

MIAMI-DADE EXPRESSWAY AUTHORITY (MDX)

BOARD MEETING

TUESDAY, APRIL 26, 2011
4:00 PM

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

Members Present:

Felix Lasarte, Esq., Chair
Louis V. Martinez, Esq., Vice Chair
Jorge M. Vigil, Esq., Treasurer
Gus Pego, P. E., District VI Secretary
Shelly Smith Fano
Maurice Ferré
Robert W. Holland, Esq. - in attendance via phone
Nick A. Inamdar
Al Maloof, Ph.D.
Gonzalo Sanabria
Yvonne Soler McKinley
Norman Wartman

Members Absent:

Maritza Gutierrez

Staff:

Javier Rodriguez, Executive Director
Pamela Leslie, General Counsel
Steve Andriuk, Director, Toll Operations
Marie Schafer, Chief Financial Officer
Alfred Lurigados, Director of Engineering
Helen Cordero, Manager of Procurement and Contracts Administration
Cindy Polo, Communications Manager
Maria Luisa Navia Lobo, Board Secretary

Consultants:

Transportation: John Martel, HNTB (GEC-A)
Chris Bucknor, EAC Consultants (GEC-B)
Finance: Lakshmi McGrath, First Southwest Co.

CALL TO ORDER & ROLL CALL

Chair Lasarte called the meeting to order and asked Ms. Navia Lobo to call the roll and announced that a quorum was present.

PLEDGE OF ALLEGIANCE

Chair Lasarte asked Mr. Maloof to lead in the Pledge of Allegiance.

DECLARATION OF CONFLICTS

As customary, Ms. Leslie asked if Members present and in attendance via phone had any conflicts of interest to declare in regards to the agenda. No conflicts were declared.

CITIZEN COMMENT

There were no requests this month.

APPROVAL OF SUMMARY MINUTES

- Board Meeting of March 29, 2011

Mr. Lasarte referred to the March 29 summary minutes. Ms. Soler McKinley moved to approve the summary minutes. Mr. Martinez seconded the motion. The motion was unanimously approved.

EXECUTIVE DIRECTOR'S REPORT

Mr. Rodriguez informed Members that staff participated at the IBTTA Organizational Management Workshop in New Jersey March 10-12, 2011. Ms. Schafer participated in a panel about ORT and the finances associated with an accounts receivable system. Ms. Polo participated in a public communications round table where various agencies from around the country exchanged ideas. On April 20th, a preliminary budget was distributed to Board Members. The Fiscal Year 2012 Budget Workshop is scheduled for May 11, 2011 and he encouraged Members to provide their input and comments. Mr. Rodriguez updated Members on the status of the Senate proposal to consolidate the Orlando Orange County Expressway Authority (OOCEA), Tampa Hillsborough Expressway Authority (THEA), and the Mid Bay Bridge Authority into Florida's Turnpike Enterprise. Two newspapers are reporting the Senate has dropped the proposal from their bill.

Mr. Rodriguez congratulated Mr. Pego who was inducted into the Miami-Dade College Hall of Fame.

Mr. Rodriguez requested staff present the safety program prior to the Regular agenda.

GENERAL COUNSEL'S REPORT

Ms. Leslie reported kick off meetings were held with the new General Counsel Support and Financial Bond Counsel firms this month. Both consultants have been tasked with minor issues to get started. She expressed satisfaction on both firms' level of commitment to SBE participation. An offer of employment was extended to Ms. Francine Steelman for the position of Attorney/Risk Manager. Ms. Steelman will be on board May 16, 2011.

MPO REPRESENTATIVE REPORT

In Ms. Gutierrez's absence, Mr. Rodriguez reported that the next MPO Board meeting is scheduled for April 28, 2011. He informed Members of two MDX items on the agenda which are SR 112 ORT conversion, extending limits to I-95 and MDX Project 83628, clarifying capacity improvements.

TREASURER'S REPORT

Mr. Vigil congratulated the MDX Finance Department for the GFOA Award for Financial reporting achievement. He reminded member of the upcoming Budget Workshop scheduled for May 11, 2011.

Mr. Vigil reported overall Revenue for the 9 month period thru February 2011 was \$1.164 million above the \$95.8 million forecast. Toll and Fee Revenues are \$2 million above the \$91.4 million forecast. As of March, the Authority is carrying on average 9% of revenue receivables, equaling February's level. Toll by Plate receivables are approximately \$8.2 million as of the end of March. Investment income is \$1.2 million below \$2.8 million forecast and continues to be a challenge due to the state of the economy and low interest rate environment. Expenses are \$2.8 million below the \$28.9 million budget. The forecasted expenses are expected for FY 2011 to be within 3% of the annual budget. Consistent with prior reporting, the Authority's projections still forecast 1.43 Senior Debt Coverage for FY 2011 without any year-end adjustments.

Ms. Schafer entertained questions from Members. Mr. Inamdar requested staff report on the status of ORT revenue at every Board meeting.

Ms. Smith Fano stated that making the ORT update report part of the formal agenda will be a way to be proactive with our citizens rather than reactive.

Mr. Martinez moved to have ORT update report as part of the formal agenda. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

COMMITTEE REPORTS

A) Operations Committee. 4/12/11

B) Inter-Governmental & Public Communications Committee, 4/18/11

Committee Reports were waived

CONSENT AGENDA

A) Travel Approval

- May 15-17, 2011, Trip to Plano, Texas by Board Member Holland to attend the IBTTA Interoperability and all Electronic Toll Collection Workshop

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

REGULAR AGENDA

Mr. Rodriguez introduced MDX's Safety Campaign by reminding Members that in 2007 the Legislature asked that MDX be included as part of the oversight of the Florida Transportation Commission. One of the measures MDX is graded on is safety on its highways. Since 2007 MDX has done everything possible to improve safety on the MDX System.

Ms. Polo introduced the campaign and presented a short film "Text the Last Word." The video can be seen on textthelastword.com

After members viewed the video/PSA, they took the pledge to not text while driving. Mr. Ferré recommended the video be shortened to one minute in order to have local television stations play the PSA. Mr. Lasarte recommended taking the video to Miami-Dade County Public Schools and private schools in the community.

Ms. Soler McKinley recommended the video not be shortened; the entire story has a powerful message. She committed to taking the video to the Mayor of Doral who is the President of the Miami Dade League of Cities – where all the mayors of Miami-Dade communities provide the information to their residents so the message will be promoted and communities can take the pledge.

Mr. Maloof moved that MDX should adopt a Public Relations campaign that included but not be limited to signage on or about the MDX roadways that asks motorists not to text and drive. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

A) Approval of MDX Resolution No. 11-02 – Recognizing Miami-Dade College Class of 2011 - Requested by Board Member Smith Fano

Ms. Leslie read the Regular Agenda item for the record. She explained the Inter-governmental and Public Communications Committee endorsed the resolution at its meeting of April 18, 2011. Ms. Smith Fano thanked Ms. Polo and MDX staff for the recognition given to the Miami-Dade College Class of 2011.

Ms. Leslie read Resolution No. 11-02 for the record.

The Governing Board offers its congratulations to the MDC graduating class of 2011 and in recognition of their individual achievements and in furtherance of MDX's desire to promote safety and responsible driving on the roadways of Miami-Dade County, MDX is undertaking the following activities:

- 1. MDX will supply up to 15,000 free SunPass® Minis for the April 2011 MDC graduates.*
- 2. April 2011 MDC graduates signing a Pledge to NOT TEXT and DRIVE will receive a \$10 credit on an activated SunPass® Mini along with a free Pledge to NOT TEXT and DRIVE T-shirt.*

Ms. Smith Fano moved to approve MDX resolution No. 11-02. Ms. Soler McKinley seconded the motion. The motion was unanimously approved.

B) MDX Procurement/Contract No.: RFQ 08-07 Advertising Services

Approval of Contract Renewal with Ronin Advertising Group, LLC., for one additional Term of Two Years.

Ms. Leslie read the Regular Agenda item for the record. She explained that the Inter-Governmental and Public Communications Committee endorsed the contract renewal on April 18, 2011. Mr. Holland said he does not have a problem with the extension but asked about the commitment by Ronin when they were selected in 2008 to bring along a small and minority advertising firm. Ms. Polo stated that the small business component was not built into the contract. Ms. Ableman, representing Ronin Advertising, clarified that while the component was not built into the contract, they did make a commitment to use small and minority advertising firms within Miami-Dade County. Mr. Holland requested to have Ronin report back to Committee with specific documentation on the use of small and minority firms in the last three years. Ms. Ableman stated that Ronin is now a small business enterprise firm.

Ms. Soler McKinley moved to approve the contract renewal. Mr. Wartman seconded the motion. The motion was unanimously approved.

C) MDX Procurement/Contract No.: RFP-10-05; Work Program No.: 20003.011; Project Development and Environment (PD&E) Study Services for US-1 Express Project along the South-Dade Busway from SW 344th Street to SR 826 Palmetto Expressway/Dadeland South (\$6,863,344.32)

- Approval of Negotiated Contract with Gannett Fleming, Inc.

Ms. Leslie read the Regular Agenda item for the record and informed members that the Operations Committee endorsed the item at its meeting of April 12th, 2011. Mr. Sanabria asked if there is an operating agreement with Miami Dade County granting MDX the use of the Busway. Mr. Rodriguez informed Members that there is no agreement and it is one of the items being considered in the PD&E. Mr. Lurigados informed Members that the MPO finished an initial feasibility study and forwarded the project to MDX for the next phase of the project which is the PD&E. The operating agreement, funding and future right-of-way on the corridor will be handled in the next two and a half years.

Mr. Sanabria expressed concern relating to the \$6.8 million study being performed with no operating agreement with Miami-Dade County in place and therefore he could not support the item.

Mr. Rodriguez clarified that the right of way on US #1 was transferred from the State to Miami- Dade County and it is a Miami Dade transit corridor, exclusive Busway. The MPO has asked MDX to see if the Busway can be improved by selling the excess capacity to vehicles and to improve the operations of the transit facility. As a toll road agency this is where MDX is involved.

The item was thoroughly discussed. Mr. Sanabria clarified that he supports the project but he needed to see a better package in terms of an agreement between MDX and Miami-Dade County.

Ms. Soler McKinley moved to approve the negotiated contract with Gannett Fleming, Inc. Mr. Ferre' seconded the motion. Mr. Sanabria opposed the motion. Mr. Lasarte requested a roll call. Ms. Navia Lobo called the roll as follows:

M. Ferre'	-aye	Y. Soler McKinley	-aye
N. Inamdar	-aye	J. Vigil	-aye
A. Maloof	-aye	N. Wartman	-aye
G. Pego	-aye	L. Martinez	-aye
G. Sanabria	-nay	F. Lasarte	-aye
S. Smith Fano	-aye		

The motion was approved.

INFORMATIONAL ITEM

A) Procurement Report

The Informational item was not addressed.

CHAIR'S COMMENTS

Mr. Ferre' recommended the MDX Board and staff officially congratulate and invite Mr. Ananth Prasad the newly appointed Secretary of Transportation to MDX Headquarters and directed the General Counsel to draft a proper resolution for that purpose. Mr. Maloof seconded the motion. The motion was unanimously approved.

Mr. Ferre' distributed a copy of the Economist, April 23, 2011 special report "Democracy in California."

Mr. Pego announced that Mr. Gary Donn is longer with FDOT and he has appointed Mr. Carl Filer as the MIC program manager.

He further announced that Secretary Prasad appointed Mr. Gerry O'Reilly as the interim Executive of Florida's Turnpike Enterprise because Mr. Kevin Thibault will be leaving effective May 2011.

ANNOUNCEMENTS

- Budget Workshop, 5/11/11, 10:00 a.m. William M. Lehman MDX Building
- Budget & Finance Committee Meeting, 5/11/11, 11:30 a.m. William M. Lehman MDX Building
- Operations Committee Meeting, 5/24/11, 10:00 a.m., William M. Lehman MDX Building
- Board of Directors Meeting, 5/31/11, 4:00 PM, William M. Lehman MDX Building

ADJOURNMENT

The meeting was adjourned by Mr. Lasarte.

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