

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

**TUESDAY, AUGUST 27, 2019  
4:00 PM**

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

**SUMMARY MINUTES**

**Members Present**

Carlos A. Gimenez, Chair  
Louis V. Martinez, Esq., Treasurer  
Shelly Smith Fano  
Maritza Gutiérrez  
Arthur J. Meyer  
Luz Weinberg – in attendance via phone

**Members Absent**

Leonard Boord, Vice Chair  
James Wolfe, P. E., District VI Secretary

**Staff**

Javier Rodriguez, P.E., Executive Director  
Marie T. Schafer, Director of Finance/CFO  
Steve Andriuk, Director of Toll Operations  
Juan C. Toledo, P.E., Director of Engineering  
Carlos Zaldivar, General Counsel  
María Luisa Navia Lobo, Board Secretary

**Consultants**

Albert Sosa, HNTB (GEC-A)  
Rick Crooks, EAC Consultants (GEC-B)  
Randy Topel, Hilltop Securities  
David Aron, CDM Smith

### **CALL TO ORDER**

Chair Gimenez called the meeting to order.

### **PLEDGE OF ALLEGIANCE**

Chair Gimenez asked Mr. Rodriguez to lead in the Pledge of Allegiance.

### **ROLL CALL**

Ms. Navia Lobo called the roll and announced that a quorum of the MDX Board was present.

### **APPROVAL OF AGENDA**

The Election of Authority Officers was added to the agenda. The Revised Agenda was unanimously approved.

Chair Gimenez recommended addressing the Election of Officers immediately following the approval of Agenda.

### **Election of Authority Officers**

Mr. Zaldivar gave a brief summary of the MDX election process.

#### **Chair**

Mr. Zaldivar opened the nominations for the office of Chair.

Ms. Gutierrez moved to nominate Mayor Gimenez for the office of Chair. Ms. Smith Fano and Ms. Weinberg seconded the nomination. Mayor Gimenez accepted the nomination.

Mr. Zaldivar closed the nominations. Mayor Gimenez was re-elected Chair by acclamation.

#### **Vice Chair**

Mr. Zaldivar opened the nominations for the office of Vice Chair.

Ms. Weinberg nominated Mr. Martinez for the office of Vice Chair. Ms. Gutierrez seconded the nomination. Mr. Martinez accepted the nomination

Mr. Zaldivar closed the nominations. Mr. Martinez was elected Vice Chair by acclamation.

#### **Treasurer**

Mr. Zaldivar opened the nominations for the office of Treasurer.

Ms. Smith Fano nominated Ms. Weinberg for the office of Treasurer. Mr. Martinez seconded the nomination. Ms. Weinberg accepted the nomination.

Ms. Weinberg was elected Treasurer by acclamation

### **Secretary**

Ms. Gutierrez nominated Ms. Navia Lobo as Secretary. Mr. Meyer seconded the nomination. Ms. Navia Lobo was re-elected Secretary by acclamation.

### **Assistant Secretary**

Ms. Gutierrez nominated Mr. Killiany as Assistant Secretary. Mr. Martinez seconded the nomination. Mr. Killiany was re-elected Assistant Secretary by acclamation.

### **DECLARATIONS OF VOTING CONFLICTS**

No conflicts were declared.

### **CITIZEN COMMENT**

No comments

### **APPROVAL OF SUMMARY MINUTES & TPO REPRESENTATIVE REPORT**

- Board Meeting of June 25, 2019

Mr. Martinez moved to approve the summary minutes. Ms. Smith Fano seconded the motion. The Summary minutes were unanimously approved.

### **EXECUTIVE DIRECTOR'S REPORT**

Mr. Rodriguez informed members the comment period for the Army Corp of Engineers' process for the permit application regarding the Kendall Parkway Project closed last Friday, August 23, 2019. The Army Corp received numerous comments from the public. MDX is in the process of reviewing the comments and will meet with the Army Corp on August 29, 2019 to begin going through the comments. The Kendall Parkway PD&E study took five years and the analysis and the science were completed meeting all the NEPA requirements. A letter from the EPA to the Army Corp was received when they completed their review. Mr. Rodriguez will report any further information at the next Board meeting.

### **TPO REPRESENTATIVE REPORT**

Ms. Smith Fano referred to an email she sent to the TPO Executive Director regarding MDX's representation was no longer included on the TPO webpage, which posts the photos of all of the TPO board members.

### **GENERAL COUNSEL'S REPORT**

Mr. Zaldivar reported on the following:

- ETCC update – oral arguments in front of the third district court of appeals will likely be late October / November 2019
- Tropical Trailers – MDX prevailed on summary judgment for Declaratory Judgment.

## **TREASURER'S REPORT**

Mr. Martinez recommended the report be part of regular agenda item VIII B - MDX Frequent Driver Rewards Program

## **CONSENT AGENDA**

A) Travel Approval:

- Sept 13-17, 2019, trip to Halifax, Nova Scotia, Canada by Executive Director Rodriguez to attend the IBTTA Board of Directors Meetings and the 87<sup>th</sup> Annual Meeting & Exhibition Conference.

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

## **REGULAR AGENDA**

A) MDX Procurement/Contract Number RFP-11-02; MDX Work Program No. 83629.020; Design Engineering Services for the SR 836 Interchange Modifications at 87<sup>th</sup> Avenue (\$256,945.52) (To be endorsed by the Joint FPP & OECI Comm. 8/27/29)

- Approval of Supplemental Agreement No. 9

Ms. Gutierrez moved to approve supplemental agreement No. 9. Mr. Martinez seconded the motion. The motion was unanimously approved.

B) Fiscal Year 2019 MDX Frequent Driver Rewards Program ( To be endorsed by the Joint FPP & OECI Comm. 8/27/29)

- Approval of Fiscal Year 2019 rebate to eligible customers' transponders registered in the MDX Frequent Driver Rewards Program

Mr. Martinez moved the item for discussion. Ms. Smith Fano seconded the motion.

Mr. Rodriguez introduced the item. Ms. Schafer presented the Frequent Driver Reward Program for FY 2019. She explained that the program was created in 2015 for frequent customers that were most impacted by open road tolling. The purpose of the program was to lower the daily commute toll rate and was also a way to communicate with the customer as well as educate them. Prior to Fiscal Year 2019, the rebate provided through the MDX Frequent Driver Rewards Program was based on a minimum of \$100 of tolls paid through a SunPass account, excluding image tolls (I-Tolls) and negative account balances. The Program did not guarantee a rebate as certain objectives were required to first be met by MDX on any given fiscal year.

There are approximately 218,800 registered transponders, approximately 54,500 qualified transponders at the \$150 threshold issuing approximately 51,000 rebate checks. Ms. Schafer summarized the historical date of the reward program from FY 2015 – FY 2018.

Ms. Smith Fano inquired what would be the cost of raising the rebate percent to 30%. Ms. Schafer stated the cost would be \$1.1 million taken out of the general reserves.

Chair Gimenez asked what is the maximum amount possible to reduce the rates maintaining all the projects including the Kendall Parkway. What is a good coverage ratio in order to finance all the projects.

Ms. Schafer stated that reducing rates will impact the work program and credit ratings. A coverage ration under 1.40 will place the Authority in an uncomfortable financial position. The capacity is needed for future debt.

Mr. Topel briefed Members on the coverage ratio requirements and financing options.

Staff recommended for FY 2019 to lower the minimum threshold of tolls paid to \$150, remove the \$300 cap per transponder, and increase the rebate percent to 25% of tolls paid per transponder. Under this criteria, those who do not qualify paid less than \$150 annually (or less than \$12.50 monthly) in MDX tolls.

Members thoroughly discussed the Program's eligibility criteria for Fiscal Year 2019. The total amount to be rebated to eligible customers is approximately \$5.1 million. Members also discussed restricting the rewards program only to Miami-Dade County residents.

Ms. Smith Fano moved to approve the MDX Frequent Driver Rewards Program for FY 2019 with a minimum threshold of tolls paid to \$150 and increase the rebate percent to 30% of tolls paid per transponder. Mr. Martinez seconded the motion. The motion was unanimously approved.

[The FY 2019 Frequent Driver Rewards Program presentation is filed with the Board Secretary]

Mr. Martinez moved to reaffirm that a CPI will not be implemented. The motion was unanimously approved.

### **INFORMATIONAL ITEM**

A) Procurement Report

Mr. Andriuk reported on the SunPass negative balance accounts requested by Members.

[The report is filed with the Board Secretary]

### **CHAIR'S COMMENTS**

### **ANNOUNCEMENTS**

- Board Meeting, 9/24/19, 4:00 PM, William M. Lehman MDX Building – Board Room

### **ADJOURNMENT**

The Board Meeting was adjourned.

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