

**MIAMI-DADE EXPRESSWAY AUTHORITY (MDX)**

**BOARD OF DIRECTORS MEETING**

**Tuesday, February 28, 2017**

**4:00 PM**

**WILLIAM M. LEHMAN MDX BUILDING**

**3790 NW 21<sup>ST</sup> STREET**

**MIAMI, FLORIDA 33142**

**SUMMARY MINUTES**

**Members Present**

Louis V. Martinez, Esq., Chair  
Shelly Smith Fano, Vice Chair  
James Wolfe, P. E., District VI Secretary  
Leonard Boord  
Carlos A. Gimenez  
Maritza Gutierrez  
Javier L. Vázquez, Esq.  
Cliff Walters

**Members Absent**

Audrey M. Edmonson  
Arthur J. Meyer  
Luz Weinberg

**Staff**

Javier Rodriguez, P.E., Executive Director  
Marie Schafer, Chief Financial Officer  
Juan Toledo, P.E., Director of Engineering  
Carlos M. Zaldivar, Esq., General Counsel  
Francine Steelman, Esq., Associate General Counsel  
Helen Cordero, Manager of Procurement and Contracts Administration  
Maria Luisa Navia Lobo, Board Secretary

**Consultants**

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

### **CALL TO ORDER & ROLL CALL**

Chair Martinez 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 Martinez asked Mayor Gimenez to lead in the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

The agenda was approved as presented.

### **DECLARATIONS OF VOTING CONFLICTS**

Mr. Zaldivar asked Members if there were any voting conflicts regarding the items on the Board Agenda. No conflicts were declared.

### **CITIZEN COMMENT**

There were no comments.

### **APPROVAL OF SUMMARY MINUTES**

- Board Meeting of January 31, 2017

Ms. Gutierrez moved to approve the Summary Minutes. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

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

Mr. Rodriguez briefed Members on the following issues that occurred after the Board meeting of January 31, 2017:

- February 27, MDX Briefing with Mayor Gimenez
- House and Senate Bills filed:
  - SB 308
  - HB 961 and SB 1282
  - HB 1049 and SB 1562
  - HB 2031
- Frequent Driver Rewards Program update and Survey Results
  - 72,000 registered account holders and 118,000 registered transponders
  - 39,725 responses to the survey
- Director Toledo presented the MDX Work Program to the National Association of Black Women in Construction. The association also recognized Helen Cordero for her efforts in Procurement and her advocacy for small and local business. He distributes a handout with the Small and Local Business Utilization for the last five Fiscal Years. For the last five fiscal years 35% of all the dollars paid out have gone small and local businesses.

## **MPO REPRESENTATIVE REPORT**

Mr. Rodriguez informed Members of the following issues of interest at the last MPO Meeting:

- Attended the Board of County Commissioners Chairman's MPO Leadership Council, discussion on Transportation and Transportation funding.
- On the MPO Agenda, two MDX items; 2040 LRTP amendment for SR 112 ramps improvements at 37<sup>th</sup> Ave and 2040 LRT SR 924 Partial Interchange at 67 Ave were deferred to the Fiscal Priorities Committee to be held on March 2, 2017
- The MPO adopted a new logo and new name - Miami-Dade Transportation Planning Organization (TPO)

Mayor Gimenez asked Mr. Rodriguez for a breakdown of toll revenues from SunPass collected in Miami-Dade County.

Mr. Rodriguez entertained questions from Members.

## **GENERAL COUNSEL'S REPORT**

Mr. Zaldivar reported on the following items:

**ETCC** – MDX's Motion to Disqualify the trial judge was granted; case has been remanded to the circuit court for a new trial and reassignment to another judge.

**ETCC** has 15 days to request a rehearing of the order granting MDX's Motion to Disqualify the trial judge. After that period, if a motion for rehearing is not filed or if it's filed and denied, the matter will be sent back to the circuit court and reassigned to a different judge.

**MCM** – A possible re-hearing for Attorney Fees

Request for a Shade Meeting Eminent Domain litigation to be held at the next Board Meeting of March 28, 2017.

Re: MDX v. K & B INVESTMENT CORPORATION, Case No. 2016-028799 (21) pending in the 11th Judicial Circuit, Miami-Dade County, Florida.

Shade Meeting participants:

MDX Board of Directors

Javier Rodriguez, Executive Director

Carlos Zaldivar, MDX General Counsel

Francine Steelman, MDX Associate General Counsel

Mitchell J. Burnstein, Legal Counsel

## **TREASURER'S REPORT**

Ms. Schafer reported that the overall revenue for the seven month period is \$4.7 million below the forecast, which is primarily due to the hurricane in October 2017.

Interest expense is \$300,000 below the forecast, mainly due to the refunding that was completed in September 2016 for the Series Bonds 2016 A. Overall Net revenues are \$16.7 million, 2.9%

below the forecast. It is anticipated that the targeted coverage ratios will be met by June 2017.

Ms. Schafer entertained questions from Members.

### **COMMITTEE REPORTS**

- Operations Committee, 2/16/17

Committee Reports were waived

### **REGULAR AGENDA**

- A) MDX Work Program No. 92404; SR 924 Extension West to the HEFT
- Approval of an Interlocal Agreement with Miami-Dade County, the City of Hialeah and the City of Hialeah Gardens for the Construction of NW 107<sup>th</sup> Avenue from NW 138<sup>th</sup> Street to NW 170<sup>th</sup> Street. (Endorsed by the Operations Committee on February 16, 2017)

Mr. Zaldivar read the agenda item into the record. Mr. Toledo explained MDX Project 92404 extends State Road (SR) 924 west to the Homestead Extension of the Florida Turnpike. The project will provide additional mobility and transportation connectivity options in the northwest area of the County, which endures heavy traffic congestion and limited access to expressways via the existing arterial roadway network. As part of the PD&E process for this Project, MDX committed to improve the intersection of NW 107<sup>th</sup> Avenue at NW 138<sup>th</sup> Street an MDX asset. Miami-Dade County (MDC) has requested that MDX extend the 107<sup>th</sup> Avenue portion of the Project north to NW 170<sup>th</sup> Street. The Interlocal Agreement (ILA) is intended to provide the MDC funding framework; and for the Cities of Hialeah and Hialeah Gardens to provide the necessary “right of way.”

The costs associated with the MDC Project will be reimbursed pursuant to the payment schedule set out in the Agreement. MDX will be advancing the funds to perform the work. Mr. Toledo entertained questions from Members.

Mayor Gimenez moved to approve the Interlocal Agreement, Ms. Gutierrez seconded the motion. The motion was unanimously endorsed.

- B) Election of Authority Treasurer

Mr. Zaldivar briefed Members on the elections process and opened the election for nominations. Ms. Gutierrez nominated Mr. Boord for the position of Treasurer. Ms. Smith Fano seconded the motion. Mr. Boord accepted the nominations. The nomination was put to vote and Mr. Boord was elected Treasurer unanimously.

### **INFORMATIONAL ITEMS**

- A) Procurement Report  
B) Communications Report

### **CHAIR'S COMMENTS**

Mr. Martinez congratulated Mr. Meyer for the arrival of his daughter Kennedy Autumn.

Mr. Martinez directed staff that in view of the reduction of the MDX Board size, to review policies and committee structure for a recommendation at the next meeting

**ANNOUNCEMENTS**

- Operations Committee Meeting, 3/16/17, 10:30 a.m., William M. Lehman MDX Building, MDX Board Room
- Board of Directors Meeting, 3/28/17 at 4:00 p.m., William M. Lehman MDX Building, MDX Board Room

**ADJOURNMENT**

Chair Martinez adjourned the Meeting. Summary Minutes prepared by Maria Luisa Navia Lobo, Board Secretary.