

**DRAFT**  
**MEETING MINUTES**  
**METRO TRANSPORTATION ENGINEERING AND**  
**CONSTRUCTION COOPERATIVE (MTECC)**  
**100 WEST CYPRESS CREEK ROAD**  
**6<sup>TH</sup> FLOOR, SUITE 650**  
**FORT LAUDERDALE, FLORIDA 33309-2181**  
**THURSDAY, JUNE 8, 2023, 11:00 A.M.**

**Members**

Chair Andrea McGee, Vice Mayor of Pompano Beach  
Vice Chair Caryl Shuham, Commissioner of Hollywood  
Tim Fadgen, Councilmember of Plantation

**Staff / Also Present**

Lowell Clary, MTECC Interim Executive Director  
Matthew Pearl, MTECC Legal Counsel  
Christopher Bross, MTECC Staff Support  
William Cross, MTECC Staff Support  
Steve Braun, FDOT  
Igor Colmenares, City of Hallandale Beach  
Priscilla Cygielnik, City of Deerfield Beach  
Patricia Desir, City of Deerfield Beach  
Christine Fasiska, FDOT District 4  
Ron Fields, WSP USA Inc.  
Vanessa Leroy, City of Hallandale Beach  
Milos Majstorovic, City of Fort Lauderdale

**REGULAR ITEMS**

**1. Call to Order**

The meeting was called to order at 11:00 a.m.

**2. Approval of Minutes**

**Motion** made by Vice Chair Shuham, seconded by Councilmember Fadgen, to approve. In a voice vote, the **motion** passed unanimously.

**3. Approval of Agenda**

**Motion** made by Vice Chair Shuham, seconded by Councilmember Fadgen, to approve. In a voice vote, the **motion** passed unanimously.

#### 4. Public Comments

None.

#### ACTION ITEMS

1. **MOTION TO APPROVE: Resolution for City of Deerfield Beach request for MTECC services for Project 445529-1 Crystal Lake Drive and NW 45<sup>th</sup> Street Avenue Access Management Improvements. This project was approved by the Broward MPO through the CSLIP project application, review/evaluation and selection process in the 2018 cycle. The FDOT LAP Project budget for the design phase of the project is \$389,088 in fiscal year 23-24. The budget for construction and construction inspection is fiscal year 2026-27 for \$2,339,520.**

**Motion** made by Councilmember Fadgen, seconded by Vice Chair Shuham, to approve.

Vice Chair Shuham requested clarification of the project phases included in the two Action Items. Mr. Clary clarified that the motions would apply to the design phases only, both of which are in fiscal year (FY) 2023-2024, which begins on July 1, 2023.

Mr. Clary explained that the Metro Transportation Engineering and Construction Collective (MTECC) will partner with each project's municipality to define the scopes of work. The design pool, also known as the library of services, will be presented for approval at the July MTECC meeting. Once the scopes of work have been identified and drafted, the draft will be provided to these firms. A "mini-procurement" will follow in August or September, at which times the design firms will provide proposals for each specific project. MTECC will then partner with the municipalities to select the firms which will carry out each project. The Local Agency Program (LAP) certification process will be finalized and a LAP agreement will be signed between the Florida Department of Transportation (FDOT) and the city, followed by an administration agreement between the city and MTECC.

Mr. Clary continued that the two agreements may be concurrent, or the administration agreement may slightly precede the LAP agreement. Because FDOT has already begun this year's LAP certification, MTECC will be coming into the middle of this process. For the next cycle, which will begin in July 2024, MTECC will begin the process in fall 2023. This will mean administration agreements for 2024-2025 will be done in advance.

The two proposed projects have gone through the Complete Streets and Other Localized Initiatives (CSLIP) process and have been prioritized by the MPO and agreed to by FDOT.

It was noted that FDOT has adjusted their calendar schedule and would like the LAP agreements with the cities to be complete by October 2023. Mr. Clary advised that

MTECC will try to meet this timeline, although he estimated that the second project, which will be in Hallandale Beach, is slightly behind schedule.

In a voice vote, the **motion** passed unanimously.

- 2. MOTION TO APPROVE: Resolution for the City of Hallandale Beach request for MTECC services for Project 445527-1 Complete Streets on NW 3<sup>rd</sup> Street from NW 3<sup>rd</sup> Avenue to North Dixie Highway in Hallandale Beach. This project was approved by the Broward MPO through the CSLIP project application, review/evaluation and selection process in the 2018 cycle. The FDOT LAP Project budget for the design phase of the project is \$569,995 in fiscal year 23-24. The budget for construction and construction inspection is fiscal year 2025-26 for \$623,694 and fiscal year 2026-27 for \$2,141,740.**

**Motion** made by Vice Chair Shuham, seconded by Councilmember Fadgen, to approve.

It was clarified that the boundaries of this project will extend from 6<sup>th</sup> Avenue to North Dixie Highway. Mr. Clary confirmed that this correction would be made.

Mr. Clary also noted that the cost amount provided to MTECC from FDOT's Work Program is slightly different.

In a voice vote, the **motion** passed unanimously [as amended].

### **DISCUSSION ITEMS**

- 1. Staff will be presenting for discussion the annual assessment from the member Cities for fiscal year 2023-24 in the amount of \$25,000 per member City to be due at the beginning of the City fiscal year.**

**Member cities agreed to support the administrative of MTECC as an interlocal agency created by the member cities. This is documented in the ILA signed by each member city and MTECC. This provides the funding required to continue the administrative operations of MTECC at a very efficient level supporting the overall activities of MTECC in the upcoming fiscal year.**

Mr. Clary advised that this Item is already part of the inter-local agreement (ILA). The member cities will be notified so they may include this amount in their budgets.

Vice Chair Shuham requested clarification of the amount of the agreement. Mr. Clary replied that the amount is \$25,000, but may be changed by Board action. He added that Fort Lauderdale has expressed interest in joining MTECC and is included in the budget

document. The inter-local agreement for Fort Lauderdale is expected to come before the Board in July.

**2. Staff will be presenting for discussion the proposed FY 2023-24 MTECC Budget.**

Mr. Clary stated that the budget is included in the members' informational materials. There are two outstanding payments for the current year, which are in the process of being addressed. Fort Lauderdale is expected to make their payment by the end of the budget year.

Mr. Clary noted that MTECC's spending was significantly less than its budget in the current year, which means a large amount will be carried over into FY 2023-2024. The current year's Board expenses and procurement costs are being provided by the Broward MPO, which will be reimbursed for these payments. They will also pay part of the costs of technology and finance/administration.

At the July 2023 meeting, the Executive Director and Board Attorney will present the Board with a proposed one-year agreement. This will cover FY 2023-2024. Mr. Clary recommended that this be done on a monthly retainer basis. If there is specific project activity, it will be addressed as part of the project budgets.

Some Program Management Consultant costs are built into the current year. This will include General Services, which will cover attendance at Board meetings, helping to scope projects, and general activities. No projects are included on the 2023-2024 budget thus far, but will be added through amendments once their agreements are complete.

Mr. Clary continued that consultant WSP will provide MTECC with its own website in the coming fiscal year. It was asked if there would be a benefit for member cities to provide a link to the MTECC website through their own City websites. Mr. Clary confirmed that this can be done.

**3. Staff will be presenting for discussion a draft Project Administration Agreement between MTECC and member City for MTECC project administration services.**

Mr. Clary called the members' attention to the draft LAP Project Administration Agreement, noting that he and MTECC General Counsel would like to provide this document to FDOT, as well as the two member cities that are working on projects, for comments. It will then be brought back to the July meeting for approval. Scopes and other details will be added at that time.

Vice Chair Shuham requested clarification of the indemnification included in the LAP agreement. It was clarified that MTECC's agreements with consultants will name the cities

as additionally insured and indemnified by the consultants as well as MTECC. Because MTECC is an intermediary, the goal is to insure any future action is between the beneficiary city and the contractor. The city will own the design and could take direct action against the contractor, if necessary, without involving MTECC in that action.

Vice Chair Shuham also asked if indemnity will fall under the construction contract as well. It was explained that there may be separate attachments for the design and construction phases. Mr. Clary emphasized that MTECC is not providing construction services, but will work with FDOT and member cities on this process. He noted that there may be a time in which MTECC is asked to work with projects located in multiple cities.

#### **4. Executive Director's Report**

Mr. Clary stated that MTECC Staff is working on a finance and accounting process. These services are expected to be in order by July or August 2023. He also noted that designs are on target to receive proposals by the following week. Staff is working to determine whether the library of services will include three or five firms. This will most likely depend upon the strength of submittals.

Vice Chair Shuham asked if MTECC will have annual audits. Mr. Clary confirmed that an audit will be procured. He estimated that an auditor would be needed by October or November 2023.

Mr. Clary advised that MTECC may give a presentation to the MPO's Technical Advisory Committee (TAC) in August. They will discuss projects in FY 2024-2025 as well as in 2023-2024, and will encourage interested municipalities to join MTECC.

Vice Chair Shuham asked if MTECC Board members are prohibited from voting on projects brought forward by the cities they represent. Attorney Pearl replied that members may vote on items that affect their cities.

#### **5. General Counsel's Report**

None.

#### **6. Board Comments**

The Board members discussed the possibility of meeting at 9 a.m., immediately prior to the MPO Board meeting scheduled on the same day.

There being no further business to come before the Cooperative at this time, the meeting was adjourned at 11:27 a.m.

**NEXT MEETING DATE: July 13, 2023**