

LYNX
Central Florida Regional Transportation Authority
Monthly Board Meeting Minutes

PLACE: **LYNX Central Station**
 455 N. Garland Avenue
 Board Room, 2nd Floor
 Orlando, FL 32801

DATE: **May 26, 2010**

TIME: **2:15 p.m.**

Members in Attendance:

Seminole County Commissioner, Carlton Henley, Chair
Osceola County Commissioner, Brandon Arrington, Vice Chair
City of Orlando, Mayor Buddy Dyer, Secretary
Orange County, Mayor Richard Crotty

Members Absent:

FDOT District 5 Secretary, Noranne Downs

1. Call to Order and Pledge of Allegiance

The Chairman, Commissioner Carlton Henley, called the meeting to order at 2:15 p.m. Chairman Henley asked Commissioner Brandon Arrington to lead the Pledge of Allegiance.

2. Approval of Minutes

Motion was made and seconded to approve the Minutes of the March 25, 2010 Board of Directors meeting. The motion passed unanimously.

3. Recognition

The Chairman recognized Lisa Darnall, Chief Operations Officer, to recognize the 2010 American Public Transportation Association (APTA) International Bus Roadeo Winners.

Maintenance 1st Place and Grand Champion:
Chris Balroop
Hemo Harnanan
Harry Mootoo
Brian Ruppert, Trainer

The Chairman recognized Paul Wunderlich, Director of Finance and Accounting, Orange County Comptroller's Office, to present the 2009 Certificate of Achievement for Excellence in Financial Reporting.

Mr. Wunderlich, representing the State Government Officers Association, presented the Certificate of Achievement for Excellence in Financial Reporting to LYNX for its Comprehensive Financial Report (CAFR) for Fiscal Year 2008. He noted that attainment of this Certificate represents a significant accomplishment by a public authority and its management. In addition, Mr. Wunderlich noted that LYNX has received this Certificate for 17 consecutive years. LYNX' record for receiving this honor reflects the professionalism and level of commitment of its financial staff.

Mr. Wunderlich presented the 2009 Certificate of Achievement for Excellence in Financial Reporting to Bert Francis, Chief Financial Officer, and Blanche Sherman, Manager of Finance.

The Chairman recognized Edward Johnson, Chief Administrative Officer, to recognize LYNX employees for their years of service.

20 Years:

Bus Operator	Cesar Dantes
Service Island Attendant	Pooran Harnanan
Bus Operator	Hortense Rosado
Building & Groundskeeper	Elisamuel (Sammy") Sierra

30 Years:

Transportation Supervisor	John Polk
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The Chairman recognized Bert Francis, Chief Financial Officer, to present the Department of Homeland Security recognition.

Mr. Francis presented the Transportation Security Administration (TSA) Stakeholder Partnership Award to Bill Zielonka, Director of Safety, Security & Risk Management, and Lorna Hall, Safety and Security Officer.

4. Public Comments

Russ Hauck, Lee Van Eepoel and Ron Meeks addressed the Board in support of MV Transportation as the paratransit services provider under the umbrella ACCESS LYNX.

Margo Wright complimented route connections along Link 6 designed by LYNX Planning Department. She added her concern for the connection at the Colonial Plaza. Additionally she expressed the need for Link 6 to be extended to Publix Grocery Store for the residents in the Lake Underhill Road/South Conway Road/Curry Ford Road area.

Ms. Watson responded that staff would review Ms. Wright's request.

Sara Brown complimented the Link 6 that travels to the Veterans Administration Clinic; however, she expressed concern of the timeliness of the morning driver which affects the scheduled connection of Link 6 and Link 313.

Ms. Watson responded that staff would review Ms. Brown's concern.

5. Chief Executive Officer's Report

The Chairman recognized Linda Watson, Chief Executive Officer, to report on the following items:

1. The Volusia County Metropolitan Planning Organization (MPO) voted overwhelmingly to support a referendum that would allow voters to increase the sales tax to cover future transit costs. The MPO Board does not have the authority to put the issue on the ballot; however, County Council members serving on the Board did vote in favor of the initiative.
2. The Federal Transit Administration will be conducting LYNX' triennial review in June. The auditors will review approximately 25 areas of the organization which is conducted every three years of transit systems that receive federal funding. The results of the review will be presented to the Board after its completion.
3. The first class of Road Rangers was hired 19 years ago and one of the class members, Joe "John Wayne" Harrington, will be retiring. Joe has been a mentor to many in this great program and hope that you will join with us in congratulating him for not only his accomplishments at LYNX, but also on his consistently fine work.
4. At the bio-diesel blending facility unveiling last week, the young man that designed the bus, Alex Horan, was introduced. Alex will be attending the University of South Florida (USF) in the fall. LYNX has invited him to join us for an internship in our graphics department for the summer paid by Workforce.

6. Consent Agenda

Commissioner Brandon Arrington requested that item 6.D.xi be removed from the Consent Agenda and taken up immediately following Blue Sheet item 7.B.

Mayor Richard Crotty requested that items 6.C.v and 6.C.vi be removed from the Consent Agenda and taken up immediately following item 8.B

A. Release Requests for Proposal (RFP)

- i.** Authorization to Release a Request for Proposal (RFP) for Pressure Cleaning Services of LYNX Bus Shelters
- ii.** Authorization to Release a Request for Proposal (RFP) for Paratransit Services

B. Award Contracts

- i.** Authorization to Award a Contract for Vanpool Services
- ii.** Authorization to Award a Contract for Installation of Passenger Shelters
- iii.** Authorization to Award a Contract for the Upgrading of the CCTV Room
- iv.** Authorization to Award a Contract for Functional Assessment and Travel Training

C. Extension of Contracts

- i.** Authorization to Execute the Second Option Year of Contract #06-034 with MV Transportation
- ii.** Authorization to Execute the Second One-Year Option Contract #BDL-96 with Florida Department of Transportation (FDOT) for the Road Ranger Assistance Program
- iii.** Authorization to Exercise Second Year Option of Contract #06-005 with B&L Commercial Cleaning for Shelter Maintenance

D. Miscellaneous

- i.** Authorization to Amend Contract #10-C06 Long Range Transit and Financial Plan (2010-2030)
- ii.** Authorization to Amend the Interlocal Funding Agreement with the City of Orlando
- iii.** Authorization to Adopt the Policy for Code of Conduct for Utilizing LYNX Services
- iv.** Authorization to Release an Invitation for Bid (IFB) for LYNX Operations Center Parking Lot Expansion and Detention Pond 5 Improvements
- v.** Authorization to Auction Surplus Equipment
- vi.** Authorization to Execute the Transportation Disadvantaged Operating Grant from the Florida Commission for the Transportation Disadvantaged from July 2010 to June 2011
- vii.** Authorization to Submit the Draft Fiscal Years 2011-2020 Transit Development Plan (TDP) Update
- viii.** Authorization to Release an Invitation for Bid (IFB) for LYNX Operations Center Improvements and the Purchase/Installation of a Paint Booth and Emergency Generators
- ix.** Authorization to Ratify the Submittal of the Transportation Enhancement Projects Grant Application to METROPLAN ORLANDO
- x.** Authorization to Execute Supplemental Agreement to the 2009/2010 & 2010/2011 Unified Planning Work Program (UPWP) with METROPLAN ORLANDO
- xii.** Authorization to Release an Invitation for Bid (IFB) for Lawn Maintenance and Trash Removal Services at LYNX Bus Stops and Shelters
- xiii.** Authorization to Initiate the Public Participation Process for Consideration of the Proposed Service Efficiency Changes for August 15, 2010

Motion was made and seconded to approve the Consent Agenda Items 6.A.i through 6.D.xii excluding 6.C.5, 6.C.6 and 6.D.xi. The motion passed unanimously.

7. Action Agenda

The Chairman announced a “Blue Sheet” Action Agenda item will be added to the Agenda and taken following Action Agenda Item 7.A.

A. Authorization to Submit Applications for the U.S. Department of Transportation (USDOT) and the Federal Transit Administration (FTA) Funding through Tiger II, Tigger II and State of Good Repair Grants

The Chairman recognized Edward Johnson, Chief Administrative Officer, to make the presentation.

Staff is requesting the Board of Director's authorization for the Chief Executive Officer (CEO) or designee to submit grant applications for United States Department of Transportation (USDOT) and Federal Transit Administration (FTA) funding TIGER II, TIGGER II and the State of Good Repair grant application process.

Motion was made and seconded to authorize the Chief Executive Officer (CEO) or designee to submit grant applications for the USDOT and FTA funding TIGER II, TIGGER II and the State of Good Repairs. The Motion passed unanimously.

B. BLUE SHEET ITEM: Authorization to Award a Contract for Community Art Shelters

The Chairman recognized Linda Watson, Chief Executive Officer, to make the presentation.

The Board approved the Community Art Shelter Program at its meeting April 22, 2009. LYNX staff has been working with the shelter designers to finalize drawings and testing of wind loads. Additionally, staff has been working with the I-Drive Development Board to install six shelters along International Drive. The program is at the stage to begin installation.

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer or designee to negotiate and award a contract to Walter Geiger Studio, LLC for Art Shelters.

Motion was made and seconded to authorize the Chief Executive Officer (CEO) or designee to negotiate and award a contract to Walter Geiger Studio, LLC for Art Shelters. The Motion passed unanimously.

6. Consent Agenda

D. Miscellaneous

xi. Authorization to Initiate Process for Reauthorization for LYNX as Designated Recipient of Federal Transit Administration Funds

The Chairman recognized Edward Johnson, Chief Administrative Officer, to make the presentation.

Mr. Johnson reported that the Federal Transit Administration (FTA) recently initiated a process of re-designation and requested grantees to update their FTA documentation as Designated Recipient (DR). He explained this is a formality for documentation purposes only and that LYNX' DR status remains in effect and the process does not impact its ability to apply for grants and expend open grants.

Motion was made and seconded to approve the Consent Agenda Item 6.D.xi. The motion passed unanimously.

8. Work Session

A. Update on Department of Homeland Security (DHS) Funding

The Chairman recognized Bert Francis, Chief Financial Officer, to make the presentation.

Mr. Francis noted that LYNX Central Station (LCS) is the Central Control Center for information provided from the LYNX Operations Center, LYMMO Fixed Guideway system, FDOT Park 'n Ride Lots, South Street Facility and Transfer Centers/Superstops.

He explained that all funding from the Department of Homeland Security (DHS) is earmarked for terrorism prevention and deterrence. Mr. Francis provided a list of the funding sources for safety and security.

- 2007 DHS Grant
Fast Track Training - \$908,186
- 2007 DHS Supplemental Grant
Fast Track Training - \$51,104
- 2008 DHS Grant
Fast Track training and Public Awareness Campaign - \$1,313,284
- 2008 DHS Supplemental Grant
Redesign of CCTV/Superstops - \$747,280
- 2009 DHS Grant
Fixed Guideway and Mobile Data Communication System - \$1,696,404
- FDOT JPA
Security Cameras at Park and Rides and Security Equipment at Superstops-
\$463,328
- MPO/UPWP
Grant Funding - \$28,000
- 1% of 5307 Formula Funds
Current fiscal year budget of \$180,000
- 2010 DHS Grant
Physical Hardening/Security of Bus Yard & Maintenance Facilities - \$516,463

Total Funding \$5,904,049

In addition, Mr. Francis discussed the initiatives undertaken in 2009-2010 and those that will be undertaken in the future.

2009-2010 Initiatives:

- Bus Emergency Response Guide (Training)
- LCS Orlando Police Department Substation
- Active Shooter (Training)
- Bus Decontamination
- TSA VIPR (Visible Intermodal Prevention and Response) program
- Joint SWAT Exercise with Orange County Sheriff's Office and Orlando Police Department
- LOC Physical Hardening/Security

Future Initiatives:

- Partnership with TSA VIPR (Visible Intermodal Prevention and Response)
- TSGP (Transit Security Grant) Grant Applications for Maintenance & Sustainment Costs
- Enhance Regional Partnerships

At the conclusion of Mr. Francis' presentation, Ms. Watson added that staff will continue to provide regular updates on the safety and security initiatives.

B. Update on the State Legislative Session

The Chairman recognized J Marsh McLawhorn, Chief Government Affairs Officer, to make the presentation.

Mr. McLawhorn noted that LYNX is represented at the State level by Lena Juarez, JEJ Associates, and Fred Leonhardt, Gray Robinson.

Before beginning his presentation, Mr. McLawhorn reported that in early 2010, LYNX became aware that a retired transit official was discussing with state legislators the concept of privatization of services. He reported that LYNX' CEO, Linda Watson, and Chairman Henley met with this official to discuss this effort and that Mr. Griffith of MV Transportation lent assistance. Prior to a bill being introduced, Ms. Watson and members of LYNX' staff worked to advise lawmakers that LYNX currently privatizes 17%/18% of service and that percentage would increase with the increase in its PickUpLine service. LYNX' staff was discussing locally the opportunity to accomplish efficiencies through the privatization of maintenance or other like areas; however, the initiative being introduced involved only fixed route systems which appeared to be a "carve out" and an unfunded mandate. The initiators of this proposal did not discuss it with the Regional Transit Authorities (RTAs) in advance. The initiative was not successful in this legislative session; however, a study on privatization was approved and CUTR is conducting the study.

Mr. McLawhorn reported on LYNX' 2010 legislative priorities:

- Cellular Communication Devices by Public transit Operators while on Duty was introduced by Representative Doug Holder (R-Sarasota)
Senate: Passed on the 57th day with a 34-4 vote.
House: Added an additional Committee reference and did not bring the bill up for final vote.
- Modification of Chapter 343, Florida Statute, to enable LYNX to enter into Capital Lease Agreements was sponsored by Representative Mike Horner (R-Kissimmee) and Senator Andy Gardiner (R-Orlando). The new language would authorize LYNX to issue capital lease bonds up to \$10 million annually and remove the provision requiring all such bonds to be controlled by the State Division of Bond Finance.
Senate: Passed unanimously with a 36-0 vote.
House: Passed with a 114-1 vote
Once the legislation is sent to the Governor, he will have 15 days within which to sign.
- Transportation Trust Funds
Senate and House agreed to a \$160 million redirection of funds less approximately \$19 million Hillsborough County is required to pay back for a bridge and less federal Medicaid funds reducing the redirection to approximately \$120 million.
- College Transportation Fee (SB 205 – HB255)
Inasmuch as this was not a LYNX priority, staff worked with Gainesville to establish a transportation fee to be added to college credit hour charges. The legislation would allow transit providers to be able to use these funds to provide or improve student transportation services.
Senate: Bill was not taken up for vote.
House: Passed with a 93-7 vote
- Medicaid Reform
Each chamber introduced a measure for Medicaid reform. The House released a \$19 billion reform package that would shift Florida's system to a managed-care model. A mandate that could negatively affect ACCESS LYNX was included. The legislation would have undermined the statutory responsibility of the Commission on the Transportation Disadvantaged (CTD). The Senate chose not to go forward with such a drastic policy change this year.
- Budget Items
With the passage of the 2010/2011 budget on April 30th, the following represents the final budget numbers for the upcoming fiscal year:
 - Public Transit Development/Grants \$200,923,034 (down 3.46%)
 - Rail Development/Grants \$326,160,192 (up 655%)
 - Intermodal Development/Grants \$ 37,165,755 (down 16.97%)
 - Transportation Planning Grants \$ 23,651,665 (up 7.91%)
 - Grants and Aids – TD \$ 38,404,800 (down 4.93%)
 - Medicaide Services – TD \$ 65,486,126 (up 0.10%)

6. Consent Agenda

C. Extension of Contracts

- v. Authorization to Execute the Second Option Year of Contract #08-C04 with JEJ Associates for State Consulting Services; and
- vi. Initiate Process for Reauthorization for LYNX as Designated Recipient of Federal Transit Administration Funds

The Chairman recognized J Marsh McLawhorn, Chief Government Affairs Officer.

Under discussion, Mr. McLawhorn was asked to provide a report on the consulting services of JEJ Associates and Gray Robinson.

Mr. McLawhorn provided that both consultants work as a team with LYNX' staff. He noted that both consultants bring individual strengths and that the relationship that Mr. Gray, Gray Robinson, has with Governor Crist was beneficial in the passing of the "Charter County Bill" in 2009. Mr. McLawhorn also recognized the team for leading the effort to fund the Road Ranger program.

Motion was made and seconded to approve the Consent Agenda Items 6.C.v and 6.C.vi. The motion passed unanimously.

9. Other Business

The Chairman asked if there was other business to bring before the members. Hearing none, the chairman moved the Agenda.

10, Monthly Reports

Monthly Reports are for review purposes only. No action is required

11. Executive Session

Chairman Henley announced that the LYNX Board of Directors will go into Executive Session and called on Pat Christiansen, LYNX General Counsel, to read a statement on how the session will be conducted.

Pat Christiansen, LYNX General Counsel, read the following statement:

Ladies and Gentlemen, in accordance with the public notice posted at the LYNX Administrative Offices, the LYNX governing board will now have an executive session to discuss legal strategies related to ongoing LYNX collective bargaining negotiations. The notice, copy of which is in the possession of Deborah Henderson, the LYNX Agency Clerk, may be reviewed by anyone desiring to do so, stated the time and location of the executive session.

The subject matter of the executive session is limited to discussion between the Chief Executive Officer of LYNX and its governing board regarding legal strategies related to collective bargaining negotiations. Further, please be aware that Florida law prohibits voting on final decisions during these executive strategy meetings. Any action by the

governing board to approve a Collective Bargaining Agreement between LYNX and Amalgamated Transit Union Local 1596 must be voted upon in a public meeting.

This concludes the public session of the LYNX Board of Directors' Board meeting. The executive session will commence in the adjacent Conference Room following this announcement. The only individuals who may remain or participate in the executive session are the following:

James Seegers, Labor Law Relations Attorney, Baker Hostettler;
Linda Watson, Chief Executive Officer, LYNX;
The individual Board members present today.

At the conclusion of the General Counsel's statement, the Chairman announced that after all executive session participants have gathered in the conference room, Bill Zielonka, Director of Safety and Security, will secure the door and no one may enter or leave the room during the executive session. He noted that the executive session should not exceed one hour.

The Chairman asked if any members of the LYNX Board or if the public had any questions concerning the executive session or the procedure.

Hearing no questions, the Chairman temporarily adjourned the LYNX Board of Directors' meeting at 3:10 p.m.

The Chairman, Commissioner Carlton Henley, reconvened the meeting of the LYNX Board of Directors at 3:35 p.m.

Meeting adjourned at 3:35 p.m.