

DRAFT
MEETING MINUTES
METRO TRANSPORTATION ENGINEERING AND
CONSTRUCTION COOPERATIVE (MTECC)
100 WEST CYPRESS CREEK ROAD
6TH FLOOR, SUITE 650
FORT LAUDERDALE, FLORIDA 33309-2181
THURSDAY, SEPTEMBER 14, 2023, 9:00 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
Sabrina Aubery, FDOT
Christine Fanchi, MTECC
Karl Kennedy, City of Pembroke Pines
Milos Majstorovic, City of Fort Lauderdale

REGULAR ITEMS

1. Call to Order

The meeting was called to order at 9:00 a.m.

MTECC Executive Director Lowell Clary advised that the Board had received two letters from the city of Pembroke Pines, which would be added to the Agenda as Action Item 5.

2. Approval of Minutes

Mr. Clary noted a correction to p.2, Action Item 1B: the engineering firm listed in this Item is CTS Engineering.

[The minutes were approved by consensus.]

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: Approval of the City of Coconut Creek as a member of MTECC

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

Mr. Clary explained that the city of Coconut Creek will undertake a U.S. Department of Housing and Urban Development (HUD) project planned for Lyons Road, which will come before the Board in the next couple of months.

2. MOTION TO APPROVE: The Amended MTECC Operating Fund Budget and Capital Project Fund for fiscal year 2022-23.

Mr. Clary recommended that the language in this Item be modified, changing the term “rebate” to “advance.” These funds will be advanced from MTECC for projects so work can begin, and will later be reimbursed as part of the project agreement.

Motion made by Vice Chair Shuham, seconded by Councilmember Fadgen, to approve, subject to the amendment of the MTECC member initial contribution rebate is removed and different language added so that it is an advance that remains the responsibility of the participating city. In a voice vote, the **motion** passed unanimously.

3. MOTION TO APPROVE: The MTECC Operating Fund Budget and Capital Project Fund for fiscal year 2023-24.

Motion made by Vice Chair Shuham, seconded by Councilmember Fadgen, to approve with the same change.

Mr. Clary noted that the Capital Project Fund will allocate approximately \$25,000 per project as an advance so cities may begin pre-work, which includes development of the scope of the project as well as independent fee estimates. He clarified that the City will still owe reimbursement of the advance if the project dies. Cities are asked to confirm that they understand this requirement as part of their agreement.

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

4. MOTION TO APPROVE: Legal services agreement with Weiss Serota.

MTECC General Counsel Matthew Pearl stated that Weiss Serota has agreed to a flat fee for all administrative work within the budget parameters of \$4000/month. Project-specific expenses will be included in terms of the Local Agency Program (LAP) agreement for each individual project. Operations will be done as part of the flat fee.

Chair McGee noted that in the future, most legal expenses will be part of job costs, and asked if Weiss Serota will still require \$48,000/year. Attorney Pearl clarified that it is too early to determine this at present, as there are still new members joining MTECC. Weiss Serota hopes to minimize the portion that will not be covered by project costs.

Chair McGee explained that her concern was for billing that may not be done by the hour, as this could make it more difficult for the MTECC Board to see what is being included in the flat fee. Attorney Pearl replied that he would invoice against the retainer and provide a brief overview of what he is doing for the organization each month.

The Item was approved by consensus.

5. MOTION TO APPROVE:

A. Resolution for City of Pembroke Pines request for MTECC Services for Project 449690-1 Pembroke Road from SW 145th Avenue to Flamingo Road, Construction of Bicycle Lanes, Widening Sidewalks, Milling and Resurfacing. The FDOT LAP Project budget for the design phase of the project is \$965,285 in fiscal year 24-25. The budget for construction and construction inspection in fiscal year 2027-28 is \$7,495,223.

B. Resolution for the Pembroke Pines request for MTECC Services for Project 4334293 – Pembroke Pines Mobility HUB. This project was approved by the Broward MPO through as a Mobility HUB project. The project will be funded from Federal Highway Administration funds flexed to Federal Transit Administration at the request of the Broward MPO. The project budget \$420,000 in fiscal year 23-24 for design. The budget for the construction and construction inspection is fiscal year 2014-25 for \$2,204,000.

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

Mr. Clary stated that MTECC has already begun working with Pembroke Pines on these two items. The LAP project will begin in the next fiscal year.

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

DISCUSSION ITEMS

1. Executive Director's Report

Mr. Clary advised that he had provided the members with a report on July and August 2023 activities. Preliminary meetings were held with the Florida Department of Transportation (FDOT) to discuss six LAP projects in fiscal year (FY) 2024-2025, two of

which are from MTECC members Pembroke Pines and Hollywood. The other four project owners are not current members, but FDOT has informed those cities that joining MTECC is an option for them. MTECC has also provided FDOT with their complete procurement package, which FDOT will present to the Federal Highway Administration (FHWA) for review.

Mr. Clary emphasized that if MTECC develops a consistent process, it will save FDOT time. He noted that a positive working relationship has developed between MTECC and FDOT. One of the goals of this partnership is to provide greater flexibility regarding the timing of projects if FDOT approves the process. The current time period in FDOT's Work Program is three years between the design and construction phases. MTECC is seeking to shorten this time frame to two years if possible.

Another consideration is the possibility of combining construction projects in cities that may be adjacent to one another. He offered the example of Hallandale Beach and Hollywood, both of which have Complete Streets projects scheduled in future fiscal years. Another possibility may be one of the Pembroke Pines projects approved earlier today by the Board, which is located next to a project in Miramar. While Miramar may wish to complete its own design, as they are LAP-certified, there may be options to combine the construction phases of the two projects.

Mr. Clary noted that there will need to be development of a contingency policy for MTECC. Contingencies are not always built into LAP projects, which can create difficulties on these projects for construction companies. MTECC's agreement with cities requires that the city provide for any contingencies. The agreement also asks member cities to put up an advance as part of the project agreement, which can be returned to them later.

Mr. Clary continued that the city of Lighthouse Point has expressed interest in joining MTECC. Sunrise and Tamarac have a joint LAP project scheduled for FY 2024-2025 and are in discussions regarding MTECC as well. A workshop is scheduled with Fort Lauderdale the following week.

It was noted that there had been previous discussion of creating an MTECC website so the public can see which projects the organization is involved in. Mr. Clary stated that Staff is working with WSP to develop a website. MTECC will be accessible from the Broward MPO website.

2. General Counsel's Report

None.

3. Board Comments

None.

There being no further business to come before MTECC at this time, the meeting was adjourned at 9:30 a.m.

NEXT MEETING DATE: November 2, 2023