

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

**MONDAY, APRIL 15, 2019
4:00 PM**

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

SUMMARY MINUTES

Members Present

Carlos A. Gimenez, Chair
Louis V. Martinez, Esq., Treasurer
James Wolfe, P. E., District VI Secretary
Shelly Smith Fano
Maritza Gutiérrez
Arthur J. Meyer
Luz Weinberg

Members Absent

Leonard Boord, Vice Chair

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)
Kirk De Leon, De Leon & De Leon, P.A.

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 Mr. Martinez to lead in the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Martinez moved to approve the Agenda as presented. Mr. Wolfe seconded the motion. The motion was unanimously approved.

DECLARATIONS OF VOTING CONFLICTS

No conflicts were declared.

CITIZEN COMMENT

Lawrence Percival – 11945 SW 127 Ct. Miami, Florida

CHAIR'S COMMENTS

Chair Gimenez informed Members that he recently wrote a letter to State legislators regarding his transportation proposal, in his capacity as the Mayor of Miami-Dade County. He apologized to Members that the letter stated that he was sending it as Chair of MDX.

He gave a brief summary of the proposed transportation plan that would merge MDX and the Florida Turnpike's Homestead Extension (HEFT) to create the Transportation Authority of Miami-Dade County (TAMD).

Members thoroughly discussed the current legislation, HB 385 and SB 898.

Mr. Martinez moved to amend the MDX Bylaws, giving Members the Authority and ability speak on behalf of MDX. Ms. Gutierrez seconded the motion. The motion was unanimously approved.

Mr. Martinez informed Members that the proposed legislation does not address the Toll-by-Plate customers.

Ms. Gutierrez expressed the importance that the Miami-Dade Commission be unified with the Mayor's proposal. Mayor Gimenez informed Members that the County Commission approved a resolution of support.

Ms. Weinberg expressed her concern with HB 385 and the fiduciary responsibility of Board Members.

APPROVAL OF SUMMARY MINUTES

- Board Meeting of February 26, 2019

Mr. Martinez moved to approve the Summary Minutes. Ms. Gutierrez seconded the motion. The motion was unanimously approved.

EXECUTIVE DIRECTOR'S REPORT

Mr. Rodriguez reported on the following topics of interest.

SR 836 Projects Update – projects are near completion and a ribbon cutting event will be scheduled.

Mr. Rodriguez expressed concern with several accusations regarding lack of transparency; he informed Members that all the financial reports, Five Year Work Program, Annual Performance Reports, Annual Budgets, monthly Treasurer's Report, and the Traffic and Revenue Reports are all posted on the MDX website.

GENERAL COUNSEL'S REPORT

- Attorney Client Privileged Meeting- Shade Meeting – Regarding MDX v. State of Florida

Mayor Gimenez read the following statement on the record:

The time is now 4:54 p.m. We are about to have an attorney/client session in accordance with Florida Statute 286.011 regarding the litigation styled Miami-Dade Expressway Authority v. State of Florida, Case No. CACE-018-CA-2300, in the Florida Circuit Court, Leon County, Florida. The session is estimated to last 30-45 minutes and the following people will be in attendance at this meeting:

(a) *myself and Board Members present:*

- *Treasurer Louis V. Martinez*
- *Member Shelly Smith-Fano*
- *Member James A. Wolfe*
- *Member Luz Weinberg*
- *Member Maritza Gutierrez*
- *Member Arthur J. Meyer*

(b) *MDX Attorneys, Outside Counsel Kirk Deleon and Alexandra MacLennan*

(c) *Javier Rodriguez, Executive Director*

These proceedings will be recorded by a certified court reporter and, at the conclusion of all litigation discussed, the transcript will be made part of the public record.

All those individuals who I have not named should leave this room and reconvene in the conference room adjoining these chambers.

The meeting was recessed for the Shade Meeting

Mayor Gimenez reconvened the Board Meeting at 6:02 pm.

The attorney/client session has now been terminated and Members of the general public are now invited to return for any further proceedings or matters.

TPO REPRESENTATIVE REPORT

Ms. Smith Fano informed Members there was no meeting.

TREASURER'S REPORT

Mr. Martinez referred to the variance and informed Members this is due to the outstanding Toll-by-Plate revenue. He referred to the letter distributed at the meeting from FDOT Secretary Thibault with reference to the Centralized Customer Service System (CCSS).

CONSENT AGENDA

Travel Approval

- April 3 & 4, 2019, Trip to Tallahassee, Florida By Board Member Weinberg to attend Miami-Dade County Days

Ms. Gutierrez moved to approve the Consent agenda. Mr. Martinez seconded the motion. The motion was unanimously approved.

REGULAR AGENDA

A) MDX Work Program No. 83611 SR 836/I-95 Interchange Improvements

- Approval of an Interlocal Agreement (ILA) with Miami-Dade County to Facilitate the Construction of the 83611 Project and for MDX to construct a Temporary Parking Lot. (Endorsed by the OECI Committee on 3/26/19)

Mr. Wolfe moved to approve the item. Mr. Martinez seconded the item for discussion only. Mr. Martinez requested deferring all regular agenda item until after the legislative session.

Mr. Rodriguez stated this is an ongoing construction project. The item was unanimously approved.

B) Approval of Toll Relief for Active Duty Military Personnel on MDX Roadways – MDX'S Active Duty Military Discount Plan (ADMD) (to be endorsed by the FPP Committee on 4/11/19)

Due to lack of quorum at the last FPP Committee, the item has not been endorsed by Committee. Ms. Smith Fano moved to approve the Active Military Discount Plan. Mayor Gimenez seconded the motion.

Ms. Schafer informed Members the plan is similar to the rewards program with the exception that the account will be credited the rebate directly back to the account.

Mr. Andriuk informed Members that staff contacted the Public Affairs offices of the US Southern Command in Doral and the US Coast Guard 7th District in Miami to obtain an estimate on the number of active duty personnel under their command. Their response was 7,500.

The solutions explored involved these specifics:

- How to validate eligibility and enroll into the program;
- Eligibility start & stop dates vary according to each enrollee's active duty period;
- Provide each valid military person a discount for one (1) vehicle/transponder each (requires the use of the SunPass mini – sticker tag);
- Discount percentage would be directed by the Board;
- Vehicle/Transponder must be for personal use only and may not be used for any business purpose (i.e., Uber, Lyft, delivery driver);

The Plan will provide a discount to registered member's SunPass account at the CCSS as transactions post to their personal SunPass account.

The CCSS system capabilities are under validation to ensure the MDX ADMD plan is feasible and applicable to specific transponders for MDX roadways only. Cost for this option is minimal for both the programming of the CCSS system and the registration/validation process.

The annual fiscal impact includes staff cost for processing/validating members into the program, customer service and the value of the rebate received.

The item was thoroughly discussed and unanimously approved.

INFORMATIONAL ITEM

A) Procurement Report

The informational item was not addressed.

ANNOUNCEMENTS

- Board Meeting, 5/28/19, 4:00 PM, William M. Lehman MDX Building – Board Room

Members recommended scheduling a Board Meeting the week after the end of the Legislative Session

ADJOURNMENT

Chair Gimenez adjourned the Board Meeting.

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