

**MINUTES
MID-BAY BRIDGE AUTHORITY
THURSDAY, NOVEMBER 15, 2018**

**NICEVILLE CITY HALL COUNCIL CHAMBERS
208 NORTH PARTIN DRIVE
NICEVILLE, FLORIDA**

I. OPENING

Members present were: James D. Neilson, Jr.
 Gordon E. Fornell
 Parker Destin
 Victoria Harker
 T. Patterson Maney
 Bryant Paulk FDOT Ex officio, non-voting

Also present: Van Fuller Executive Director
 Michelle Anchors Legal Counsel
 Cathy Demoreski Administrative Assistant

II. INTRODUCTION OF VISITORS

Mr. Neilson welcomed all visitors and members of the press. In attendance were Commissioner Kelly Windes, Okaloosa County Board of County Commissioners Liaison to the Mid-Bay Bridge Authority and Mike Griffith, The Bay Beacon.

III. INTRODUCTION AND ADMINISTRATION OF OATH OF OFFICE

- A. Reappointed Members: J. Neilson, G. Fornell, D. Destin**
- B. Newly Appointed Members: V. Harker, T. Maney**

Each member presented a brief bio on themselves after which Michelle Anchors, General Counsel for the Authority, administered the ceremonial Oath of Office to all members.

IV. APPROVAL OF MINUTES

- A. Regular Meeting – September 20, 2018**

A motion to approve the September 20, 2018 Regular Meeting Minutes was made by Mr. Fornell with a second by Mr. Destin and a 5-0 vote was taken for approval.

V. TREASURER’S REPORT

Mr. Destin presented the Treasurer’s Reports for September and October 2018. Account balances were:

<u>September 2018</u>	
FNBT	\$ 144,169.71
Regions	\$48,923,763.07
<u>October 2018</u>	
FNBT	\$ 158,485.80
Regions	\$38,703,156.91

Mr. Destin noted that the \$10M decrease in the Regions balance was due to the bi-annual (April and October) debt service payments.

Mr. Destin made a motion to accept the Treasurer's Reports for September and October 2018 with a second by Mr. Fornell and a 5-0 vote was taken for approval.

VI. EXECUTIVE DIRECTOR

Mr. Fuller thanked Mr. Griggs for his service to the Authority over the past two years.

He also explained that in addition to the reduction in the Debt Service Reserve Requirements balance reflected in the Summary of Cash Assets on the Treasurers Reports the balance in the Revenue Fund at fiscal year end will be split equally between the Authority's General Fund and the Department to satisfy the annual Long-Term Debt (LTD) repayment in accordance with bond covenants. Mr. Fuller noted that in 2014 the Authority's LTD to the Department totaled \$12M and the current balance is approximately \$4M which is expected to be retired at the end of FY2019.

A. Traffic Operations. Mr. Fuller presented the Unaudited Traffic/Revenue report for May 2018. Traffic is in-line with the Traffic and Revenue Engineers estimates through May with revenue a bit better than forecasted. The Florida Turnpike Enterprise (FTE) continues to struggle with the Centralized Customer Support System (CCSS) upgrade and the reconciliation and timely reporting of data since its installation in June 2018. Secretary Dew made the Departments apologies at the recent Florida Transportation Commission meeting and explained a process has been implemented to reimburse customers for any bank charges incurred as a result of the delayed billing. Mr. Fuller explained that all transactions have been recorded and revenues distributed; however, the Toll-By-Plate (TBP) billing has been delayed. Although frustrating, discussion continues with the Department and the FTE in order to obtain the documentation necessary to complete the Authority's annual FY2018 Financial Statements and Traffic Engineers reports.

B. Ratify award of FIGG Scope of Services-Oversight of FDOT Contractor Repair of Tendon. Mr. Fuller presented the FIGG Scope of Services in the amount of \$13,200.00. He explained that during an annual FDOT inspection, signs of degradation were observed in Span 40, Tendon F, necessitating a need for its replacement. As the design engineers of the Bridge, it is important that FIGG be involved with repair oversight to ensure repairs are being done in accordance with the design criteria. Granite Construction was awarded the repair contract by the Department and have been instructed to make every effort to maintain a two-lane flow of traffic and work at night in the Maintenance of Traffic (MOT) plan.

A motion to ratify award of the FIGG Scope of Services-Oversight of FDOT Contractor Repair of Tendon was made by Mr. Destin with a second by Mr. Fornell and a 5-0 vote taken for approval.

C. Approve award of FIGG Scope of Services-Equipment Support for Biennial Inspection. Mr. Fuller reminded the Board that the Authority's previous bond documents required extensive inspection involvement by FIGG; however, the new documents do not. The Authority has continued its engagement with FIGG on a less frequent basis, opting for biennial detailed inspections only because FIGG and Department tend to discover different items, i.e., more sets of eyes improve the sustainment of our infrastructure. During the previous inspection the use of equipment was shared FIGG and the Department to reduce costs; however, this time the Department contracted out their inspection services and the timing couldn't be coordinated. Mr. Fuller recommended approval of the \$27,200.00 Scope of Services.

A motion was made by Mr. Fornell to approve the FIGG Scope of Services for Equipment Support for Biennial Inspection Services with a second by Mr. Maney and a 5-0 vote taken for approval.

- D. 2019 Southern Strategy Group Retainer Agreement.** Mr. Fuller presented the Southern Strategy Annual Retainer Agreement for the firm's services representing the Authority's interests in Tallahassee with legislative issues regarding transportation and recommended approval.

Discussion included the need for this representation in order to be informed of any proposed legislation that could impact the Authority. Southern Strategies monitors, informs and coordinates meetings/concern resolution with legislators as necessary. For example, Ms. Anchors explained that last year legislation required the Miami-Dade Expressway Authority (MDX) to reduce tolls or risk Board replacement has cause a potential violation of their Bond documents and possible litigation. It was also noted that several years ago legislation to usurp the Mid-Bay Bridge Authority, and other local transportation authorities to State control came to our attention as a Bill was being passed through both the Senate and House committee approval process. The Authority was caught off guard by this action and had to coordinate legislative inputs from across Okaloosa County public and private organizations to pitch in and help local authorities to maintain local control of systems versus being managed by State interests. Since that time Southern Strategy has led the way to several delegation meetings with the Chair and Executive Director.

A motion was made by Mr. Destin to approve the 2019 Southern Strategy Group Retainer Agreement with a second by Mr. Fornell and a 5-0 vote taken for approval.

- E. Memberships Review/Approval (TEAMFL, EDC, NVCC, DCC, CBA).** Mr. Fuller requested Board approval for the continuation of membership in the Transportation Expressway Authority Membership of Florida (TEAMFL), Okaloosa County Economic Development Council (EDC), Niceville Valparaiso Chamber of Commerce (NVCC) and its Military Affairs Committee (MAC), Destin Chamber of Commerce (DCC), and the Choctawhatchee Basin Alliance (CBA) all of which are included in the FY2019 Budget.

A motion was made by Mr. Destin with a second by Mr. Maney to approve continuation of current memberships for FY2019 and a 5-0 was vote taken for approval.

- F. Signature Authorization – Resolution 2019-01.** Mr. Fuller explained that the Authority is required to provide a Signature Authorization annually for Authority Members and the Executive Director who are authorized to sign for expenses from the checking and savings accounts with FNBT Bank which are administered by the office. All checks require two (2) signatures.

Mr. Destin made a motion to adopt Resolution 2019-01 FNBT Bank Signature Authorization, with a second by Mr. Fornell and a 5-0 vote was taken for adoption.

Finally, for the Board's information, Mr. Fuller reported that between the hours of 12:00 and 2:00 p.m. today, November 15 a MOT will result in single lane access to allow for a snooper truck to insert personnel into the underside of the bridge for inspection of the segment which requires repair. The repair contract which has been let has a 90-day Period of Performance (POP) to repair/replace post tensioning cables in Span 40 which runs between two piers north of main span over the channel. In addition, he informed the Authority the installation of the Deer Moss Creek access west of the tolling gantry to the Spence Parkway was postponed until after Thanksgiving due to weather, and is currently scheduled for the first week of December 2018.

VII. LEGAL COUNSEL

- A. Annual Policy Review/Ratification.** Ms. Anchors reported that she has review the existing and current policies and procedures of the Authority. There were no statutory or required changes to the current policies and therefore recommended ratification.

A motion was made by Mr. Destin with a second by Ms. Harker to ratify the Authority's Capitalization, Code of Ethics, Procurement, Public Participation and Revenue Recognitions Policies for FY2019 and a 5-0 vote was taken for approval.

- B. Annual Ethics Training.** In support of the annual ethics awareness, board members are requested to complete refresher training. Ms. Anchors will send links to videos, which are available on the Ethics website, to serve this purpose. The primary item recommended for review is on Sunshine Law, which prohibits communication between Board Members outside of a meeting. The two ethics codes that are of importance are Conflict of Interest and Financial Disclosure forms. The Authority will reimburse its members for any fee upon receipt of the paid invoice. As a requirement by the Florida Transportation Committee (FTC), a Certification of Completion Form will be circulated for completion by each member and returned to the Authority office.

VIII. BOARD MEMBER COMMENTS

Mr. Maney offered a review of the judicial process for toll violation collection, a process which he presided over for many years.

As a welcome to the Mid-Bay Bridge Authority Mr. Neilson presented both Ms. Harker and Mr. Maney with framed June 26, 1993 "Wings Across the Bay" Dedication artists print.

IX. GENERAL DISCUSSION

The next regular meeting of the Authority will be held on **Thursday, December 13, 2018** at 9:00 a.m. in the Destin City Hall Board Room, Destin, Florida.

X. ADJOURNMENT

The meeting adjourned at approximately 9:38 a.m.

Approved this 13th day of December 2018


James D. Neilson, Jr., Chair