4. Mr. Boord seconded the motion. The motion was unanimously approved.

E) MDX Procurement/Contract Number RFP-14-03; MDX Work Program Nos. 83628.030, Design-Build Services for SR 836 Operational, Capacity and Interchange Improvements (\$2,359,071.71)

- Approval of Supplemental Agreement No. 4

Mr. Toledo introduced the item he explained the requested changes increase safety and efficiencies on SR 836, as well as realize long-term savings to MDX.

Commissioner Edmonson moved to approve Supplemental Agreement No. 4. Mr. Boord seconded the motion. The motion was unanimously approved.

F) Interlocal Agreement (“ILA”) between Miami-Dade County, City of Hialeah, City of Hialeah Gardens and Miami-Dade Expressway Authority for the Construction of NW 107th Avenue between NW 138th Street and NW 170th Street.

- Approval of Amendment No. 1

Mr. Toledo introduced the item and explained as outlined in the agreement, Miami Dade County was fiscally responsible for all costs associated with the design and construction of the

107th Avenue Project and would reimburse MDX during the construction phase as funds became available. Additionally, The Cities of Hialeah and Hialeah Garden would acquire the necessary rights-of-way, including any subordination of utilities along NW 107 Avenue. Amendment no. 1 to the ILA changes, in that now, the County will advance the construction funds to MDX prior to expenditures on the Project in two disbursements. The initial disbursement will be prior to the Project's solicitation and the second disbursement will be once the construction expenditures reach 75% of the initial disbursement. The other change to the ILA, is that Miami-Dade County will assume responsibility for acquiring the remaining parcels needed along NW 107th Avenue and the Cities of Hialeah and Hialeah Gardens will no longer have any responsibilities to the agreement.

Mr. Boord moved to approve Supplemental Agreement No. 1 for the Interlocal Agreement (ILA) between Miami-Dade County, City of Hialeah, City of Hialeah Gardens and MDX for the Construction of NW 107th Avenue between NW 138 St. and NW 170 St. Mr. Meyer seconded the motion. The motion was unanimously approved.

INFORMATIONAL ITEMS

- A) MDX Work Program Monthly Status Report – October 2018
- B) HNTB SBE/LB Utilization Report
- C) EAC SBE/LB Utilization Report
- D) MDX Contingency Release History Report
- E) Procurement Report
- F) Public Communications Report

Mr. Rodriguez explained that as customary all the informational items are provided for your information.

CHAIR'S COMMENTS

Chair Gimenez stated the importance of communicating to the public about the 5% toll reduction on MDX roads

He directed staff to update the completion date on the project marker for SR 836.

Chair Gimenez informed Members that he had the experience of riding in a Level 4 Ford automated vehicle.

ANNOUNCEMENTS

Board Meeting, 1/29/19, 4:00 PM, William M. Lehman MDX Building – Board Room

ADJOURNMENT

Chair Gimenez adjourned the Board Meeting.

Summary Minutes prepared by Maria Luisa Navia Lobo, Board Secretary.