

Tampa-Hillsborough County Expressway Authority
Minutes of August 26, 2019 Board Meeting
1104 E. Twiggs Street
Tampa, FL 33602

The Tampa-Hillsborough County Expressway Authority held a public meeting at 1:30 p.m. on August 26, 2019, at the Authority's Transportation Management Center, 1104 E. Twiggs Street, Tampa, Florida. The following were present:

BOARD:

Vincent Cassidy, Chairman
Bennett Barrow, Vice Chairman
Danny Alvarez, Secretary
Shaun Oxtal, Member
Mayor Jane Castor, City of Tampa, Member
Commissioner Lesley Miller, Member
FDOT D-7 Secretary David Gwynn, Member

STAFF:

Joe Waggoner, Patrick Maguire, Amy Lettelleir,
Robert Frey, David May, Sue Chrzan, Rafael
Hernandez, Debbie Northington, Man Le, Max
Artman, Carl Shack, Brian Ramirez, Lisa Pessina,
Anna Quinones, Julie Aure, Shari Callahan, Diane
Stull, Elizabeth Gray, Kyler Boswell

APPLIED SCIENCES:

Roger Menendez

BALLARD PARTNERS:

Carlos Ramos

BAML:

Doug Draper

CITI:

Kevin Dempsey, Jim Davison

CONSOR:

Greg Peschong

FTN FINANCIAL:

Jonathan Ruth

HILLTOP SECURITIES:

Matthew Sansbury, Joel Tindal

HDR:

Stefanie McQueen

HNTB-GEC:

Jim Drapp, Al Stewart

INFOTECH:

Karen Herisse, Steve Williams

JP MORGAN:

Henry Reyes

MACDILL AFB:

Tony Rodriguez

PFM:

David Miller, Hope Scarpinato, Brent Wilson

PLAYBOOK PR:

Sally Dee

QUEST, INC.:

Adam Rose, Diane Hackney, Dawn Brown

RAYMOND JAMES:

Rick Patterson

TPC:

Steve Reisch

WGI:

Kim DeBosier

I. CALL TO ORDER, INVOCATION and PLEDGE OF ALLEGIANCE

Chairman Vincent Cassidy called the meeting to order at 1:30 p.m., followed by General Counsel Patrick Maguire leading in the Invocation and recitation of the Pledge of Allegiance.

II. PUBLIC INPUT/PRESENTATIONS

Jim Davidson of New Tampa addressed the Board with concerns about an East-West Road project. Mr. Davidson was on the former Transportation Task force. The East-West Road was originally a bus toll lane then, flexible transit. The project had been on the MPO Plan for the last five years and was forecast to cost \$12 million. It was now no longer on the MPO Plan. Mr. Davidson wanted to know why the project was abandoned and any results of studies. The Board agreed to follow up with Mr. Davidson.

III. Consent Agenda

A. Approval of the Minutes of the June 17, 2019 Meeting

B. Upcoming Board Member Travel

C. Task Work Order for Capital Projects Regarding the Selmon Greenway

The Chairman called for a motion to discuss, which was made by Mr. Barrow and seconded by Mr. Alvarez. There was no discussion; the vote was called and the motion to approve all items of the Consent Agenda was carried.

IV. DISCUSSION/ACTION ITEMS

Operations and Maintenance Committee

Miscellaneous Design and Construction Engineering Inspection Services – David May/Staff

Mr. May stated this item was to provide miscellaneous design and construction engineering design services. The funding would be from within the capital budget and not as a separate item, but individually out of the project. Of the four firms, two had never been used by THEA and three not used within the last few years. Mr. May requested the Board approve the rankings as per the Evaluation Selection Committee.

The Chairman called for a motion to discuss. Mr. Barrow moved and Mr. Oxtal seconded the motion.

Mr. Alvarez asked why it appeared that more firms were applying, and Mr. May explained the industry was receptive as it was good, solid work within a push-button contract and quick to negotiate a fee.

With no further discussion, the vote was taken, and the motion carried.

Mr. May then asked the Board to authorize and direct the staff to negotiate and execute a push-button contract with the top four ranked firms.

The Chairman called for a motion, which was moved by Mr. Alvarez and seconded by Mr. Barrow. With no further discussion, the vote was taken, and the motion carried.

Architectural Services – Transportation Management Center Renovation - David May, Staff

The purpose of this item is to provide architectural services for the renovation of the offices of the Transportation Management Center. Three firms were interviewed for the project. The funding is from the capital budget. The third ranked firm, Fleischman Garcia was the original designer for the building. Mr. May asked the Board to approve the ranking of the three firms per the Evaluation Selection committee with Wannemacher Jensen Architects being the top ranked firm.

The Chairman asked for a motion to discuss. Mr. Alvarez so moved, and Mr. Oxtal seconded the motion. With no discussion, the vote was taken, and the motion to approve the ranking was approved.

Mr. May then requested that the Board authorize and direct the staff to negotiate and execute a contract with the top ranked firm and if the negotiations were unsuccessful, then the staff shall negotiate with the next highest ranked firm.

The Chairman asked for a motion and Mr. Alvarez moved and Mr. Oxtal seconded. With no further discussion, the vote was taken, and the motion was carried.

Selmon South Safety Project Design-Build Change – Dave May, Staff

Mr. May explained that the purpose of this item was to bring the cross slope for the pavement in compliance with FDOT design standards because survey data from the contractor highlighted non-conformance of the existing cross slopes. The original survey indicated the slopes were at 2% slope. The proposed modification will improve the safety and riding conditions of the asphalt surface. Mr. May said that although the initial survey showed a 2% slope, updated surveys showed 3%. The 3% slope would improve drainage and safety. The original contract amount was \$15,160,000 and the proposed change in the contract is \$628,650.25, which is 4.14%. The funding would be from the Capital Budget. Mr. May asked the Board to approve a change order to Granite Construction task order so the proposed cross slopes of the pavement could be modified.

The Chairman asked for a motion to discuss and Mr. Barrow so moved while Mr. Alvarez seconded the motion. With no further questions, the vote was taken, and the motion carried.

REL Lighting Project Plan Change – David May, Staff

The purpose of this item was to separate the plans for the REL Lighting Project into two components; downlighting at the piers and future span lighting. The original project was stopped as TECO wanted to evaluate the possibility of TECO providing the lighting fixtures. Mr. May said that after nine months, TECO could not provide lighting consistent with the project scope so therefore, Mr. May recommended the contract with Kimley Horn be reinitiated to complete the design and provide bid alternates. Mr. May said this project would be for pier lighting only, but fixtures would be in place for additional future lighting. The cost was in line with the CPMP. A later project would be lighting under the bridge. Mr. May said the original contract amount was \$552,284 and the contract change order is \$74,518.91. The percentage change is 13.5% composed of 11.2% for the bid alternate plans and 2.3% for any rate adjustment. Funding was to come from the Capital Budget. Mr. May asked for the Board to approve the change order with Kimley-Horn.

The Chairman called for a motion to discuss. Commissioner Miller moved and Mr. Oxtal seconded the motion. With no further questions, the vote was taken, and the motion carried.

Planning Committee

Pasco Interlocal Agreement – Bob Frey, Staff

This item refers to an Interlocal Agreement (ILA) between THEA and the Pasco County Board of County Commissions (BOCC). Mr. Frey also stated there was an ILA in place with Pinellas County. The ILA would document the roles and responsibilities for exploring potential toll projects in Pasco County and would allow THEA to perform “sketch level” analysis on roadways identified by Pasco County staff. Mr. Frey said that if a toll project was identified, a separate ILA specific to the project would be completed and brought back to both the THEA Board and the Pasco County BOCC for approval. Authorization was requested for THEA’s Chairman to sign the ILA with the Pasco County BOCC, which had already signed the agreement.

The Chairman called for a motion to discuss. Mr. Alvarez so moved, and Mr. Oxtal seconded. There was no discussion although the Chairman wanted it noted that Mr. Alvarez really liked the project. The vote was taken, and the motion carried.

Miscellaneous Trails, Parks and Community Enhancement Services – Bob Frey, Staff

Mr. Frey explained that enhancements would be needed for the Selmon Greenway, interchanges and other THEA properties. It was necessary to receive additional resources as a more specialized skill set, such as for hotels, was needed rather than basic landscaping. The funding would come from the Capital Budget. Mr. Frey asked the Board to approve the ranking of the top three ranked firms and authorize the staff to negotiate and execute a push-button contract with the three firms.

The Chairman called for a motion. Mr. Oxtal made the motion and Mr. Alvarez seconded. There was no discussion, the vote was taken, and the motion carried.

Selmon Greenway Design Support – Bob Frey, Staff

This project is related to the previous item but is to design the next phase of the Selmon Greenway. Mr. Frey said the project was necessary to upgrade the linear park from the Lee Roy Selmon statue to Jefferson St. The funding would come from the Capital Budget.

Mr. Frey requested the Board authorize and direct the staff to negotiate and execute a contract with Kimley-Horn not to exceed \$175,000. If a contract could not be negotiated with Kimley-Horn, then there would be negotiation with the next highest ranked firm.

The Chairman called for a motion to discuss. Mr. Alvarez made the motion and Mr. Oxtal seconded.

The Chairman asked if this was for hard costs and Mr. Frey responded by saying it was for design only and that construction would be a separate item to come before the Board. The reason for the upgrade was that USF students are using the Greenway to access CAMLS and the USF Medical school from nearby parking lots. Mr. Frey stated THEA had been asked by USF to expedite the project. Mr. Alvarez stated it was a very smart project along with the pier lighting project and would enhance the city. The Chairman also stated that Mr. Alvarez liked this item, too.

With no further discussion, a vote was taken, and the motion passed.

Audit and Finance Committee

Financial Advisory Services - Amy Lettelleir, Staff

Ms. Lettelleir addressed the Board by stating this item was to provide the necessary financial advisory services for THEA. The funding would come from the Annual Budget. PFM Financial Advisors was the top ranked firm. Ms. Lettelleir asked the Board to approve the rankings per the Evaluation Selection Committee.

The Chairman asked for a motion to discuss. Commissioner Miller so moved, and Mr. Barrow seconded the motion.

The Chairman asked Ms. Lettelleir if any firms had experience working with THEA. Ms. Lettelleir responded that Hilltop Securities has worked with THEA, and PFM Financial Advisors was new to THEA.

With no further discussion, the vote was taken, and the motion carried.

Ms. Lettelleir then asked the Board to authorize and direct the staff to negotiate and execute a contract with PFM Financial Advisors, subject to approval of the General Counsel. Ms. Lettelleir also requested the authorization and direction of the staff to negotiate and execute a push-button contract with the second, third and fourth ranked firms for specialty projects.

The Chairman asked for a motion to discuss. Commissioner Miller so moved, and Mr. Alvarez seconded the motion. There was no discussion. The vote was taken, and the motion carried.

Annual Evaluations- Executive Director and General Counsel - Vincent Cassidy, Chairman

Mr. Cassidy thanked the Board members for providing strong evaluations and good comments for both the Executive Director and General Counsel. Earlier in the year, the Chairman contracted with The Poe Group to review CEO compensations at tolling agencies around the country in order to make sure Mr. Waggoner's compensation was in line with other organizations and fair. There was a 31% response for a comparison of salary of similar organizations around the country. The report also included local agencies such as Tampa International Airport and the Port of Tampa. Mr. Cassidy stated that the CEO's contract has only provisions for cost of living allowances, but no merit increases in his current salary of \$279,199 and there has not been a raise in three or four years. Mr. Cassidy maintained that when traveling, Mr. Waggoner is often mentioned and is well sought after within the industry. Some positive comments were read from the evaluations regarding Mr. Waggoner's leadership skills and accomplishments. It was then recommended there be a base salary increase to put Mr. Waggoner in the 75th percentile. The proposed increase was a 15% raise to Mr. Waggoner's salary.

The Chairman then asked for a motion to discuss the increase to the CEO salary and will willing to make the motion, however. Mr. Alvarez so moved, and Mr. Oxtal seconded the motion.

Commissioner Miller asked for the raise amount and was told it was 15% or \$41,000. Mr. Barrow stated the study was thorough and efficient. Mr. Alvarez wanted it noted that Mr. Barrow liked the study.

With no further discussion, a vote was taken, and the motion passes.

Mr. Cassidy thanked the Board and Mr. Waggoner also thanked the Board.

V. INFORMATION ITEM

Cyber Security – David May, Staff

Mr. May stated THEA had requested an internal and external security assessment through a consulting firm. Mr. May introduced Mr. Steve Williams of Infotect to review the findings. The

audit and subsequent assessment were conducted by MGT Consulting (MTG), who won the contract and which was reviewed by Infotect. The audit was completed during the first quarter of 2019 and the final report was received during the second quarter. MTG conducted internal and external tests on the network and any attached devices, as well as interviewed staff on cybersecurity policies and procedures. Based on the MTG feedback, THEA ranked very well. Mr. Williams said that priority issues were immediately addressed. Short and mid-term tasks for FY2020 were developed and any long-term tasks would be incorporated into the work plan and growth strategy. Audit and staff training would be on a regular basis.

Mr. Williams continued by presenting an action plan and timeline. In 90 days or less, “must-have” policies will be identified as “Core” and “Important” based upon interaction among staff. A complete password change and routine change policy implementation was completed by August 1, 2019. All staff will be set up for multi-factor authentication for Office365 by the end of the third quarter. A plan for annual security awareness assessment and training is in the works. The last staff training was June 2018 and updated training was in the works.

Mr. Williams also outlined the policies for six months or less and within five years. Within six months or less, there will be complete development of the “Important” or “Core” policies, including additional security. Mr. Williams continued by noting that foreign IP addresses would be blocked on the external firewalls and such effort will require coordination between departments. There would be change control processes for the servers. Mr. Williams also stated there would be assistance to the Communications Department to resolve issues with the public web server, including improved security. The five-year plan included complete development and acceptance of the “Important” policies with a review of larger agencies. Resource gaps and agency growth points should be identified for continual policy development or in other words, utilize the audit results to evolve future staffing needs to be secure and compliant. Finally, an outside audit should be conducted every two years.

Mr. Williams stated that THEA did very well based on the feedback from MTG and the audit was beneficial and should be conducted again. Finally, staff training was needed for ongoing safety.

The Chairman had several questions for Mr. Williams and Mr. May, starting with are agency communications accessible on personal devices? The answer was yes, if an employee logged into the web browser, agency emails are available to browse on personal devices. The Chairman also wanted to know if emails were locked for forwarding and the answer was not at this time. The system was undergoing a two-factor process for log ins and will be completed by the end of the quarter. If the firewall does encounter a hacker ID, the perimeter will log in and block the attack, but the system is not shut down. The Chairman also asked if there were tests for phishing. Mr. Williams also stated there will be random tests for phishing and the firewall can automatically block the source of the phishing email. With no further questions, Mr. Williams concluded the cyber security update.

Evaluations, Continued

Before continuing with the staff reports, Commissioner Miller asked if the Evaluations for the Executive Director and General Counsel had been accepted by the Board. The Chairman

confirmed that there had not been a vote to accept and asked for a motion. Before the motion, the Commissioner asked about the General Counsel items and the Chairman said those were being addressed with the General Counsel.

The motion was made by Commissioner Miller and seconded by Mr. Alvarez. The vote was taken, and the motion passed.

VI. STAFF REPORTS

A. Operations & Maintenance - (Dave May, P.E.)

Mr. May presented slides of the progress on the steel bridges. The casting is done at Clark Construction in Tampa. The photos showed the perfect seam quality and the welding perfectly flat. The inside of each unit was painted white. The project should be finished toward the end of September or early October.

B. Communications (Sue Chrzan)

Ms. Chrzan provided to each Board Member a report of staff accomplishments with the Board, including the presentation by Rafael Hernandez at the IBTTA conference in Seattle. Mr. Alvarez also attended the conference and participated in a panel. Mr. Alvarez stated that the reception was incredible and was so pleased to learn how well-regarded THEA was nationwide. Mr. Alvarez will also speak at the IBTTA conference in Halifax, Nova Scotia.

Ms. Chrzan continued with a video of the Selmon Extension progress. The video was a time-lapsed, by month footage filmed by a drone, showing first the east side then the west side of the construction. Ms. Chrzan also shared a new promotional video which will be shown on social media and the THEA building lobby.

Ms. Chrzan also showed the Road Ranger Assists from July 2019 through July 2019. The main reason for assists was for a flat tire, followed by running out of gas. The accompanying chart showed an increase of assists each year from 2014.

In conclusion, THEA won the IBTTA 2019 toll Excellence Award for Customer Service and Marketing Outreach for its approach to the Selmon Extension project with the community. Mr. Alvarez and Mr. Cassidy will accept this award on THEA's behalf in Halifax.

C. Toll Operations (Rafael Hernandez)

Mr. Hernandez started his report by stating in June 2019 the centralized customer service went live. The accounts and transactions for June was also presented, showing slightly fewer transactions in 2019 over 2018. This was due to a one-week delay. Mr. Hernandez stated the average daily traffic, which is Tuesday, Wednesday and Thursday, had good growth, with the east group over a 3% increase and the west group over 1%.

D. Financial / Traffic & Revenue (*Amy Lettelleir*)

Ms. Lettelleir reported there were nearly five million toll transactions in June 2019, an increase over June 2018. The Chairman asked if 2018 was lower because of CCSS. Ms. Lettelleir stated the transactions had been reconciled and it was not a question of not reporting. The general and administrative expenditures for FY 2019 accounted for approximately 98% of the budgeted amount, while expenses were just over budget, due to CCSS revenues not captured. THEA has approximately \$350 million in cash and investments. The toll revenue over the past fiscal year was approximately \$84 million, with about \$69 million from SunPass and \$9 million from Toll-by-Plate and the balance from other sources.

Ms. Lettelleir continued with the toll-by-plate update. Nearly \$7 million was collected from February through June. The \$230,000 average weekly payments in June was almost normalized to the FY 2018 amount of \$192,000. The Toll-by-Plate invoicing has also normalized where there is around \$4 million due to THEA due to two invoice cycles at any one time at CCSS. Since the beginning of the new fiscal year, there has been \$9 million in toll revenue, of which \$1.5 million was collected by ETAN. The Chairman asked for a clarification of the amount and Mr. Hernandez confirmed it was \$9 million in revenue from CCSS and \$1.5 million collected since July 2019 by ETAN. Mr. Waggoner stated that collection process had just started. The Chairman then verified that it was \$9 million less the \$1.5 million collected.

VI. EXECUTIVE REPORTS

A. Executive Director (*Joe Waggoner*)

Mr. Waggoner presented the contract renewal and expiration report. There were three companies listed and Mr. Waggoner recommended renewal for all. This was an advanced notice for the Board of those upcoming renewals.

B. General Counsel (*Patrick Maguire*)

Mr. Maguire had nothing to report.

C. Chairman (*Vincent Cassidy*)

The Chairman noted that with the IBTTA meeting in Halifax, the September Committees as a Whole and the Board meetings are cancelled. The new Board Meeting date would be October 11, 2019.

VII. ADJOURNMENT

There being no further business to come before the Board, Chairman Cassidy adjourned the meeting at 2:21 p.m.

APPROVED: 

Chairman: Vincent J. Cassidy

ATTEST: 

Danny Alvarez, Secretary

DATED THIS 11th DAY of OCTOBER 2019