

LYNX Finance & Audit Committee Agenda

Meeting Date: 10/19/2023
Meeting Time: 1:30 PM

Central Florida Regional Transportation Authority
455 N. Garland Ave.
2nd Floor Open Space
Orlando, FL 32801

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

1. Call to Order

2. Approval of Committee Minutes

 Finance Committee Minutes - September 21, 2023 Pg 3


3. 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.


4. Chief Financial Officer Report

5. Consent Agenda



A. Invitation for Bid (IFB)

- i.  Authorization to Release an Invitation for Bid (IFB) for the Procurement of Bulk Motor Oil and Fluids Pg 6

B. Award Contracts

- i.  Authorization to Negotiate and Award a Contract to Barracuda Building Corporation for the Construction of a Bus Bay and Associated Amenities at the Saint Cloud Walmart Pg 7


C. Extension of Contracts

- i.  Authorization to Exercise the Third Option Year of Contract #20-C33 with Akerman, LLP for Legal Services - Pension Pg 9
- ii.  Authorization to Exercise the Third Option Year of Contract #20-C29 with Gray Robinson, P.A. for Labor/Employment Legal Services Pg 11




D. Miscellaneous

- i.  Authorization to Reappoint Brian Anderson to Pension Trustee and Administrative Committee Boards Pg 12


-Attachments 

- ii.  Authorization to Execute Change Order #3 with Garcia Civil Contractors, Inc. for the Florida Mall Transfer Center Construction Project in the Amount of \$50,862 Pg 15

6. Action Items

- A.  Authorization to Implement December 10, 2023 Service Changes Pg 18
- B.  Authorization to Amend the Central Florida Tourism Oversight District (CFTOD) Agreement for FY2024 Pg 22
 - Attachments 

7. Discussion Items

- A.  Presentation of FY2023 Audit Plan by MSL, PA CPAs & Advisors Pg 36

8. Other Business

9. Adjourned

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 Benjamin Gonzalez at 455 N. Garland Ave, Orlando, FL 32801 (407) 254-6038, 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
Finance and Audit Committee Meeting Minutes

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

DATE: September 21, 2023

TIME: 1:30 p.m.

Members in Attendance:

Jamie Ledgerwood, FDOT, 5th District
Michelle McCrimmon, City of Orlando
Tim Jecks, Seminole County
James Goldsmith, LYNX Attorney

Staff in Attendance:

Leonard Antmann, Chief Financial Officer
Michelle Daley, Director of Finance
Tony Deguzman, Comptroller

1. Call to Order

Vice Chair McCrimmon called the meeting to order at 1:33 p.m.

2. Approval of Minutes

Vice Chair McCrimmon requested a motion for approval of the August 17, 2023 Finance & Audit Committee meeting minutes. Motion to approve the August 17, 2023 minutes was made by Tim Jecks, second by Jamie Ledgerwood. The minutes were unanimously approved as presented.

3. Public Comments

No members of the public were present to speak.

4. Chief Financial Officer's Report

Vice Chair McCrimmon recognized Lenny Antmann, Chief Financial Officer. Mr. Antmann provided the following updates:

- Pine Hills groundbreaking ceremony tentatively scheduled for October 30. The vendor is targeting completion in 12 months; buildout was originally planned at 14 months.
- We anticipate the ERP contract execution in the next 7-10 days and will then schedule the first implementation planning meeting.
- The FTA Triennial closeout meeting was held late August with zero issues.

- MSL, our external auditors, completed their interim on-site review in late August with no issues reported. They will return in December for the year-end audit.
- Next week we will present the FY2024 Operating and Capital Budgets for the second reading along with a Resolution asking for adoption by the Board.
- Ridership continues to hold steady. Fixed Route is averaging mid-50,000 riders per day. Paratransit is seeing a slight increase, averaging 47,000 - 48,000 trips. In August we achieved 52,000 trips – close to pre-COVID level ridership.
- Our current banking contract with Bank of America has expired and is on a short extension. The SEC has chosen Morgan Chase as the vendor for the new banking contract.
- One item was added to the Oversight and Board agendas after we published:
 - Authorization to Update the Employee Leave Benefits Policy – updates the admin policy to be consistent with the negotiated union contract.

Mr. Antmann concluded his report.

5. Consent Agenda

Vice Chair McCrimmon asked if there were any changes to the Consent. Mr. Antmann stated that he recommends the entire Consent Agenda for approval. Ms. Ledgerwood stated that she will abstain from voting on items 5.C.v.

A. Award Contracts

- i. Authorization to Negotiate a Contract to Kimley-Horn and Associates, Inc. for Architecture and Engineering Services for HVAC Systems Replacement & Enhancement at LYNX Central Station and LYNX Operations Center

B. Extension of Contracts

- i. Authorization to Exercise Option Year One on Contract #20-C72 with ADAride.com, LLC for Functional Assessment and Travel Training Services

C. Miscellaneous

- i. Authorization to Negotiate and Award Contract #24-C21 to Palmdale Oil Industries for Fuel Delivery of Ultra Low Sulfur Diesel Through FY2024
- ii. Authorization to Negotiate and Award Contract #24-C22 to Mansfield Oil Co. for Fuel Delivery of 87 Octane Unleaded Gasoline Through FY2024
- iii. Authorization to Execute Transportation Disadvantaged Coordination Contract Between Central Florida Regional Transportation Authority, d/b/a LYNX, and Human Service Agencies for FY2024
- iv. Authorization to Purchase Seven (7) Mobility Buses for 5310 Sub-Recipients
- v. Authorization to Purchase Up to Seventy (70) Replacement Vehicles for ACCESS LYNX Paratransit Services
- vi. Authorization to Exercise Option Terms on Piggybacking Agreement from Orange County Contract #Y19-1032 for Healthcare Benefits Consultant Services

- vii. Authorization to Amend the LYNX Defined Contribution Plan for BU Employees Governing Plan Document and Adoption of Resolution No. 23-007
- viii. Authorization to Amend the LYNX Money Purchase Plan Governing Plan Document and Adoption of Resolution No. 23-008
- ix. Authorization to Transfer Twenty-Five (25) Computers to The Christian Tech Center Ministries, Inc.
- x. Authorization to Dispose of Items Accumulated Through the Lost and Found Process
- xi. Authorization to Auction Surplus Capital Items
- xii. Authorization to Initiate Public Outreach for Fiscal Year 2024 Proposed Service Changes
- xiii. Authorization for LYNX Insurance Broker to Negotiate and Bind Coverage for the PGIT Package Renewal, Standalone Public Officials and Cyber Liability Policies

Tim Jecks made a motion to approve all Consent Agenda items except 5.C.v, Second by Jamie Ledgerwood. Motion passed.

Tim Jecks made a motion to approve Consent Agenda items 5.C.v. Second by Michelle McCrimmon. Motion passed with Jamie Ledgerwood abstaining.

6. Action Items

- A.** Authorization to Enter into the FY2024 Service Funding Agreements with the Regional Funding Partners

Jamie Ledgerwood made a motion to approve Action Items 6.A., Second by Tim Jecks. Motion passed.

- B.** Authorization to Enter into the FY2024 Service Funding Agreements with the Municipal Funding Partners

Jamie Ledgerwood made a motion to approve Action Items 6.A., Second by Tim Jecks. Motion passed.

- C.** Authorization to Enter into the FY2024 Bus Service Agreements

Tim Jecks made a motion to approve Action Items 6.A., Second by Jamie Ledgerwood. Motion passed.

7. Other Business

None

8. Adjourned

The meeting adjourned at 1:42 p.m.

LYNX Finance & Audit Committee Agenda

Consent Agenda Item #5.A. i

To: LYNX Finance & Audit Committee

From: **Elvis Dovalés**
Director Of Maintenance
Kenneth Nath
(Technical Contact)

Phone: 407.841.2279 ext: 6239

Item Name: **Authorization to Release an Invitation for Bid (IFB) for the Procurement of Bulk Motor Oil and Fluids**

Date: 10/19/2023

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to release an Invitation for Bid (IFB) for the Procurement of Bulk Motor Oil and Fluids.

BACKGROUND:

LYNX operates a fleet of 289 fixed route buses and a fleet of 114 support vehicles. Motor oil and other fluids such as automatic transmission fluid (ATF), coolant (antifreeze) and diesel exhaust fluid (DEF) are used in the scheduled and unscheduled maintenance of the LYNX fleets. The procurement of the fluids in bulk through a fixed price contract with defined product specifications guarantees the best pricing and product quality.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

FISCAL IMPACT:

The FY2024 Approved Operating Budget includes \$820,760 for bulk oil and lubricants expense.

LYNX Finance & Audit Committee Agenda

Consent Agenda Item #5.B. i

To: LYNX Finance & Audit Committee

From: Leonard Antmann
Chief Financial Officer
Jeffrey Reine
(Technical Contact)

Phone: 407.841.2279 ext: 6125

Item Name: Authorization to Negotiate and Award a Contract to Barracuda Building Corporation for the Construction of a Bus Bay and Associated Amenities at the Saint Cloud Walmart

Date: 10/19/2023

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to negotiate and award a contract to Barracuda Building Corporation for the Construction of a Bus Bay and Associated Amenities at the Saint Cloud Walmart for a cost not to exceed of \$383,787.

BACKGROUND:

At the April 27, 2023, Board of Directors meeting, LYNX was authorized to issue an Invitation for Bid (IFB) for the construction of a bus bay and associated amenities at the Saint Cloud Walmart.

This project was the result of a partnership with Osceola County and LYNX. The County funded the design and permitting. LYNX is funding the construction of the bus bay, bus shelters, associated amenities and the construction engineering and inspection services.

An invitation for bid (IFB) was issued on July 9, 2023. All bids were due back on September 13, 2023. Bids were opened on September 14, 2023. The following three (3) submissions were returned:

Vendors
Barracuda Building Corporation
Garcia Civil Contractors, LLC
Gomez Construction Company

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LYNX Staff is recommending the contract be awarded to Barracuda Building Contractors as the lowest, responsive, and responsible bidder for these projects for a total of \$348,897. In addition, this recommendation includes assignment of 10 percent contingency for the project for a total of \$34,890. The grand total for the award is \$383,787.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

No DBE Goal has been established for this contract. LYNX encourages the Contractor to make every attempt to obtain participation of certified DBEs and other small businesses in the completion of this contract (Race Neutral).

FISCAL IMPACT:

The FY2024 Proposed Capital Budget includes \$400,000 for the Construction of a Bus Bay and Associated Amenities at the Saint Cloud Walmart. This project is 100% federal funded.

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Consent Agenda Item #5.C. i

To: LYNX Finance & Audit Committee

From: Terri Settington
Director Of Human Resources
Terri Settington
(Technical Contact)

Phone: 407.841.2279 ext: 6106

Item Name: Authorization to Exercise the Third Option Year of Contract #20-C33 with Akerman, LLP for Legal Services - Pension

Date: 10/19/2023

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to exercise the third option year of Contract #20-C33 with Akerman, LLP for Legal Services – Pension.

BACKGROUND:

On December 5, 2019, staff received authorization to execute Contract #20-C33 with Akerman, LLP for Legal Services – Pension in the amount of \$250,000. The term of the agreement was for two years. Since the initial award of the contract, the Board approved additional monies on April 22, 2021 increasing the not to exceed to \$430,000. This additional work was required of Akerman to address legal matters resulting from the 2020 & 2021 Collective Bargaining Negotiations, as well as providing legal counsel through the solicitation and contract negotiation phase for the Retirement Plan Administration and Recordkeeping Services Plan for the LYNX employees resulting in additional costs. Staff received authorization on October 28, 2021 to exercise the first option year of this contract and increase the not to exceed to \$875,000. Staff received authorization on October 27, 2022, to exercise the second option year of this contract and increase the not to exceed to \$975,000. The additional money was used to address legal matters resulting from the 2023 Collective Bargaining Negotiation as well as routine legal services through 2023.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

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FISCAL IMPACT:

The FY2024 Approved Operating Budget includes \$350,000 for Legal Services – Pension.

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Consent Agenda Item #5.C. ii

To: LYNX Finance & Audit Committee

From: Terri Settington
Director Of Human Resources
Terri Settington
(Technical Contact)

Phone: 407.841.2279 ext: 6106

Item Name: Authorization to Exercise the Third Option Year of Contract #20-C29 with Gray Robinson, P.A. for Labor/Employment Legal Services

Date: 10/19/2023

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to exercise the third option year of Contract #20-C29 with Gray Robinson, P.A. for Labor/Employment legal services and increase the overall not to exceed amount to \$850,000.

BACKGROUND:

At the December 5, 2019 Board of Directors' meeting, staff received authorization to enter into a contract with Gray Robinson, P.A. for an initial term of two (2) years with three (3) one (1) year renewal options for Labor/Employment law services. The initial two (2) year term in the amount of \$450,000 expired on February 6, 2022. Staff received authorization on January 22, 2022 to exercise the first option year of this contract and increase the not to exceed to \$750,000. Staff received authorization on October 27, 2022 to exercise the second option year of this contract with no increase to the not to exceed. LYNX would like to request authorization to exercise the third option year of this contract to continue utilizing Gray Robinson, P.A.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

FISCAL IMPACT:

The FY2024 Approved Operating Budget includes \$330,000 for general legal services.

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Consent Agenda Item #5.D. i

To: LYNX Finance & Audit Committee

From: Terri Settington
Director Of Human Resources
Terri Settington
(Technical Contact)

Phone: 407.841.2279 ext: 6106

Item Name: Authorization to Reappoint Brian Anderson to Pension Trustee and Administrative Committee Boards

Date: 10/19/2023

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization to adopt Resolution No. 23-010 authorizing the reappointment of Brian Anderson, to the Administrative Committee and Trustee Board for the 457 Deferred Compensation Plan, Money Purchase Plan, and the Defined Contribution Plan for Bargaining Unit Employees and Board of Trustees for the Amalgamated Transit Union (ATU) Local 1596 Pension Plan (Defined Benefit Plan).

BACKGROUND:

LYNX, as the employer, is the Plan Administrator for LYNX's Money Purchase Plan, Deferred Compensation Plan, and the Defined Contribution Plan for Bargaining Unit Employees. As such, the employer/Plan Administrator has a number of responsibilities, duties, and obligations in maintaining and operating each of the Plans. Unless an appointment is made to delegate these responsibilities and duties, the employer acts through its Board of Directors. For purposes of this, any reference to actions to be taken by LYNX in its capacity as employer or Plan Administrator means LYNX's Board of Directors unless otherwise specified. LYNX has general powers and responsibilities, including the power to appoint counsel, specialists, advisers, investment managers, agents (including any nonfiduciary agent) and other persons as the employer deems necessary or desirable in connection with the exercise of its fiduciary duties under this Plan, including the Trustee and Administrator. Consistent with this power of appointment, LYNX has the obligation to periodically review the performance of any fiduciary or other person to whom duties have been delegated or allocated by it. Since LYNX is the Administrator, and has the power to appoint, it may appoint any person(s) to perform its duties as the Administrator.

FUNCTIONS OF THE ADMINISTRATOR - The primary responsibility of the Administrator is to administer the Plan for the exclusive benefit of the participants and their beneficiaries in

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accordance with its terms. It has the power and discretion to construe the terms of the Plan and to determine all questions arising in connection with the administration, interpretation, and application of the Plan. Benefits under this Plan will be paid only if the Administrator decides, in its discretion, that the applicant is entitled to them. The Administrator may establish procedures to carry out the purpose of the Plan, provided they are nondiscriminatory and shall comply with the terms of the Internal Revenue Code and Plan's document. An enumerated listing of the Administrator's duties includes, but is not limited to, the following:

- (a) The discretion to determine all questions relating to the eligibility of employees to participate in the Plan;
- (b) The authority to review and settle all claims against the Plan;
- (c) To compute, certify, and direct the Trustee with respect to the amount of benefit to which any participant is entitled;
- (d) To authorize and direct the Trustee with respect to disbursements from the trust;
- (e) To maintain all necessary records for the administration of the Plan;
- (f) To interpret the provisions of the Plan and to make and publish rules;
- (g) To compute and certify the amount of contribution to the Plan and advise the Trustee accordingly;
- (h) To prepare and implement procedures to notify eligible employees of Plan provisions and changes;
- (i) To qualify any domestic relations orders received;
- (j) To assist any participant regarding the participant's rights, benefits, or elections available under the Plan; and
- (k) Retain a record of actions taken, accountings, records, etc. necessary for proper administration of the Plan and shall be responsible for supplying all information and reports to any governmental agencies, participants and beneficiaries, as required by law.

For the employees who are members of ATU Local 1596 participate in a defined benefit retirement Plan. The Plan has an oversight Trustee Board consisting of three Union and three Management employees. LYNX's Chief Executive Officer selects three Management employees to serve as Trustees with confirmation from the LYNX Board of Directors' and the Union's Executive Board appoints its representatives.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

FISCAL IMPACT:

There is no fiscal impact with this activity.

CFRTA RESOLUTION NO. 23-010

**RESOLUTION OF THE CENTRAL FLORIDA REGIONAL
TRANSPORTATION AUTHORITY (d/b/a/ LYNX) APPROVING THE
APPOINTMENT OF A MANAGEMENT APPOINTEE TO THE
ADMINSTRATIVE COMMITTEE AND BOARD OF TRUSTEE
APPOINTMENTS FOR RETIREMENT PLANS**

WHEREAS, LYNX is the sponsoring employer of the LYNX Money Purchase Plan, LYNX Defined Contribution Plan for BU Employees, LYNX Deferred Compensation Plan, and Amalgamated Transit Union 1596 Pension Plan (collectively, the “Plans”); and

WHEREAS, Article II of the Plan authorizes the Employer to appoint three members to the Plan’s Board of Trustees; and

WHEREAS, the Employer wishes to re-appoint Brian Anderson to the Board of Trustees of the Plan, effective, January 1, 2024.

NOW, THEREFORE, BE IT RESOLVED THAT: Brian Anderson is hereby re-appointed, effective January 1, 2024, to the following positions:

- Member of the Administrative Committee for the LYNX Money Purchase Plan
- Member of the Board of Trustees for the LYNX Money Purchase Plan
- Member of the Administrative Committee for the LYNX Defined Contribution Plan for BU Employees
- Member of the Board of Trustees for the LYNX Defined Contribution Plan for BU Employees
- Member of the Administrative Committee for the LYNX Deferred Compensation Plan
- Member of the Board of Trustees for the LYNX Deferred Compensation Plan
- Member of the Board of Trustees for the Amalgamated Transit Union 1596 Pension Plan

APPROVED AND ADOPTED the ____ day of _____, 2023 by the Governing Board of the Central Florida Regional Transportation Authority.

CENTRAL FLORIDA REGIONAL
TRANSPORTATION AUTHORITY

By: Governing Board

Chairman

ATTEST:

Secretary

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Consent Agenda Item #5.D. ii

To: LYNX Finance & Audit Committee

From: Leonard Antmann
Chief Financial Officer
Jeffrey Reine
(Technical Contact)

Phone: 407.841.2279 ext: 6125

Item Name: Authorization to Execute Change Order #3 with Garcia Civil Contractors, Inc. for the Florida Mall Transfer Center Construction Project in the Amount of \$50,862

Date: 10/19/2023

ACTION REQUESTED:

Pursuant to Administrative Rule 4.5.4, Staff is requesting authorization to execute Change Order #3 with Garcia Civil Contractors, Inc. in the amount of \$50,862 for Florida Mall Transfer Center Construction Project.

BACKGROUND:

LYNX has been working over the past few years with Simon Properties, the owners of the Florida Mall, for improvements to the bus transfer location. The proposed improvements will include an extension of the existing infrastructure by 450 feet. This will allow for each bus route to have its own location to board and alight passengers. Improvements include custom shelters (procured under a separate existing manufacturing contract), increased lighting, installation of sidewalk and ADA bus pads, conduit for future ITS and CCTV components, and improved landscaping.

Construction started for this project in February 2023. As construction progressed additional items were found needing to be addressed.

As per Administrative Rule 4.5.4, LYNX staff can authorize change orders up to 50 percent of the project contingency. At both the May 2023 and July 2023 Board of Directors meetings, LYNX staff provided information on change orders 1 and 2 that were below the threshold. Change order 3 was above this threshold and requires Board of Directors approval prior to issuance:

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Change Order #1

Maintenance of Traffic: A revision to the maintenance of traffic (MOT) was approved. This allowed the contractor to shift the temporary waiting area to the west side of the road.

Directional Bore: Due to an unknown fiber line, it was decided to perform a directional bore instead of an open trench for the placement of project-required conduit. This avoided conflict with the shelter footer as well as minimized potential passenger safety issues during construction.

Change Order # 2

Added Concrete for Shelter Footers: Concrete was added due to the utility adjustments detailed in the previous change order request approved in May.

CCTV Poles: An adjustment for the poles that will be used to support power distribution were increased from 1 to 3 due to a quantity take off error on the plans.

Tree Trimming: To ensure proper sight lines for the future installation of CCTV cameras, two sets of trees were trimmed accordingly.

Credits Received In addition to the 3 items listed, above the project also received credits for the ITS cabinet and associated power distribution and power supply. As the CCTV will be installed through our safety and security funding as a separate project, these items were not needed.

Change Order # 3

Added Tree Trimming: Additional tree trimming was needed beyond that for CCTV to allow for the placement of the custom shelter roofs.

Added Concrete Sidewalk: Additional concrete sidewalk was removed, and new concrete installed to address ADA cross slope requirements.

Retaining Wall: A cast-in-place retaining wall was installed around the perimeter of the existing oak trees to prevent soil erosion.

Added Maintenance of Traffic: During the start of this project, despite having had extensive locates and coordination with utilities, one of the providers took close to two months to identify and admit ownership of undisclosed utilities. Additionally, supply chain issues caused a delay in the delivery of the roofs. This has resulted in extended maintenance of traffic.

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Conduit for Lighting of Shelters-The architect's drawings for the provision of conduit through an access hole in the shelter created conflicts with installation in the field. An alternative has been developed and approved.

Description	Original Budget	CO #1	CO #2	CO # 3	Revised Total
Construction	\$741,670.46	\$12,845.58	\$8,594.01	\$50,861.78	\$813,971.83
Contingency	\$74,167.05	(\$12,845.58)	(\$8,594.01)	(\$50,861.78)	\$1865.68
TOTAL PROJECT COST	\$815,837.51	\$0	\$0	\$0	\$815,837.51

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

No DBE Goal has been established for this contract. However, contractor is a Certified DBE.

FISCAL IMPACT:

The project contingency is sufficient to cover all the change orders to date, therefore there is no budget change to the original project.

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Action Agenda Item #6.A.

To: LYNX Finance & Audit Committee

From: **James Boyle**
Director Of Planning And Development
Bruce Detweiler
(Technical Contact)

Phone: 407.841.2279 ext: 6036

Item Name: Authorization to Implement December 10, 2023 Service Changes

Date: 10/19/2023

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee, to implement the proposed service changes effective December 10, 2023.

BACKGROUND:

On September 28, 2023, staff received authorization from the Board of Directors to initiate the Public Participation Process for consideration of proposed service changes that would go into effect August. Three information sessions and one in person and virtual hearing/workshop were held. LYNX customers and the public provided input on the service changes at the following information sessions and workshop/public hearing:

Date/Time: Tuesday, October 3, 1-2 PM
Location: Kissimmee City Hall, Kissimmee, FL

Date/Time: Wednesday, October 4, 1-2 PM
Location: LYNX Central Station – Main Lobby, Orlando, FL

Date/Time: Thursday, October 5, 1-2 PM
Location: Altamonte Springs City Hall, Altamonte Springs, FL

Date/Time: Thursday, October 19, 4-6 PM
Location: LYNX Central Station – Open Space, Orlando, FL

Details of these events and the service change proposals are published on our website at www.golynx.com.

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The public comment period for the proposed service changes ran from September 29, 2023, through October 21, 2023. Public notices for the service change information and the public meetings were posted in the LYNX Central Station terminal lobby and bus bays; at SuperStops throughout the service areas; on www.golynx.com, and on LYNX social media sites including Facebook and Twitter.

Dec. 10 Service Proposal

NEW ROUTE

- **Link 307** – Disney Circulator (Orange County) – Route will operate between Disney Springs Transfer Center, Epcot Cast Service and J.W. Marriott Bonnet Creek. Daily service every 30 minutes 5:45 a.m.-12:24 a.m.

SCHEDULE ADJUSTMENTS

- **Link 8** – W. Oak Ridge Road/International Drive (Orange County)
- **Link 42** – International Drive/Oak Ridge Road/OIA (Orange County)
- **Link 49** – W. Colonial Drive/Pine Hills Road (Orange County)

ROUTE and SCHEDULE ADJUSTMENTS

- **Link 103** – North 17-92/Seminole Centre (Seminole County) – Discontinuing daily morning trips on Eslinger Way. Saturday and Sunday service will not serve Seminole State College. Minor schedule adjustments.
- **NeighborLink 621** – East Colonial Drive/Bithlo (Orange County) – Eliminating zone service in Avalon Park. Adding a weekday and Saturday 7:05 p.m. trip from Bithlo Health Center and 7:45 p.m. trip from East Orange Community Center. Extending zone to Wedgefield School. Renumbering to 821.
- **NeighborLink 641** – Williamsburg (Orange County) – Reducing zone coverage in Williamsburg and extending north to Dr. Phillips. Discontinuing weekday and Saturday 5:15 a.m. trip from the Destination Parkway SuperStop. The entire route will operate as an on-demand pilot. Renumbering to 841.
- **NeighborLink 652** – Maitland (Orange County) – Extending zone south to Lucien Way. Renumbering to 852.

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TRIP ADDITIONS

- **Link 8** – W. Oak Ridge Road/International Drive (Orange County) – Adding a Saturday 4:51 a.m. trip from International Drive/Oak Ridge Road.
- **Link 42** – International Drive/Oak Ridge Road/OIA (Orange County) – Adding weekday 4:25 a.m. and Saturday 4:35 a.m. trip from International Drive/Oak Ridge Road to OIA. Sunday 5:25 a.m. trip from Florida Mall to Destination Parkway SuperStop will be added.
- **Link 48** – W. Colonial Drive/Powers Drive (Orange County) – Adding a Saturday 10:45 p.m. trip from LYNX Central Station.
- **Link 49** – W. Colonial Drive/Pine Hills Road (Orange County) – Adding a Saturday 11:15 p.m. trip from LYNX Central Station.
- **Link 104** – East Colonial Drive (Orange County) – Adding Sunday 8:45 p.m. trip from LYNX Central Station.
- **Link 105** – West Colonial Drive (Orange County) – Adding Sunday 8 p.m. trip from West Oaks Mall SuperStop.
- **Link 107** – U.S. 441 (Orange Blossom Trail)/Florida Mall (Orange County) – Adding a weekday 4:30 a.m. trip from Florida Mall.

TRIP REDUCTIONS

- **Link 11** – S. Orange Avenue/Orlando International Airport (Orange County) – Discontinuing Saturday 4:50 a.m. trip from LYNX Central Station.
- **Link 20** – Malibu Street/Pine Hills/Washington Shores (Orange County) – Discontinuing Saturday 5:05 a.m. and Sunday 5:15 a.m. trips from LYNX Central Station.
- **Link 23** – Winter Park/Rosemont/Springs Plaza (Orange County/Seminole County) – Discontinuing Saturday 8:50 p.m. trip from Seminole State College.
- **Link 28** – E. Colonial Drive/Azalea Park (Orange County) – Discontinuing weekday 11:38 p.m. trip from SR 436/Curry Ford Road.
- **Link 44** – Hiawassee Road/Zellwood/Apopka (Orange County) – Discontinuing weekday 4:51 a.m. and Saturday 5:12 a.m. trips from Harry Street/Janet Avenue.
- **Link 49** – W. Colonial Drive/Pine Hills Road (Orange County) – Discontinuing weekday 12:05 a.m. trip from Pine Hills Road/Silver Star Road.

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- **Link 102** – Orange Avenue/South 17-92 (Orange County/Seminole County) – Discontinuing weekday midnight trip from Fernwood Boulevard/Oxford Road.
- **Link 106** – North U.S. 441 (Orange Blossom Trail)/Apopka (Orange County) – Discontinuing weekday midnight trip from Apopka SuperStop.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

FISCAL IMPACT:

These service changes have two components. The first is a bus service agreement change with the Central Florida Tourism Oversight District (CFTOD), the district has requested an increase in service and revenue in the amount of \$603,093. The remaining changes on funding partner routes are budget neutral.

LYNX Finance & Audit Committee Agenda

Action Agenda Item #6.B.

To: LYNX Finance & Audit Committee

From: **Michelle Daley**
Director Of Finance
James Boyle
(Technical Contact)
Bruce Detweiler
(Technical Contact)

Phone: 407.841.2279 ext: 6014

Item Name: Authorization to Amend the Central Florida Tourism Oversight District (CFTOD) Agreement for FY2024

Date: 10/19/2023

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to execute the first amendment to the Central Florida Tourism Oversight District (CFTOD) for FY2024.

To the extent there are any changes, LYNX staff will negotiate those changes through an amendment to the addendum. This will allow the Chief Executive Officer or designee to enter into those funding agreements without further Board approval.

BACKGROUND:

At the September 2023 Board meeting, the annual funding agreements were approved. Subsequent to that meeting the Central Florida Tourism Oversight District had initiated conversations with LYNX staff to implement a new route.

Attached is the draft amended agreement showing the new Link Route 307: Disney Circulator. This route will operate Monday – Saturday and Holidays. The route starts at 5:45 am and ends at 12:15 am operating every half hour. The route will start at Disney Springs Transfer Center, stops include Palm Parkway, SeaWorld, Destination Parkway Superstop and LYNX Central Station.

This new route will begin with the December Service Changes.

LYNX Finance & Audit mmittee Agenda

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

FISCAL IMPACT:

The Approved FY2024 Operating Budget includes \$541,953 as Local Revenue. This agreement will increase the revenue to \$1,145,046. This change will be included with a mid-year budget amendment.

FIRST AMENDMENT TO

Bus Service Agreement No. 24-C01

By and Between

Central Florida Tourism Oversight District,

and

Central Florida Regional Transportation Authority (d/b/a LYNX)

THIS FIRST AMENDMENT TO BUS SERVICE AGREEMENT (“Amendment”), entered into this _____ day of _____, 2023, by and between the **CENTRAL FLORIDA TOURISM OVERSIGHT DISTRICT**, a body corporate and politic organized under the laws of the State of Florida and having an address of 1900 Hotel Plaza Boulevard, Post Office Box 10170, Lake Buena Vista, Florida 32830 (“**CFTOD**”), and the **CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY, d/b/a LYNX**, a Florida body politic and corporate governed by Part II, Chapter 343, Florida Statutes, and having its principal place of business at Lynx Central Station, 455 N. Garland Ave., Orlando, Florida 32801 (“**LYNX**”).

WITNESSETH

WHEREAS, LYNX provides public transportation in the Central Florida area including, but not limited to, dedicated bus service for the benefit of and use by the public; and

WHEREAS, CFTOD is the governmental authority having jurisdiction over the lands of the Central Florida Tourism Oversight District, as generally described and set forth in **Exhibit "A"** attached hereto (the "**Service Area**"); and

WHEREAS, CFTOD has expressed a need for public transportation service in and to certain portions of the Service Area in order to provide for, among other matters, public transportation in order to facilitate employees, guests and other persons seeking transportation to and from facilities located in the Service Area; and

WHEREAS, the Parties have agreed for LYNX to operate one or more "bus links" and to expand one or more existing "bus links" in the Service Area to provide additional public bus transportation, as shown on **Exhibit "C"** and as graphically depicted on **Appendix 1** thereof, and LYNX is prepared to do so pursuant to the terms and conditions of this Agreement.

WHEREAS, on September 28, 2023, the **CFTOD** and **LYNX** entered into a Bus Service Agreement, "Agreement," which provided for **LYNX** to provide Bus Service in and to the Service Area; and

WHEREAS, the **CFTOD** and **LYNX** now desire to amend the Agreement to add an additional bus link and increase the costs associated with providing the additional public bus transportation; and

WHEREAS, the **CFTOD** and **LYNX** hereby find that this Amendment promotes a valid and important public purpose and is in the best interest of the public health, safety, and welfare of the citizens in the corresponding Service Area.

NOW, THEREFORE, in consideration of the promises and covenants contained herein, and other good and valuable consideration, each to the other provided, the receipt and sufficiency of which is hereby acknowledged, the **CFTOD** and **LYNX** agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and are hereby incorporated into and made a part of this Agreement as if fully set forth hereinafter.

2. **Schedule for Bus Service.** Section 4 to this Agreement is hereby amended and restated in its entirety to read as follows:

Attached hereto as **Exhibit "C"** and as graphically depicted on **Appendix 1** is a Schedule showing the bus stops and service times for the Bus Service provided by **LYNX** pursuant to this Agreement. This Schedule is subject to all of the provisions of this Agreement. This Schedule is not a guarantee but rather reflects the anticipated times, stops and service.

3. **Payment for Bus Service.** Section 5 to this Agreement is hereby amended and restated in its entirety to read as follows:

The Bus Service to be provided by **LYNX** pursuant to this Agreement is in consideration of **CFTOD** paying to **LYNX** the sum One Million One Hundred Forty-Five Thousand Forty-Six Dollars (\$1,145,046) payable in two payments of Five Hundred Seventy-Two Thousand Five Hundred Twenty-Three Dollars (\$572,523) upon the effective date of Agreement and Five Hundred Seventy-Two Thousand Five Hundred Twenty-Three Dollars (\$572,523) on or before September 1, 2024, as set forth in **Exhibit "B"**. No additional fees shall be due from **CFTOD** for services provided prior to the Commencement Date of this Agreement.

4. **Entire Agreement.** This Amendment represents the entire understanding and agreement between the parties with respect to the subject matter hereof. None of the terms and provisions hereof may be amended, supplemented, waived or changed orally, but only by a

writing signed by each of the parties hereto.

5. **Amendment Execution. Use of Counterpart Signature Pages.** This Amendment may be executed in any number of counterparts, each of which when so executed and delivered, shall be an original; but such counterparts shall together constitute but one and the same instrument.

5. **Full Force And Effect Of Agreement.** Except as the above provisions have been specifically amended herein, all other terms and provisions of the Agreement remain valid, effective and in full force.

DRAFT

IN WITNESS WHEREOF, the **CFTOD** and **LYNX** have duly and lawfully approved this Amendment and have authorized its execution and delivery by their respective officers, who have set their hands and had their seals affixed below, all as of the date first written hereinabove.

LYNX:
CENTRAL FLORIDA REGIONAL
TRANSPORTATION AUTHORITY

By: _____

Name: Tiffany Homler Hawkins

Title: Chief Executive Officer

Date: _____

This Agreement has been reviewed as to form by LYNX Senior In-House Counsel. This confirmation is not to be relied upon by any person other than LYNX or for any other purpose.

By: _____

Name: Carrie L. Sarver, Esq., B.C.S.

Title: Senior In-House Counsel

Date: _____

[Signatures Continue on Following Page]

IN WITNESS WHEREOF, the **CFTOD** and **LYNX** have duly and lawfully approved this Amendment and have authorized its execution and delivery by their respective officers, who have set their hands and had their seals affixed below, all as of the date first written hereinabove.

**CFTOD:
CENTRAL FLORIDA TOURISM
OVERSIGHT DISTRICT**

By: _____

Name: Glenton Gilzean, Jr.

Title: District Administrator

Date: _____

ATTEST:

By: _____

Clerk, Board of Supervisors

EXHIBIT "A"

Sketch of Central Florida Tourism Oversight District Service Area

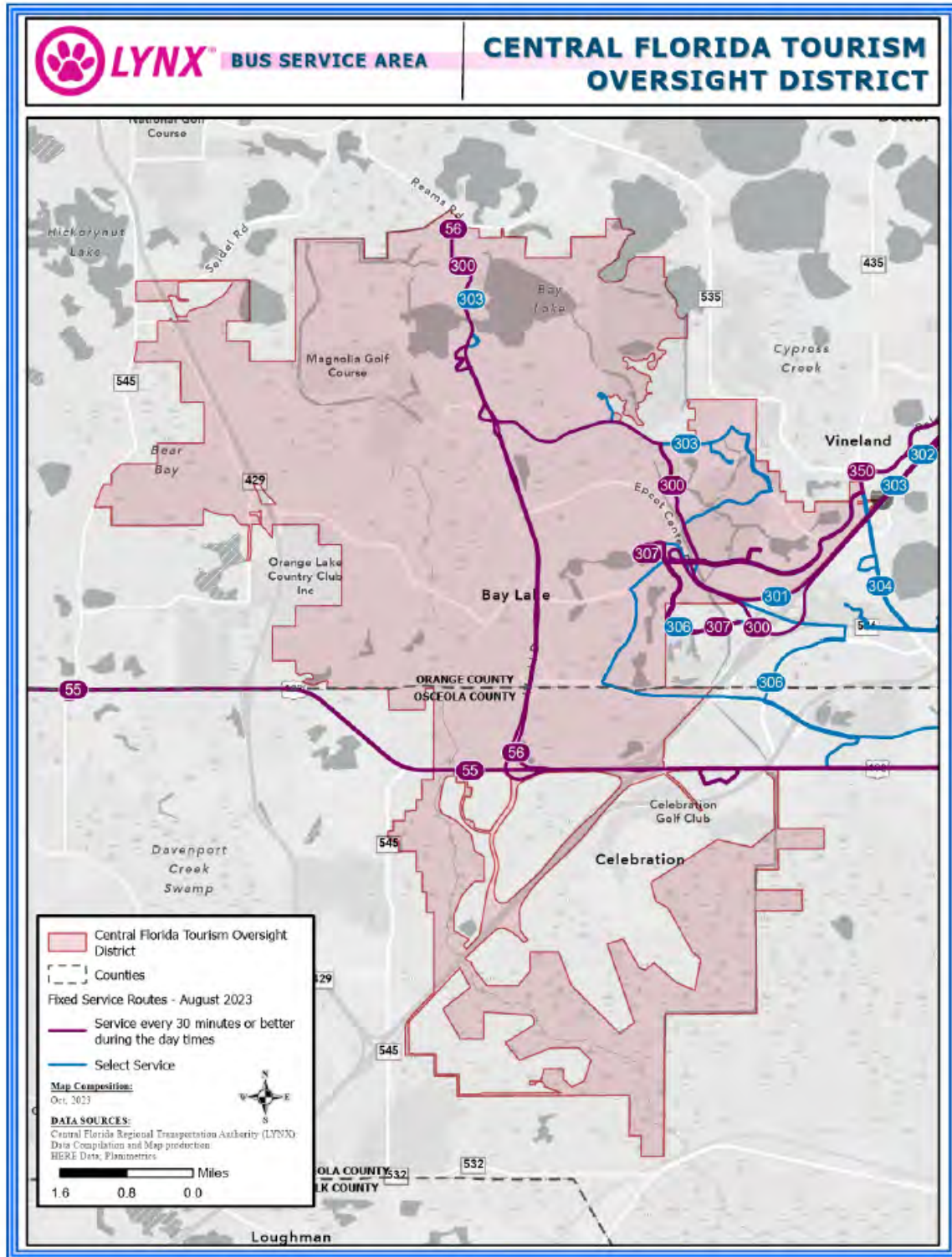


Exhibit "B"

Central Florida Tourism Oversight District Transit Service Costs

**Description of Appropriated Amount
October 1, 2023 through September 30, 2024**

Fixed Route Operating Costs

Link Services	Amount
Link 56	\$166,298
Link 306	\$205,471
Link 307 (starting 12/10/2023)	\$603,093
Link 350	\$170,184
Funding Request	<u>\$1,145,046</u>

FY2024 Billing Schedule

On or before 10/1/2023	\$572,523
On or before 9/1/2024	\$572,523
Total	<u>\$1,145,046</u>

EXHIBIT "C"

Description of Lynx Bus Service, Times and Lynx Bus Routes

Effective October 1, 2023

(Refer to Appendix 1 hereof for graphical representation of each Route)

Route	Days of Service	Times of Service	Stops
Link 56: West U.S. 192/ Magic Kingdom	Monday-Sunday & Holidays.	Departs 6:18 AM – 11:10 PM approximately every half hour daily from Disney University (6:47 AM – 11:10 PM Saturdays and 6:48 AM – 11:13 PM Sundays)	WDW Transportation and Ticket Center, US 192 & Old Town, US 192 & SR 535, Disney University, Kissimmee Intermodal Facility, Plaza del Sol
Link 306: Disney Direct/ Poinciana	Monday-Sunday & Holidays.	Two (2) trips per day: Morning from 6:09 AM to 7:18 AM (6:22 AM on Sat./Sun.); Evening from 5:15 PM to 6:34 PM (5:17 PM to 6:20 PM on Sat./Sun.)	Poinciana Walmart, Poinciana SunRail Station, Disney Springs Transfer Center, Hilton Bonnet Creek Resort, and Marriott Orlando Bonnet Creek Resort
Link 307: Disney Circulator (NEW 12/10/2023)	Monday- Sunday & Holidays.	Departs 5:45 AM – 12:05 AM every half hour from Disney Springs Transfer Center	Disney Springs Transfer Center, Epcot Cast Service, Hilton Orlando Bonnet Creek, JW Marriott Orlando Bonnet Creek
Link 350: Destination Pkwy/ SeaWorld/ Disney Express	Monday-Sunday & Holidays.	Departs 5:45 AM – 12:15 AM every half hour daily from Disney Springs Transfer Center	Disney Springs Transfer Center, Palm Parkway, SeaWorld, Destination Parkway Superstop, and LYNX Central Station

APPENDIX 1

Graphical Depictions of Lynx Bus Service Routes

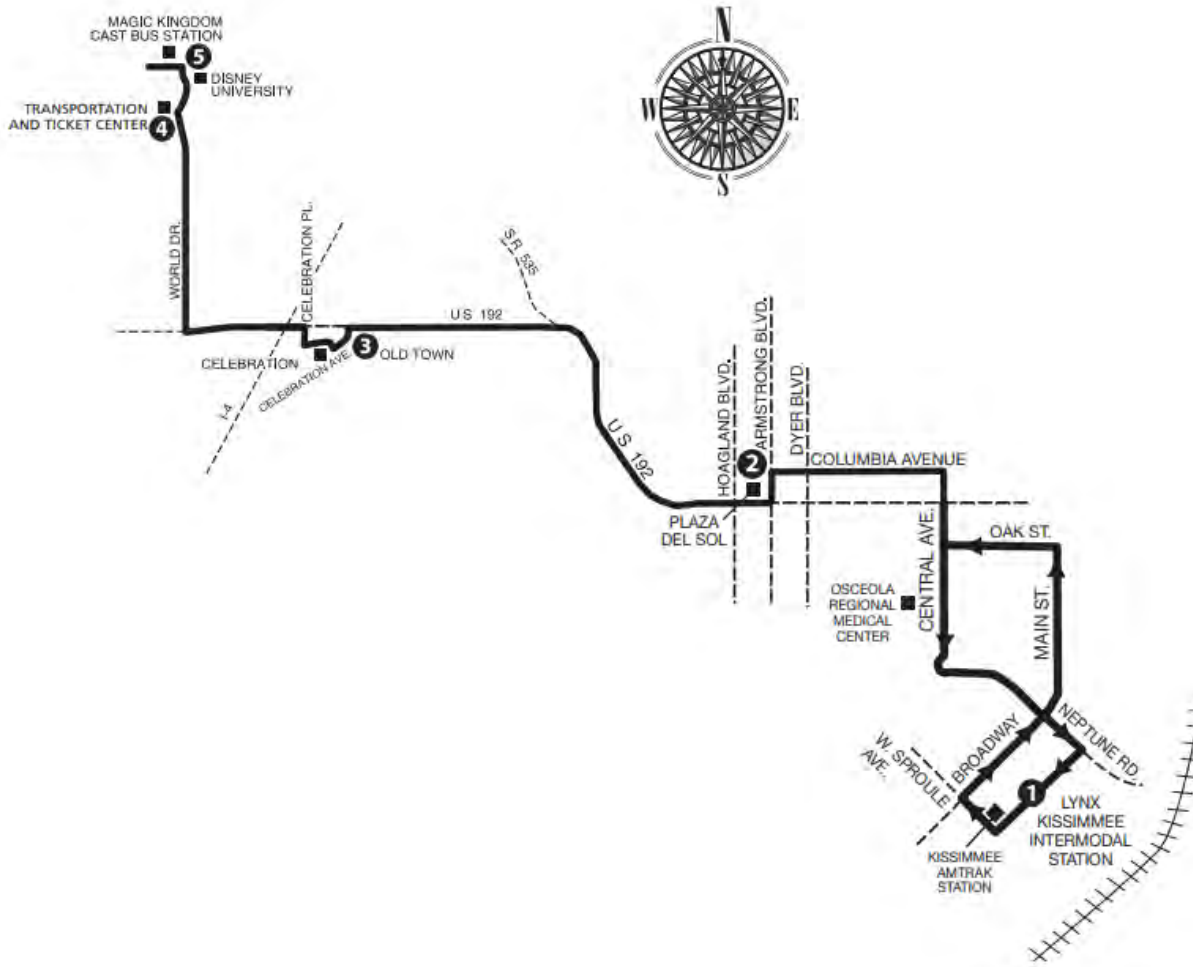
Link 56

W. U.S. 192/Magic Kingdom

Monday-Sunday & Holiday service

- **SERVING:**
- Plaza Del Sol
- Old Town
- Celebration
- Walt Disney World Resort
- Transportation and Ticket Center

- Magic Kingdom Cast Bus Station
- Disney University
- LYNX Kissimmee Intermodal Station/SunRail
- Osceola Regional Medical Center



Service: Monday-Sunday & Holidays
5:30 AM to 12:08 AM

Frequency: 30 minutes

Link 306

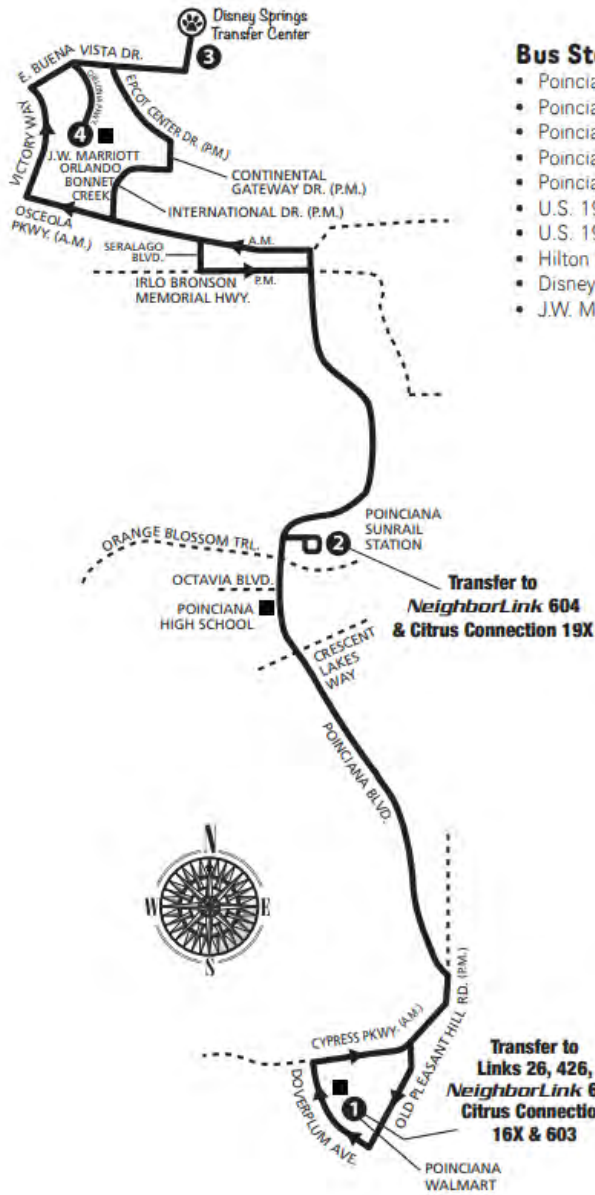
Disney Direct

Monday–Sunday & Holiday service

• SERVING:

- Poinciana
- Poinciana High School
- Disney Springs Transfer Center
- Hilton Bonnet Creek Resort
- NeighborLink 601

- Citrus Connection 16X, 19X, 603
- NeighborLink 604
- Poinciana Walmart
- Poinciana SunRail Station
- J.W. Marriott Orlando
- Bonnet Creek



Bus Stops:

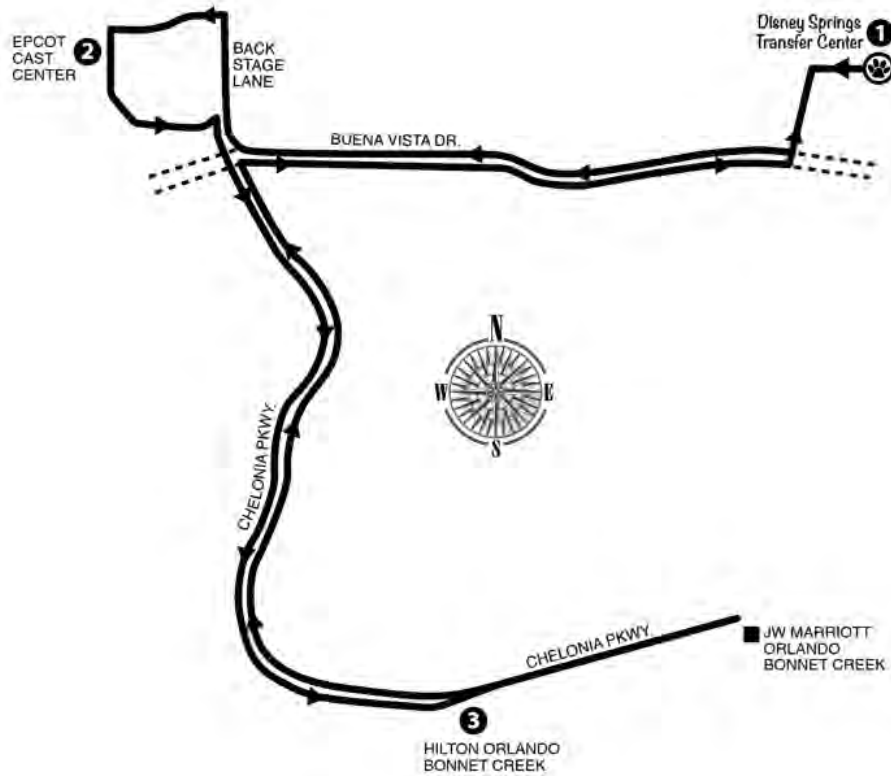
- Poinciana Walmart
- Poinciana Blvd./Crescent Lakes Way
- Poinciana Blvd./Trafalgar Blvd.
- Poinciana SunRail Station
- Poinciana Blvd./Irlo Bronson (a.m.)
- U.S. 192/Seralago Blvd. (p.m.)
- U.S. 192/Poinciana Blvd. (p.m.)
- Hilton Bonnet Creek
- Disney Springs Transfer Center
- J.W. Marriott Orlando Bonnet Creek

Service: Monday-Sunday & Holidays

Frequency: One northbound trip to Disney Springs at 6:09 a.m.
One PM southbound trip to Poinciana at 5:15 p.m.

Link 307
Disney Circulator
 Monday-Sunday & Holiday
 service

- **SERVING:**
- Disney Springs Transfer Center
- Epcot Cast Service
- JW Marriott Orlando Bonnet Creek
- Hilton Orlando Bonnet Creek



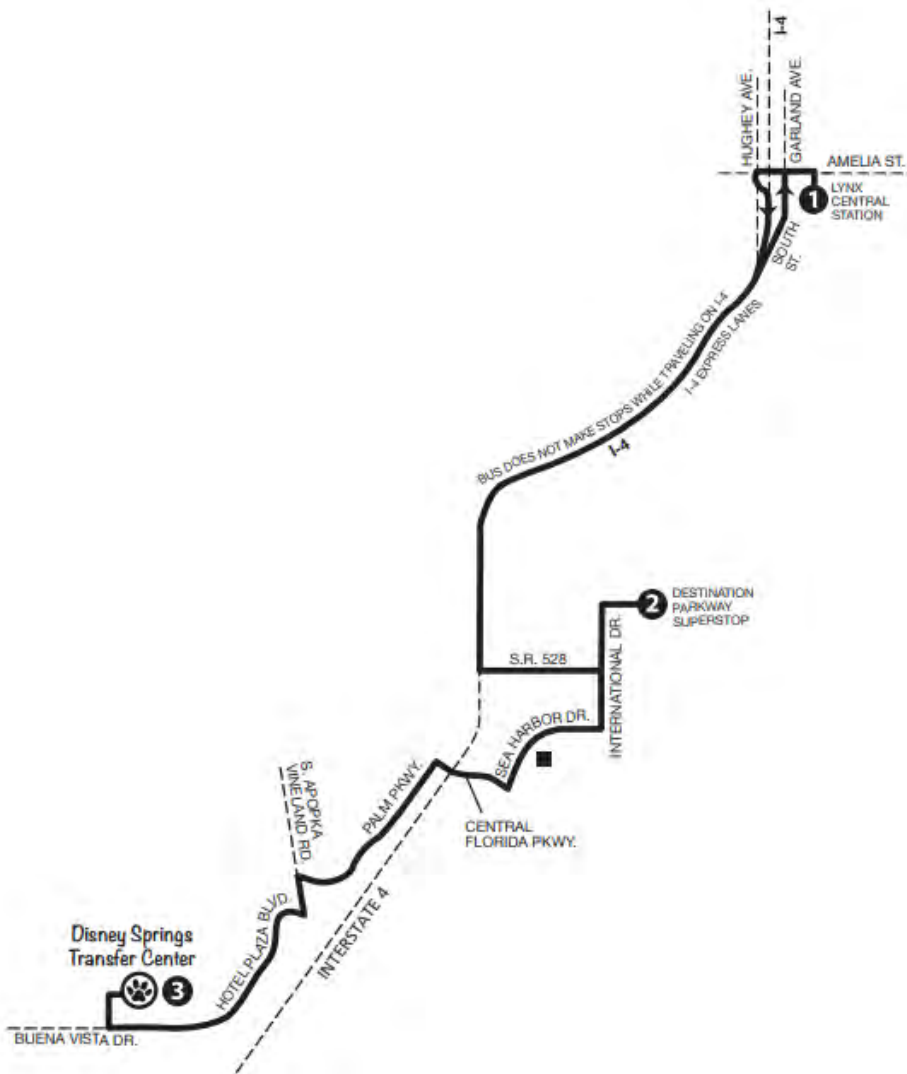
Service: Monday-Sunday & Holidays
 5:45 AM to 12:24 AM

Frequency: 30 minutes

Link 350
Destination Parkway/
SeaWorld/Disney Express
 Monday–Sunday & Holiday
 service

- SERVING:**
- LYNX Central Station
 - SeaWorld
 - Disney Springs
 - Transfer Center
 - Destination Parkway SuperStop

Orange County Convention
 Center
 Downtown Orlando



Service: Monday-Sunday & Holidays
 5:15 AM to 12:57 AM

Frequency: 30 minutes

LYNX Finance & Audit Committee Agenda

Discussion Item #7.A.

To: LYNX Finance & Audit Committee

From: Leonard Antmann
Chief Financial Officer
Michelle Daley
(Technical Contact)

Phone: 407.841.2279 ext: 6125

Item Name: Presentation of FY2023 Audit Plan by MSL, PA CPAs & Advisors

Date: 10/19/2023

Presentation of the FY2023 Audit Plan by a representative from MSL, PA CPAs & Advisors.

LYNX Finance & Audit Committee Agenda

Action Agenda Item #6.C.

To: LYNX Finance & Audit Committee

From: Leonard Antmann
Chief Financial Officer
Michelle Daley
Technical Contact

Phone: 407.841.2279 ext: 6125

Item Name: Approval of the LYNX Finance and Audit Committee Meeting Dates for 2024

Date: 10/19/2023

ACTION REQUESTED:

Staff is requesting the Finance and Audit Committee's approval for the LYNX Finance and Audit Committee meeting dates for 2024.

BACKGROUND:

The proposed dates for 2024 are as follows:

- Thursday, January 18, 2024 – 1:30 p.m.
- Thursday, February 15, 2024 – 1:30 p.m.
- Thursday, March 21, 2024 – 1:30 p.m.
- Thursday, April 18, 2024 – 1:30 p.m.
- Thursday, May 16, 2024 – 1:30 p.m.
- Thursday, June 20, 2024 – 1:30 p.m.
- Thursday, July 18, 2024 – 1:30 p.m.
- Thursday, August 15, 2024 – 1:30 p.m.
- Thursday, September 19, 2024 – 1:30 p.m.
- Thursday, October 17, 2024 – 1:30 p.m.
- Thursday, December 5, 2024 – 1:30 p.m.

LYNX Finance & Audit Committee Agenda

LYNX Administrative Rule 2 – Board Governance (Bylaws) authorizes the LYNX Board of Directors to establish committees and those committees are to annually establish their meeting schedule. Listed below are the current committees established by the LYNX Board of Directors and the meeting schedule:

- LYNX Oversight Committee & Board of Directors: Fourth Thursday of the month
- Finance and Audit Committee: Third Thursday of the month
- Risk Management Committee: Quarterly

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

No DBE participation goal is applicable for this activity.

FISCAL IMPACT:

There is no fiscal impact associated with this activity.