

LYNX Board Agenda

Board Date: 10/23/2008

Time: 10:30 A.M.

LYNX Offices
455 N. Garland Ave.
Orlando, FL 32801

As a courtesy to others, please silence all electronic devices during the meeting.

1. Call to Order & Pledge of Allegiance

2. Approval of Minutes

-  Minutes from the September 25, 2008 Board of Directors Meeting

Pg 5

3. Recognition

- NTI Recognition
- Operator George Carrio - FPTA 3rd Place Operator of the Year
- Service Awards for 25 and 30 year employees
- Recognition of Commissioner Bill Lane for LYNX Board Service

4. Public Comments

- Citizens who would like to speak under Public Comments shall submit a request form to the Assistant Secretary prior to the meeting. Forms are available at the door.

5. Chief Executive Officer's Report

6. Consent Agenda

A. Release Requests for Proposal (RFP)

- i.  Authorization to Increase the Contract Amount by \$200,000 for the Request for Proposal (RFP) for General Consulting Services; Transportation and Financial Planning, Technical Studies, Urban Design and Implementing Geographic Information Systems Pg 14
- ii.  Authorization to Release a Request For Proposal (RFP) for the Operation of Flex Services Pg 17

B. Award Contracts

- i.  Authorization to Contract with the Florida Commission for the Transportation Disadvantaged to Continue to Provide Medicaid Non-Emergency Transportation Services. Pg 20
- ii.  Authorization to Award a Contract for the Design and Construction of a Bio-Diesel Blending Facility Pg 22

C. Extension of Contracts

- i.  Authorization to Execute Second Option Year of Contract with Quest, Inc. to Provide ADA Functional Assessments Pg 25

D. Miscellaneous

- i.  Authorization to Increase LYNX' Staffing Level for a Grant Funded Position for the Department of Homeland Security (DHS), Florida Department of Transportation (FDOT), and Federal Transit Administration (FTA) Programs. Pg 27
- ii.  Authorization to Amend the Lease Agreement with the Florida Department of Transportation to Allow the City of Orlando to Utilize the Amelia Street/Garland Avenue Property for Incidental Parking Supporting the CentroPlex Entertainment District Pg 29

- Attachment  

- iii.  Authorization to Execute Joint Participation Agreement with FDOT for Service Development- SR 434 Crosstown (Link #434) Pg 44

- Attachment 

7. Action Agenda

- A.  2009 LYNX State Legislative Priorities Pg 48
- Presentation 
- B.  Authorization to Implement the Proposed Service Changes and Service Eliminations effective December 7, 2008 Pg 57
- Attachment 
- C.  Authorization of the Proposed Fare Adjustments and Fare Structure, with an effective date of January 4, 2009. Pg 64
- Attachment 
- D.  FY2009 Amended Operating & Capital Budgets Pg 86

8. Other Business

9. Monthly Reports

(For Review Purposes Only - No action required)

- A.  Monthly Financial Reports - July 31, 2008 Pg 88
- Attachment 
- B.  Ridership Report Pg 95
- C.  Planning & Development Report Pg 96
- D.  Legislative Update Pg 101
- E.  Marketing Report Pg 104
- F.  Monthly Employee Travel Report Pg 111

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans With Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Tirado at 455 N. Garland Ave, Orlando, FL 32801 (407) 841-2279, extension 3012, not later than three business days prior to the meeting. If hearing impaired, contact LYNX at (407) 423-0787(TDD).

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: **September 25, 2008**

TIME: **10:31 a.m.**

Members in Attendance:

Seminole County Commissioner, Carlton Henley, Chair
Osceola County Commissioner, Bill Lane, Vice Chair
FDOT District 5 Secretary, Noranne Downs, Secretary
City of Orlando, Mayor Buddy Dyer
Orange County, Mayor Richard Crotty

Members Absent:

1. Call to Order and Pledge of Allegiance

The Chairman, Commissioner Carlton Henley, called the meeting to order at 10:31 a.m. and asked Mayor Richard Crotty to lead the Pledge of Allegiance.

2. Approval of Minutes

Motion was made and seconded to approve the Minutes of the August 21, 2008 Board of Directors meeting. The motion passed unanimously.

3. Public Comments

Robert Menzel addressed the Board regarding issues his daughter has experienced utilizing ACCESS LYNX. He noted system improvements needed for scheduling, dispatch, time of arrivals, and reported “no shows”. Mr. Menzel encouraged a review of these issues.

Mayor Crotty thanked Mr. Menzel for bringing this issue to the Board’s attention.

LYNX CEO, Linda Watson, also thanked Mr. Menzel and informed the Board a presentation will follow later on the agenda regarding ACCESS LYNX.

Charlie Klein addressed the Board regarding the Bus-Hub System (www.tollsgreidlock.org) as an opportunity to provide service to the community and designed similar to that of the airline's hub. He noted that he has made presentations to the Orange County Board of County Commissioners, METROPLAN, and LYNX. The system calls for shuttle buses and transfer stations and would complement commuter rail.

Jack Couture introduced himself as Chairman of the LYNX Transit Advisory Committee and member of the METROPLAN Coordinating Board. He encouraged consideration for the elimination of transfers. He also encouraged the use of smaller buses to service more areas and expansion of advertising on buses.

Carol Welch waived her request to speak.

Sherri Brun was concerned that during the Public Workshops and Hearings, Board members and County Commissioners were not present to hear the concerns of the public. Ms. Brun encouraged consideration of the public's views and suggestions to maintain the current level of service, expansion of allowable bus advertising, increased partner funding, and opportunities for dedicated funding sources.

Cheryl Stone addressed the Board regarding proposed service reductions. She also noted the absence of Board members and County Commissioners at Public Workshops and Hearings with the exception of City of Ocoee, Mayor Vandergrift. Ms. Stone was concerned that with the reduction of fixed routes, an increased burden will be experienced by the more costly ACCESS LYNX system. She encouraged the evaluation of a route system dedicated to employed customers and consideration of discounts for veterans.

Evelyn Dawursk addressed the Board regarding proposed fare increases. As the previous speaker, she noted the Public Workshops and Hearings were not attended by Board members and County Commissioners.

Joanne Cormelis addressed the Board and discouraged cutting services. She encouraged providing 24 hour service 7 days a week including holidays and weekends.

Lawrence Insana encouraged the members to not cripple the system with the proposed service reductions and consideration for the disabled community when reviewing fare increases. Mr. Insana suggested extending Link 6.

The Chairman thanked the speakers for their time and input. On behalf of the Board members, the Chairman expressed regret for the availability of the members to attend all meetings but noted the Board's reliance on Staff to advise them and the funding partners on the outcome of meetings.

4. Chief Executive Officer's Report

The Chairman recognized Linda Watson, Chief Executive Officer, who reported on the status of the Statewide Bus Procurement process. LYNX is leading the effort on behalf of 24 members of the Florida Public Transportation Association (FPTA) for the purchase of Heavy Duty Diesel and Hybrid Buses.

Over the next 5 years, Florida transit systems will be purchasing approximately 1,800 vehicles. In order to ensure the best volume pricing, a pooled procurement process is utilized.

5. Consent Agenda

A. Release Requests for Proposal (RFP)

- i. Authorization to Release Request for Proposal (RFP) for General Consulting Services; Transportation and Financial Planning, Technical Studies, Urban Design and Implementing Geographic Information Systems
- ii. Authorization to Release Request for Proposal (RFP) for Temporary Staffing Services

B. Award Contracts

- i. Authorization to Award a Contract to Solantic of Orlando, LLC for Providing Occupational Health Services
- ii. Ratification of the Chairman's Authorization to Enter into an Agreement with State Farm Mutual Automobile Insurance Company for Advertising under the Road Rangers Program

C. Extension of Contracts

- i. Authorization to Execute the One Year Renewal Option with Public Risk Insurance Agency for Renewal of Property, Liability, Excess Workers' Compensation and Allied Insurance for FY 2008/2009

D. Miscellaneous

- i. Authorization to Execute a Supplemental Joint Participation Agreement (JPA) #420523-1-84-01 with Florida Department of Transportation District for the Clermont Express Service/Link 204

Motion was made and seconded to approve the Consent Agenda Items.

Under discussion, the Chairman asked Staff to provide additional information concerning 5.A.i. The request is for the Release of an RFP for General Consulting Services, etc., at a cost "not to exceed" \$200,000 per fiscal year per each consulting firm, with a minimum number of three consulting firms and covering a three-year period. The Chairman noted his concern for the implementation and expenditure of \$600,000 for each of the contracted three years based on the current budget.

Staff elaborated on the need for the availability of the consulting firms to assist in the implementation of the service planning reductions.

Motion was amended by the maker and seconded to approve the Consent Agenda Items excluding Item 5.A.i.

Under discussion, Secretary Downs asked Staff if the current contract to include extensions had expired with the consulting firm that had provided the planning reduction services and whether the request for an RFP was required for the implementation. Staff explained that the release of an RFP was needed for a minimum of \$100,000 from the FY2009 to maintain the continuity of service planning.

Motion was made and seconded to approve the release of an RFP as requested in Consent Agenda Items 5.A.i. in the amount of \$100,000.

Under discussion, Mayor Crotty stated that he would like the item brought back to the Board at the October meeting for full discussion of the Chairman's concern for the implementation and expenditure of \$600,000 for each of the contracted three years based on the current budget.

The motion passed unanimously.

6. Work Session

A. Update on the Public Hearings for the Proposed December 7, 2008 Service Changes and Proposed January 2009 Fare Increase

The Chairman recognized Darrell Smith, Runways Transportation Company, to make the presentation.

Staff has conducted two Public Workshops in July with approximately 600 attendees and four Public Hearings, two in Orange County, one in Seminole County and one in Osceola County, concerning the possible service reductions and a fare increase with approximately 200 attendees. Since the completion of the Hearings, approximately 100 additional public comments have been received. All service changes proposed through this process will be considered for implementation effective December 7, 2008 and the proposed fare increase will be considered for implementation in January 2009.

Last year, Staff was tasked with saving \$2,500,000 in service change efficiencies for FY2008. In August, the first of those service changes were implemented for approximately \$700,000 annual savings. The impact of the initial changes is being reviewed. Staff has noted that Link 102, the new 15-minute headway corridor along Orange Avenue/US 17-92 between LYNX Central Station, Florida Hospital, Winter Park and US 17-92 and SR 436, is standing room only in the afternoon and that Link 125, the new Silver Star Road/Florida Hospital/LYNX Central Station corridor, is severely over-crowded and creating a more than 20-minute delay. A 20-minute headway is needed on the Link 125 to accommodate its demand.

Staff is continuing to research opportunities for additional savings. As with the PickUp Line in Poinciana, an approach is utilization of small-vehicle circulators. This approach would be similar to the Bus-Hub System and would be a workable solution for some outlying service areas to meet demand beyond ACCESS LYNX without the operating expense of fixed-route service.

CEO, Linda Watson, added that as much as an additional \$1,000,000 savings could be realized by removing fixed-route service and utilizing small-vehicle circulators in the outlying service areas. Implementation of this efficiency would take approximately 6-months saving \$500,000 in FY2009 if Staff was directed to pursue the change. This service could be privatized.

The Board directed Staff to pursue this approach.

The Chairman asked if the Board had further questions or comments on Staff's presentation of the proposed service changes or fare increase. The Chairman recognized Commissioner Lane.

Commissioner Lane noted that Osceola County is a growing service area and that he has been working with county staff together with LYNX staff to improve service efficiency while generating savings. The Commissioner asked that the following statement be placed on record:

Osceola County is committed to working with LYNX to improve the efficiency of its transit system. I have worked with LYNX staff and agree with their efficiency suggestions. I have learned that by restructuring Link 18 (to serve Buenaventura Blvd., Florida Parkway, Wal-Mart on Osceola Parkway, and Michigan Avenue), we can discontinue the unproductive Link 12.

I was also encouraged by the introduction of the PickUp Line to Poinciana. The proposal to replace the meandering loop of Link 26 with a PickUp Line circulator is a more efficient use of our existing funds.

With these changes, Osceola will work to improve the Link 10 to St. Cloud using the savings to operate this Link far later into the evenings while improving connectivity to major employment partners and the Osceola Health Clinic (also, Disney, Valencia Community College). By doing this we will strengthen the performance of three of our seven routes while discontinuing the Link 12 which is our worst performer. This will give Osceola County a stronger transit network prepared for future growth.

We will be able to complete this while saving \$300,000 annually, leaving the County \$200,000 in LYNX funding that we are working to address.

7. Action Agenda

A. Authorization to Amend Contract #06-034 with MV Transportation, Inc. to Increase the Contract "Not to Exceed" Dollar Amounts

The Chairman recognized Lisa Darnall, Chief Operating Officer, for presentation.

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to amend Contract #06-034 with MV Transportation, Inc., by increasing the Contract "Not to Exceed" dollar amount in the amount of \$600,000 in FY2008 and \$1,500,000 in FY2009, which provided a total Contract amount of \$15,383,616 and \$16,008,935 respectively.

ACCESS LYNX paratransit services are contracted to MV Transportation. The Contract was awarded in October, 2006. Since the Contract was awarded, additional services and a drastic increase in trip volume have increased the expenses associated with the Contract.

The trip volume has exceeded the initial projections in the RFP. A large portion of this increase is a direct result of the Medicaid Health Maintenance Organizations (HMOs) no longer being the provider of Medicaid non-emergency transportation services o their enrollees.

The program's expenses were increased with the implementation of the PickUp Line feeder service in the Poinciana community. The program is partially grant funded however, it was not funded at the time of the Contract's inception and therefore, not included in the "Not to Exceed" amount.

The Chairman asked if the \$600,000 requested funding would be attributed to the FY2008 budget and if so, were the funds available. Staff responded the funds would come from the FY2008 budget without the need for a budget amendment. The Chairman noted the utilization of funds would effect the current budget carryforward.

Motion was made and seconded authorizing Amendment to Contract #06-034 with MV Transportation to Increase the Contract "Not to Exceed" Dollar Amount. The motion passed unanimously.

B. Alternative for SIB Loan Repayment

The Chairman recognized Bert Francis, Chief Financial Officer, for presentation.

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to increase the amount of federal preventive maintenance funding in the amount of \$1,470,835 to support the "swap" of local funds needed to pay the October 1, 2008 repayment amount, if needed.

LYNX entered into an agreement with the Florida Department of Transportation (FDOT) in 2006 to secure a State Infrastructure Bank Loan (SIB Loan). LYNX has expended \$2,640,000 as a match to a FDOT Transportation Regional Incentive Program (TRIP) Grant and \$199,632 as a match for Automatic Vehicle Locator (AVL) equipment.

Recent legislative changes allow Federal Surface Transportation Program funds (XU/STP funds) to be used as a source of repayment. Staff has requested FTA approval to use the funds to support the SIB loan repayment.

If FTA approves the request, the use of XU/STP funds will be processed as part of the regular grant application. If the request is not approved, Staff is requesting the "swap" of local funds for additional preventative maintenance funds to support the October 1, 2008 repayment amount.

Motion was made and seconded authorizing an increase of the amount of federal preventive maintenance funding in the amount of \$1,470,835 to support the “swap” of local funds needed to pay the October 1, 2008 SIB Loan repayment amount, if needed. The motion passed unanimously.

C. Adoption of the FY2009 Operating and Capital Budgets

The Chairman recognized Bert Francis, Chief Financial Officer, for presentation.

Staff presented the FY2009 Operating and Capital Budgets to LYNX’ local funding partners and re-examined assumptions and the cost of providing the same level of service for the next fiscal year exceeds revenue.

The proposed Operating Budget for FY2009 is \$129,128,042 while the proposed Capital Budget is \$28,448,245. The total budgetary shortfall of \$5,335,672 includes the operating shortfall of \$4,330,578, plus a capital shortfall in the amount of \$1,005,094. The \$1,005,094 represents the capital portion of the annual bus lease for the twenty-one buses.

Under discussion, CEO, Linda Watson, noted that the funding shortfall can be reduced further by approximately \$500,000 for additional service efficiencies in addition to the approximate \$300,000 for Osceola County efficiencies explained earlier by Commissioner Lane. With this additional \$800,000 savings, the total funding shortfall would be approximately (\$3.6 million).

The Board inquired if there were additional identifiable efficiencies that could reduce the shortfall further. Ms. Watson responded that after the service planning that is currently underway is finished, additional service efficiencies could potentially be identified.

The Board further inquired if Preventive Maintenance funds could be utilized for operating to reduce the shortfall further. Ms. Watson responded that there is approximately \$2,000,000 in Federal Capital Funds that Staff believes would be eligible to be reallocated and used for Preventive Maintenance/Operating Funding. In follow-up, the Board asked if this would reduce the total funding shortfall to approximately (\$1.6 million). Ms. Watson responded that would be correct.

The Board questioned Ms. Watson as to whether other Federal Capital Funds had been identified. She responded that Federal Capital Funds are normally used for bus replacement and by utilizing the \$2,000,000 for Operating Funding; LYNX could not replace 5 buses in 2009. However, with the service reductions, buses will be removed from the fleet. Ms. Watson reminded the Board that previous utilization of these funds for this purpose resulted in severe consequences by the inability to replace the aging fleet.

The Board inquired if other than Local Funds, Reserves, and Federal Capital Funds, were there additional identifiable sources of funds for reducing the funding shortfall. Ms. Watson explained that LYNX does not have Contingency Funds, Reserves, or Departmental Funds that can be identified for reallocation.

Orange County Mayor Crotty committed that he and the County, as LYNX' funding partner, is making genuine efforts to design an equitable short-term solution as it impacts the current make-up of LYNX Board of Directors. He encouraged the LYNX Board to look to the future for a permanent solution to the management and financing of the organization and the context in which it operates. While there are immediate financial challenges facing local governments and LYNX' funding partners specifically, since 2005, Orange County has had the largest funding increase of 16.6% equating to approximately \$41 per citizen of the County. Orange County's funding increase nearly doubles the next county. Whether or not there is fairness in the funding formula (which the Board should have honest and meaningful discussion about in the near future) or Orange County's economic situation, the Orange County Board of County Commissioners cut all but three of its agency budgets: Sheriff's Office, Orange County Jail, and LYNX. As pointed out in the presentation today, Orange County increased LYNX funding by \$2,000,000. At a time the funding partners scrambled to find funding solutions for LYNX, it should be noted that over the past two years, its Reserve Funds have increased from approximately \$5.5 million to \$15 million. Mayor Crotty committed to the Board his willingness to work in the spirit of cooperation to look for future solutions.

Motion was made by Mayor Crotty that Reserve Funds be utilized to fund the total budget shortfall of \$1,607,572. In addition, Osceola and Seminole Counties' percentage of increase over what they paid last year, be the same percentage increase that the \$2,000,000 funded by Orange County represents (which is approximately 5%); thereby utilizing approximately \$736,000 to limit Osceola and Seminole Counties increase to the same amount. In fact, returning money to those partners making the total utilization of Reserve Funds approximately \$2,343,572. The exact amounts can be modified based on the recalculation of the funding amount and the final figures adjusted accordingly. Motion was seconded.

Under discussion, the Board noted that additional cuts for efficiencies would not be appropriate at this time based on the balancing of the budget. The Board asked staff to conduct a Board workshop to discuss the Funding Formula, Reserves and Preventive Maintenance. Staff was requested to prepare a policy document regarding the use and replacement of reserves. Staff was requested to provide the Board with a line item budget.

The Chairman called for a vote on the Motion. The Motion passed with four in favor and Chairman Henley in opposition.

D. Authorization to Enter into the FY2008-2009 Service Funding Agreements with the Regional Funding Partners

The Chairman recognized Bert Francis, Chief Financial Officer, for presentation.

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to enter into funding agreements with the regional Funding Partners listed for the provision of public transportation services corresponding with its respective funding contribution for the Fiscal Year 2008-2009 Budget. The actual amounts of the agreements will be determined based on the Boards' approval of the budget.

Motion was made and seconded authorizing the funding agreements with the regional Funding Partners for the provision of public transportation services corresponding with its respective funding contribution for the Fiscal Year 2008-2009. The motion passed unanimously.

8. Other Business

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

9. Monthly Reports

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

Meeting adjourned at 12:25 p.m.

Consent Agenda Item #6.A.i.

To: LYNX Board of Directors

From: Lisa Darnall
CHIEF OPERATING OFFICER
Rik Smith
(Technical Contact)

Phone: 407.841.2279 ext: 6036

Item Name: Authorization to Increase the Contract Amount by \$200,000 for the Request for Proposal (RFP) for General Consulting Services; Transportation and Financial Planning, Technical Studies, Urban Design and Implementing Geographic Information Systems

Date: 10/23/2008

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to increase the contract amount by \$200,000 for the Request for Proposal (RFP) for General Consulting Services for Transportation Planning, Technical Studies, Urban Design and Implementing Geographic Information Systems covering a three-year period with two one-year options. The contracts will be issued at a combined annual "Not to Exceed" amount of \$300,000 per fiscal year, to a minimum of three consulting firms as detailed in the RFP process.

BACKGROUND:

This item was presented at the September 2008 LYNX Board of Directors meeting but was only approved for \$100,000. The Board requested that additional information be provided at the next Board meeting. This action would increase the authorization by an additional \$200,000 without impacting the approved budget, most of which is grant funded.

These general consultants serve as an extension of LYNX staff through the provision of technical expertise, the development of short and long-range comprehensive transportation plans, GIS strategic planning, transit systems and operations planning, land use planning, transit cost estimating, public relations, marketing, public information, and project management.

The following are examples of planned projects we included in the FY2009 budget:

- Service design staff support for reviewing and implementing updates in LYNX routing including flexible deviation of fixed-routes
- Map update of the Trapeze FX scheduling software to ensure accuracy when calculating miles and hours data as required for reporting to the National Transit Database
- Evaluation of the current Geographic Information Services (GIS) network for optimal configuration of access for the LYNX Intranet and LYNX ArcIMS applications, including installation of new software, design and implementation of the database structure, and migrating current geo-databases to the new SDE format
- Transit system monitoring evaluation to determine the effectiveness of and the customer satisfaction with LYNX services
- Bus stop inventory update to include more detailed information related to stop level accessibility to individuals with disabilities for use in fixed route and paratransit service planning and eligibility determinations
- Financial assistance in the areas of financial planning, budgeting, etc.
- Various planning projects that may be required throughout the year

LYNX is requesting a statement of qualifications and proposals from firms interested in and capable of providing general consultant services in the area of transportation planning, technical studies, financial budgeting and special analysis, urban design and implementing geographic information systems (GIS) on an "as needed basis" in an efficient and cost effective manner. Firms will be pre-qualified based upon their demonstrated expertise through the RFP process to allow LYNX to issue tasks by work orders without requiring the RFP process for each work order. Work orders will be issued to the firm with the most expertise related to the task.

This RFP, including supporting documentation, will provide proposers with all information necessary to prepare and submit a written proposal for general consulting transportation planning services in four (4) areas of expertise including but not limited to:

- Transportation and Financial Planning – transit operations and maintenance planning, deviated fixed route and demand response service planning, multimodal urban corridor transportation planning, fixed guideway transit system planning, environmental planning, short and long term transportation and strategic planning, public outreach, marketing, project management, financial management and traffic engineering.
- Technical Studies – data collection, travel demand forecasting, corridor designation studies, transit route studies, project development, environmental studies, traffic planning and data development studies, transportation financial and economic analysis, ridership forecasting and impact fees studies.
- Urban Design – short and long-term transportation plans, development of regional impact, land use, parking and design studies, traffic operations and design, downtown circulation studies and landscape architecture.
- Implementing Geographic Information Systems – GIS services, on-site and GIS strategic planning analysis, data collection and design, eminent domain, preliminary and final roadway design, data inventory, and GIS support.

RFP PROCESS

In accordance with the Consultants Competitive Negotiation Act (CCNA), Florida Statutes, Title 19, chapter 287, Section 287.055, LYNX will competitively select three (3) consultant teams for general planning services. This is the minimum number as required by the statute.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

LYNX procurement policies require prime contractors to use their best efforts to subcontract a portion of their work to DBE firms. However, each DBE goal will be determined with the development of each scope of work.

FISCAL IMPACT:

Staff is requesting authorization of an additional \$200,000 for a combined annual “Not to Exceed” amount of \$300,000 per year, which is included in the FY2009 budget and would only be spent if needed.

Consent Agenda Item #6.A. ii

To:	LYNX Board of Directors
From:	Lisa Darnall CHIEF OPERATING OFFICER William Hearndon (Technical Contact) Rik Smith (Technical Contact) Rich Bannon <<Technical / Project Lead Title 3>>
Phone:	407.841.2279 ext: 6036
Item Name:	Release Requests for Proposal (RFP) Authorization to Release a Request For Proposal (RFP) for the Operation of Flex Services
Date:	10/23/2008

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to issue a Request for Proposal (RFP) for the operation of Flex service through a private transportation provider.

BACKGROUND:

LYNX ridership continues to grow and broke another record with over 26 million passenger trips in FY 2008. Staff has studied each Link in our system and has determined that several community routes may be better served with a less expensive Flex services operated through a private transportation provider.

Recognizing the benefits of the flexible "On Demand" services successfully provided in Poinciana, LYNX has determined that a Flex service would be beneficial in providing transit in areas that do not necessitate fixed route service operating full size LYNX buses. In an effort to meet the growing demand, at a lower cost, LYNX will eliminate bus service on routes and replace it with lower cost services operated with small vehicles by a third party contractor.

Flex services have some characteristics of both fixed route and demand-responsive service. In areas where demand for travel follows certain patterns routinely, but the demand for these patterns is not high enough to warrant fixed route, service options such as check point service, point deviation, route deviation, service routes, or subscription service might be the answer.

Flexible route service follows a direction of travel but allows for deviation or rerouting along the way to accommodate specific trip requests. Examples of flexible route systems are route deviation and point deviation. The schedule may be fixed or flexible.

With route deviation service, vehicles travel along a prescribed route at scheduled times and maintain scheduled or unscheduled checkpoint stops. The vehicle may leave and return to the route to pick up persons who have requested demand responsive trips near the route. Passengers may call in advance for route deviation or may access the system at predetermined route stops. The limited geographic area within which the vehicle may travel off the route is known as the route deviation corridor. This type of flexible routing essentially meets demand responsive (ADA paratransit) service requests with a fixed route. It is often the best option for higher density rural areas where travel patterns are consistent but isolated riders cannot get to the route because they cannot walk the distance needed or they use a wheelchair and there are no sidewalks.

Point deviation service is a type of flexible route transit service in which fixed scheduled stops (points) are established but the vehicle may follow any route needed to pick up individuals along the way if the vehicle can make it to the fixed points on schedule. This type of service usually provides access to a broader geographic area than does fixed route service but is not as flexible in scheduling options as demand responsive service. It is appropriate when riders change from day to day but the same few destinations are consistently in demand. Point deviation service is sometimes called checkpoint service. The PickUpLine currently operated in Southern Poinciana could be considered an example of point deviation service.

Current recommended areas for implementation include Northern Poinciana, Ocoee, Bithlo and possibly Oviedo. Areas under consideration for implementation include south Apopka/north west Pine Hills, Florida Mall, Osceola Square Mall, and south east Sanford.

The contracted transportation service options to be considered by LYNX are intended to be equal in quality to other LYNX services.

Projected schedule of the proposed RFP:

Issuance of the Request for Proposal	October 2008
Written Questions Due	October/November 2008
Due Date for Proposals	November 2008
Source Evaluation Meeting Phase II	November/December 2008
Source Evaluation Meeting Phase III	November/December 2008
Oral Presentations, if necessary	December 2008
Board Approval	January 2009

The contract will be offered for three years with two one year options. The RFP will request respondents to bid with various options, including LYNX providing the vehicles, facilities, fuel, maintenance, computer software and hardware and for the services. Estimated cost savings of contracting flex services in lieu of operating fixed route service could be as much as 33%.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION

LYNX has established an overall goal of 10% participation by certified Disadvantaged Business Enterprises (DBE) in procurements of goods and services. All businesses considered DBE for the purposes of achieving this goal must provide the RFP respondent a current certification from the approved U.S. Department of Transportation (DOT) Unified Certification Program within the State of Florida to be included with the RFP bid/proposal.

FISCAL IMPACT

The fiscal impact of this request will be less than existing expenses for the current service. The effort to outsource some lower ridership routes is designed to save overall operating expenses. Therefore, the evaluations will include a cost component for LYNX to determine the overall savings to our operating budget.

Consent Agenda Item #6.B. i

To: LYNX Board of Directors

From: **Lisa Darnall**
CHIEF OPERATING OFFICER
William Hearndon
(Technical Contact)
Blanche Sherman
(Technical Contact)

Phone: 407.841.2279 ext: 6036

Item Name: Award Contracts
Authorization to Contract with the Florida Commission for the
Transportation Disadvantaged to Continue to Provide Medicaid Non-
Emergency Transportation Services.

Date: 10/23/2008

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to execute a contract with the Florida Commission for the Transportation Disadvantaged (CTD) to continue to provide Medicaid Non-Emergency Transportation services.

BACKGROUND:

In the State of Florida's 2005 fiscal year, the Agency for Health Care Administration (AHCA) contracted with the Florida Commission for the Transportation Disadvantaged (CTD) to administer AHCA's Medicaid Non-Emergency Transportation (NET) program. The CTD then contracted with local Community Transportation Coordinators (CTCs) and Subcontracted Transportation Providers (STPs) to provide the NET services.

The initial contracts are still in place, but through eight amendments they have been extended, had dollars added, and had minor changes made to their terms and conditions. Current contracts and amendments expire on November 30, 2008.

Over the past year, the CTD and AHCA have been negotiating terms and conditions of a new contract that is expected to be implemented on December 1, 2008. However, that new contract has not been finalized at this time. Attached is the most recent draft of the contract between the CTD and AHCA. Our contract will mirror theirs.

The new contract is expected to be received in mid-November. This authorization is being requested in advance of receipt of the contract to avoid an 11-day gap between the expiration of our current contract and amendments and the approval by the Board of Directors at their December 2008 meeting.

The new contract will be a standardized statewide contract for which we have no ability to modify, only to accept or decline. A copy of the contract will be provided upon request.

FISCAL IMPACT:

The new contract will be funded at our current monthly allocation of \$476,893. This amount has been included in the FY 2009 operating budget.

Consent Agenda Item #6.B. ii

To: LYNX Board of Directors

From: **Lisa Darnall**
CHIEF OPERATING OFFICER
Joe Cheney
(Technical Contact)
Bryan Stutts
(Technical Contact)
Ricky Sonny
(Technical Contact)

Phone: 407.841.2279 ext: 6036

Item Name: Award Contracts
Authorization to Award a Contract for the Design and Construction of a Bio-Diesel Blending Facility

Date: 10/23/08

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to award a contract for the design and construction of the Bio-Diesel Blending Facility in the amount not to exceed \$879,949 and to amend the FY2009 capital budget accordingly.

BACKGROUND:

At the April 24, 2008 LYNX Board of Directors' meeting, staff received authorization to release a Request for Proposal (RFP) for the Design and Construction of a Bio-Diesel Blending Facility, which was released on June 24, 2008. Proposals were due to LYNX by 2:00 PM EST on Friday September 14, 2008.

Four responses were received from the following firms:

- Petroleum Equipment Construction
- Newco Construction of America
- Don Wood Inc
- Albertelli Construction

The Source Evaluation Committee (SEC) consisted of the following personnel:

- Steven Robinson, Superintendent of Maintenance, LYNX
- Jeff Reine, Transportation Planning Project Manager, LYNX
- F. J. Flynn, AICP, City of Orlando Transportation Department
- Kevin Robinson, Orlando Utility Commission
- Hamp Pridgen, Orange County Environmental Protection

The proposals were evaluated on the following criteria in descending order of importance:

- Cost: Best Overall Value
- Firm's past experience in transit facilities design and ability to complete a project "on time" and "within budget"
- References

The SEC met on Wednesday October 8, 2008 to discuss the four responses.

The scoring of the proposals submitted is as follows based on a total possible score of 500:

<u>Vendor</u>	<u>Score</u>
Don Wood Inc	431
Albertelli Construction	375
Newco Construction of America	301
Petroleum Equipment Construction	274

After the discussion, the committee recommended the firms of Don Wood, Inc. and Albertelli Construction be invited back to conduct presentations on their proposals and to respond to several questions asked by the SEC.

The SEC met on Monday October 13, 2008 to hear oral presentations.

After the conclusion of both presentations the scoring of the proposals was as follows out of a total possible score of 500:

<u>Vendor</u>	<u>Score</u>
Don Wood Inc	446
Albertelli Construction	382

After discussions, the committee unanimously recommended the award be made to Don Wood Inc. in the amount of \$879,949. The recommendation was based upon the following factors:

- Don Wood Inc. offers a solid track record in the design and construction of fueling storage and distribution systems.
- During his fifty plus years, he has not defaulted on a project.

LYNX Board Agenda

- Offered a split 5,000/10,000 gallon above ground tank with a reduced foot print, thereby allowing future expansion.
- The generator being provided has a 30% reserve capacity.
- Completed a biodiesel blending station for Branch Oil.
- During the presentation Don Wood stated the price proposed was a solid price and he is sensitive to unexpected cost increases.

The proposed cost submitted by Albertelli Construction was \$724,000. Their proposal did not cover all the areas or address issues which may occur during the construction of the project.

The following areas were deficient or not specifically answered during oral presentations:

- The proposal did not address the possibility of “dewatering” of the construction site. When asked during the presentation of the estimated cost, an estimate of \$40,000 to \$50,000 was given as a worse case scenario.
- The generator capacity would not be sufficient.
- The proposal stated the use of asphalt to replace the concrete removed. The SEC asked what the additional cost would be to replace the asphalt to 4,000 psi concrete to match the existing area. A cost estimate of \$6,250 was given.
- No prior experience relevant to this project.

The SEC did not believe that Albertelli fully understood this project. The committee was concerned that there were too many unknowns in their proposal to consider them for the award.

FISCAL IMPACT:

The design build phase is a part of the \$2.5 million Florida Department of Environmental Protection Renewable Energies Grant that LYNX was awarded - the construction phase costs of this project will be cost neutral and in an amount not to exceed \$879,949 and the capital budget will be amended accordingly.

Consent Agenda Item #6.C. i

To: LYNX Board of Directors

From: Lisa Darnall
CHIEF OPERATING OFFICER
William Hearndon
(Technical Contact)

Phone: 407.841.2279 ext: 6036

Item Name: Extension of Contracts
Authorization to Execute Second Option Year of Contract with Quest, Inc.
to Provide ADA Functional Assessments

Date: 10/23/2008

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to execute the second option year of Contract #04-016 with Quest, Inc., to provide Paratransit Functional Assessment and Travel Training services

BACKGROUND:

In August 2004, an Invitation For Bid (IFB) for Paratransit Functional Assessment and Fixed Route Travel Training was released. The IFB was sent to multiple human service, social service, medical service, and other private providers within the tri-county area. Quest, Inc., the incumbent, was the sole respondent to the IFB.

Quest, Inc. was awarded a contract (#04-016) for Paratransit Functional Assessment and Fixed Route Travel Training for three years (expiring December 31, 2007), with two one-year renewal options. The contract is currently in its first option year (expiring December 31, 2008). Quest, Inc. has been contacted and is willing to accept the second one-year renewal option with the existing contract terms.

Functional assessment is an in-person assessment that screens ACCESS LYNX applicants to ensure that they truly need paratransit service and cannot access the LYNX fixed route service. Travel training teaches those who are denied ACCESS LYNX eligibility and/or those who want to learn how to access the LYNX fixed route service.

By providing functional assessment and travel training services, LYNX is able to transition customers from our ACCESS LYNX service to our Fixed Route service. LYNX experiences a savings of approximately \$30 for each one-way passenger trip transitioned.

FISCAL IMPACT:

Quest, Inc. is reimbursed a flat monthly fee for functional assessment services and an hourly reimbursement for fixed route travel training services. Annual expenses of \$185,711 have been included in the FY09 budget.

Consent Agenda Item #6.D. i

To: LYNX Board of Directors

From: Bert Francis
CHIEF FINANCIAL OFFICER
Blanche Sherman
(Technical Contact)

Phone: 407.841.2279 ext: 6047

Item Name: Miscellaneous
Authorization to Increase LYNX' Staffing Level for a Grant Funded Position for the Department of Homeland Security (DHS), Florida Department of Transportation (FDOT), and Federal Transit Administration (FTA) Programs.

Date: 10/23/2008

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to increase the staffing level for a grant funded position of Safety & Security Planning Specialist to assist with the design, implementation and management of the Department of Homeland Security (DHS), Florida Department of Transportation (FDOT), and Federal Transit Administration (FTA) programs.

BACKGROUND:

The Safety & Security Planning Specialist position will design, implement and manage aspects of the various safety and security grant programs. This position will be responsible to ensure that all activities relating to the Department of Homeland Security (DHS), Florida Department of Transportation (FDOT), and Federal Transit Administration (FTA) programs fulfill the grant program requirements.

This position is funded 100% from DHS, FDOT, and FTA grants and is contingent upon continued future grant funding. Eligible activities for this position will be limited and will meet all program requirements identified in the grant contracts. The Safety & Security Planning Specialist will be responsible for overseeing basic Mass Transit Security training courses, coordinating internal and external training staff, public awareness campaigns, multi-disciplinary

LYNX Board Agenda

training, and the upgrading and centralization of the LYNX Central Station CCTV Control Center.

LYNX is pleased with the opportunity to implement several new programs and to continue current programs. Through the proactive efforts of staff, LYNX is the recipient of four (4) new safety and security grant awards in FY2008/2009.

FISCAL IMPACT:

Position	Minimum Pay	Median Pay	Maximum Pay
Safety & Security Planning Specialist	\$37,552	\$45,062	\$56,328

The funding for the Safety & Security Planning Specialist position will be included in the amended FY2009 Operating Budget and is 100% grant funded. This position will end when the grant funds are expended and will not be included in future staffing numbers.

Consent Agenda Item #6.D. ii

To: LYNX Board of Directors

From: Edward Johnson
CHIEF OF STAFF

Phone: 407.841.2279 ext: 6058

Item Name: Miscellaneous
Authorization to Amend the Lease Agreement with the Florida Department of Transportation to Allow the City of Orlando to Utilize the Amelia Street/Garland Avenue Property for Incidental Parking Supporting the CentroPlex Entertainment District

Date: 10/23/2008

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to amend the lease agreement with the Florida Department of Transportation and negotiate and execute a license agreement with the City of Orlando to utilize the Amelia Street/Garland Avenue property for incidental parking supporting the CentroPlex Entertainment District.

BACKGROUND:

In August 2007, the Board of Directors authorized staff to execute an inter-local agreement with the Florida Department of Transportation (FDOT) to utilize its property located at the intersection of Amelia Avenue and North Garland Street for the parking of LYNX transit vehicles, staff cars and employee/visitor parking. This agreement has an initial five-year term with a one five-year option at no cost to LYNX except for maintenance and securing of the property.

Since that time, staff was approached by the City of Orlando to utilize the property for incidental parking to support the entertainment venues within the Orlando CentroPlex district. Staff along with City representatives met with FDOT staff to determine how to appropriately handle this extended use. FDOT has tentatively agreed to this additional use; however, has determined that

certain requirements would have to be met to satisfy state and federal regulations that relate to generating revenue from government funded land.

FDOT staff informed both LYNX and the City of Orlando that revenue generated from government funded land may be used to cover construction, operations and maintenance expenses or placed back into public services such as public transportation. With the increased space needed to support the incidental parking needs of the City, the land will require certain improvements to accommodate the number of cars as well as satisfy the City's land use codes. The cost for the improvements will be recovered by the parking fees generated from the events held at the entertainment venues.

This relationship with the City of Orlando will have a positive affect for LYNX. First, the City of Orlando will assist with covering a significant portion of the cost to ensure the lot is suitable for parking. Second, by teaming with the City in this effort, we believe that the process for securing the necessary permitting should be fast-tracked to align with the City's entertainment activities. Third, there is a potential for additional revenue to be used for public transportation. Last, LYNX will have sufficient parking for its visitors and support vehicles.

FISCAL IMPACT:

At this time the cost for site improvements have not been finalized. Once the costs have been confirmed, staff will provide the Board with an update.

**SECOND ADDENDUM TO LEASE AGREEMENT
DATED AUGUST 31, 2007 BETWEEN STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION AND LYNX**

THIS SECOND ADDENDUM TO LEASE AGREEMENT is dated _____, and is entered into by and between the State of Florida, Department of Transportation (“Lessor”) and the Central Florida Regional Transportation Authority d/b/a LYNX (“Lessee”), and is made a part of that certain Lease dated August 31, 2007 together with the Addendum thereto, by and between Lessor and Lessee. Notwithstanding any other provision to the contrary that may be contained in the Lease and Addendum, it is specifically agreed as follows:

1. Phases, Term and Use.

- a. Initial Phase. The initial phase of this lease shall be construed to have begun on September 1, 2007 and shall continue until and shall end on August 31, 2012 or at an earlier date as may be dictated by terms expressed herein below. During this Initial Phase use of the property by Lessee will be limited to storage of Lessee vehicles and for parking in compliance with the City of Orlando’s code requirements for such use and shall be limited to LYNX vehicles, LYNX staff (employee) vehicles and LYNX business visitors.
- b. Additional Use During Initial Phase. Subject to prior written approval to be given by Lessor to Lessee, with said written approval being predicated on prior review and written approval to Lessor by FHWA, Lessee’s use during this Initial Phase may be expanded to include incidental and occasional use by the City of Orlando ("City") for overflow parking for the City’s entertainment facilities. The extent of the incidental and occasional use by the City of Orlando will be limited to and described in the written approval to be provided by Lessor to Lessee but is anticipated to include the ability of Lessee to enter into a License Agreement with the City of Orlando that will include: (i) the obligation of the City of Orlando to fund the necessary improvements to the parking area to bring it into compliance with the City of Orlando code requirements for use as a parking area; and (ii) to fund additional improvements to install automated gates and landscaping. The License Agreement will describe the means by which the City of Orlando will be authorized by Lessee to charge for the incidental and occasional overflow parking use during evening and weekend times to allow the City of Orlando to recover the City’s capital costs and the ongoing operational and maintenance costs associated with the parking area.
- c. Term of Additional Use During Initial Phase. Subject to restrictions and limitations imposed by FHWA and by Lessor, the City of Orlando shall be permitted and authorized to charge for overflow parking during those periods of incidental and occasional use but the authority to do so shall be limited to the period of time that is necessary for the City of Orlando to fully recover its capital costs and ongoing operational and maintenance costs for its parking improvements and operations. Subject to future negotiation or modification of the terms hereof, once the capital costs and operating and maintenance costs are fully recovered by the City of Orlando, the ability of Lessee or of the City of Orlando to charge for any parking use shall cease.

d. Bridge District Phase. The parties hereto anticipate that the City of Orlando and Lessor will be able to establish a “Bridge District” arrangement with FHWA and that the property which is the subject of this Lease Agreement and Addenda thereto will be included into the definition or geographic area of the Bridge District for the City of Orlando. In this event, the Lessor and Lessee agree that this Lease Agreement will be mutually terminated and a new lease will be negotiated and executed by and between the State of Florida, Department of Transportation as Lessor and the City of Orlando as the Lessee. Notwithstanding the anticipated termination upon the establishment of the City of Orlando Bridge District and the establishment of a new lease with the City of Orlando, Lessor agrees that at that point in time LYNX will be a sub-lessee or licensee in such a manner as to allow LYNX’ continued use of the property for the purposes described in the Initial Phase as stated herein.

e. Lessor’s Project Construction Phase.

Subject to Lessor's right to terminate this Lease Agreement set forth in Section 2 below, upon review and determination that appropriate space is available during either portion of the Lessor’s construction projects, Lessor may furnish to the Lessee and its sub-lessee(s) minimal employee and visitor parking.

2. Lessor’s Right to Terminate. Lessor shall have the unilateral right to terminate this Lease Agreement and all uses hereunder, including use of the property during the Initial Phase and use of the property as a part of the Bridge District, at the time Lessor needs to use the subject property for its own purposes, including, but not limited to, use as a staging area for I-4 and commuter rail transportation (CRT) construction. Lessor shall have no obligation whatsoever to reimburse either Lessee or the City of Orlando for the cost of any improvements made to the property or for operating costs or maintenance costs incurred by Lessor or by the City of Orlando or any other party.

[Signature Page to Follow]

*[SIGNATURE PAGE FOR SECOND ADDENDUM TO LEASE AGREEMENT
DATED _____, 2008 BETWEEN STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION AND LYNX]*

IN WITNESS WHEREOF, the parties hereto have caused this Second Lease Amendment to be executed the day and year first written above.

Lessee – Central Florida Transportation
Authority d/b/a LYNX

Lessor – State of Florida Department of
Transportation

By: _____

By: _____
District Secretary

Print Name

Print Name

Attest: _____

Attest: _____

Print Name

Print Name

Title: _____

Title: _____

LEGAL REVIEW:

LEGAL REVIEW:

LYNX Counsel

District Counsel

Print Name

Print Name

PARKING LOT LICENSE AGREEMENT
(City of Orlando–OUC Amelia Street Parking Lot)

THIS PARKING LOT LICENSE AGREEMENT (the "**Agreement**") made and entered into as of the ____ day of April, 2008 by and between:

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY, d/b/a **LYNX**, a Florida body politic and corporate, duly created, organized, and existing under, and by virtue of, Part II, Chapter 343, Florida Statutes, whose address is 455 North Garland Avenue, Orlando, Florida 32801 (hereinafter referred to as "**LYNX**").

and

CITY OF ORLANDO, FLORIDA, a Florida municipal corporation duly created, organized, and existing under, and by virtue of, the laws of the State of Florida, whose address is Orlando City Hall, 400 South Orange Avenue, Orlando, Florida 32801 (hereinafter referred to as the "**City**").

RECITALS

A. On or about August 31, 2007, LYNX (as the Lessee) and the Florida Department of Transportation (as the Lessor) ("**FDOT**") entered into that certain Lease Agreement (the "**FDOT Lease**") pursuant to which FDOT leased to LYNX certain vacant property (the "**Parking Lot**" or "**Property**") in Orange County, Florida, more particularly described in **Exhibit "A"** attached hereto and made a part hereof. The Property is generally described as that certain vacant land lying between Garland Avenue on the west and the SEC railroad track on the east, and between Amelia Street on the south and West Concord Street on the north.

B. LYNX desired to lease the Parking Lot from FDOT so as to provide for the benefit of LYNX, its employees, guests, visitors, etc., a surface parking lot immediately across the street from the LYNX Central Station. Although FDOT acquired the Property by condemnation or threat of condemnation specifically to be used for the contemplated future expansion of Interstate 4, FDOT was willing to enter into that lease with LYNX because said expansion would take place somewhat in the future and, in any event, the portion of the Property needed by FDOT for said expansion was a small portion fronting or parallel to Interstate 4. LYNX' intention was generally to use the Property as a parking lot for its uses during normal business hours, which would generally be from about 7:00 a.m. in the morning to about 7:00 p.m. in the evening, five days a week; but it would also be necessary for LYNX to undertake certain improvements to the Property in order to use it for the Parking Lot.

C. The City has a need for additional surface parking lots in the vicinity of the Property so as to provide for public parking to various events in that area including events at the Orlando Arena and, as a result, the City desires to obtain from LYNX a non-exclusive license for the City to utilize the Parking Lot for parking purposes generally on weeknights and weekends

for certain public events, and LYNX is prepared to grant a license to the City for such use, all pursuant to the terms and conditions of this Agreement.

NOW, THEREFORE, LYNX and the City do hereby agree as follows:

1. **LICENSE TO PARK VEHICLES ON PARKING LOT.** Pursuant to the terms and conditions of this Agreement, LYNX hereby grants to the City a license for the City to park vehicles on the Parking Lot for public purposes to benefit certain public events under the auspices and benefit of the City from time to time. The terms of such use are as follows:

(a) The City's use of the Parking Lot will be as a public parking lot for pay that the City will administer to be used for certain public events at various City venues such as the Orlando Arena.

(b) Said use will not apply during weekdays (other than holidays) when said use will be restricted for the use of LYNX, which use will generally be between the hours of 7:00 a.m. and 7:00 p.m. unless otherwise agreed to by LYNX. It is contemplated from time to time that LYNX will agree to an earlier use before 7:00 p.m.

(c) Said license will be non-exclusive although LYNX agrees not to enter into a similar agreement with any other party to provide for public parking for pay for the Property for public events on weeknights and weekends.

2. **TERM.** The term of the Agreement is as follows:

(a) The initial term of this Agreement is for a period of twenty-four (24) months commencing on the date of this Agreement.

(b) After said initial term of twenty-four months, this Agreement shall continue thereafter subject to the right of either party to terminate this Agreement by giving no less than ninety (90) days notice to the other party.

(c) The parties are aware and understand that this License is expressly subject to and subordinate to the FDOT Lease and, accordingly, if for any reason the FDOT Lease is terminated or cancelled, then this Agreement will also be terminated and cancelled.

3. **RENT.** The City shall pay to LYNX during the term of this Agreement as rent for the Parking Lot the following amounts:

(a) The City will charge for public use of the Parking Lot an amount equal to what the City customarily charges for other surface parking lots in the general vicinity.

(b) After the City has recovered an amount equal to the Improvements Expenses (as defined below) which the City has paid for the renovation of and/or improvements to the Property so it can be used as the Parking Lot, any further

rental funds which the City obtains from its use of the Parking Lot shall be paid sixty percent (60%) to LYNX and forty percent (40%) to the City.

(c) The foregoing amounts shall be paid to LYNX on a monthly basis with a certified report from the City setting forth said amounts. The City agrees to keep separate records relating to the Parking Lot, both in connection with expenses and income, and agrees to make said records available to LYNX upon request.

In addition, the City will pay sales tax on all rent payments due under this Agreement, if applicable.

4. **IMPROVEMENTS TO PARKING LOT.** The City will be required to undertake such repairs and improvements to the Parking Lot (the "**Improvements**") as is necessary to meet all City requirements for a surface parking lot including, but not limited to, those specific improvements required by LYNX as set forth in **Exhibit "B"** and any other City Building Code or ordinances that may apply to buildout and use of the property, attached hereto all at its expense (but subject to reimbursement hereinafter set forth). In regard to the cost for any such improvements (the "**Improvements Expenses**"), the City will be entitled to recover the cost of said Improvements without interest, before any rent is to be paid to LYNX as set forth in paragraph 3 above.

5. **MAINTENANCE/REPAIRS TO PARKING LOT.** During the term of this Agreement, the City will also maintain and repair the Parking Lot, at its expense.

6. **FDOT LEASE.** The City is aware and understands that LYNX leases the Parking Lot from FDOT and a copy of its Lease (the "**FDOT Lease**") dated August 31, 2007, is attached hereto as **Exhibit "C"**. In regard to the FDOT Lease:

(a) This Agreement is subject in all respect to the FDOT Lease and the rights of FDOT thereunder.

(b) The City is aware and understands that FDOT acquired the Parking Lot through threat of condemnation for the ultimate improvements to Interstate 4 and that as and when FDOT may need any or all of the Property for said improvements, it will be entitled to use that Property.

(c) Nothing contained herein shall restrict in any way whatsoever LYNX and FDOT modifying from time to time the FDOT Lease, and any and all modifications shall be part of the FDOT Lease.

7. **INSURANCE.** The City shall procure and maintain in force at all times during the term of this Agreement and any extension thereof, at its expense, public liability insurance protecting LYNX and the City against any and all claims for injury and damage to persons and property, and for the loss of life or property occurring in, on, or about the Property arising out of the act, negligence, omission, nonfeasance, or malfeasance of the City of Orlando, its employees, agents, contractors, customers, licensees, and invitees. Such insurance shall be carried in a minimum amount of not less than \$100,000 for property damage, bodily injury or death to any one person and an amount of not less than \$200,000 for property damage, bodily injury or death

to any number of persons in any one occurrence. The foregoing insurance shall be written on any insurance company reasonably acceptable to LYNX and shall further provide that LYNX shall be an additional insured. The City shall further furnish to LYNX a certificate of said coverage which will further provide that in the event of termination, not less than sixty (60) days written notice shall be given to LYNX.

8. **SOVEREIGN IMMUNITY**. Each party hereto is a governmental agency or unit entitled to the benefit of the principles of sovereign immunity under the laws of the State of Florida. Nothing contained in this Agreement shall constitute a waiver by either party of such principle, and each party retains its rights under sovereign immunity.

9. **RIGHTS RETAINED BY LYNX**. LYNX retains the following rights regarding the Parking Lot:

(a) LYNX employees shall be entitled to park without charge on the Parking Lot at all times, even during the weekends and weeknights when the Parking Lot is being utilized by the City. All that will be required by said employee is to show his/her LYNX identification badge.

(b) With respect to spaces marked "**Reserved for LYNX Visitors**", those spaces will not be used for parking under this Agreement unless otherwise agreed by LYNX.

(c) LYNX reserves the right to license parking in the Parking Lot to other third parties at times that do not conflict with any City Events on such terms as LYNX may determine. LYNX will be entitled to keep for itself any fees or charges, if any.

(d) LYNX will further have the right to identify up to seven spaces on the Parking Lot as being reserved for specific employees of LYNX or its directors. Those spaces may not be used by the City under this Agreement without the further approval of LYNX.

10. **OPERATION OF PARKING LOT**. The City agrees as follows in connection with the operation of the Property as a Parking Lot:

(a) At such time as the City utilizes the Parking Lot, it will generally undertake said operation in the same manner and with the same policies and procedures that the City utilizes for its other "**City Owned**" surface parking lots in the City of Orlando.

(b) The City in order to utilize the Parking Lot hereunder, will give written notice to LYNX of its desire to do so at least five days before any such event. Further, the City will generally provide to LYNX on a monthly basis, a report or schedule setting forth those events for the ensuing month that LYNX desires to use the Parking Lot. Generally speaking, it will be on those days that the City will use the Parking Lot.

(c) The City will be obligated to obtain all permits and approvals with respect to its occupancy of the Parking Lot, including, but not limited to, any approvals required for any improvements to the Parking Lot to be undertaken by the City.

11. **ENVIRONMENTAL CONDITIONS.** LYNX provided to the City the Report of Preliminary Contamination Assessment dated June 16, 2006 (the "PCA Report") pertaining to the Property. The City acknowledges that pursuant to the FDOT Lease, LYNX has no responsibility for any potential environmental conditions existing on the Property as of September 1, 2007, the beginning term of the FDOT Lease. LYNX shall not be responsible for any environmental conditions resulting from the City's Improvements.

12. **MISCELLANEOUS PROVISIONS:**

(a) This Agreement shall be construed in accordance with and governed by the laws of the State of Florida.

(b) All rights and liabilities given to or imposed upon either of the parties by this Agreement shall benefit and bind their respective successors, heirs and assigns to the extent this Agreement may be assignable as provided above. Thus, it will specifically benefit any tenants and occupants of the buildings on the City Property.

(c) In the event LYNX shall fail to exercise any right, power, privilege, or option immediately upon the same arising, such failure shall not be construed as a waiver of the right to exercise that right, power, privilege or option at a subsequent time, and the failure on the part of LYNX to insist upon strict compliance with any of the terms of this agreement by the City shall not be construed as a waiver of the right of LYNX to insist upon strict compliance in the future.

(d) Notices given pursuant to the provisions of this Agreement, necessary to carry out its provisions, shall be in writing, and delivered personally to the person to whom the notice is to be given, or mailed postage prepaid, addressed to such person. LYNX's address for this purpose shall be at the address set forth at the beginning of this Agreement, or such other address as LYNX may designate to the City in writing. Notices to the City may be addressed to the City at the address set forth at the beginning of this Agreement.

(e) Either party may record in the public records this Agreement, or a short form notice of this Agreement.

(f) **Real Estate Taxes.** At the current time, the Parking Lot is exempt from real estate taxes as it is leased by LYNX and used for LYNX purposes. In the event that the Property is assessed for real estate tax purposes (and therefore is no longer exempt and taxes need to be paid) due solely to this Agreement and the use by the City of the parking spaces provided herein (and not due to any activity on the part of LYNX), then the City will pay the real estate taxes on the entire Parking Lot.

13. **RADON DISCLOSURE**: Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county public health unit, pursuant to 404.056(8) Florida Statutes.

14. **COMPLETE AGREEMENT**. This document constitutes the complete and total agreement between the parties regarding the Agreement or the Parking Lot and incorporates all prior discussions and understandings. This Agreement may be amended only by a written agreement signed by the party to be charged by said amendment.

[Signatures on Following Page]

IN WITNESS WHEREOF, the parties have executed this Agreement at Orlando, Florida, on the date first shown above.

Signed, sealed and delivered
in the presence of:

**THE CENTRAL FLORIDA REGIONAL
TRANSPORTATION AUTHORITY**

(Signature of Witness)

By: _____
(Signature of Authorized Officer)

(Name of Witness)

(Title of Officer Signing)

Approved as to form and legality for the use
and reliance of the Central Florida Regional
Transportation Authority:

(Signature of Witness)

AKERMAN SENTERFITT

(Name of Witness)

By: _____
General Counsel

As to "LYNX"

THE CITY OF ORLANDO, FLORIDA

(Signature of Witness)

By: _____
Mayor / Mayor Pro Tempore

(Name of Witness)

**ATTEST, BY THE CLERK OF THE CITY
COUNCIL OF THE CITY OF ORLANDO,
FLORIDA:**

(Signature of Witness)

City Clerk

(Name of Witness)

**APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND RELIANCE OF THE
CITY OF ORLANDO, FLORIDA:**

As to the "City"

City Attorney

Exhibit "A"

DESCRIPTION OF PROPERTY/PARKING LOT

Exhibit "B"

IMPROVEMENTS TO BE MADE TO PARKING LOT

Exhibit "C"

LEASE BETWEEN LYNX AND FDOT

[Full copy of Lease attached.]

Consent Agenda Item #6.D. iii

To: LYNX Board of Directors

From: **Lisa Darnall**
CHIEF OPERATING OFFICER
Belinda Balleras
(Technical Contact)
Rik Smith
(Technical Contact)
Sherry Zielonka
(Technical Contact)

Phone: 407.841.2279 ext: 6036

Item Name: Miscellaneous
Authorization to Execute a Joint Participation Agreement with the Florida Department of Transportation for Service Development Grant - SR 434 Crosstown (Link #434)

Date: 10/23/2008

ACTION REQUESTED:

Staff is requesting authorization for the Chairman of the LYNX Board of Directors to execute Resolution #08-004 which authorizes the Chief Executive Officer (CEO) or designee to execute Joint Participation Agreement (JPA) #4241171 with the Florida Department of Transportation District 5 (FDOT) for the Link 434 Cross-town Service Development Grant in the amount of \$902,000.

BACKGROUND:

LYNX applied for and was awarded a Service Development Grant from the Florida Department of Transportation District 5 (FDOT) for the Link 434 Cross-town service planned for implementation in April 2009. The Seminole County Board of County Commissioners expressed a desire to increase the number of east-west transit links in the County. The proposed SR 434 Cross-town service would be a significant addition to the County's transit service program enabling travel from a regional employment center (Oviedo Marketplace), through the heavily commercialized intersection of Red Bug Lake Road and Tuskawilla Road. Service will also be provided to the City of Winter Springs' new downtown center and the Winter Springs High School, along the heavily commercialized east-west portion of SR 434, the City of Longwood's proposed Commuter Rail Station, and connecting to the existing Link 23, which allows further connections to Links 9, 17, 23, 302.

This Link will increase the transportation alternatives for transit users across Seminole County and provide an important link to existing and future north-south transit routes. Specifically, this route will operate between the Oviedo Marketplace and the Rosemont Superstop via S.R. 434.

The Link 434 Cross-town service will operate Monday through Saturday on 60-minute frequencies from approximately 5:30 a.m. to 9:30 p.m. A marketing plan will be developed to ensure that the citizens of Seminole County are made aware of the new transit service.

Link 434 is one of the proposed Commuter Rail feeder services. FDOT approved the Transportation Regional Incentive Program (TRIP) funding for 4 buses to support this commuter related service.

FISCAL IMPACT:

Link 434 Cross-town service is scheduled for implementation in April 2009 as a two year service development project to be funded 50% by FDOT and 50% by Seminole County. The FDOT participation for the two year period is \$902,000.

Since the service will begin in April 2009, Seminole County will provide their 50% matching funds during FY2009 in the amount of \$208,518. The balance of local funds will be requested on an annual basis in conjunction with the budget process based on the estimated cost of continuing the service throughout the two-year period.

CFRTA RESOLUTION #08-004

**A RESOLUTION OF THE CENTRAL FLORIDA REGIONAL
TRANSPORTATION AUTHORITY (d.b.a. LYNX);
AUTHORIZATION FOR THE CHIEF EXECUTIVE OFFICER TO
EXECUTE THE JOINT PARTICIPATION AGREEMENT #4241171
WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR
THE LINK 434 CROSS-TOWN SERVICE**

WHEREAS, there is a Public Transit Service Development Grant Program which shall be administered by the Florida Department of Transportation (FDOT) and the grant funds will provide initial funding for new or innovative services to improve or expand public transit; and

WHEREAS, LYNX has satisfied the requirement to complete a Transit Development Plan (TDP) for FY 2009-2018 which has been submitted to FDOT in June 2008 and the TDP is consistent with the five-year Transportation Improvement Program (TIP) and FDOT's State Work Program; and

WHEREAS, this is a Resolution of the GOVERNING BOARD of the Central Florida Regional Transportation Authority (hereinafter BOARD), which hereby authorizes the execution of the Joint Participation Agreement #4241171 with the Florida Department of Transportation for the Link 434 Cross-Town service; and

WHEREAS, this BOARD has the authority to authorize the execution of the Joint Participation Agreement.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The BOARD has the authority to authorize the execution of the Joint Participation Agreement # 4241171
2. The BOARD authorizes the Chief Executive Officer (CEO) or designee to execute the Joint Participation Agreement #4241171 with the Florida Department of Transportation for Link 434 Cross-Town service in the amount of \$902,000.
3. That the above authorization shall be continuing in nature until revoked by the Chairman of the governing Board.

APPROVED AND ADOPTED this _____ day of October 2008, by the governing Board of the Central Florida Regional Transportation Authority.

CENTRAL FLORIDA REGIONAL
TRANSPORTATION AUTHORITY

By: _____
Chairman

Attest:

Assistant Secretary

z/10/08

Action Agenda Item #7.A

To: LYNX Board of Directors

From: James McLawhorn
CHIEF GOVT AFFAIRS OFFICER
Bryan Stutts
(Technical Contact)

Phone: 407.841.2279 ext: 6064

Item Name: 2009 LYNX State Legislative Priorities

Date: 10/23/2008

ACTION REQUESTED:

Staff is requesting the Board of Directors' approval of LYNX' state legislative priorities for the 2009 session.

BACKGROUND:

The regular session of the Florida Legislature is scheduled to begin on March 3, 2009. During the upcoming session, LYNX will have two types of issues on its agenda: appropriations and statutory. LYNX may adopt one of four positions on a given appropriation or proposed statute: support, oppose, take no position, or monitor.

PROPOSED 2009 STATE LEGISLATIVE PRIORITIES

Advance Central Florida Commuter Rail Project

The Central Florida Commuter Rail Project is a critical component of our region's future transportation system. It is also the first piece of a larger, regional transit system. METROPLAN ORLANDO supports efforts to advance the Central Florida Commuter Rail Project during the 2009 legislative session, which includes modifying insurance and indemnification language to mirror language already in place for South Florida's Tri-Rail system. This language modification would also open the door for other commuter rail systems throughout the entire state.

Charter County Parity

Remove eligibility date of January 1, 1984, addressing the parity in state statute as it relates to the Charter County Transit System Surtax. Today only seven counties in the state are eligible for this referendum based surtax. The only eligible county in our region is Volusia County. This potential funding can be used for operations and maintenance and capital – it provides flexibility for other key transportation projects in Central Florida.

Authorize a \$2 Local Option Rental Car Surcharge

A \$2 per day, voter-approved, local option rental car surcharge would generate \$40 million for critical transportation projects in the region. Used as local match funding for the Transportation Regional Incentive Program, the local option rental car surcharge would result in an \$80 million annual investment.

Increase motor vehicle registrations \$1.50 to benefit the Transportation Disadvantaged Trust Fund

Support the Commission for Transportation Disadvantaged to increase motor vehicle registrations by \$1.50 to benefit the Transportation Disadvantaged Trust Fund. Increasing the existing vehicle registration fee from \$1.50 to \$3.00 would add an additional \$20M to the statewide TD Trust Fund. Assuming that we retain the same funding allocation from the statewide TD Grant... LYNX would receive a 58% increase in TD funding. Our annual allocation would increase from \$2,973,015 (100% grant amount) to \$4,590,143. An increase of \$1,617,128.

Create a Florida Transportation Revenue Study Commission

LYNX supports METROPLAN ORLANDO's effort to create the Florida Transportation Revenue Study Commission to determine Florida's transportation needs, evaluate the stability of existing revenue sources, and recommend new and innovative transportation funding options.

LYNX will also actively monitor transportation-related legislation to support or oppose transit initiatives that impact the legislative priorities of partner organizations consistent with the direction provided by the LYNX Board of Directors and that will advance the interests of our region.

2009 State Legislative Priorities





Support

Central Florida Commuter Rail

Commuter Rail Project is critical to our region's future transportation system. LYNX supports modifying insurance and indemnification language to mirror language already in place for South Florida's Tri-Rail system. This language modification would also open the door for other commuter rail systems throughout the entire state.





Support

Charter County Parity

Remove date of *January 1, 1984*, in state statute as it relates to the Charter County Transit System Surtax eligibility . Currently, only seven counties in the state may ask voters in a referendum to support a transit surtax. It would provide parity for the twelve counties chartered after 1984. Funds can be used for Capital and O&M – Charter County Parity could provide LYNX and other transportation projects with a source of funding.



Support

Authorize \$2 Local Option Rental Car Surtax

A voter-approved \$2 per day, local option rental car surcharge would generate \$40 million for critical transportation projects in the region. Used as local match funding for the Transportation Regional Incentive Program, the local option rental car surcharge would result in an \$80 million annual investment.





Support

Increase motor vehicle registrations \$1.50 to “shore up” the TD Trust Fund

Support the CTD’s attempt to increase the motor vehicle registration fee from \$1.50 to \$3.00. This would add an additional \$20M statewide to assist the most vulnerable citizens. The result would be a 58% increase for LYNX funding partners that currently are forced to subsidize the un-funded shortfall.



Support

Create a Florida Transportation Revenue Study Commission

LYNX supports the creation of the Florida Transportation Revenue Study Commission to study and evaluate Florida's transportation needs, examine the stability of existing revenue sources, and recommend new and innovative transportation funding options.





LYNX will continue

- Monitor transportation-related legislation to ensure transit efforts are not negatively influenced
- Support legislative priorities of partner organizations that are consistent with the direction provided by the LYNX Board of Directors and that will advance the interests of our region



Action Agenda Item #7.B

To:	LYNX Board of Directors
From:	Lisa Darnall CHIEF OPERATING OFFICER Rik Smith (Technical Contact) Timothy May (Technical Contact) William Hearndon (Technical Contact)
Phone:	407.841.2279 ext: 6036
Item Name:	Authorization to Implement the Proposed Service Changes and Service Eliminations effective December 7, 2008
Date:	10/23/2008

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to implement service changes and service eliminations effective December 7, 2008.

BACKGROUND:

In August 2007 the LYNX Board of Directors approved a system-wide bus service adjustment approach to cut costs. This endeavor was undertaken to meet funding levels for FY 2008 and FY 2009 due to the current state of the economy, property tax reform, the escalation in fuel costs, and other costs beyond our control. LYNX looked for alternatives to reduce expenses and increase revenues to meet these funding challenges.

On September 24, 2008, the LYNX Board of Directors adopted the FY 2009 budget which included funding from Seminole County, Osceola County, and Orange County. LYNX had a funding shortfall of \$2.5 million from the FY 2008 operating budget that was operated out of reserves in 2008. Of that amount, \$700,000 worth of savings was implemented on August 17, 2008. LYNX has a funding shortfall of \$800,000 to meet the service demands of the FY 2009, in addition to the remaining \$1.8 million shortfall from FY 2008.

PUBLIC PARTICIPATION PROCESS

In April 2008 staff received authorization from the Board of Directors' to initiate the Public Participation Process for consideration of proposed service changes/eliminations for December 2008.

Public Workshops were held on July 15 and 29, 2008, to obtain feedback. Staff received 994 responses from the two workshops. Customer feedback on the options presented was (in order of preference): fare increase, reduce service on some Links from 30 to 60-minutes, discontinue low ridership Links, discontinue Sunday service on selected Links, and discontinue weekday service after 7:00 pm.

Public Hearings

Four (4) public hearings were held at the following locations:

September 16, 2008
Tuesday, 10:00 – 12:00 Noon
LYNX Central Station – Board Room
455 N. Garland Avenue
Orlando, FL

September 16, 2008
Tuesday, 4:30 – 6:30 p.m.
LYNX Central Station - Board Room
455 N. Garland Avenue
Orlando, FL

September 17, 2008
Wednesday, 4:30 – 6:30 p.m.
Seminole County Commission Chambers
1101 E. First Street
Sanford, FL

September 23, 2008
Tuesday, 4:30 – 6:30 p.m.
Osceola County Administration Building
1 Courthouse Square
Kissimmee, FL

The public hearing comment period on the proposed service changes/eliminations ran from September 16, 2008, through close of business on October 14, 2008. Public notices were placed in the Orlando Sentinel for Orange, Seminole and Osceola Counties and El Sentinel. Also, on board the LYNX bus fleet via bus cards, Transit Television Network via LYNX buses, LYNX Central Station Customer Service window, LYNX Central Station information monitor located in the terminal, LYNX Central Station terminal lobby, LYNX Central Station 2nd floor reception area, and in the bus bays via a banner. Additionally, LYNX staff notified the public of the hearings and handed out comment cards at the LYNX Central Station and various transfer centers and Superstops. LYNX staff also notified key businesses and housing areas along the routes/corridors via bulk mail-outs.

The general public was invited to comment on the proposed service changes and proposed eliminations at the public hearings in front of the general public, privately to a court reporter who was in attendance at the hearings, via the LYNX website, postage paid comment cards in both English and Spanish, and by calling (407) 254-6150 to a voice mailbox system in both English and Spanish.

Staff compiled all responses from all sources during the Public Participation Process and the following are the findings:

- 186 attendees at the hearings
- 82 public hearing speakers
(all spoke in opposition of changes)
- 438 comments received via the mail (including petitions)
- 4 comments received via voice mail
- 49 comments received via e-mail
- 3 petitions

Petitions received are as follows:

Link 125 - add service to improve on-time performance;

Link 44 - change departure time to 30-minutes after the hour at Park Promenade Superstop for better connectivity;

Link 443 - place stops at loop behind Winter Park Hospital

TOTAL comments received for the proposed service changes/eliminations: 573

PROPOSED SERVICE CHANGES/ELIMINATIONS FOR DECEMBER 7, 2008

In addition to the need to meet the funding requirements for FY2009 and customer comments received during the Public Participation Process, the staff recommendations listed below represent a thorough review and restructure of the entire service area. The following changes are recommended for implementation on December 7, 2009.

Discontinue - Links 5, 12, 43, 52, 53, and 414 due to their poor performance and high operating costs.

Improve efficiencies - Links 3, 6, 11, 13, 18, 19, 20, 21, 22, 24, 26, 51, 58, 405, and 442 through realignments and schedule adjustments;

Implement an additional PickUpLine type service (Flex/Point Deviation/Route Deviation) in northern Poinciana;

Increase service frequencies on Links 10 and 125 due to overcrowded conditions

Link 6 - restructure to operate from Colonial Plaza to Dixie Bell Drive and Gatlin Avenue with the portion from LCS to Colonial Plaza being provided by a new Link 313. Link 313 would operate from LCS to Colonial Plaza along the existing alignment of Link 6, and on to the VA Clinic. The loop on Link 6 outbound of Dixie Bell Drive and Gatlin Avenue would be covered by extending the loop on Link 3.

Links 13, 20 and 24 - reduce frequencies to 60-minutes.

Links 11 and 51 - streamline with more direct routes into Orlando International Airport for efficiency.

Links 19 and 22 – would become the new Link 319 for efficiency. Link 319 would operate on the alignment of the previous existing Link 19-22, that operates in the evenings and weekends in place of the two Links.

Link 21 - realign to travel from Universal Employment Center, south on Turkey Lake Road to the Dr. Phillips Hospital, which would lose service as a result of the recommendation to eliminate Link 43.

Link 18 - realign along Florida Parkway, Osceola Parkway and Michigan Avenue to cover the higher ridership portions of Link 12, which is recommended to be discontinued.

Link 26 (northern portion) - streamlined west of the Airport into Osceola Square Mall for efficiency. Replace the southern portion (figure eight) of Link 26 with a PickUpLine service like the one operating in southern Poinciana.

Links 58 and 405 - minor schedule adjustments.

Link 442 – extend into Winter Garden to cover portions of the Link 53 which is recommended to be discontinued.

Unrelated to the Public Participation Process, staff is recommending changes to LYNX' service to Walt Disney World. In April 2007, additional late night service (one trip) was implemented to Walt Disney World on Links 301, 302, 303, and 304, also known as 3D service routes. Since the late night service was funded by Walt Disney World, a determination was made to reallocate their resources from the 3D service routes and extend evening service on Link 50, which is believed to be a better option. Also, the span of service on Link 56 will be extended and the new Link 111 will operate from Orlando International Airport to Walt Disney World via the Florida Mall and the Canadian Court Superstop. These changes will also take effect December 7, 2008, and the appropriate funding is provided by Walt Disney World as part of the I-4 mitigation funding.

PROPOSED SERVICE CHANGES/ELIMINATIONS FOR APRIL 2009

There will be additional service efficiencies and service eliminations in April. LYNX has recognized the benefits of the flexible “On Demand” services successfully provided in Poinciana, and has determined that there are several areas within our service area that do not necessitate fixed route service operating full size LYNX buses. For April 2009, staff recommends the elimination of Links 27 and 32. At that time, both Links could be replaced with Flex services. We are awaiting a response from the Federal Transit Administration (FTA) on whether this delay would trigger the "Public Participation Process" considering the public has been informed that any recommendations approved by the Board would be implemented on December 7, 2008. In the event the "Public Participation Process" is required, staff would still have time to move forward with these proposed changes in April.

FISCAL IMPACT:

The fiscal impact of the changes described above will eliminate our funding deficit of \$2.6 million.

PROPOSED SERVICE CHANGES/ELIMINATIONS – 12/07/2008

Link	Change for Reduction, OTP or Growth	Proposal	Effective	Reason for Change
3	Reduction	Extend east loop southward, picking up Goldenrod between Pershing and Hoffner, Hoffner, and Reddit	December-08	Replaces portion of Link 6 being discontinued.
5	Reduction	Discontinue all service	December-08	FY 2009 budget action
6	Reduction	Realign route to operate between Colonial Plaza and Gatlin & Dixie Belle.	December-08	FY 2009 budget action.
10	Growth	Add two Monday - Saturday evening round trips.	December-08	Public input for employment and VCC Osceola classes.
11	Reduction	Streamline to McCoy – SR 528 to OIA	December-08	FY 2009 budget action.
12	Reduction	Discontinue all service	December-08	FY 2009 budget action. (see Link 18)
13	Reduction	Reduce Monday - Friday service to operate every 60 minutes vs. current 30 minutes.	December-08	FY 2009 budget action.
18	Reduction	Adjust route to cover portions of Link 12, to operate Buenaventura, Florida Pkwy, Osceola Pkwy, Wal-Mart, Michigan, Mill Slough, Denn John, VCC Osceola, regular route to Osceola Sq.	December-08	Replaces portion of Link 12 being discontinued.
19	Reduction	Combine with Link 22 as 19-22 combination for consolidated 20 minute headway on weekdays.	December-08	FY 2009 budget action.
20	Reduction	Reduce Monday - Friday service to operate every 60 minutes vs. current 30 minutes.	December-08	FY 2009 budget action.
21	Reduction	Streamline route to bypass Cottage Hill-Fitzgerald-Lionel and Poppy-Lescot-Frazier deviations and extend south on Turkey Lake to serve Sand Lake Commons, discontinuing service on Sand Lake, Universal, Vanguard, and Mandarin.	December-08	FY 2009 budget action and supports discontinuance of Link 43.
22	Reduction	Combine with Link 19 as 19-22 combination for consolidated 20 minute headway on weekdays.	December-08	FY 2009 budget action.
24	Reduction	Reduce Monday - Friday service to operate every 60 minutes vs. current 30 minutes.	December-08	FY 2009 budget action.
26	Reduction	Streamline route to operate from US 192 to Hoagland Blvd. to Pleasant Hill (discontinuing Thacker/Clay), and eliminating the figure 8 loop in Poinciana to terminate at the Dover Plum Shopping Center (Wal-Mart), replacing this portion with the Poinciana North PickupLine.	December-08	FY 2009 budget action.

43	Reduction	Discontinue all service	December-08	FY 2009 budget action.
50	Growth	Extend evening span of service	December-08	New service with WDW funding
51	Reduction	Streamline route to stay on SR 436 to Hoffner	December-08	FY 2009 budget action.
52	Reduction	Discontinue all service	December-08	FY 2009 budget action.
53	Reduction	Discontinue all service	December-08	FY 2009 budget action. (see Link 442)
56	Growth	Extend evening span of service	December-08	New service with WDW funding
58	Route Revision	Adjust public timetable to show service into Canadian Ct. Super Stop	December-08	Minor adjustment to reflect use of new Super Stop - no cost impact.
111	Growth	New corridor operating OIA-Florida Mall - Canadian Ct. - WDW	December-08	New service with FDOT Service Development and WDW funding
125	OTP	Improve headways to 20 minutes on weekdays to accommodate excessive passenger demand and correct delays.	December-08	On-time performance and passenger capacity correction. Buses are operating 20+ minutes late on weekdays with crush loads.
301	Reduction	Discontinue the late night trip from WDW due to low ridership. Financial resources from WDW being reallocated to new evening service on Link 50	December-08	New Service from a reallocation of WDW I-4 mitigation funds. (see Link 50)
302	Reduction	Discontinue the late night trip from WDW due to low ridership. Financial resources from WDW being reallocated to new evening service on Link 50	December-08	New Service from a reallocation of WDW I-4 mitigation funds. (see Link 50)
303	Reduction	Discontinue the late night trip from WDW due to low ridership. Financial resources from WDW being reallocated to new evening service on Link 50	December-08	New Service from a reallocation of WDW I-4 mitigation funds. (see Link 50)
304	Reduction	Discontinue the late night trip from WDW due to low ridership. Financial resources from WDW being reallocated to new evening service on Link 50	December-08	New Service from a reallocation of WDW I-4 mitigation funds. (see Link 50)

313	Reduction	New shortline 13 to provide service LCS to Orange/Rosalind, Jackson, Osceola, Central, Bumby, Robinson, Colonial Plaza, Bumby, Corrine, General Reese, VA Clinic.	December-08	FY 2009 budget action.
405	OTP	Adjust schedule at Apopka Super Stop to improve connection.	December-08	Improve connection times - minor schedule adjustment - no cost impact.
414	Reduction	Discontinue all service	December-08	FY 2009 budget action.
442	Reduction	Extend route north from Winter Garden Village on Winter Garden - Vineland Rd. to Main St. to Story Rd. to 9th St. to Plant St. to 11th St. to Bay St. to S. West Crowne Pt. Rd. (Health Alliance).	December-08	FY 2009 budget action supporting discontinuance of Links 27 and 53.
NEW	Reduction	New Poinciana North PickUpLine With funding of Link 26	December-08	FY 2009 budget action to support the streamlining of Link 26.

If approved, the following service changes and eliminations of Links 27 and 32 will be implemented in April 2009:

27	Reduction	Discontinue all service, replacing portion in Ocoee with new Ocoee PickUpLine, and portion in Winter Garden with new extension of Link 442.	April-09	FY 2009 budget action.
32	Reduction	Discontinue all service, replacing portions with new Bithlo PickUpLine.	April-09	FY 2009 budget action.
434	Growth	New route, UCF - Alafaya - SR 434	April-09	New service with FDOT Service Development and Seminole Co. funding
NEW	Reduction	New Ocoee PickUpLine With the discontinuing of Link 27	April-09	FY 2009 budget action to support the discontinuance of Link 27.
NEW	Reduction	New Bithlo PickUpLine With the discontinuing of Link 32	April-09	FY 2009 budget action to support the discontinuance of Link 32.

Action Agenda Item #7.C

To: LYNX Board of Directors

From: Bert Francis
CHIEF FINANCIAL OFFICER
Blanche Sherman
(Technical Contact)

Phone: 407.841.2279 ext: 6047

Item Name: Authorization of the Proposed Fare Adjustments and Fare Structure, with an effective date of January 4, 2009.

Date: 10/23/2008

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization of Proposed Fare Adjustments and Fare Structure with an effective date of January 4, 2009.

BACKGROUND:

In August 2008, staff requested the Board of Directors' ratification of the Chairman's authorization to include a proposed fare increase in the public participation process as an option to support funding shortfalls in the FY2009 Budget. As such, LYNX staff secured the services of Mr. Joel Rey, Senior Project Manager and Ms. LaChant Barnett, Project Manager, of Tindale-Oliver & Associates (TOA), Incorporated, to perform a fare study to determine the appropriate fare structure for the proposed fare increase.

Tindale-Oliver has worked diligently with the LYNX staff to provide a reliable recommendation for LYNX' next fare structure adjustment for its Fixed Route (Bus) System. Tindale-Oliver was requested to track and analyze the patronage and revenue shifts arising from the January 2008 fare adjustment in order to forecast the effects of future modifications more accurately.

In order to obtain a better understanding of LYNX' riders' price sensitivity (elasticity) and fare media preferences (cross-elasticity), Tindale-Oliver compared the results following previous fare adjustments with a baseline of historical data. This effort included the following tasks:

- An analysis of overall ridership, ridership by full fare category, excess fare revenue, including transfer activity and frequency of pass usage, were assessed after adjusting for any approved service modifications.
- Consideration of the impact of other factors, such as gas prices, weather conditions, employment levels, and wage rates, affecting patronage during these periods.
- An analysis of the shift in transfer users to day passes and the shift in Seven (7) day pass users to the Thirty (30) day passes as a result of the January 2008 fare change, considering the impact of other known occurrences and special promotions.
- An analysis of the impact and equitability of the proposed fare increase among all demographic groups.

Also, Tindale-Oliver performed a Peer Review Analysis to compare LYNX to similar transit agencies in order to assess the comparability of LYNX' proposed fare structure. The peer group includes four (4) peer systems from Florida and six (6) peer systems from outside of Florida. The LYNX' peers are listed below:

Florida Peers	
Transit System	Location
Miami-Dade Transit	Miami-Dade County
Hillsborough Area Regional Transit	Hillsborough County
Pinellas Suncoast Transit Authority	Pinellas County
Broward County Transit	Broward County

Out-of-State Peers	
Transit System	Location
Orange County Transit Authority	Anaheim, CA
Hampton Roads Transit	Hampton Roads, VA
Charleston Area Regional Transportation	Charleston, SC
Charlotte Area Transit System	Charlotte, NC
Capital Metro	Austin, TX
Regional Transportation District	Denver, CO

The following chart shows the current fare structure and the fare increases recommended by the consultant and presented to the public at the public meetings:

- Raising the full fare from \$1.75 to \$2.00, with an increase in discount fares and all pass prices, accordingly.

Fare Type	Existing Cash Fares Free Transfers	Proposed Cash Fare @ \$2.00 Free Transfers
Full Fare	\$1.75	\$2.00
Youth Fare	\$0.85	\$1.00
Senior Fare	\$0.85	\$1.00
Income Qualified (IQ) Fare	\$0.85	\$1.00
Transfers	Free	Free

LYNX Board Agenda

Fare Type	Existing Cash Fares Free Transfers	Proposed Cash Fare @ \$2.00 Free Transfers
Express	\$3.00	\$3.50
Express Discount Fare	\$1.50	\$1.75
PickUpLine	\$2.50	\$3.00
PUL Discount Fare	\$1.00	\$1.50
Shuttle	Determined Per Event	Determined Per Event
Limited	\$2.50	\$3.00
Limited Discount	\$1.25	\$1.50
Direct	\$4.00	\$4.00
Direct Discount	\$2.00	\$2.00
Daily	\$4.00	\$4.50
Discount Daily	\$2.00	\$2.25
7-Day	\$14.00	\$16.00
Discount 7-Day	\$7.00	\$8.00
30-Day	\$44.00	\$50.00
Discount 30-Day	\$22.00	\$25.00
PUL Daily	\$5.00	\$5.50
PUL Daily Discount	\$2.50	\$2.75
PUL 7-Day	\$18.00	\$22.00
PUL 7-Day Discount	\$9.00	\$11.00
PUL 30-Day	\$54.00	\$65.00
PUL 30-Day Discount	\$27.00	\$32.50
Limited Daily	\$4.50	\$5.50
Limited Daily Discount	\$2.25	\$2.75
Limited 7-Day	\$16.00	\$19.00
Limited 7-Day Discount	\$8.00	\$9.50
Limited 30-Day	\$48.00	\$58.00
Limited 30-Day Discount	\$24.00	\$29.00
Express Daily	\$5.50	\$6.50
Express Daily Discount	\$2.75	\$3.25
Express 7-Day	\$20.00	\$23.00
Express 7-Day Discount	\$10.00	\$11.50
Express 30-Day	\$60.00	\$70.00
Express 30-Day Discount	\$30.00	\$35.00
Direct Round Trip	\$7.00	\$7.50
Direct Round Trip Discount	\$3.50	\$3.75
LYNX Unlimited Daily	\$7.00	\$7.50
LYNX Unlimited Daily Discount	\$3.50	\$3.75
LYNX Unlimited 7-Day	\$25.00	\$27.00
LYNX Unlimited 7-Day Discount	\$12.50	\$13.50
LYNX Unlimited 30-Day	\$75.00	\$80.00
LYNX Unlimited 30-Day Discount	\$37.50	\$40.00

In consideration of supporting LYNX’ policy of providing deep pass discounts with revenue increases, preserving ridership, and maintaining equity among fare categories for Fixed Route (Bus) Services, the above fare adjustment is being recommended.

Also, it is recommended that an increase in the ADA fare be implemented for equity with bus riders and to be consistent with industry standards, which is twice the fixed route base fare. In addition, the purchased cost of service continues to increase due to the increase in ridership and fuel costs. The proposed increase will include an increase of the ADA fare to \$4.00 for inside

the three quarter mile radius and to \$8.00 for outside the three quarter mile radius; however, LYNX staff is recommending that the proposed increase in ADA Fare (Outside ¾ mile radius) be reduced from \$8.00 to \$7.00. In addition, LYNX staff is considering an increase in the Transportation Disadvantage (TD) fares as indicated below. The proposed fare increase for TD requires the approval of the TD Local Coordinating Board.

Paratransit Fares	Existing Fares	Proposed Fares
ADA Fare Inside 3/4 Mile	\$3.50	\$4.00
ADA Fare Outside 3/4 Mile	\$6.00	\$8.00
Medicaid (regulated by the State)	\$1.00	\$1.00
TD Fare 0 - 4.99 miles	\$2.50	\$3.50
TD Fare 5 - 9.99 miles	\$3.50	\$5.50
TD Fare 10 + miles	\$4.50	\$7.50

The attached Executive Summary condenses the findings of the fare study and offers recommendations for modifications to the fare structure; suggests direction for the fare adjustment in the upcoming 2009 budgetary cycle; and maintains LYNX’ practice of offering deep discounted passes without revenue risks. In addition, the actual results of the discount pass pricing were compared to those forecasted in the revenue projection model.

Mr. Joel Rey, P.E., AICP will be presenting the results of the Fare Study, as well as provide an overview of the Fare Adjustment Alternative at the Audit Committee Meeting.

PUBLIC COMMENTS:

As a recipient of Federal Funds, LYNX is required to adhere to the rules and regulations of the Federal Transit Administration (FTA) Title VI of the Civil Rights Act of 1964; FTA Circular 4702.1, “Title VI Program Guidelines for Federal Transit Administration Recipients.” LYNX’ program was established to ensure that transit services in the counties of Orange, Seminole, and Osceola, are equitably distributed, and provide equal access and mobility to any person without regard to race, color, or national origin.

LYNX has developed a public involvement process to proactively inform the public and obtain public input in the early development and implementation stages of LYNX services, service changes, fare adjustments, capital investments, and planning activities.

The following activities were completed to solicit public comment on the proposed fare adjustments:

Public notices were placed in the Sentinel and El Sentinel. In addition, the hearings were advertised on the LYNX website, on board the LYNX bus fleet via bus cards, on the Transit Television Network via LYNX buses, at the LYNX Central Station Customer Service window, on the LYNX Central Station information monitor located in the terminal, the LYNX Central Station terminal lobby, LYNX Central Station 2nd floor reception area and in the bus bays via a

banner. Additionally, LYNX staff acted as "living alerts", notifying the public of the hearings and handing out comment cards at the LYNX Central Station terminal and various transfer centers and superstops. LYNX staff also notified key businesses and housing areas along the routes/corridors via bulk mail outs. Four (4) public hearings were held at the following locations:

Public Hearings

September 16, 2008
Tuesday, 10:00 – 12:00 Noon
LYNX Central Station – Board Room
455 N. Garland Avenue
Orlando, FL

September 16, 2008
Tuesday, 4:30 – 6:30 p.m.
LYNX Central Station - Board Room
455 N. Garland Avenue
Orlando, FL

September 17, 2008
Wednesday, 4:30 – 6:30 p.m.
Seminole County Commission Chambers
1101 E. First Street
Sanford, FL

September 23, 2008
Tuesday, 4:30 – 6:30 p.m.
Osceola County Administration Building
1 Courthouse Square
Kissimmee, FL

The following summarizes the twenty-five (25) Fixed Route and eight (8) Paratransit public comments received by LYNX' staff:

Public Comment Groups

Fixed Route Comments:

- ✓ 84% of the fixed route comments are in favor of the fixed route fare increase.

They have indicated that the rising gas prices and less service cuts are legitimate reasons for a fare increase.

- ✓ 16% of the fixed route respondents are against the fare increase.

Most of those against the increase feel that the fares are too high now for the service that is offered. They want more weekend and late night service, better frequency, as well as twenty-four hour service as opposed less service.

Paratransit Comments:

- ✓ 100% of the Paratransit respondents are against the increase in fares. Most are on a fixed income and cannot afford an increase. They rely on ACCESS LYNX as their only mode of transportation. In addition, they believe that the increase will severely limit their ability to access medical appointments and other eligible trips.

RECOMMENDED FARE STRUCTURE:

Service	LYNX Fare Structure Fare Type	Fare
Fixed Route	Full Fare	\$2.00
	Youth Fare	\$1.00
	Senior Fare	\$1.00
	Income Qualified (IQ) Fare	\$1.00
	Transfers	Free
	Express	\$3.50
	Express Discount Fare	\$1.75
	PickUpLine	\$2.00
	PUL Discount Fare	\$1.00
	Shuttle	Determined Per Event
	Limited	\$3.00
	Limited Discount	\$1.50
	Direct	\$4.00
	Direct Discount	\$4.00
	Children (age 6 and under)*	Free
	Daily	\$4.50
	Discount Daily	\$2.25
	7-Day	\$16.00
	Discount 7-Day	\$8.00
	30-Day	\$50.00
	Discount 30-Day	\$25.00
	PUL Daily	\$4.50
	PUL Daily Discount	\$2.25
	PUL 7-Day	\$16.00
	PUL 7-Day Discount	\$8.00
	PUL 30-Day	\$50.00
	PUL 30-Day Discount	\$25.00
	Limited Daily	\$5.50
	Limited Daily Discount	\$2.75
	Limited 7-Day	\$19.00
	Limited 7-Day Discount	\$9.50
	Limited 30-Day	\$58.00
	Limited 30-Day Discount	\$29.00
Express Daily	\$6.50	
Express Daily Discount	\$3.25	
Express 7-Day	\$23.00	
Express 7-Day Discount	\$11.50	
Express 30-Day	\$70.00	

Service	LYNX Fare Structure Fare Type	Fare
	Express 30-Day Discount	\$35.00
	Direct Round Trip	\$3.75
	LYNX Unlimited Daily	\$7.50
	LYNX Unlimited Daily Discount	\$3.75
	LYNX Unlimited 7-Day	\$27.00
	LYNX Unlimited 7-Day Discount	\$13.50
	<p style="text-align: center;">LYMMO</p> <p style="text-align: center;">Special Events</p> <p style="text-align: center;">VOTRAN XL (Express LYNX)</p> <p style="text-align: center;">ACCESS LYNX</p> <p style="text-align: center;"><i>As authorized by the Local Coordinating Board</i></p>	LYNX Unlimited 30-Day
LYNX Unlimited 30-Day Discount		\$40.00
Stored Value Discount Card		10% (not currently offered)
Single Ride		Free
Shuttle – Single Ride		Determined Per Event
Single Ride		\$ 3.50
Seniors/Students		\$ 1.75
ADA Fare (Inside ¾ mile radius)		\$ 4.00
ADA Fare (Outside ¾ mile radius)		\$ 7.00
Medicaid Fare		\$ 1.00
TD Fare – 0 to 4.99 Miles		\$ 3.50
TD Fare – 5 to 9.99 Miles		\$ 5.50
TD Fare – 10 Miles		\$ 7.50

In consideration of the above comments from our paratransit customers, LYNX staff is recommending that the proposed increase in ADA Fare (Outside ¾ mile radius) be reduced from \$8.00 to \$7.00. Also, since the PUL is an augmentation of the more costly fixed route services, staff is recommending that the fare structure for the PUL services be consistent with the fixed route.

Policy Clarifications:

Transfers

Transfers are valid on the date issued and must be used by the purchasing rider within a specified time interval from when it was issued. The Chief Executive Officer, or designee, determines the appropriate time interval. Transfers cannot be used for stopovers or return travel.

Daily Pass

The daily pass is valid from 4:00 a.m. on the day of issuance until 3:00 a.m. the following day. The Chief Executive Officer, or designee, may make adjustments to the hours of validity as needed.

Discounted Fares and Passes

Discounted fares and passes will be offered to the following riders:

Disabled

Disabled riders shall be qualified for the AdvantAge Pass program based on reasonable and sufficient procedures and criteria established by the Chief Executive Officer and documented in LYNX Policy.

Income Qualified

Income qualified riders shall be qualified for the AdvantAge Pass Program based on reasonable and sufficient procedures and criteria established by the Chief Executive Officer and documented in LYNX Policy.

Seniors

Senior riders shall be qualified for the AdvantAge Pass Program based on reasonable and sufficient procedures and criteria established by the Chief Executive Officer and documented in LYNX Policy.

Students (K-12)

Youth Fare applies to riders age 18 and younger. Riders age 6 and under ride free. The Youth Fare is available seven days a week and has no time restrictions. Youth Pass Program based on reasonable and sufficient procedures and criteria established by the Chief Executive Officer and documented in LYNX Policy.

Children (Age 6 and under)

Children six and under may ride free when accompanied by an adult (full or discount). No more than three children may ride free per adult. Children six and under must pay \$1.00 when not accompanied by an adult.

Stored Value Discount Card

The Stored Value Discount of 10% may be offered as a convenience for riders who which to prepay but do not ride frequently enough to warrant a time-value pass.

Group Discounts

Employer discounts for Groups available and will be determined by the Chief Executive Officer and documented in LYNX Policy.

Human Service Agencies

Single Ride tickets may be issued by human service agencies to clients and will not be redeemable for cash.

FISCAL IMPACT:

As a result of the proposed fare increases and as suggested in the fare study, LYNX' staff anticipates yielding a net revenue gain of approximately \$1,062,112, Fixed Route and Paratransit.

2008 LYNX Fare Analysis

Draft Executive Summary

Prepared for:

**Central Florida Regional Transportation Authority
(LYNX)**

*455 North Garland Avenue
Orlando, Florida 32801
ph (407) 841-LYNX*

October 2008

Tindale-Oliver & Associates, Inc.

*1595 South Semoran Boulevard, Building 7, Suite 1540
Winter Park, Florida 32792
ph (407) 657-9210, fax (407) 657-9106*

BACKGROUND

The Central Florida Regional Transportation Authority, doing business as LYNX, is the public transportation provider for Orange, Seminole, and Osceola counties. Building on the success of previous fare adjustments implemented by LYNX in March 1997, January 1999, January 2003, March 2005, and January 2008 LYNX is seeking to update its fare structure in January 2009. Based upon the January 2008 fare adjustments, a fare elasticity is developed to gauge the price sensitivity of LYNX customers to proposed fare increases. This report includes an assessment of the anticipated effects of fare structure changes, an evaluation of pass usage trends, and an evaluation of a proposed fare structure alternative. The fare adjustment has been proposed in order to maximize farebox revenue to accommodate LYNX budgetary needs, according to the direction provided by the LYNX Board of Directors.

FARE STRUCTURE HISTORY

Table 1 summarizes the various LYNX fare structures since 1996. Fare structure updates were instituted in March 1997, January 1999, January 2003, March 2005, and January 2008. Daily passes were instituted in January 2003, and the fare for transfers was also eliminated at that time.

Table 1
LYNX Fare Structure History

	Update Date	Cash	Daily Pass	7-Day Pass	30-Day Pass	Transfers
Adult	Pre-1997	\$0.75	N/A	\$7.00	\$30.00	\$0.10
	March 1997	\$0.85	N/A	\$7.00	\$30.00	\$0.10
	January 1999	\$1.00	N/A	\$10.00	\$35.00	\$0.10
	January 2003	\$1.25	\$3.00	\$10.00	\$36.00	FREE
	March 2005	\$1.50	\$3.50	\$12.00	\$38.00	FREE
	January 2008	\$1.75	\$4.00	\$14.00	\$44.00	FREE
	Update Date	Cash	Daily Pass	7-Day Pass	30-Day Pass	Transfers
Discount	Pre-1997	\$0.25	N/A	N/A	\$12.00	\$0.10
	March 1997	\$0.25	N/A	N/A	\$12.00	\$0.10
	January 1999	\$0.25	N/A	N/A	\$12.00	\$0.10
	January 2003	\$0.50	\$1.50	\$5.00	\$15.00	FREE
	March 2005	\$0.75	\$1.75	\$6.00	\$18.00	FREE
	January 2008	\$0.85	\$2.00	\$7.00	\$22.00	FREE

EXISTING FARE STRUCTURE

LYNX's fare structure consists of several fare media for various services. Fixed-route bus service is available to all residents and visitors for a base fare of \$1.75 per one-way trip. Transfers for all fixed-route services are free of charge, and are limited to 90

minutes after paying the single-ride fare. Passengers must request a transfer from the bus operator when boarding. Transfers are not valid for trips on the same Link, from fixed-route to express or PickUpLine services, or for round-trip purposes. Exact fare is required to ride the bus, as bus operators cannot make change. Children age 6 and under may ride free when accompanied by an adult (full fare or non-Youth discount fare). No more than 3 children may ride free per adult. Children 6 and under must pay \$0.75 when not accompanied by an adult.

In addition to the fixed-route system, LYNX offers ACCESS LYNX, a shared-ride, door-to-door transportation service for people who are unable to use the fixed-route services due to disabilities. ACCESS LYNX patrons must fill out an application and be certified by LYNX as eligible to utilize this service.

ACCESS LYNX fares are \$3.50 per one-way trip, for trips with origins and destinations within ¾-mile of a Link, and \$6.00 per one-way trip where the origin and destinations are not within ¾-mile of a Link.

The current LYNX services and fares are shown in Table 2 below.

Table 2
LYNX Existing Fare Structure

Fare Type	Existing Cash Fares
Full Fare	\$1.75
Youth Fare	\$0.85
Senior Fare	\$0.85
Income Qualified (IQ) Fare	\$0.85
Transfers	Free
Express	\$3.00
Express Discount Fare	\$1.50
PickUpLine	\$2.50
PUL Discount Fare	\$1.00
Shuttle	Determined Per Event
*Limited	\$2.50
*Limited Discount	\$1.25
*Direct	\$4.00
*Direct Discount	\$2.00
ADA Fare Inside 3/4 Mile	\$3.50
ADA Fare Outside 3/4 Mile	\$6.00
Daily	\$4.00
Discount Daily	\$2.00
7-Day	\$14.00
Discount 7-Day	\$7.00
30-Day	\$44.00
Discount 30-Day	\$22.00
PUL Daily	\$5.00

Fare Type	Existing Cash Fares
PUL Daily Discount	\$2.50
PUL 7-Day	\$18.00
PUL 7-Day Discount	\$9.00
PUL 30-Day	\$54.00
PUL 30-Day Discount	\$27.00
*Limited Daily	\$4.50
*Limited Daily Discount	\$2.25
*Limited 7-Day	\$16.00
*Limited 7-Day Discount	\$8.00
*Limited 30-Day	\$48.00
*Limited 30-Day Discount	\$24.00
Express Daily	\$5.50
Express Daily Discount	\$2.75
Express 7-Day	\$20.00
Express 7-Day Discount	\$10.00
Express 30-Day	\$60.00
Express 30-Day Discount	\$30.00
*Direct Round Trip	\$7.00
*Direct Round Trip Discount	\$3.50
LYNX Unlimited Daily	\$7.00
LYNX Unlimited Daily Discount	\$3.50
LYNX Unlimited 7-Day	\$25.00
LYNX Unlimited 7-Day Discount	\$12.50
LYNX Unlimited 30-Day	\$75.00
LYNX Unlimited 30-Day Discount	\$37.50

*This type of service is not currently operated by LYNX.

LYNX RIDERSHIP TREND ASSESSMENT

Figures 1, 2, and 3 provide the trend in total ridership, fare revenue, and fare medium, respectively, for LYNX between 2005 and 2008. In addition, Figure 4 displays the proportion of pass trips to cash trips for the five months following the fare change as compared to the same time frame in 2007.

Figure 1
LYNX Ridership Trends (2005-2008)

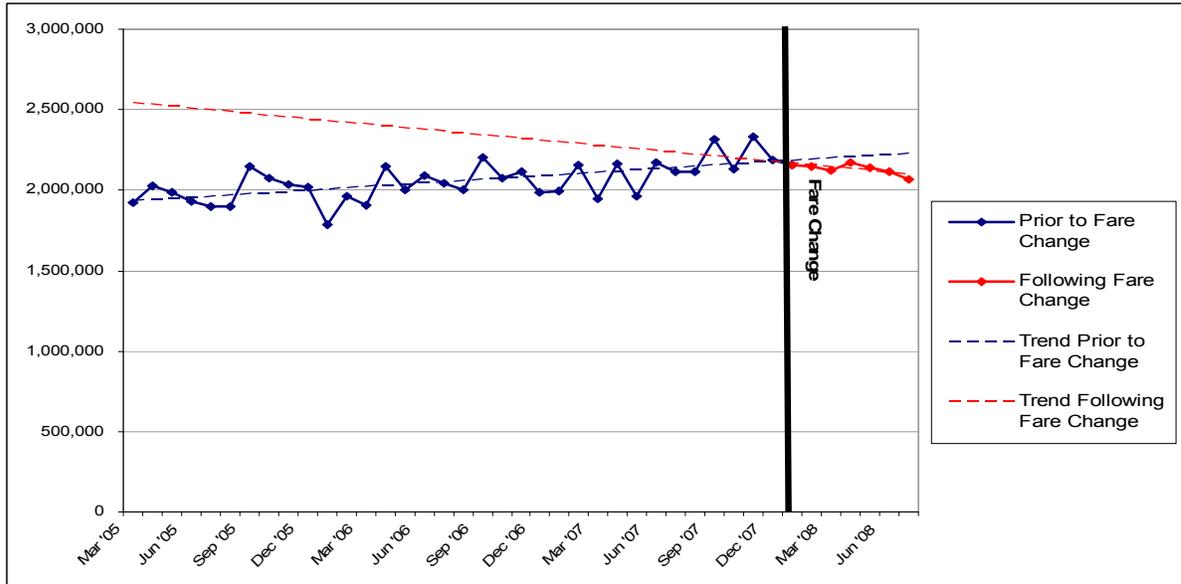


Figure 2
LYNX Revenue Trends (2005-2008)

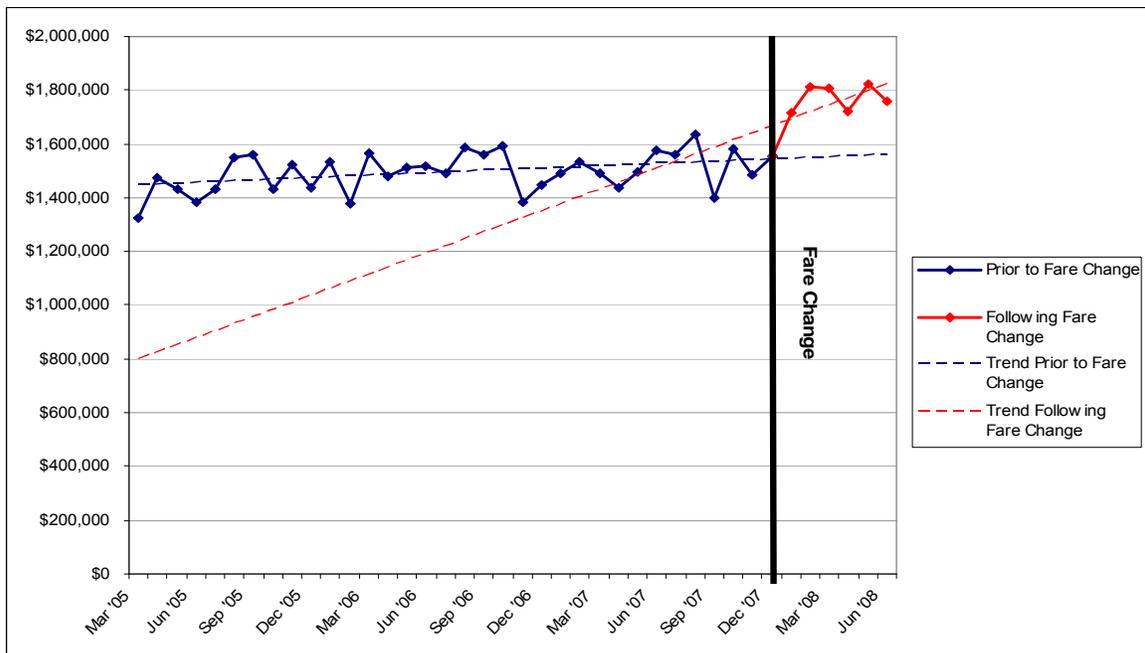


Figure 3
LYNX Ridership by Fare Medium

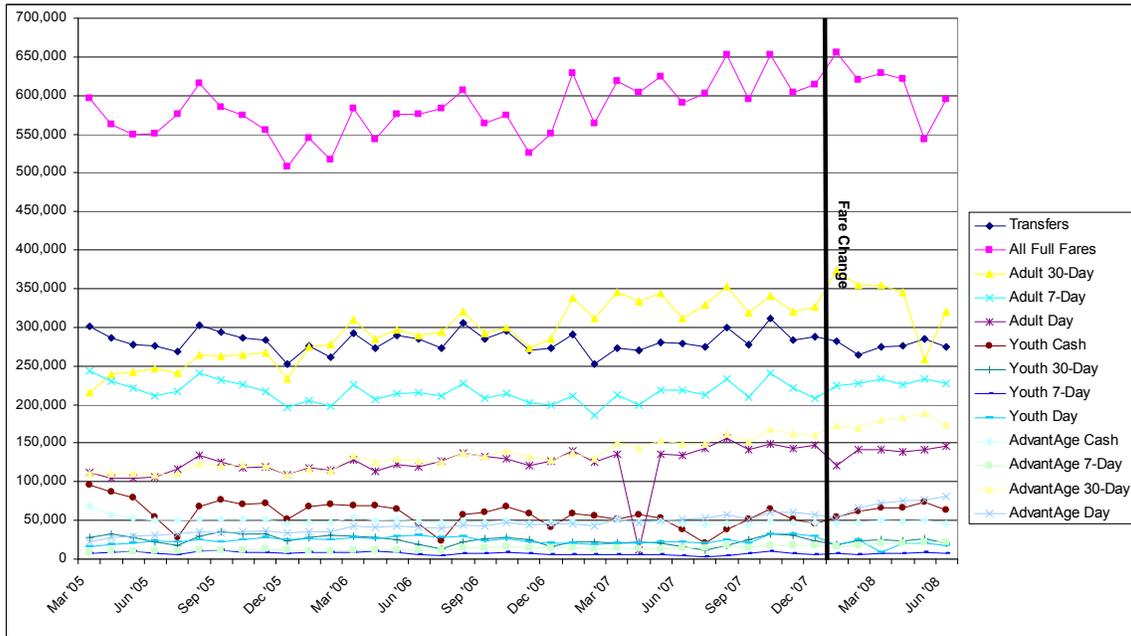
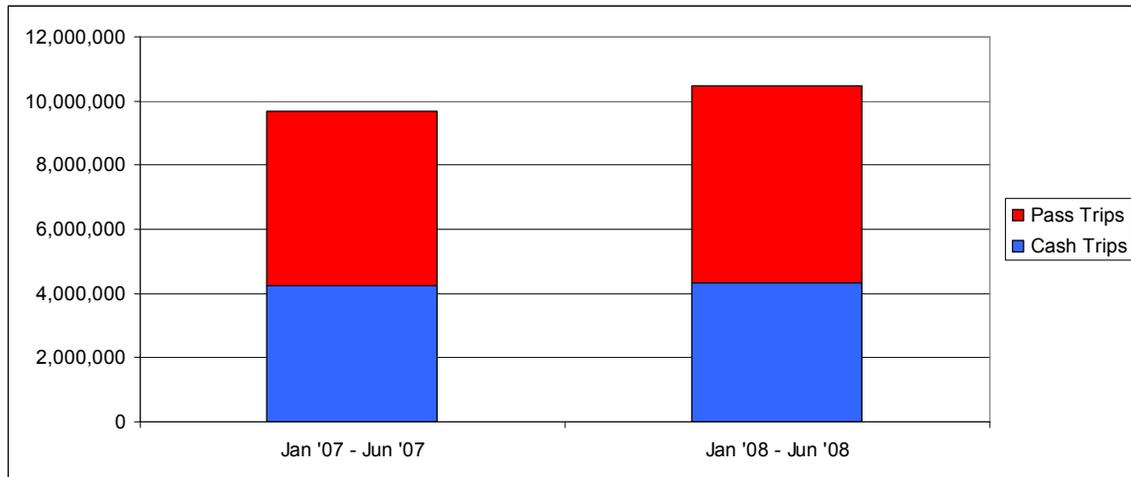


Figure 4
Proportion of Pass to Cash Usage



PEER REVIEW

An analysis of similar transit systems to LYNX was performed to assist in determining the comparability of specific fare policies, fare structures, and fares. A peer review is a common tool utilized by transit agencies to compare and evaluate transit systems operating within a similar operating environment or that might share other similar system

characteristics. For the LYNX fare policy peer review, peer systems were selected based on three criteria. The criteria include:

- Large Florida transit systems
- Out-of-state transit systems with a similar operating environment
- LYNX staff input to include documents such as the Transit Development Plan

The peer group includes four peer systems from Florida and six peer systems from outside of Florida. Information on fare policy and fare structure issues was collected either directly from the transit agency's website or by contacting each agency's public information telephone line. Table 3 summarizes the dedicated funding, fare structure, fares, and transfer policies for each of the peer transit agencies. Important to note is that 2 of the 10 agencies provide a Multi-Ride Pass and a Weekly/7-Day Pass, 4 of the 10 agencies do not charge for transfers, and 8 of the 10 agencies are receiving dedicated funding in the form of sales tax or ad valorem tax.

**Table 3
Peer Comparison of Cash and Pass Fares**

County Location	Transit System	Dedicated Funding		Fare Types						Allow Free or Reduced Transfers (Y/N) ¹⁰	Transfer Fare
		Yes/No	Type	Current Base Fare	All-Day Pass	Multi Ride		7-Day Pass	Monthly/31-Day Pass		
						# of Rides	Fare				
Orange	LYNX	No		\$1.75	\$4.00	-	-	\$14.00	\$44.00	Y	Free
Miami-Dade	Miami-Dade Transit	Yes	Sales Tax	\$1.50	-	10	\$7.00	-	\$75.00	Y	\$0.50
Hillsborough	Hillsborough Area Regional Transit ¹	Yes	Ad Valorem	\$1.50	\$3.25	20	\$30.00	-	\$50.00	N	
Pinellas	Pinellas Suncoast Transit Authority	Yes	Ad Valorem	\$1.50	\$3.50	-	-	\$15.00	\$45.00	N	
Broward	Broward County Transit	No		\$1.25	\$3.00	10	\$10.00	\$11.00	\$40.00	N	
Anaheim, CA	Orange County Transit Authority	Yes	Sales Tax	\$1.25	\$3.00	-	-	\$15.00	\$45.00	N	
Hampton Roads, VA	Hampton Roads Transit	N/A		\$1.50	\$3.50	-	-	\$17.00	\$55.00	Y	Free
Charleston, SC	Charleston Area Regional Transportation Authority	Yes	Sales Tax	\$1.25	\$4.00	10	\$10.00	-	\$31.25	Y	Free
Charlotte, NC	Charlotte Area Transit System ²	Yes	Sales Tax	\$1.30	-	10	\$11.00	\$13.00	\$52.00	Y	Free
Austin, TX	Capital Metro ³	Yes	Sales Tax	\$0.50	\$1.00	10	\$5.00	-	\$10.00	N	
Denver, CO	Regional Transportation District	Yes	Sales Tax	\$1.75	\$5.25	10	\$15.75	-	\$60.00	Y	Free

¹Effective November 2008, HART will increase its fare to \$1.75 base, \$3.75 per all day pass, and \$60.00 per monthly pass.

²Effective October 2008, CATS will increase the current fares to \$1.50 base, \$15.00 per weekly pass, \$60.00 per monthly pass, and \$12.75 for 10 ride tickets.

³Effective October 2008, Capital Metro will increase the current fares to \$0.75, \$7.00 per weekly pass, and \$18.00 per 31-day pass.

ELASTICITY ESTIMATION FOR LYNX RIDERSHIP

In order to estimate the impact of fare increases on ridership, a fare elasticity analysis was completed for the LYNX system. An elasticity of -0.40 for overall ridership was estimated for the purposes of this study. Based on the estimated elasticity, for every ten percent increase in fares, ridership is expected to decrease by 4.0 percent when controlling for other external factors.

FARE ALTERNATIVE ANALYSIS

Three ridership change scenarios were used to analyze the impact of the potential fare alternative.

- 1) **No Growth in Ridership** – Ridership remains static with no growth. This scenario utilizes the FY 2008 ridership statistics to estimate revenues for FY 2009.
- 2) **Continuing Growth in Ridership** – Ridership growth trends continue at the same pace as they have between FY 2003 and FY 2008. This scenario uses ridership trends to forecast ridership growth in FY 2009.
- 3) **Decline in Ridership** – Ridership changes as a result of the fare increase. This scenario utilizes a demand elasticity factor to measure the decline in ridership due to the proposed increase in fares.

The proposed fare alternative was analyzed in order to find the total revenue and ridership gain or loss for each scenario. Several assumptions were made in order to complete the fare alternatives analysis.

- LYNX has indicated that the new fare structure will be implemented in January 2009. Twelve-month estimated revenue totals in Tables 4 include the estimated fare revenue to be collected over the nine-month period in FY 2009, from January to September 2009, when the new fare structure will be in place, and the three-month period in FY 2009 from October to December 2008 with the existing fare structure.
- The number of times a pass is used is the current ridership divided by the resulting solution to the current revenue divided by the current fare.

- The number of passes purchased is the current ridership divided by the number of times an individual pass is used.
- The final revenue is the number of purchased passes multiplied by the future fare.
- The transfer policy will remain the same and, as such, transfers will remain free when transferring between similar services, such as transferring from one local Link to another local Link, or from a premium service to a lesser service.
- Discounted fares include fares and passes for AdvantAge, Youth, Income Qualified (IQ), and Kids Club pass holders and fare payments.
- Short fare remains the same regardless of the fare increase, but changes based on ridership increases and decreases.
- The unclassified category includes revenue that was not reported in a specific fare category and fares that do not have a specific ridership figure associated with them.
- The miscellaneous ridership category includes free riders, such as persons with visual impairments, LYNX employees, and children below the age of 6 riding with an adult.
- Miscellaneous riders experience the same rate of change as full-fare riders when ridership is elastic.

Each fare alternative was analyzed in order to find the total revenue and ridership gain or loss. Table 4 shows fare revenues estimated to be collected under each scenario. Table 5 displays the projected fare revenue under each scenario resulting from the proposed fare structure levels when the base fare revenue is deducted.

Table 4
Fare Revenues from Scenarios

Ridership Growth Projections	\$2.00 Base Fare Alternative
Current Trend (High Growth)	\$24,168,256.67
Static (No Growth)	\$22,401,065.47
Current Trend with Elastic Demand	\$21,449,027.83

Table 5
Increase in Fare Revenues from Scenarios Compared to Base Revenue

Ridership Growth Projections	\$2.00 Base Fare Alternative
Current Trend (High Growth)	\$3,908,403
Static (No Growth)	\$2,141,211
Current Trend with Elastic Demand	\$1,189,174

RECOMMENDED FARE STRUCTURE

Table 6 summarizes the recommended fare structure, given LYNX's budgetary constraints for implementation in fiscal year 2009. This fare structure recommends increasing the base fare to \$2.00 with corresponding changes to the overall fare structure and keeping the existing free transfer policy.

After implementation of the January 2008 increase, LYNX planned to build on the success of previous fare increases and reevaluate the fare structure again in two years. However, with the passing of Amendment One, rising fuel costs, and a lack of dedicated funding, LYNX needed to reexamine fare structure increases prior to the next scheduled fare analysis. As part of this fare analysis, fare levels were also compared to local employment rates to ensure that LYNX's fares do not outpace affordability for the current riders. It is our recommendation, that after the January 2009 increase LYNX resume the schedule of evaluating and proposing increases every three years.

Table 7 shows the proposed fare structure for LYNX compared to the system peers provided in Table 3. The proposed fare structure would place LYNX as the agency charging the highest base fare in its peer group and in Florida at this time.

Table 6
Recommended Fare Structure

Fare Type	Existing Cash Fares	Proposed Cash Fare @ \$2.00
Full Fare	\$1.75	\$2.00
Youth Fare	\$0.85	\$1.00
Senior Fare	\$0.85	\$1.00
Income Qualified (IQ) Fare	\$0.85	\$1.00
Transfers	Free	Free
Express	\$3.00	\$3.50
Express Discount Fare	\$1.50	\$1.75
PickUpLine	\$2.50	\$3.00
PUL Discount Fare	\$1.00	\$1.50
Shuttle	Determined Per Event	Determined Per Event
Limited	\$2.50	\$3.00
Limited Discount	\$1.25	\$1.50
Direct	\$4.00	\$4.00
Direct Discount	\$2.00	\$2.00
ADA Fare Inside 3/4 Mile	\$3.50	\$4.00

Fare Type	Existing Cash Fares	Proposed Cash Fare @ \$2.00
ADA Fare Outside 3/4 Mile	\$6.00	\$6.50
Daily	\$4.00	\$4.50
Discount Daily	\$2.00	\$2.25
7-Day	\$14.00	\$16.00
Discount 7-Day	\$7.00	\$8.00
30-Day	\$44.00	\$50.00
Discount 30-Day	\$22.00	\$25.00
PUL Daily	\$5.00	\$5.50
PUL Daily Discount	\$2.50	\$2.75
PUL 7-Day	\$18.00	\$22.00
PUL 7-Day Discount	\$9.00	\$11.00
PUL 30-Day	\$54.00	\$65.00
PUL 30-Day Discount	\$27.00	\$32.50
Limited Daily	\$4.50	\$5.50
Limited Daily Discount	\$2.25	\$2.75
Limited 7-Day	\$16.00	\$19.00
Limited 7-Day Discount	\$8.00	\$9.50
Limited 30-Day	\$48.00	\$58.00
Limited 30-Day Discount	\$24.00	\$29.00
Express Daily	\$5.50	\$6.50
Express Daily Discount	\$2.75	\$3.25
Express 7-Day	\$20.00	\$23.00
Express 7-Day Discount	\$10.00	\$11.50
Express 30-Day	\$60.00	\$70.00
Express 30-Day Discount	\$30.00	\$35.00
Direct Round Trip	\$7.00	\$7.50
Direct Round Trip Discount	\$3.50	\$3.75
LYNX Unlimited Daily	\$7.00	\$7.50
LYNX Unlimited Daily Discount	\$3.50	\$3.75
LYNX Unlimited 7-Day	\$25.00	\$27.00
LYNX Unlimited 7-Day Discount	\$12.50	\$13.50
LYNX Unlimited 30-Day	\$75.00	\$80.00
LYNX Unlimited 30-Day Discount	\$37.50	\$40.00

The American with Disabilities Act (ADA) requires that complementary ADA paratransit services within ¼ miles of a fixed-bus route charge a fare not to exceed twice the fixed-route base fare. In accordance with this requirement, it is recommended that the fare for complementary ADA paratransit services be adjusted to be twice the adjusted fixed-route base fare. The ADA fare for outside of the ¼ mile is not currently regulated because complementary services beyond this minimum legal requirement do not have to be provided by LYNX.

Table 7
Peer Comparison of Cash and Pass Fares
With Proposed LYNX Alternative Fare Structure

County Location	Transit System	Fare Types						Allow Free or Reduced Transfers (Y/N) ¹	Transfer Fare
		Current Base Fare	All-Day Pass	Multi Ride		7-Day Pass	Monthly/31-Day Pass		
				# of Rides	Fare				
Orange	Proposed LYNX Alternative	\$2.00	\$4.50	-	-	\$16.00	\$50.00	Y	Free
Miami-Dade	Miami-Dade Transit	\$1.50	-	10	\$7.00	-	\$75.00	Y	\$0.50
Hillsborough	Hillsborough Area Regional Transit	\$1.50	\$3.25	20	\$30.00	-	\$50.00	N	
Pinellas	Pinellas Suncoast Transit Authority	\$1.50	\$3.50	-	-	\$15.00	\$45.00	N	
Broward	Broward County Transit	\$1.25	\$3.00	10	\$10.00	\$11.00	\$40.00	N	
Anaheim, CA	Orange County Transit Authority	\$1.25	\$3.00	-	-	\$15.00	\$45.00	N	
Hampton Roads, VA	Hampton Roads Transit	\$1.50	\$3.50	-	-	\$17.00	\$55.00	Y	Free
Charleston, SC	Charleston Area Regional Transportation Authority	\$1.25	\$4.00	10	\$10.00	-	\$31.25	Y	Free
Charlotte, NC	Charlotte Area Transit System	\$1.30	-	10	\$11.00	\$13.00	\$52.00	Y	Free
Austin, TX	Capital Metro	\$0.50	\$1.00	10	\$5.00	-	\$10.00	N	
Denver, CO	Regional Transportation District	\$1.75	\$5.25	10	\$15.75	-	\$60.00	Y	Free

¹Transit agencies that do not allow for a free or reduced transfer fare charge the full base fare whenever passengers board a different vehicle.

Note: LYNX monthly pass is a 30-Day Pass

Action Agenda Item #7.D

To: LYNX Board of Directors

From: Bert Francis
CHIEF FINANCIAL OFFICER
Blanche Sherman
(Technical Contact)

Phone: 407.841.2279 ext: 6047

Item Name: FY2009 Amended Operating & Capital Budgets

Date: 10/23/2008

ACTION REQUESTED:

Staff is requesting the Board of Directors’ authorization for the Chief Executive Officer (CEO) or designee to amend the FY2009 Operating Budget to reflect the final Board decisions pertaining to utilization of additional preventative maintenance funding, projected fuel savings, service reductions and operating reserves to balance the FY2009 budget.

BACKGROUND:

On September 25, LYNX staff presented the proposed Operating Budget for FY2009 in the amount of \$129,128,042 which is an increase of \$15,320,336 or 13% from the previous year. The proposed operating budget included an operating shortfall in the amount of \$4,330,578.

LYNX Board made the decision to not endorse the current funding formula, but to direct staff to utilize additional preventative maintenance funding, projected fuel savings, service reductions and operating reserves to balance the FY2009 budget.

	<u>Adopted Budget</u>	<u>Revisions</u>	<u>Amended Budget</u>
Operating Funding Shortfall	\$ 4,330,578	\$ (4,330,578)	\$ -
Fund Balance	-	1,706,170	1,706,170
LYNX-Generated Revenue	37,193,885	-	37,193,885
Federal Revenue	20,958,999	2,000,000	22,958,999
State Revenue	10,037,623	-	10,037,623
Local Revenue	<u>56,606,957</u>	<u>(1,108,372)</u>	<u>55,498,585</u>
Total Operating Revenue	<u>\$129,128,042</u>	<u>\$ (1,732,780)</u>	<u>\$127,395,262</u>

These funds are programmed to fund the following types of expenses:

	Adopted <u>Budget</u>	<u>Revisions</u>	Amended <u>Budget</u>
Salaries/Wages/Fringes	\$ 65,024,148	\$ (442,720)	\$ 64,581,428
Other Services	13,818,692	-	13,818,692
Fuel	18,155,518	(1,283,449)	16,872,069
Materials & Supplies	6,036,640	-	6,036,640
Utilities	1,323,940	-	1,323,940
Casualty & Liability	1,541,700	-	1,541,700
Taxes	468,095	(6,611)	461,484
Purchased Transportation	20,106,965	-	20,106,965
Miscellaneous	2,057,689	-	2,057,689
Interest	479,655	-	479,655
Leases	<u>115,000</u>	<u>-</u>	<u>115,000</u>
Total Operating Expenses	<u>\$129,128,042</u>	<u>\$(1,732,780)</u>	<u>\$127,395,262</u>

This Amendment also covers the capital lease costs of the buses being leased for service. In addition, LYNX staff will present an amended FY2009 capital budget in December to reflect the impact of the additional \$2,000,000 of preventative maintenance funding.

Monthly Report A: Financial Reports

To: LYNX Board Of Directors

From: Bert Francis
CHIEF FINANCIAL OFFICER
Blanche Sherman
(Technical Contact)

Phone: 407.841.2279 ext: 6047

Item Name: Monthly Financial Reports - July 31, 2008

Date: 10/23/2008

Please find attached the monthly financial report for the nine months ending July 31, 2008. LYNX' Statement of Revenues, Expenses, and Changes in Net Assets (Operating Statement) for the ten months ending July 31, 2008 reflect total revenue earned in the amount of \$87,807,813 and total expenses incurred in the amount of \$91,048,698 resulting in a net operating loss of \$(3,240,885).

- Fixed route and Van Pool services resulted in an operating loss of \$(2,135,576) for the ten months of the fiscal year.
- Paratransit services resulted in an operating loss of \$(1,105,309) for the ten months of the fiscal year.

Fixed Route Operations:

The year-to-date Operating Revenues are consistent with the budget at 100%. Customer fares are at 102% of the budgeted amount year-to-date and were 5% above budget for the month of July.

Due to the significant increases in fuel prices, the cost of fuel continues to run over budget by approximately 28% for the first ten months of the fiscal year. We continue to closely monitor the cost of fuel. In the past few weeks, prices for diesel fuel have declined. If this trend continues, it may give us some budgetary relief by the end of the year.

On the positive side, fixed route operating expenses for salaries and wages continue to be slightly under budget due to various vacancies. In addition, expenses related to utilities, taxes, and licenses are less than budgeted. Casualty and liability insurance expenses are 44% over budget due to the settlement of several outstanding claims over the past few months. We are not anticipating that this trend will continue throughout the last quarter of the fiscal year.

Paratransit Operations:

The operating loss from Paratransit operations is a result of higher than anticipated purchased transportation costs year-to-date. This is directly related to the increase in paratransit trip levels.

An analysis follows:

FY2008	Trips (Year-to-Date)	Trip Rate	Costs
Actual (with est.)	462,120	\$30.67	\$14,174,195
Budget (rounding)	417,157	\$30.89	\$12,887,450
Excess Trips/Costs	44,963	\$ (.22)	\$ 1,286,745

We will continue to monitor the trip levels in order to ensure consistency with planned operating expenses and make appropriate adjustments, as needed. In addition, staff continues to oversee the operations of this program daily to ensure that the provider is in compliance with the required service performance standards and other contractual obligations.

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY
BALANCE SHEETS
JULY 31, 2008 AND 2007
(UNAUDITED)

	2008	2007
ASSETS		
CURRENT ASSETS:		
Cash and cash equivalents	\$ 25,042,098	17,844,718
Receivables:		
Local, trade and operating assistance	4,381,212	7,804,081
Federal grants	5,986,461	6,068,774
State grants	1,833,740	1,122,873
Inventory	2,381,173	2,174,818
Prepaid expenses and other assets	456,111	773,214
Restricted cash and cash equivalents	2,453,057	4,933,260
	42,533,852	40,721,738
Total current assets		
NONCURRENT ASSETS:		
Restricted cash and cash equivalents	4,371,768	5,905,861
Property and equipment:		
Land	8,571,465	8,571,465
Buildings and shelters	63,955,372	39,867,549
Revenue vehicles	101,887,188	83,192,162
Furniture, Fixtures & Equipment	21,118,368	16,018,286
Leasehold improvements	155,794	1,767,888
Total property and equipment	195,688,187	149,417,350
Less: accumulated depreciation	(83,503,448)	(76,072,185)
Construction in progress	19,165,154	41,726,163
	131,349,893	115,071,328
Net property and equipment		
Other assets	1,172,240	926,468
	136,893,901	121,903,657
Total noncurrent assets		
TOTAL ASSETS	\$ 179,427,753	\$ 162,625,395

**CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY
BALANCE SHEETS
JULY 31, 2008 AND 2007
(UNAUDITED)**

	<u>2008</u>	<u>ACTUAL 07</u> <u>2007</u>
LIABILITIES AND NET ASSETS		
CURRENT LIABILITIES:		
Accounts payable	\$ 3,993,128	\$ 4,473,875
Accrued salaries and related taxes	2,445,172	1,800,063
Accrued compensated absences	3,198,711	2,954,076
Accrued self-insurance liability, current	1,082,683	1,209,079
Leases payable, current	995,290	-
SIB loans payable, current	3,081,717	1,801,635
Deferred operating revenue	11,081,609	8,348,325
Deferred capital	1,191,328	2,267,972
	<u>27,069,638</u>	<u>22,855,025</u>
Total current liabilities		
NONCURRENT LIABILITIES:		
Leases payable, long-term	5,916,413	-
Loans payable	12,914,638	15,897,356
Accrued self-insurance liability, long-term	2,106,897	1,754,567
	<u>20,937,948</u>	<u>17,651,923</u>
Total noncurrent liabilities		
Total liabilities	<u>48,007,586</u>	<u>40,506,948</u>
NET ASSETS:		
Invested in capital assets, net of related debt	112,709,622	103,068,220
Restricted	1,261,729	1,032,788
Unrestricted	17,448,816	18,017,439
	<u>131,420,167</u>	<u>122,118,447</u>
Total net assets		
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 179,427,753</u>	<u>\$ 162,625,395</u>

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY
STATEMENT OF REVENUES AND EXPENSES
FOR THE MONTH OF JULY 2008 AND THE TEN MONTHS ENDED JULY 31, 2008
(UNAUDITED)

	Year to Date			Month of July		
	Budget	Actual	%	Budget	Actual	%
OPERATING REVENUES						
Customer Fares	\$ 17,497,990	\$ 17,964,980	103%	\$ 1,749,799	\$ 1,832,942	105%
Contract Services:						
Local Financial Assistance	7,449,340	7,690,068	103%	744,934	777,946	104%
Other Contractual Services	6,584,890	6,501,338	99%	658,489	724,154	110%
Advertising	2,041,670	1,748,600	86%	204,167	147,475	72%
Other Operating Income	<u>581,100</u>	<u>548,226</u>	<u>94%</u>	<u>58,110</u>	<u>10,802</u>	<u>19%</u>
 Total Operating Revenues	 <u>34,154,990</u>	 <u>34,453,212</u>	 <u>101%</u>	 <u>3,415,499</u>	 <u>3,493,319</u>	 <u>102%</u>
NONOPERATING REVENUES						
Operating assistance grants:						
Federal	625,000	604,000	97%	62,500	55,500	89%
State of Florida	7,022,676	6,687,032	95%	705,997	668,703	95%
Local	36,613,470	34,276,081	94%	3,661,347	3,427,608	94%
Planning and other assistance grants:						
Federal - Commuter Rail Project	-	-	0%	-	-	0%
Federal - Other	10,384,872	8,908,051	86%	1,091,859	884,616	81%
State of Florida - Commuter Rail Project	-	-	0%	-	-	0%
State of Florida - BRT Circulator Project	-	-	0%	-	-	0%
State of Florida - Other	2,373,942	2,136,831	90%	250,438	169,405	68%
Local Matching - BRT Circulator Project	-	-	0%	-	-	0%
Local Matching - Other	159,710	-	N/A	15,971	-	N/A
Interest Income	666,670	556,285	83%	66,667	51,219	77%
Gain / (Loss) on Sale of Assets	<u>-</u>	<u>186,321</u>	<u>N/A</u>	<u>-</u>	<u>20,369</u>	<u>N/A</u>
 Total Nonoperating Revenues	 <u>57,846,340</u>	 <u>53,354,601</u>	 <u>92%</u>	 <u>5,854,779</u>	 <u>5,277,420</u>	 <u>90%</u>
 Total Revenues	 <u>92,001,330</u>	 <u>87,807,813</u>	 <u>95%</u>	 <u>9,270,278</u>	 <u>8,770,739</u>	 <u>95%</u>
OPERATING EXPENSES						
Salaries and Wages	33,946,920	33,323,072	98%	3,394,692	3,331,662	98%
Fringe Benefits	18,268,590	16,394,142	90%	1,826,859	1,745,124	96%
Purchased Transportation Services	12,890,790	14,175,065	110%	1,289,079	1,407,624	109%
Fuel	10,869,350	13,605,878	125%	1,086,935	1,762,229	162%
Other Materials and Supplies	4,929,490	4,264,051	87%	492,949	438,317	89%
Professional Services	2,939,852	1,496,898	51%	354,952	177,220	50%
Other Services	4,224,072	3,391,291	80%	476,759	332,095	70%
Lease and Miscellaneous Expenses	2,102,104	1,060,807	50%	235,888	99,363	42%
Casualty and Liability Insurance	1,102,504	1,585,167	144%	117,813	99,181	84%
Utilities	1,224,549	971,972	79%	124,061	112,587	91%
Taxes and Licenses	606,443	342,965	57%	61,827	25,231	41%
Interest Expense	<u>221,630</u>	<u>437,390</u>	<u>197%</u>	<u>22,163</u>	<u>42,669</u>	<u>193%</u>
 Total Operating Expenses	 <u>93,326,294</u>	 <u>91,048,698</u>	 <u>98%</u>	 <u>9,483,977</u>	 <u>9,573,302</u>	 <u>101%</u>
 OPERATING GAIN / (LOSS)	 <u>\$ (1,324,964)</u>	 <u>\$ (3,240,885)</u>	 <u>245%</u>	 <u>\$ (213,699)</u>	 <u>\$ (802,563)</u>	 <u>376%</u>

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY
FIXED-ROUTE AND VANPOOL SEGMENT
STATEMENT OF REVENUE AND EXPENSES
FOR THE MONTH OF JULY 2008 AND THE TEN MONTHS ENDED JULY 31, 2008
(UNAUDITED)

	Year to Date			Month of July		
	Budget	Actual	%	Budget	Actual	%
OPERATING REVENUES						
Customer Fares	\$ 16,623,502	\$ 17,014,569	102%	\$ 1,662,842	\$ 1,741,666	105%
Contract Services:						
Local Financial Assistance	7,449,340	7,690,068	103%	744,934	777,946	104%
Other Contractual Services	522,890	145,438	28%	52,289	-	0%
Advertising	2,041,670	1,748,600	86%	204,167	147,475	72%
Other Income	581,100	548,226	94%	58,110	10,802	19%
	<u>27,218,502</u>	<u>27,146,901</u>	<u>100%</u>	<u>2,722,342</u>	<u>2,677,889</u>	<u>98%</u>
NONOPERATING REVENUES						
Operating assistance grants:						
Federal	625,000	604,000	97%	62,500	55,500	89%
State of Florida	7,022,676	6,687,032	95%	705,997	668,703	95%
Local	29,993,000	27,655,609	92%	2,999,300	2,765,561	92%
Planning and other assistance grants:						
Federal - Commuter Rail Project	-	-	0%	-	-	0%
Federal - Other	8,718,202	7,303,471	84%	925,192	748,993	81%
State of Florida - Commuter Rail Project	-	-	0%	-	-	0%
State of Florida - BRT Circulator Project	-	-	0%	-	-	0%
State of Florida - Other	2,373,942	2,136,831	90%	250,438	169,405	68%
Local Matching - BRT Circulator Project	-	-	0%	-	-	0%
Local Matching - Other	159,710	-	N/A	15,971	-	N/A
Interest Income	666,670	556,285	83%	66,667	51,219	77%
Gain / (Loss) on the Sale of Assets	-	186,321	N/A	-	20,369	N/A
	<u>49,559,200</u>	<u>45,129,549</u>	<u>91%</u>	<u>5,026,065</u>	<u>4,479,750</u>	<u>89%</u>
	<u>76,777,702</u>	<u>72,276,450</u>	<u>94%</u>	<u>7,748,407</u>	<u>7,157,639</u>	<u>92%</u>
OPERATING EXPENSES						
Salaries and Wages	33,642,270	33,039,716	98%	3,364,227	3,300,190	98%
Fringe Benefits	18,097,620	16,259,197	90%	1,809,762	1,728,203	95%
Purchased Transportation Services	3,340	870	26%	334	(1)	0%
Fuel	9,278,200	11,854,874	128%	927,820	1,524,724	164%
Other Materials and Supplies	4,904,320	4,250,784	87%	490,432	435,742	89%
Professional Services	2,313,676	1,304,813	56%	276,680	160,387	58%
Other Services	4,223,152	3,384,700	80%	476,667	332,095	70%
Lease and Miscellaneous Expenses	2,087,134	1,052,330	50%	234,391	98,159	42%
Casualty and Liability Insurance	1,102,504	1,585,167	144%	117,813	99,181	84%
Utilities	1,172,129	929,040	79%	118,819	105,518	89%
Taxes and Licenses	544,873	313,145	57%	55,670	31,226	56%
Interest Expense	221,630	437,390	197%	22,163	42,669	193%
	<u>77,590,848</u>	<u>74,412,026</u>	<u>96%</u>	<u>7,894,778</u>	<u>7,858,093</u>	<u>100%</u>
OPERATING GAIN / (LOSS)	<u>\$ (813,146)</u>	<u>\$ (2,135,576)</u>	<u>263%</u>	<u>\$ (146,371)</u>	<u>\$ (700,454)</u>	<u>479%</u>

**CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY
PARATRANSIT SEGMENT
STATEMENT OF REVENUE AND EXPENSES
FOR THE MONTH OF JULY 2008 AND THE TEN MONTHS ENDED JULY 31, 2008
(UNAUDITED)**

	Year to Date			Month of July		
	Budget	Actual	%	Budget	Actual	%
OPERATING REVENUES						
Customer Fares	874,488	950,411	109%	\$ 86,957	\$ 91,276	105%
Contract Services:						
Local Financial Assistance	-	-	0%	-	-	0%
Other Contractual Services	6,062,000	6,355,900	105%	606,200	724,154	119%
Advertising	-	-	0%	-	-	0%
Other Operating Income	-	-	0%	-	-	0%
Total Operating Revenues	<u>6,936,488</u>	<u>7,306,311</u>	<u>105%</u>	<u>693,157</u>	<u>815,430</u>	<u>118%</u>
NONOPERATING REVENUES						
Operating assistance grants:						
Federal	-	-	0%	-	-	0%
State of Florida	-	-	0%	-	-	0%
Local	6,620,470	6,620,472	100%	662,047	662,047	100%
Planning and other assistance grants:						
Federal - Commuter Rail Project	-	-	0%	-	-	0%
Federal - Other	1,666,670	1,604,580	96%	166,667	135,623	81%
State of Florida - Commuter Rail Project	-	-	0%	-	-	0%
State of Florida - BRT Circulator Project	-	-	0%	-	-	0%
State of Florida - Other	-	-	0%	-	-	0%
Local Matching - BRT Circulator Project	-	-	0%	-	-	0%
Local Matching - Other	-	-	0%	-	-	0%
Interest Income	-	-	0%	-	-	0%
Gain / (Loss) on the Sale of Assets	-	-	0%	-	-	0%
Total Nonoperating Revenues	<u>8,287,140</u>	<u>8,225,052</u>	<u>99%</u>	<u>828,714</u>	<u>797,670</u>	<u>96%</u>
Total Revenues	<u>15,223,628</u>	<u>15,531,363</u>	<u>102%</u>	<u>1,521,871</u>	<u>1,613,100</u>	<u>106%</u>
OPERATING EXPENSES						
Salaries and Wages	304,650	283,356	93%	30,465	31,472	103%
Fringe Benefits	170,970	134,945	79%	17,097	16,921	99%
Purchased Transportation Services	12,887,450	14,174,195	110%	1,288,745	1,407,625	109%
Fuel	1,591,150	1,751,004	110%	159,115	237,505	149%
Other Materials and Supplies	25,170	13,267	53%	2,517	2,575	102%
Professional Services	626,176	192,085	31%	78,272	16,833	22%
Other Services	920	6,591	716%	92	-	N/A
Lease and Miscellaneous Expenses	14,970	8,477	57%	1,497	1,204	80%
Casualty and Liability Insurance	-	-	0%	-	-	0%
Utilities	52,420	42,932	82%	5,242	7,069	135%
Taxes and Licenses	61,570	29,820	48%	6,157	(5,995)	-97%
Interest Expense	-	-	0%	-	-	0%
Total Operating Expenses	<u>15,735,446</u>	<u>16,636,672</u>	<u>106%</u>	<u>1,589,199</u>	<u>1,715,209</u>	<u>108%</u>
OPERATING GAIN / (LOSS)	<u>\$ (511,818)</u>	<u>\$ (1,105,309)</u>	<u>216%</u>	<u>\$ (67,328)</u>	<u>\$ (102,109)</u>	<u>152%</u>

Monthly Report B: Ridership Report

To: LYNX Board Of Directors

From: **Lisa Darnall**
CHIEF OPERATING OFFICER
Rik Smith
(Technical Contact)
William Hearndon
(Technical Contact)
Gerardo Ocasio Reyes
(Technical Contact)

Phone: 407.841.2279 ext: 6036

Item Name: Ridership Report

Date: 10/23/2008

Due to technical difficulties, the August 2008 final Ridership Report will be provided at the Board Meeting.

Monthly Report C: Planning and Development Report

To: LYNX Board Of Directors

From: **Lisa Darnall**
CHIEF OPERATING OFFICER
Belinda Balleras
(Technical Contact)
Doug Jamison
(Technical Contact)
Rik Smith
(Technical Contact)

Phone: 407.841.2279 ext: 6036

Item Name: Planning & Development Report

Date: 10/23/2008

Coordination

Staff has completed compiling the data from the September 16, 17 and 23, 2008 public hearings and recommendations will be presented for approval at the October 23, 2008 Board meeting.

LYNX staff has been working closely Commissioner Tiffany Moore Russell's office to obtain grant funding from the ReNEW program to assist in providing sidewalk and curb in Tangelo Park to allow for the installation of two shelters. LYNX has also been working with Commissioner Tiffany Moore Russell to help LYNX off-set operations and maintenance costs associated with trash pick-up along both Oakridge and Silver Star Road.

LYNX staff has been working closely with the City of Kissimmee on various developments as well as design for the bus pullout bay at the Osceola Square Mall.

Developments of Regional Impact (DRI's)/Roadway Projects

Staff has reviewed and/or commented on the following projects, and attended meetings related to these projects:

Orlando Premium Outlet Mall Expansion Pre-Application:

- Project is seeking to add additional shops to the existing facility in the location of the Dixie Stampede area.
- Project is located east of I-4, north of 535 and west of International Drive
- Project currently served by Links 8 and 42
- LYNX requested a minimum of two bus shelters

- LYNX also suggested increased headways on the 42 as an alternative to FDOT mitigation dollars and also as an alternative to having to provide workforce housing. ECFRPC and FDOT seemed receptive to the former.

Florida Hospital Village:

- Project is located at the main campus of Florida Hospital on Rollins and Orange Avenue
- As part of the project, LYNX is to receive bus shelters as a condition of the City of Orlando Development Order associated with the DRI. LYNX has asked as part of the comments to allow alternative design considerations to allow for a more artistic shelter to be placed at the location.
- LYNX requested coordination with the hospital for connections to existing bus service.
- LYNX requested that all transit stops and shelters located within the project to have appropriate wayfindings, signage and area lighting.
- LYNX requested that all access, arterial and internal collector roads be able to accommodate a 40 foot bus (currently Rollins can not accept such).
- LYNX requested the applicant to justify the transit modal split and also to continue with ridesharing/vanpool-carpool campaigns.

Landmark Sun Resort and Spa Final Comments:

- Project is located north of US 192 and immediately east of I-4 and is proposed as a resort and spa facility.
- Currently served by Links 55 and 56.
- LYNX requested accommodations for a 40 foot bus, ADA accessibility, and Employee Transportation Coordinator (ETC) depending on employment levels and ridesharing programs.
- LYNX also requested and concurred with Osceola County that the applicant provide vanpool and park and ride lots. LYNX also concurred that provisions should be made to allow for a transfer center at this facility if future needs are warranted.

The Grand Palisades Resort 1st Request for Additional Information:

- Project is generally located north of US 192 and west of SR 429 in the area of Orange Lake.
- Although the project does not have service running along its main feeder road, LYNX requested that the developer of the project promote the use of the Link 55 less than ½ mile to the south through the installation of a bus shelter on US 192.
- LYNX requested that an Employee Transportation Coordinator (ETC) be appointed as employment levels warrant and that carpools, vanpools and associated preferential parking for employees that use these be instituted.

Emerson Point Apartments:

- Project is generally east of SR 429 and south of the extension of the future Maitland Boulevard extension.
- No bus service currently.
- LYNX requested that the project at a minimum provide the right of way for a future bus stop and bus shelter

Eagle Creek, Notice of Proposed Change (NOPC):

- Project is located in the Lake Nona area
- Transit provisions were included as part of the original development order
- Notice of proposed change does not affect these provisions

Rolling Oaks

- Currently served by the Link 55, located east of SR 429
- LYNX requested the development submit proof that it is complying with the existing development order to build infrastructure and also provide means to travel to the project from the attractions and OIA
- LYNX requested that the existing development and future phases of development subsidize bus passes.
- LYNX offered increasing headways as a means to offset the outlay for a shuttle to provide transit related services.

Legacy Park, Notice of Proposed Change (NOPC)

- Project is currently bypassed by the Link 55 and Link 56 and is located south of Osceola Parkway and north of US 192
- Project proposes to add 600 acres
- Provisions for transit infrastructure have been included with the development order. However, no indication of how the transit is to be provided is mentioned. As such, LYNX requested additional service.
- In addition to existing provisions in the development order, LYNX also requested that the developer pay to subsidize bus passes.

The South of Downtown (SODO) development at Orange and Michigan has had both of its shelters installed. The two developer funded shelters for the Fountains at Millenia (located at Oakridge and Millenia) are in the process of being installed.

LYNX has also commented and coordinated on the following FDOT roadway projects:

- Widening of Hoffner from Conway to Lee Vista - LYNX has had an initial meeting with the consultant of this project. Significant comments/provisions before the project will be advanced to 60 percent design were negotiated. This includes ADA pads at each bus stop and shelter pads at approximately 6 bus stops.

- Milling and Resurfacing of SR 526 from Mills to East of Primrose - LYNX provided comments concerning the movement of stops for construction and maintenance of traffic patterns. Since this project will be taking place entirely within the confines of the existing roadway, no amenities were requested.

- Mill and Resurface SR 438 from Silver Star Extension to Ridgefield Ave - LYNX provided comments concerning the movement of stops for construction and maintenance of traffic patterns. Since this project will be taking place entirely within the confines of the existing roadway, no amenities were requested.

Geography Network

The main page and the three web applications currently available on LYNX Geography Network had been loaded on a desktop 833 times between September 1 and September 30, 2008. The new Trip planner application is utilizing a web based ArcIMS service and is not included in this count.

GIS

LYNX' bus stop inventory was updated with the August 17, 2008 service changes. The GIS staff is working on distributing the data to our current internal and external customers. Maps to display the proposed service changes were prepared for display and distribution in connection to the public involvement process – workshops, public hearing, letters and meeting with the elected officials, etc.

GIS staff and the regional partners for the Partners for Structures layer project, funded under the USGS Assistantship program, are making progress thru Phase I of the project. The partnering counties are working on the updates of the existing facility files. The third meeting for the Group took place during the second Central Florida GIS Workshop. We had representatives from City of Orlando and Lake County, who expressed interest in the ongoing effort and will work with their organizations to become a part of the program.

Model Orlando Regionally Efficient - Travel Management Coordination Center (MORE-TMCC)

Staff participated in a conference call with the Federal team to discuss our Phase II proposal for implementation of our design for the MORE-TMCC. Lakeland Area Mass Transit District and Polk County Transit Services staff was also on the call representing our local partners. The Federal team members asked some clarification questions about the proposal and then stated that their decisions for which of the seven project teams will be forwarded to their management for the final decision. It is expected that the awards will be announced in November 2008.

Job Access and Reverse Commute Program and New Freedom Program (JARC/NFP)

On Tuesday, September 30, LYNX held a half-day Coordinated Transportation Planning Meeting for human service agencies and the public to plan for transportation projects to meet the needs of the elderly, individuals with disabilities, and individuals with lower incomes.

As the Community Transportation Coordinator (CTC) in this area, as well as the designated recipient of Federal funding for Orlando under two Federal programs, the Job Access and Reverse Commute Program and the New Freedom Program (JARC/NFP), LYNX is responsible for ensuring development of a local coordinated public transit/human services transportation plan. This plan was developed in 2007. The purpose of the meeting was to report on successful coordination efforts undertaken in the past two years under the Job Access and Reverse Commute (JARC) Program and the New Freedom (NF) Program; review and revise funding priorities established in 2007 and recently incorporated into the Transportation Disadvantaged Service Plan; hear about the status of the Model Orlando Regionally Efficient Transportation Management Coordination Center (MORE-TMCC); and begin planning for funds that will be available for these programs in 2009.

Service Changes for December 7, 2008

Staff has completed the public participation process for the December 7, 2008 service changes. These comments along with staff's recommendations will be presented to the Board of Directors' to take action at the October 23, 2008 meeting.

Shelters and Related Passenger Amenities

LYNX has obtained jurisdictional approval from the City of Eatonville for two shelters which are in the process of being installed on Kennedy Boulevard. In addition, the City of Orlando has granted jurisdictional approval for five shelter installations: one at Oakridge and Millennia, one shelter at the Orlando Housing Authority, one shelter on International Drive and two shelters on SR 436 are in the process of being installed.

The South of Downtown (SODO) development at Orange and Michigan has finished the installation of shelters. LYNX is still working on securing title from the developer for these two shelters.

LYNX is currently in the site design and permitting process for shelters on Silver Star Road, Oakridge Road, the Florida Mall and Osceola Square Mall. Additionally, staff is negotiating with the jurisdiction to provide for trash pickup at Silver Star Road and Oak Ridge Road.

LYNX is moving forward with the City of Winter Park shelter locations. The City has taken the initiative and installed the first shelter on New York Avenue at the Farmers Market. Due to site constraints and possible private property issues, the number of shelters may be reduced to 7-8 from the original 10. LYNX and the City of Winter Park are working on finalization of the appropriate legal agreements.

LYNX has also had initial discussions with EarthTech with respect to transit shelters at the commuter rail stations. It is anticipated that LYNX will obtain, at no cost to the agency, 28 shelter pads.

LYNX is continuing engineering and permitting and site design related tasks for the Kissimmee Transfer station at the preferred location. Also, as part of the route restructuring in this area, staff has initiated discussions with the Osceola Square Mall to retrofit the stop currently located at the mall into a four bus pullout bay facility.

LYNX has been in discussions with Seminole County with respect to shelters within the CRA along the Link 102 and Link 103. LYNX is preparing a detailed site analysis of the entire corridor to present to the CRA. LYNX is currently working with the City of Sanford CRA for the refurbishment of two existing shelters and the installation of an additional shelter in the downtown corridor along First Street. In exchange for the refurbishing of the shelters, the City of Sanford has agreed to provide trash pickup.

Monthly Report D: Government Relations Report

To: LYNX Board Of Directors

From: James McLawhorn
CHIEF GOVT AFFAIRS OFFICER
Bryan Stutts
(Technical Contact)

Phone: 407.841.2279 ext: 6064

Item Name: Legislative Update

Date: 10/23/2008

Fiscal Year 2009 Appropriations

The Congress reconvened on September 8. They made little progress on the Fiscal Year 2009 appropriations bills until the last full week of September. With the end of the fiscal year looming, Congress worked out an agreement on a massive spending bill that includes the FY2009 Defense, Homeland Security and Military Construction/VA appropriations bill as well as a Continuing Resolution (CR) to fund the rest of the federal government until March 6, 2009.

The House passed the bill on September 24 by a vote of 370-58. The Senate passed the bill on September 27 by a vote of 78-12. The President signed the bill into law on September 30, the last day of the 2008 fiscal year.

The three annual appropriations bills - Defense, Homeland Security, Military Construction-VA - that were included in the bill fund those agencies at the FY2009 levels agreed to by Congress and the White House. Those bills are completed and include earmarks for projects.

The rest of the federal government will be funded until next March under the Continuing Resolution at FY2008 levels. The CR includes funding for the 9 unfinished appropriations bills, including the Transportation-HUD Appropriations bills. There are no earmarks in the CR for the unfinished bills. These bills and the earmarks will be completed next year when Congress reconvenes in January.

The Senate marked up its version of the Transportation-HUD Appropriations in July. The bill includes an earmark of \$3 million for LYNX for bus purchases out of the Federal Transit Administration (FTA). The bill also includes \$8 million for the expansion of the LYMMO system in downtown Orlando. The Transportation-HUD Appropriations bill was not considered by the full Senate. In the House, the Appropriations Committee did not complete its work on its version of the bill.

We believe that when Congress takes up action on the FY2009 Appropriations bills next year, they will start with the version of the bills as they are now. That means that the \$3 million earmark for bus purchases and the \$8 million for the LYMMO expansion will be in the Senate version of the bill when they continue with the process next year. We will continue to work Orlando area Congressional delegation to ensure these projects are ultimately funded in the final bills.

Saving Energy Through Public Transportation Act (H.R. 6052)

We continue to monitor (H.R. 6052) that would authorize an additional \$1.7 billion for the Federal Transit Administration to make grants to public transit systems for operating expenses, primarily caused by increased fuel costs this year. It should be noted that this legislation only authorizes FTA to make the grants. The money for the grants would still have to be appropriated by Congress before transit systems could access it. The House overwhelmingly passed H.R. 6052 in July. The Senate did not take up the bill.

On September 16, the House passed its version of a comprehensive energy package (H.R. 6899), which includes the language in H.R. 6052 authorizing an additional \$1.7 billion for transit grants. The Senate did not take up the House energy package before adjourning on October 2 for the elections. The Senate is scheduled to reconvene on November 17 for a lame-duck session, but it is unlikely that they will take up the House energy bill during that brief session.

Economic Stimulus and Highway Funding

In September, Congress considered a second economic stimulus package, which included additional funding for highways and public transit. Congress also passed legislation to fix an anticipated \$8 billion shortfall in the Highway Trust Fund.

On September 10, the Senate passed a bill to replenish the Highway Trust Fund (H.R. 6532), which was short of money due to a decrease in gas tax revenues. The bill transferred \$8 billion out of the general fund to the depleted trust fund. The Senate included an amendment making it effective immediately, instead of September 30 as previously passed by the House. The amended bill was referred back to the House for consideration. It was overwhelmingly approved by the House on September 11. The bill was signed into law by President Bush on September 15, 2008, as Public Law 110-318.

On September 25, House and Senate Democrats both announced plans for a second stimulus package. Both bills included additional money for transportation and infrastructure projects. The House package included \$12.8 billion for the Federal Highway Administration (FHWA) for

highway projects, while the Senate plan proposed \$8 billion. The House bill also included \$4.6 billion for public transportation. The Senate plan included \$2 billion for transit investments.

The House bill also provided a separate \$1 billion for transit energy assistance grants to help public transit agencies expand service, address increased fuel costs, acquire clean fuel or alternative fuel vehicles or facilities, or to promote commuter matching services. The proposed uses of the energy grants were similar to those that would have been authorized under the Saving Energy Through Public Transportation Act (H.R. 6052), which the House passed in July and included in their comprehensive energy package.

The House passed its version of the economic stimulus bill (H.R. 7110) on September 26. The Senate tried to bring up its version of the bill (S. 3604) the same day, but was not able to get the 60 votes required to proceed with debate on the bill. The Senate declined to take up the House version of the bill, and the White House issued veto threats against both bills.

The Senate adjourned on October 1 for the November elections. The House adjourned on October 3. The Senate is currently planning to reconvene on November 17 for a lame-duck session. The main focus of that session is expected to be an omnibus lands bill the Senate has been trying to finish this year.

The House is currently not scheduled to reconvene until January. However, House Speaker Nancy Pelosi has indicated that she may call the House back into session in November to consider another stimulus package due to the continuing decline in the economy. On October 14, the White House reiterated its opposition to doing another stimulus package this year.

Monthly Report E: Marketing Report

To: LYNX Board Of Directors

From: **Peggy Gies**
 CHIEF MARKETING OFFICER
Katie Bond
 (Technical Contact)
Courtney Miller
 (Technical Contact)

Phone: 407.841.2279 ext: 6020

Item Name: Marketing Report

Date: 10/23/2008

Advertising Sales

ADVERTISING SALES	SEPTEMBER 2008
Advertising Sales Revenue	\$142,046
Net Revenue to LYNX Fiscal Year to Date	\$1,844,026

Commuter Services

COMMUTER CHOICE TRANSPORTATION PROGRAM	
CARPOOL/VANPOOL INQUIRIES	SEPTEMBER 2008
Phone	138
Internet	60
Letters	7500 (2500 people x 3 mailings Lake Lotus Park & Ride) 2631 (3 mailings x 877 people Kissimmee Park & Ride) 115 rideshare letters
Matches	43

COMMUTER CHOICE TRANSPORTATION PROGRAM		
VANPOOLS	SEPTEMBER 2008	
Commuter Choice Vanpool Participants	603	
Total Revenue Miles YTD	801,095	
New Vanpools	1	
Returned Vanpools	0	
Current Vans in Service	62	
Pending Vanpool Interest	1 - Orlando VA	
No. of Employers Contacted	38	
No. of Employees Contacted	3,600	
Employer Program Presentations	<ul style="list-style-type: none"> • Motorola (Northpoint location) • City of Orlando Sustainability Team • City of Orlando Transportation Department • Holiday Inn - I-Drive • LandAmerica Financial Group 	
Employee Vanpool Presentations	LOCATION	PARTICIPANTS
	Glatting Jackson Kerchin Anglin	40
	CFE Federal Credit Union	15
	JP Morgan Chase	60
	City of Orlando Sustainability Team	10
	City of Orlando Transportation Department	3
	Westgate Resorts - Sand Lake	15
	Orlando VA Clinic	30
	Holiday Inn - I-Drive	50
	Total Participants	223

Partners

LYNX added the following Bus Pass Consignors:

- Sunstyle Suites Extended Stay Hotel
- Sonyvan Music & Cellulars
- Shell Express

LYNX enrolled the following business partners in Commuter Assistance Programs:

- LandAmerica Financial Group - Guaranteed Ride Home, Employee Transportation Coordinator
- Tindale-Oliver & Associates, Inc. - Guaranteed Ride Home, Employee Transportation Coordinator
- Manheim Orlando-Florida Auto Auction - Carpool Program, Guaranteed Ride Home, Employee Transportation Coordinator
- Hannover Life Reassurance Company of America - Carpool Program, Guaranteed Ride Home, Employee Transportation Coordinators (2)

Commuter Services Events

Glating Jackson Kercher Anglin

Glating Jackson invited the LYNX Commuter Services department to host an official launch of the Carpool and Guaranteed Ride Home programs to their associates during their Employee Information Meeting. A LYNX representative presented the programs to over forty interested individuals and later registered Carpool groups and Cyclists for the Guaranteed Ride Home program.

CFE Federal Credit Union

CFE Federal Credit Union invited LYNX Commuter Services to host an official launch of their new Carpool and Guaranteed Ride Home programs. A LYNX representative registered Carpool groups, collecting Carpool registration forms and Guaranteed Ride Home registration forms.

JP Morgan Chase

LYNX Commuter Services had the opportunity to present Commuter Options to Chase employees at their Health Fair. Sixty employees expressed interest in our programs when they stopped by the Commuter Services booth to receive information on the Commuter Options available.

City of Orlando – Sustainability Team / City of Orlando – Transportation Department

LYNX Commuter Services met with the City of Orlando's Sustainability Team to discuss opportunities regarding carpooling and vanpooling. LYNX Commuter Services and the Sustainability Team, as well as the Transportation Department, also discussed future programming in order to promote LYNX Transportation Benefits programs as part of local businesses' sustainability efforts.

Westgate Resorts - Sand Lake (Corporate Office)

LYNX Commuter Services was invited to do a 'Batch Match' of Westgate Resorts' Sand Lake employees and present the results of the matching process. Westgate Resorts - Sand Lake invited LYNX to share the results with employees on their scheduled lunchtime. Within a short period of time, fifteen individuals received the results of the 'Batch Match' and expressed interest in starting and registering their Carpool group with LYNX.

Orlando VA Clinic Lunch & Learn

The Orlando VA invited the LYNX Commuter Services department to present the Vanpool program to their employees as part of a Lunch & Learn program. As federal employees, VA workers are eligible to receive up to \$115 a month to pay for vanpool or bus pass expenses. The response to the presentation was overwhelmingly positive, and the first steps have been put in place in order to begin a commuter vanpool group of Orlando VA employees in the coming months.

Holiday Inn - I-Drive Employee Benefits Expo

LYNX Commuter Services was asked to attend the Employee Benefits Expo for Holiday Inn at their International Drive location. Information was distributed to approximately fifty employees, focusing on the benefits of carpooling and the convenience of the Employer Bus Pass Program.

Lake Lotus Park N Ride Direct Mail Promotion

The final three mailings of a four-part direct mail campaign promoting the Lake Lotus Park N Ride in Altamonte Springs were sent during the month of September. These direct mail pieces provide information about the Park N Ride location, as well as providing information about LYNX Carpool and Vanpool programs. Each mailing was sent to approximately 2,500 households in Altamonte Springs.

Kissimmee Shady Lane & US 192 Park N Ride Direct Mail Promotion

Three mailings of a four-part direct mail campaign promoting the Shady Lane & US 192 Park N Ride in Kissimmee were sent during the month of September. These direct mail pieces provide information about the Park N Ride location and the near-by service of Link 10, as well as providing information about LYNX Carpool and Vanpool programs. Each mailing was sent to approximately 877 households in Kissimmee.

Marketing

WEBSITE USAGE	SEPTEMBER 2008
Average Hits per Day	71020.23
Average Users per Day	2625.77
Average Hits per User	27.04
Average Time Spent on Site	6 minutes 41 seconds
Approximate Visits per User	1.79
Total Page Hits	551,903
Total User Visits	78,773
Total Unique IP Addresses (visits)	43,854

Marketing Events

There were no marketing events in September.

Media Relations

The big story of the month was LYNX' FY09 budget. It received almost daily coverage from blogs and all Central Florida media. The Sentinel wrote three editorials on the subject alone. The budget was the topic for multiple Orlando Business Journal and Orlando Sentinel news stories as well. Radio stations in the Clear Channel group, WMFE-Radio, WDBO-AM, Channels 2, 6, 9, 13, 35, WMFE-TV, Univision and Telemundo each reported on the budget issue throughout the month. Another story of interest was LYNX hosting Public Hearings in all three counties.

Other September projects from the office of media relations include...an Adidas national commercial shoot with Dwight Howard, a shoot for an upcoming episode of Dr. G Medicine Woman, and video shot for ABC World News Tonight for Charlie Gibson's visit to Orlando.

Customer Service

CALL CENTER DATA	SEPTEMBER 2008
Number of Calls	29,550
Call-Wait Time in Seconds	0:29

SALES & INFORMATION DATA	SEPTEMBER 2008
Customers serviced through fixed route inquiries/sales	24,587
LYNX fare media sales	199,508

CUSTOMER SERVICE DATA	SEPTEMBER 2008
Internet Inquiries	262
“How To Ride” presentations	4

CUSTOMER RELATIONS DATA	SEPTEMBER 2008
Customers assisted by telephone, fax, one-on-one	2455
Concerns/suggestions for Fixed Route (LYNX)	176
Compliments for Fixed Route/Road Rangers	17
Concerns/suggestions for Paratransit (MV)	292
Compliments for Paratransit	5

LOST & FOUND DATA	SEPTEMBER 2008
Number of items recovered	666
% items returned to owners	186
Advantage IDs issued	107
Kids In School & Senior IDs issued	13

Monthly Report F: Employee Travel Report

To: LYNX Board Of Directors

From: **Linda Watson**
 CHIEF EXECUTIVE OFFICER
Blanche Sherman
 (Technical Contact)
Deborah Henderson
 (Technical Contact)

Phone: 407.841.2279 ext: 6017

Item Name: Monthly Employee Travel Report

Date: 10/23/2008

EMPLOYEE/ DEPARTMENT	DESTINATION	PURPOSE	DEPARTURE AND RETURN DATES	ESTIMATED AGENCY COST
Jerry Ballard Transportation	Daytona Beach, FL	Attend FAOG Fleet Administrators 2008 Conference	09/17/08 - 09/18/08	120.00
Jeff Reine Planning	Philadelphia, PA	Attend FTA/National Center for Public-Private Partnership Workshop.	09/17/08 - 09/18/08	*713.27
Ed Velez	Tampa, FL	Practices for Managing Inventories & cycle counts	9/16/08-09/16/08	199.00
Linda Watson Executive	Ft. Lauderdale, FL	Attend FDOT Commuter Rail Stakeholder Advisory Committee, as appointed member	09/30/08 - 10/01/08	333.00
Bryan Stutts Governmental Affairs	Cocoa, FL	NAFTC Clean Cities Workshop; Focus Biodiesel	10/03/08 - 10/03/08	82.96
Patricia Bryant Planning	Arlington, VA	Attend Dept. of Homeland Security - After Action Conference at TSA HQ	10/14/08 - 10/15/08	*697.00

LYNX Board Agenda

EMPLOYEE/ DEPARTMENT	DESTINATION	PURPOSE	DEPARTURE AND RETURN DATES	ESTIMATED AGENCY COST
Lorna Hall Operations	Arlington, VA	Attend Dept. of Homeland Security - After Action Conference at TSA HQ	10/14/08 - 10/15/08	*663.00
Lisa Darnall Operations	Sarasota, FL	Attend FPTA Conference and FPTA Board Meeting	10/19/08 - 10/21/08	195.00
Peggy Gies Marketing	Sarasota, FL	Attend FPTA Conference and Marketing Seminars	10/19/08 - 10/21/08	861.61
ESTIMATED AGENCY AND GRANT FUNDED COSTS				3,864.84
* LESS GRANT FUNDED AND/OR REIMBURSEMENT OF COSTS				2,073.27
NET ESTIMATED AGENCY COSTS				1,791.57