

LYNX Board Audit Committee Agenda

Central Florida Regional Transportation Authority

455 N. Garland Ave.

2nd Floor Board Room

Orlando, FL 32801


Board Date: 8/24/2006

Time: 10:30 AM










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

1. Call to Order

2. Approval of Minutes

-  Approval of the July 27, 2006 Audit Committee minutes (pgs 2-8)

3. Audit Agenda Items

- A.  Status Report on the Development of FY2007 and FY2008 Budgets (pgs 9-19)
 - Presentation 
- B.  Review of the proposed Administrative Rule #9 - Public Records (pgs 20-30)
 - Attachment   
- C.  Update on the Princeton Operations Base (pg 31)
- D.  LYNX Supporting School Transportation Providers (pgs 32-56)
 - Presentation 

4. Review of Board Package: 8/24/2006

LYNX
Central Florida Regional Transportation Authority
Audit Committee Meeting

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

DATE: **July 27, 2006**

TIME: **10:30 a.m.**

Audit Committee Members in Attendance:

Seminole County Chair, Carlton Henley, Vice Chair
Interim FDOT District 5 Secretary, Kevin Thibault
City of Orlando, Roger Neiswender

Not in Attendance:

City of Orlando, Mayor Buddy Dyer
Osceola County Commissioner, Bill Lane
Orange County Commissioner, Homer Hartage

1. Call to Order

The meeting was called to order at 10:30 a.m.

2. Approval of Minutes

Kevin Thibault moved to approve the minutes of the June 22, 2006 Audit Committee meeting. Roger Neiswender seconded the motion. The motion passed unanimously.

3. Audit Agenda Items

A. Review of the public records request administrative rule

Leigh Ann Murvin, LYNX Legal Counsel with Akerman Senterfitt, discussed Administrative Rule 9, Public Record Requests. LYNX is subject to the law relating to public records held by, or produced by a public agency. This Rule would implement the Florida Public Records Law and establish a public records office at LYNX which is a central clearinghouse for public records requests and disseminating the information. There is also a Public Records Request form which will be established on the LYNX website. There is also an instruction sheet to go along with the form.

Kevin Thibault made an observation that the cost for producing the public records is in the policy, which is good; however, the policy will need to be updated every time the costs change. Mr. Thibault recommends putting "actual costs incurred" which is in the preface of that section. Ms. Murvin stated that in Section 9.6.3 states "applicable fees and charges will be adjusted from time-to-time". Ms. Murvin indicated that language could be added to refer the requestor to the Public Records Office to find out what the current fees and charges are. Ms. Watson asked Ms. Murvin if staff could adjust the cost without going back to the Board. Vice Chairman Henley stated that if the cost is stipulated in the policy the freedom to change it without coming back to the Board is not

there. Vice Chairman Henley recommends adding the language “current cost,” which would give staff the opportunity to change the cost from time-to-time without having to come back to the Board. Ms. Watson and Mr. Thibault concurred. Mr. Neiswender stated that the City of Orlando does this by Resolution and a fee schedule is established from time-to-time by the Council. This gives the Board the opportunity to be sure that the fees are no more onerous from reasonable proximation of cost. That would be the rate until it is brought back to the Board to be updated and/or adjusted.

Mr. Neiswender mentioned that if the public request is vague, it could generate a lot of work to even get to the point of what the cost would be, versus someone needing to make a reasonably specific request defining the issue specifically, the time periods specifically, and the involved parties specifically. He asked what language could be added to make sure the request is specific enough so as not to generate too much work. Ms. Murvin stated that the request has to sufficiently identify the records so the Public Records Office can locate the appropriate records. It is not uncommon to go back to the requestor and ask for more specific information. Mr. Neiswender suggests adding language which will identify the specific topic, specific dates and specific people involved, and the type of records they are requesting, i.e. e-mails, phone logs, etc.

Discussion ensued.

Mr. Neiswender asked if the statute speaks to the nature of the request. Ms. Murvin explained that it states the request has to sufficiently identify the records that are requested.

Mr. Neiswender recommends spending more time on the Rule to protect staffs’ time. Mr. Henley restated that the policy needs to be more specific than is currently written from a standpoint of guidance to the requestor. Mr. Neiswender pointed out Section 9.5 should be clarified.

Ms. Watson pointed out language on Page 18 of 28, Number 2, which is part of the instructions for requesting public records. “If necessary, LYNX will assist the requestor in making a request that describes sufficiently identifiable records. Requests not meeting these criteria may be returned, indicating that more information is needed in order to produce the records.” Ms. Watson asked if this language is specific enough to be able to go back to the requestor indicating to them that their request is not specific enough to produce a record. Mr. Henley said yes; however, what Mr. Neiswender is recommending is to give the requestor specific guidelines to follow so as to define specifically the timeframe, if possible, as well as the subject matter and individuals involved. Mr. Neiswender, recommending pulling the language Ms. Watson pointed out into the actual Rule. However, he also recommended adding language such as “...including such information as specific topic, timeframe, and individuals involved.” Mr. Henley stated that this added language could also reduce the cost to the requestor.

Ms. Murvin will bring this back to the Board after she makes the suggested revisions.

B. Authorization to amend the project budget for the LYNX Operations Center (LOC) and amend the proposed FY2007 Capital Budget, accordingly

Bert Francis, Chief Financial Officer, provided an update on the LOC project budget and status of the construction project. Mr. Francis discussed the status of the LOC, the challenges to complete the project, and some solutions on both the funding side and the budget changes.

Mr. Francis explained that Allen Lemaux has taken a new job in Atlanta and introduced Mr. Rick Wilson, EarthTech, who will be assisting LYNX in Mr. Lemaux' absence.

Mr. Francis explained that the total project is 80% complete. The building work is approximately 85% complete. Substantial completion for existing contract work is estimated to be the end of September. Substantial completion for change order work is estimated to be 60 days after change orders are issued.

Mr. Francis showed a number of pictures of the current status of the LOC.

Mr. Francis described some of the challenges that this project faces. For example, mechanical modifications, building modifications, additional concrete and associated costs, and roof modifications required to support the HVAC, upgrades and changes required to meet building codes and electrical modifications. These challenges total approximately \$2 million.

Mr. Francis described the LOC project funding. In order to fund the proposed change, staff recommends utilization of the remainder of the State Infrastructure Bank (SIB) loan, a one time capital swap from Orange County, and utilization of a State Urban Development Grant. The utilization of the remainder of the SIB loan represents funds that are currently on hand but earmarked for replacement buses. These funds will be reprogrammed towards the LOC budget and thus will reprogram Federal funds for replacement buses. This allows LYNX to utilize the State Urban Development Grant that is only available for the LOC project.

Staff will come back to the Audit Committee in August with a revised operating and capital budget.

Mr. Thibault asked when the bids were originally received. Mr. Francis explained that the bids were received November 2003. Mr. Thibault asked if LYNX is seeing in negotiations that the contractor is now increasing his costs to recoup some of the material costs that have inflated since 2003. Mr. Dave Gordon of EarthTech explained that the majority of the price adjustments came from increases in steel and concrete and some other items. This was the result of an extensive delay between the time of taking bid, awarding the contract, and getting the building permit. A contractor needed to be in place to furnish design information for the structural steel contractor provided buildings in order to obtain a building permit. Therefore, there was a lengthy delay between taking

the bids and getting the contractor actually working. As a result of this the contractor did experience some of the market conditions for concrete and steel and other items.

Mr. Gordon explained LYNX is not allowing the contractor to adjust the prices for bid quantities and other items unless there was a previous agreement due to the lengthy delay in the contractor losing the pricing from the concrete and steel providers. The electrical and mechanical work is not part of the original bid.

Mr. Thibault asked about the issue of building code. Was it something that was missed originally, or is it because of the added square footage and therefore by code more bathroom stalls needed to be added. Mr. Gordon explained that Building A is issued under a separate permit from the Building A expansion. The permit requirements for the Building A expansion is much more stringent in a number of areas than they were for Building A.

Discussion ensued.

Mr. Neiswender asked what the impacts on the furnishings are. Mr. Francis explained that they will be back filled and will go back in the budget.

Mr. Neiswender stated that there are a lot of issues. From the Audit Committee's standpoint, they are most concerned with the financial issues, source of funding, and making sure everything is proper and documented and accounted for. The ultimate objective is finishing this facility as quickly as possible, because the functionality and service that the building has is very much needed to run and maintain the expanding fleet. It is obvious that the longer this drags on the more it will cost; therefore, the quicker we can get this finished, the better it will be for LYNX.

Mr. Neiswender recommends having some members of the Audit Committee, Pat Christiansen (Legal Counsel) and Bert Francis meet as a subcommittee to discuss with EarthTech and other advisors to get a sense of where LYNX really is on the details of the project. Mr. Neiswender volunteered to be on this committee. Mr. Neiswender suggest that if the subcommittee were to meet in Seminole County perhaps Commissioner Henley would be available to attend the meeting as well.

Commissioner Henley stated that because there will be a number of new Board members, it would take too long to get them up to speed; therefore, it will have to fall on the existing members.

The Audit Committee recommends the Board approve the amended project budget for the LYNX Operations Center (LOC).

4. Review of Board Package

Ms. Watson reviewed the Board packet.

- a. The Ride to Remember recognition item is being removed.

- b. Consent Item K (Paratransit MDT) is being pulled and will be discussed as Action Item C.
- c. CEO Report
 - 1. SAFETEA-LU created the New Freedom Program (NFP) and moved the Job Access and Reverse Commute from the traditional special allocation as a competitive program. In an effort to take advantage of available funding, LYNX is re-convening the stakeholders group to develop a bona fide project to submit to the FTA in September. The grant to FTA will be for FY 2006 Job Access Reverse Commute (JARC) and New Freedom Program (NFP) in the amount of \$549,368 and \$314,866, respectively. The project will be funded at 100% at the federal level.

The stakeholder group will include representatives from the TAC, MV Transportation and MetroPlan Orlando. They will help identify the best application by which to apply these federal funds. An example of projects that could be included in the application are enhancements to Advanced Traveler Information System (ATIS), Paratransit IVR, travel training, functional assessment, Vanpool subsidy and potential TD eligible feeder services. More information will be provided in September.

- 2. A grant application was submitted to the Federal Transit Administration (FTA) under the Demonstration of Enhanced Human Services Transportation Models Grant. The title is "Model Orlando Regionally Efficient -Traveler Management Coordination Center" (MORE-TMCC).

In response to a Presidential Executive Order to improve the effectiveness and efficiency of current human services transportation delivery, USDOT is leading initiatives to bring the transportation and human service communities together to overcome service coordination and accessibility barriers for the transportation disadvantaged population, transportation service providers and human service program administrators.

Through an FTA grant opportunity seeking up to 10 local communities to carry out detailed development and design of coordinated human service transportation systems that utilize Intelligent Transportation Systems capabilities, LYNX submitted a proposal to FTA called MORE-TMCC. The expected results from this initial design phase includes up to 10 deployment-ready, replicable and scalable system detailed designs for enhanced human service transportation delivery models in communities representing a variety of operational environments and scenarios.

LYNX requested FTA funding in the amount of \$600,000 federal funds, which requires a 20% match of \$150,000. The local match will be met with a combination of non-federal funds such as in-kind staff time, FDOT Service Development Grant and a Transportation Disadvantaged Commission grant.

To participate in this 18-month design process, LYNX will be partnering with approximately 18 agencies.

3. During the week of July 10, the Federal Transit Administration (FTA) conducted a Procurement Review of LYNX' Purchasing and Contracts Division. In their preliminary report, the review team inspected 56 areas for compliance with FTA's Third Party Contracting Rules as prescribed by Circular 4220.1E. Of the 56 areas, 15 were found to be deficient. The upside is the findings were not insurmountable with 4 dealing with insufficient written policies and procedures, 7 dealing with incomplete files or lack of substantive documentation for procurement action, and 4 lacking required clauses or inapplicable clauses in contracts.

Mr. Joe Sperty, Acting Purchasing and Contracts Manager, has already begun correcting many of the issues by developing policies and procedures, which is a very time consuming process, standardizing the contract files and establishing a checklist of items that must be in the files, working with our attorneys to ensure correct clauses and laws are included in the appropriate contracts. In addition, Mr. Sperty has developed a standard Board Action Item Report that will ensure the Board has all the appropriate information to act upon. An example is the Board write-up for the awarding of our contracted paratransit service the Board approved last month. This item received special kudos from the review team and they recommended that this format be followed for future action items.

The review team, however, made some additional recommendations. Based on the volume of contracts and procurements and complexity of projects, they identified the staffing level as inadequate to truly be effective. In addition, they strongly suggested that staff seek additional training. This will aide in developing an understanding of some of the best practices now used in the procurement industry.

Lastly, the review team recommended that the delegation of signature authority be pushed down to the Contracting Manager not to exceed \$10,000. This will allow for handling of day-to-day activities to free up the CFO and CEO to deal with much more complex issues and ensure the general products needed to operate the business are not hindered from being ordered.

When the final report is received, it will be shared with the Board.

*Commissioner Henley asked what involvement LYNX has with UCF regarding game-day preparation to handle traffic once their new stadium is built. Lisa Darnall, Chief Operating Officer, reported that LYNX is very involved in working with UCF. UCF has an interest in asking LYNX to provide transportation for game-day and discussions are underway in terms of what LYNX can do for UCF during the football season, as well as looking at the overall corridor in terms of traffic management. Jennifer Stults, Deputy Director of Planning, reported that she is involved in the traffic management team meetings. LYNX has submitted comments on UCF's operations plan. Some items commented on were UCF maintaining a clear lane for

buses, emergency vehicles, etc., for LYNX' regular service, as well as any special services (i.e., ACCESS LYNX). UCF is looking at intelligent transportation system options and LYNX staff has been involved.

Commissioner Henley asked what the capability is to provide special services on game-day. Ms. Stults mentioned that many of their game-day's fall on weeknights and Saturdays and LYNX has greater need for their buses during the week so operators may not be available. UCF is aware that they would have to pay for services and that capacity is a great concern even for the Saturday games.

Commissioner Henley expressed that he is happy to see that LYNX is participating with UCF at the beginning of the planning process.

Ms. Watson reported that ridership for June, compared to the previous June is up over 7%. Several routes in Seminole County are up significantly and Link 35 is up 35%.

The Audit Committee meeting ended at approximately 11:30 a.m.

LYNX Board Audit Committee Agenda

Audit Committee Agenda Item #3.A

To: LYNX Board of Directors

From: **Linda Watson**
CHIEF EXECUTIVE OFFICER
Bert Francis
(Technical Contact)
Kevin Plasterer
(Technical Contact)

Phone: 407.841.2279 ext: 3017

Item Name: Status Report on the Development of FY2007 and FY2008 Budgets

Date: 8/24/2006

ACTION TAKEN

The LYNX FY07 Operating Budget has been presented and approved by all of the local funding partners. Please see the following chart, which summarizes funding partner contributions:

<u>Municipality</u>	<u>FY06</u>	<u>FY07</u>	<u>Change</u>	<u>Percent</u>
Orange County	\$27,278,396	\$38,042,461	\$10,764,065	39%
City of Orlando	5,668,545	5,924,658	256,113	5%
Seminole County	4,048,796	5,016,943	968,147	24%
Osceola County	4,111,900	4,601,116	489,216	12%
City of Kissimmee*	420,000	420,000	-	-%
City of St. Cloud	131,496	174,192	42,696	32%
City of Altamonte Springs	130,000	130,000	-	-%
City of Sanford	100,000	100,000	-	-%
Total	\$41,889,133	\$54,409,370	\$12,520,237	30%

* There are currently discussions under way between Kissimmee and Osceola County on the exact amount that Kissimmee will contribute.

LYNX Board Audit Committee Agenda

The increase in funding highlighted above will be used to fund several key impact items as referenced below:

<u>Key Impact Items</u>	<u>Funding</u>
On-Time Performance/New Service	\$4,179,368
Fixed-Route Fuel Expense	2,505,332
Paratransit	2,140,121
Union Contracts/Wages	1,999,155
Annual Lease Capital (21 Buses)	1,656,917
New LYNX Operations Center	1,497,978
Group Health Insurance	485,017
Various Other Increases	22,238
Fixed-Route Fares	(1,535,889)
Bus Advertising	(430,000)
Total	\$12,520,237

On-Time Performance will be improved beginning in April of 2007. New Service will be implemented as follows. LYNX received state service development grants to cover 50% of the operating costs of these services.

1. Clermont/Lake County (11,959 annual hours) – Beginning December 2006
2. Alafaya Trail/U.C.F. (10,506 annual hours) – Beginning April 2007
3. Colonial Drive/Link 30 (17,304 annual hours) – Beginning July 2007

The overall FY07 Operating Budget currently breaks down as follows:

<u>Operating Revenue</u>	
Customer Fares	\$ 19,793,506
Contract Services	8,015,538
Advertising on Buses	1,380,000
Advertising – Trade	920,000
Interest and Other Income	1,003,950
Local Contributions	53,701,018
State Contributions	11,251,569
Federal Contributions	11,087,192
Total Operating Revenue	\$107,152,773

LYNX Board Audit Committee Agenda

Operating Expenses

Personnel Expenses	\$ 56,723,586
Services	9,269,612
Materials and Supplies	17,905,326
Utilities	961,006
Casualty and Liability	1,483,879
Taxes	496,378
Purchased Transportation	16,494,174
Miscellaneous	1,016,404
Interest	189,420
Leases	787,041
Operating Reserves	1,825,947
Total Operating Expenses	\$107,152,773

NEXT STEPS

The proposed budget will be brought to the LYNX Board in September for adoption. Projected revenues expenses and capital will continue to be updated as necessary until budget adoption.

LYNX

Bert Francis
Chief Financial
Officer

Audit Committee
BUDGET
PRESENTATION
August 24, 2006

accountability

integrity

innovation

teamwork

community

excellence



Local Funding



Local Municipality Funding

<u>Municipality</u>	<u>FY06</u>	<u>FY07</u>	<u>Change</u>	<u>Increase</u>
Orange County	\$ 27,278,396	\$ 38,042,461	\$ 10,764,065	39%
City of Orlando	\$ 5,668,545	\$ 5,924,658	\$ 256,113	5%
Seminole County	\$ 4,048,796	\$ 5,016,943	\$ 968,147	24%
Osceola County	\$ 4,111,900	\$ 4,601,116	\$ 489,216	12%
Kissimmee	\$ 420,000	\$ 420,000	\$ -	0%
St Cloud	\$ 131,496	\$ 174,192	\$ 42,696	32%
Altamonte Springs	\$ 130,000	\$ 130,000	\$ -	0%
Sanford	\$ 100,000	\$ 100,000	\$ -	0%
Total	\$ 41,889,133	\$ 54,409,370	\$ 12,520,237	30%

IMPACT ITEMS



On-Time Performance/New Service	\$ 4,179,368
Fixed-Route Fuel Expense	\$ 2,505,332
Paratransit	\$ 2,140,121
Union Contracts/Wages	\$ 1,999,155
Annual Lease Capital (21 Buses)	\$ 1,656,917
New LYNX Operations Center	\$ 1,497,978
Group Health Insurance	\$ 485,017
Various Other Increases	\$ 22,238
Fixed-Route Fares	(\$ 1,535,889)
Bus Advertising	(\$ 430,000)
Total	\$ 12,520,237

Operating Revenue



Customer Fares	\$ 19,793,506
Contract Services	\$ 8,015,538
Advertising on Buses	\$ 1,380,000
Advertising - Trade	\$ 920,000
Interest and Other Income	\$ 1,003,950
Local Contributions	\$ 53,701,018
State Contributions	\$ 11,251,569
Federal Contributions	\$ 11,087,192
Total Operating Revenue	\$ 107,152,773

Operating Expenses



Personnel Expenses	\$ 56,723,586
Services	\$ 9,269,612
Materials and Supplies	\$ 17,063,660
Utilities	\$ 961,006
Casualty and Liability	\$ 1,483,879
Taxes	\$ 496,378
Purchased Transportation	\$ 16,494,174
Miscellaneous	\$ 1,016,404
Interest	\$ 189,420
Leases	\$ 787,041
Operating Reserves	\$ 2,667,613
Total Operating Revenue	\$ 107,152,773

THE 15-YEAR PLAN

REBUILDING THE SYSTEM...



- Year 1 - Solidify the Base
 - ✓ Add Service in Clermont/Lake County
(11,959 annual hours beginning in December)
 - ✓ Improve On-Time Performance
(72,505 annual hours beginning in April)
 - ✓ Add Service on Alafaya Trail/UCF
(10,506 annual hours beginning in April)
 - ✓ Add Service on Colonial Drive
(17,304 annual hours beginning in July)



Questions and Comments

LYNX

Bert Francis
Chief Financial
Officer

Audit Committee
BUDGET
PRESENTATION

accountability

integrity

innovation

teamwork

community

excellence



LYNX Board Audit Committee Agenda

Audit Committee Agenda Item #3.B

To: LYNX Board of Directors

From: Linda Watson
CHIEF EXECUTIVE OFFICER
Edward Johnson
(Technical Contact)

Phone: 407.841.2279 ext: 3017

Item Name: Review of the proposed Administrative Rule #9 - Public Records

Date: 8/24/2006

At the July 2006 LYNX Board of Directors' Audit Committee meeting, Ms. Leigh Ann Murvin, legal counsel with Akerman and Senterfitt provided the Committee with an overview of a proposed Board of Directors rule for public records. At that meeting, the Committee recommended several changes to the Rule that would ensure its effectiveness. This month, Ms. Murvin will review with the Committee Members changes that were made and request the Audit Committee recommend adoption of the Rule by LYNX' Board of Directors.

**ADMINISTRATIVE RULE 9
PUBLIC RECORDS**

EFFECTIVE DATE: ~~July 27,~~August 24, 2006

SCOPE:

This Administrative Rule shall apply to all officers, managers, employees or agents of the Authority and Members of the Governing Board.

AUTHORITY:

Authority for establishment of this Administrative Rule is as follows:

Article 1, Section 24, Florida Constitution

Chapter 119, Florida Statutes

Rule 9: Public Records

Section 9.1. Public Access to Records. Public records held by LYNX, except those specifically protected from disclosure by a statutory exemption, shall be available, in any form and format used by LYNX, to all persons for inspection or copying under the supervision of the records custodian (or designee) during LYNX' normal business hours (generally 8:00 a.m. – 5:00 p.m. Eastern Time, Monday through Friday).

Section 9.2 Definition of Public Records. "Public Records" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by LYNX.

Section 9.3 Format of Records. Copies of records shall be made available to the public in the format requested, provided that such records are stored in that format. Copies of records shall be available for a fee as specified by law or, if none is specified, for such fee, not to exceed the actual cost of duplication, as may be in effect at LYNX from time to time. If a person wishes a photocopied page to contain a certification that it is a true and correct copy of the original, there may be an additional charge imposed ~~is an additional charge of \$1.00 per page.~~ If the nature or volume of records to be inspected or copied is such as to require extensive use of LYNX information technology resources or extensive clerical or supervisory assistance by LYNX personnel, an additional service charge will be imposed. This charge shall be reasonable and shall be based on the cost incurred for such extensive use of the information technology resources or the actual labor cost of the personnel providing such assistance.

Section 9.4 Public Records Office. All public records requests should immediately be referred to the LYNX Public Records Office. That office may respond to the request, or relay it to the correct department for response, then act as the conduit for the release of the information and receipt of payment for any fees or charges.

- i. Each LYNX department should identify the records and parts thereof in their custody which are exempt from inspection, examination, and copying under the Public Records Law. The Public Records Office will answer any related questions or refer you to the appropriate legal authority.
- ii. Managers and supervisors should be knowledgeable of records inspection and copying activities occurring within their area of responsibility.
- iii. Managers and supervisors should ensure that the actual cost of duplication and/or extensive use charges are applied to records requests in a consistent manner and communicated to the Public Records Office.

Section 9.5 Public Records Requests.

9.5.1 Form of Request. Requests for records may be made in writing, by electronic mail, telephone, fax or letter, or in person. Preferably, however, to assist in defining and documenting facts necessary for complying with records requests, a requesting party should complete the Public Records Request Form provided on the LYNX web page in accordance with the accompanying Instructions for Requesting Public Records. Requestors are not required to identify themselves or state the reason they desire the records. ~~If the request is insufficient to identify the records sought, the department holding the records shall promptly notify the requesting party that more information is needed in order to produce the records. It is the responsibility of LYNX and not the requestor to follow up on any request for public records.~~

9.5.2 Business Hours. Requests for records should be accepted and records made accessible for inspection or duplication during normal LYNX business hours. Inspection and examination should be allowed as soon as reasonably possible after receiving the records request.

9.5.3 Response to Requests. Requests for public records must be filled as soon as reasonably possible after the request is received. If a request is insufficient to identify the documents sought, the requestor shall be notified by mail or in person as soon as reasonably possible after the request is received that more information is needed in order to produce the records. It is the responsibility of LYNX and not the requestor to follow up on any request for public records. If necessary, LYNX staff shall assist the requestor in making a request that describes sufficiently identifiable records. The document custodian shall notify the requestor by mail or in person as soon as reasonably possible after the request is received if the request seeks copies of public records which are not in the possession of or prepared, owned, used, or retained by LYNX and/or otherwise not subject to disclosure, including whether any records requested have been deemed confidential or otherwise exempt from disclosure by the source of the record. If the search for records finds the records voluminous, the requestor must be notified as soon as

reasonably possible after the request is received of the approximate number of pages and/or length of time it will take to process the request. If the request is to review records, rather than receive copies, the documents custodian shall notify the requestor once the records are gathered, and an appointment shall be made with the requestor for review at LYNX business offices.

Section 9.6 Public Records Fees and Charges.

9.6.1 Costs for Duplication of Records. The Public Records Law allows LYNX to collect its actual cost for materials and supplies used to duplicate records. In addition, LYNX may collect a reasonable service charge when the request requires the extensive use of information technology resources and/or the extensive use of clerical or supervisory assistance. LYNX considers records requests taking more than 30 minutes to access the record, copy the record, delete or excise therefrom any confidential material, to have appropriate LYNX staff supervise the review of the record, or to otherwise make available the requested material, as a diversion of resources which will result in extensive use charges.

9.6.2 Multiple Requests. When multiple requests are made by one individual, they may be considered as one request and extensive use charges may be applied after the first 30 minutes of staff or resource time. Costs totaling less than \$1.00 will be waived, as it is not cost effective to process payment for such an amount.

9.6.3 Fee Standards. The following fee/charge standards and guidelines are designed to ensure that LYNX is consistent in its application of the Public Records Law, which ~~allow~~allows the recovery of actual duplication costs and extensive use charges. Applicable fees and charges will be adjusted from time to time to account for inflation.

- i. Actual Duplication Costs – Actual duplication costs shall be applied uniformly by LYNX in compliance with the following guidelines. The records custodian should consult with the Public Records Office to determine the actual cost of duplication when records are duplicated using a medium other than those listed below. However, LYNX is not required to create a record in a particular medium if the record is not maintained in such medium in the normal course of business.
 - (a) Paper copies – ~~Paper copies shall be provided at a~~The cost of \$0.15 ~~per~~for one-sided ~~copy~~ and ~~\$0.20 per~~ double-sided ~~copy~~. ~~Any~~paper ~~copies, and any~~ additional charge ~~of \$1.00 per copy shall be assessed~~ for a certified copy of a record. shall be published in the Instructions for Requesting Public Records, available at www.golynx.com, under the "Public Records" menu. The cost for such copies shall include and be increased by the amount of any staff/information technology resource time in excess of 30 minutes. All such charges shall be adjusted and republished from time to time to reflect the actual cost to LYNX of producing such copies.

- (b) Shipping – U.S. postage or other shipping costs incurred in the delivery of records shall be included in the actual duplication costs charged to the requestor.
 - (c) Audio Tapes – The cost of an audio tape ~~is \$3.00 plus~~ shall be published in the [Instructions for Requesting Public Records, available at www.golynx.com, under the "Public Records" menu.](#) The cost for an audio tape shall include and be increased by the amount of any staff/information technology resource time in excess of 30 minutes. All such charges shall be adjusted and republished from time to time to reflect the actual cost to LYNX of producing such copies. LYNX will accept a tape of the same length from the requestor for duplication, in which case the cost of the tape will not be included in the final charges.
 - (d) Video Tapes – The cost of a video tape ~~is \$3.00 plus~~ shall be published in the [Instructions for Requesting Public Records, available at www.golynx.com, under the "Public Records" menu.](#) The cost for a video tape shall include and be increased by the amount of any staff/information technology resource time in excess of 30 minutes. All such charges shall be adjusted and republished from time to time to reflect the actual cost to LYNX of producing such copies. LYNX will accept a tape of the same length from the requestor for duplication, in which case the cost of the tape will not be included in the final charges.
 - (e) Diskettes and CD's – The cost of a computer diskette and compact disc ~~is \$2.00 plus~~ shall be published in the [Instructions for Requesting Public Records, available at www.golynx.com, under the "Public Records" menu.](#) The cost for a computer diskette and compact disc shall include and be increased by the amount of any staff/information technology resource time in excess of 30 minutes. All such charges shall be adjusted and republished from time to time to reflect the actual cost to LYNX of producing such copies. LYNX will not accept external diskettes brought in by a requestor due to the possibility of contracting a computer virus.
- ii. Extensive Use Charges – Extensive use charges shall be applied uniformly in compliance with the following guidelines. Departments shall use the fees set forth in this policy when charging for extensive use of staff time or information technology resources. When the use of a particular technology is not specifically stated herein, the department should consult with the Public Records Office to determine a fair charge.
- (a) Labor Costs – When more than 30 minutes of clerical and/or supervisory time is spent in the inspection or duplication of a

record, the special service charge shall be calculated from the prorated hourly cost of the salary of the employee(s) required to fulfill the request. If the employee is not paid hourly, then the hourly cost will be the prorated cost of the annual salary of the employee.

- (b) Information Technology Resource Costs – Information technology resources include use of personal computers, microfiche readers, or other office machinery. A special service charge shall be collected if the time reasonably required to produce or display the record is over 30 minutes. The special service charge shall be based on a prorated amount to be determined by the department providing the record.

iii. Fee Collection and Processing -

- (a) When all allowable fees/charges applicable to a particular records request can be calculated in advance, they will be collected in advance.
- (b) When actual duplication costs and extensive use charges cannot be calculated with certainty in advance, the department responding to the request shall estimate the charges and collect one-half of the estimated amount in advance. Providers should use their best efforts to ensure that the estimates are accurate within 25% of the final cost. If the requestor accepts the estimate and prepays half the cost estimate, the district will then fill the request and furnish the records upon receipt of the balance due.
- (c) Should the requestor fail to pay the total duplication costs and/or extensive use charges incurred to fulfill the request, the Public Records Office shall refer the bill to the Accounts Payable department for collection. Future records requests by such an individual will not be filled without payment of all past due amounts and a deposit of at least one-half the estimated cost of the new request.
- (d) No sales tax is currently charged on public records request fees.
- (e) All requests and payments must be reported to the Public Records Office. All payments are processed through the Finance Department.

9.7 Public Records Exemptions. LYNX is responsible for protecting information defined as confidential or as otherwise exempt from public inspection or copying under the Public Records Law, and each department is responsible for knowing what information is

exempt. A specific listing is available in Section 119.07, Florida Statutes, and the Government in the Sunshine Manual prepared annually by the Florida Attorney General's Office. Confidential information shall be deleted or excised from records prior to inspection, examination, or distribution of copies of the nonexempt portions. Charges for the use of district/staff resources to extract the information may be levied according to the above guidelines. Questions relative to these guidelines should be directed to the Public Records Office, 455 N. Garland Avenue, Orlando, Florida 32801, phone (407) 841-LYNX.

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY, d/b/a LYNX

PUBLIC RECORDS REQUEST FORM

STEP 1: PRINT & COMPLETE all information. Please date and sign the request. For assistance, see the Instructions for Requesting Public Records, available at LYNX offices or at www.golynx.com, under the Public Records menu.

STEP 2: SUBMIT completed form to Public Records Office, LYNX, 455 North Garland Avenue, Orlando, Florida 32801, FAX: (407) 254-6137. Do not attach payment to this form. Instead, wait to receive a notice of the estimated cost.

STEP 3: PAY FEE, if applicable. Once you have received a notice of estimated cost, submit fees by personal check or money order payable to LYNX, together with a copy of the invoice to: Public Records Office, LYNX, 455 North Garland Avenue, Orlando, Florida 32801. If payment is not received within 10 working days after notice of the estimated cost is forwarded, it may be necessary to initiate a new request. **RECORDS ARE NOT RELEASED BEFORE FEES ARE PAID.**

COMPLETE BELOW:

LAST NAME _____ FIRST NAME _____ MIDDLE INITIAL ____

NAME OF ORGANIZATION/COMPANY _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE (____) _____ FAX (____) _____

E-MAIL _____ @ _____

Description of Records Requested (Type or Print): To expedite the request, be as specific as possible. You may attach additional pages to the form as necessary. Clearly mark any attachments.

Delivery information – Check appropriate box below. Costs for producing the requested information shall be paid in advance of delivery or viewing of records.

- Make public records available for viewing.** The requestor will be notified when records are available for review at LYNX Administrative Offices. There is no cost to view the public record, unless fees apply for the extensive use of information technology resources or extensive clerical or supervisory assistance.
- Make copies for pick up by requestor.** The requestor will be invoiced and must pay for the copies before the copies are released.
- Make copies and mail to requestor.** The requestor will be invoiced and must pay for the copies before the copies are released.
- Make copies and fax to requestor.** The requestor will be invoiced, and the requestor must pay for the copies before the copies are released.

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY, d/b/a LYNX

PUBLIC RECORDS REQUEST FORM

**SUBMISSION OF REQUEST IS CERTIFICATION THAT REQUESTOR UNDERSTANDS AND ACCEPTS
OBLIGATION TO PAY APPLICABLE FEES FOR COPIES OF RECORDS REQUESTED AND THAT NO COPIES
MAY BE RETURNED FOR CREDIT.**

SIGNATURE OF REQUESTOR: _____

If submitted electronically, signature and date on line above unnecessary.

If you have any questions please e-mail us at publicrecords@golynx.com
This form is available at www.golynx.com, Public Records

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY, d/b/a LYNX

INSTRUCTIONS FOR REQUESTING PUBLIC RECORDS

(Florida Public Records Law, Chapter 119, Florida Statutes)

1. In order to expedite your public records request, requests for records should be in writing, and requests will be processed in the order in which they are received. You may request that a Public Records Request Form be faxed to you by calling (407) 841-2279, extension 3170. Such form is also available on the LYNX web page at www.golynx.com. Select the "Public Records" menu. Requests may be submitted by facsimile to (407) 254-6137, or by e-mail to publicrecords@golynx.com.
2. Requests must be for records in the possession of or prepared, owned, used, or retained by LYNX, and requests should be for sufficiently identifiable records. ~~If necessary, LYNX will assist the requestor in making a request that describes sufficiently identifiable records. Requests not meeting these criteria may be returned, indicating that more information is needed in order to produce the records.~~ Copies will not be provided if the information is confidential or otherwise exempt from public inspection or copying under the Public Records Law. Confidential information shall be deleted or excised from records prior to inspection, examination, or distribution of copies of the nonexempt portions.
3. Your request will be filled as soon as reasonably possible after receipt of the request. If a request is insufficient to identify the documents sought, you will be notified as soon as reasonably possible after the request is received that more information is needed in order to produce the records. If necessary, LYNX staff will assist you in making a request that describes sufficiently identifiable records. You will be notified ~~by mail~~ as soon as reasonably possible after LYNX receives your request if your request seeks copies of public records which are not in the possession of or prepared, owned, used, or retained by LYNX and/or otherwise not subject to disclosure. Such notice will indicate if the records you requested have been deemed confidential or otherwise exempt from disclosure by the source of the record. If the search for records finds the records voluminous, you will be notified of the approximate number of pages and/or length of time it will take to process your request.
4. If your request is to review records, rather than receive copies, LYNX will notify you once the records are gathered, and an appointment will be made with you for review at LYNX business offices.
5. Charges for the cost of duplication are as follows: Paper copies, \$0.15 per one-sided copy and \$0.20 per two-sided copy (additional \$1.00 charge for certified copy); data on copied CD, \$2.00 each; data on copied diskette, \$2.00 each; data on copied audio tape, \$3.00 each. An invoice will accompany your records when completed. Payment in full shall be made prior to release of the requested documentation. There may be additional charges for extensive use of staff time or information technology resources. These rates shall be adjusted from time to time for inflation. If a person wishes a photocopied page to contain a certification that it is a true and correct copy of the original, there may be an additional charge imposed.
- 6.
7. For further clarification please refer to the Florida Public Records Law (Florida Statutes, Section 119.01 et seq.) and the LYNX Policy for Implementing the Florida Public Records Law. The policy is available on the LYNX website at www.golynx.com.

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY, d/b/a LYNX

If you have questions pertaining to the submittal of a Public Records Request, you may contact the Public Records Office, (407) 841-2279, extension 3170, Monday through Friday, 8:00 a.m. to 5:00 p.m. Our Fax number is (407) 254-6137. Our e-mail address is publicrecords@golynx.com.

LYNX Board Audit Committee Agenda

Audit Committee Agenda Item #3.C

To: LYNX Board of Directors

From: Bert Francis
CHIEF FINANCIAL OFFICER

Presented By: Bert Francis, Chief Financial Officer, LYNX

Phone: 407.841.2279 ext: 3047

Item Name: Update on the Princeton Operations Base

Date: 8/24/2006

Staff will provide the Audit Committee with an update on the lease extension discussions held with Dr. Phillips for the Princeton Operations Base located along Princeton Street bounded by Orange Blossom Trail and John Young Boulevard.

LYNX Board Audit Committee Agenda

Audit Committee Agenda Item #3.D

To: LYNX Board of Directors

From: Lisa Darnall
CHIEF OPERATING OFFICER
Jennifer Clements
(Technical Contact)

Presented By: Darrel Smith, Runways Transportation Co.

Phone: 407.841.2279 ext: 3036

Item Name: LYNX Supporting School Transportation Providers

Date: 8/24/2006

Mr. Darrell Smith, with Runways Transportation Company will be providing the Audit Committee with an update on the LYNX Supporting School Transportation Providers study commissioned by METROPLAN ORLANDO.



LYNX

Supporting
School Transportation
Providers

METROPOLITAN

ORLANDO
August 24, 2006

A Regional Transportation Partnership

Prepared for MetroPlan Orlando by:



Runways Transportation Company

With assistance from:



Data Transfer Solutions, LLC



Steering Committee included representatives of:

LYNX

MetroPlan Orlando

Orange County Public Schools

Osceola County Public Schools

Seminole County Public Schools



Federal Transit Administration (FTA) Regulations

- Transit systems that receive federal funding, such as LYNX, are restricted in the role they can play in providing school transportation.
- Restrictions are principally in two areas:
 - Vehicles used must be open to all
 - Stops used must be open to all

Federal Transit Administration (FTA) Regulations

- These restrictions are in place in order to:
 - Prevent public transportation from competing with the private sector
 - Ensure general public access to all public transportation services

Federal Transit Administration (FTA) Regulations

- Transit CAN operate modified trips to transport school students IF:
 - Trips are published as part of a “regular” transit schedule and are part of a regular route
 - Trips are open to the general public

Federal Transit Administration (FTA) Regulations

- Buses are NOT specially marked, such as "School Bus", "School Special" or "Student"
- The school name can ONLY be used on the bus destination sign if the school is the end of the line.

Federal Transit Administration (FTA) Regulations

- Stops **MUST** be available to the general public
- Stops **CANNOT** be on private property
- Stops **CANNOT** be on property with restricted access to the general public

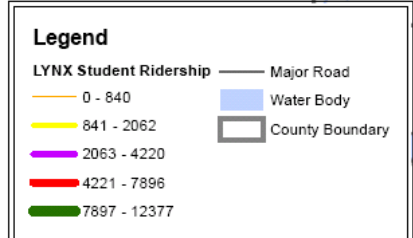
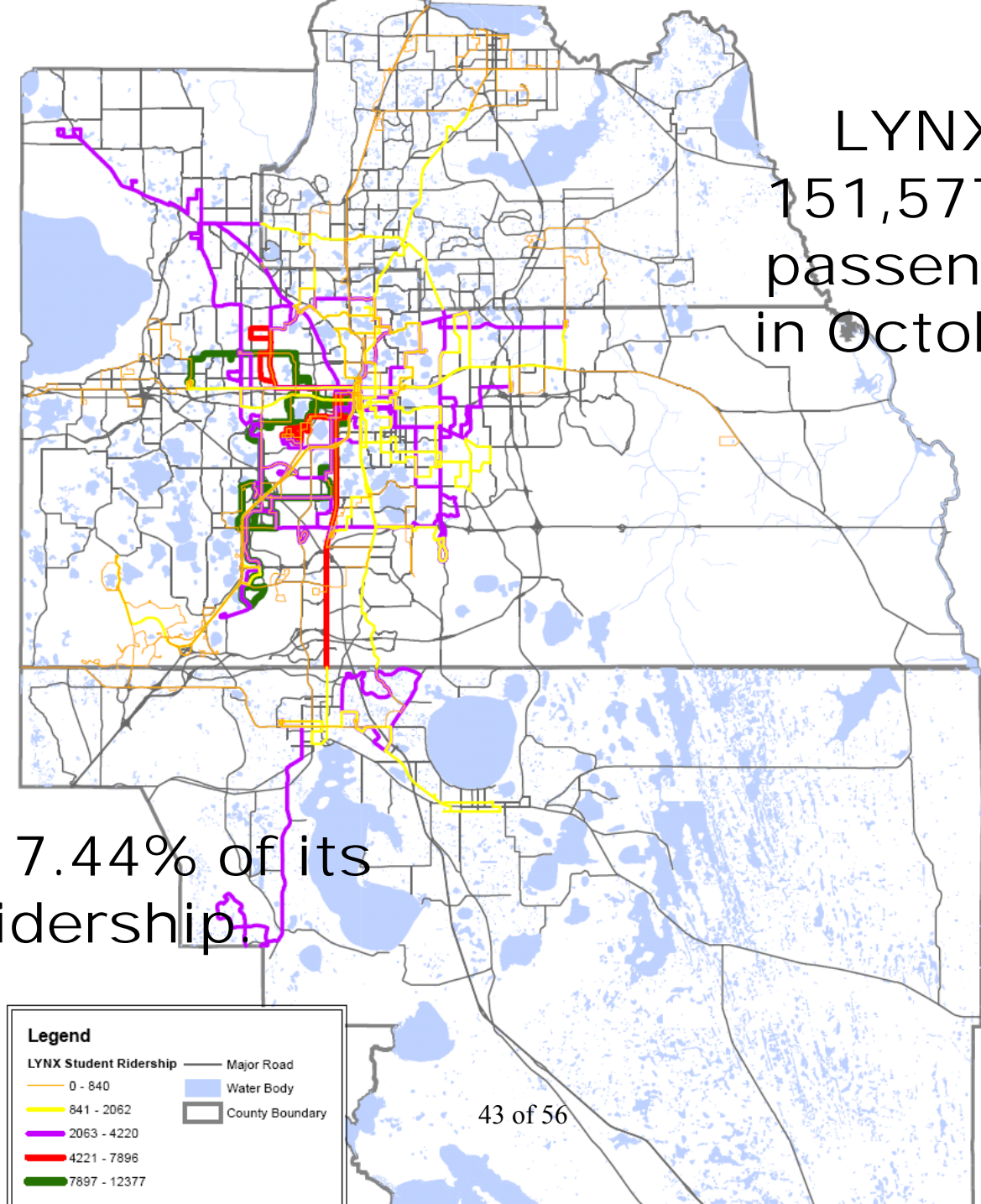
Cost of Service

- If LYNX were to provide school bus service, it could not use any federally-funded equipment or facilities.
- There would be no economies of scale by having shared facilities.

Provider	Cost per Hour
Osceola County	\$17.07
Orange County	\$35.00
LYNX	\$60.47

LYNX carried 151,577 student passenger trips in October 2005.

That's 7.44% of its total ridership.

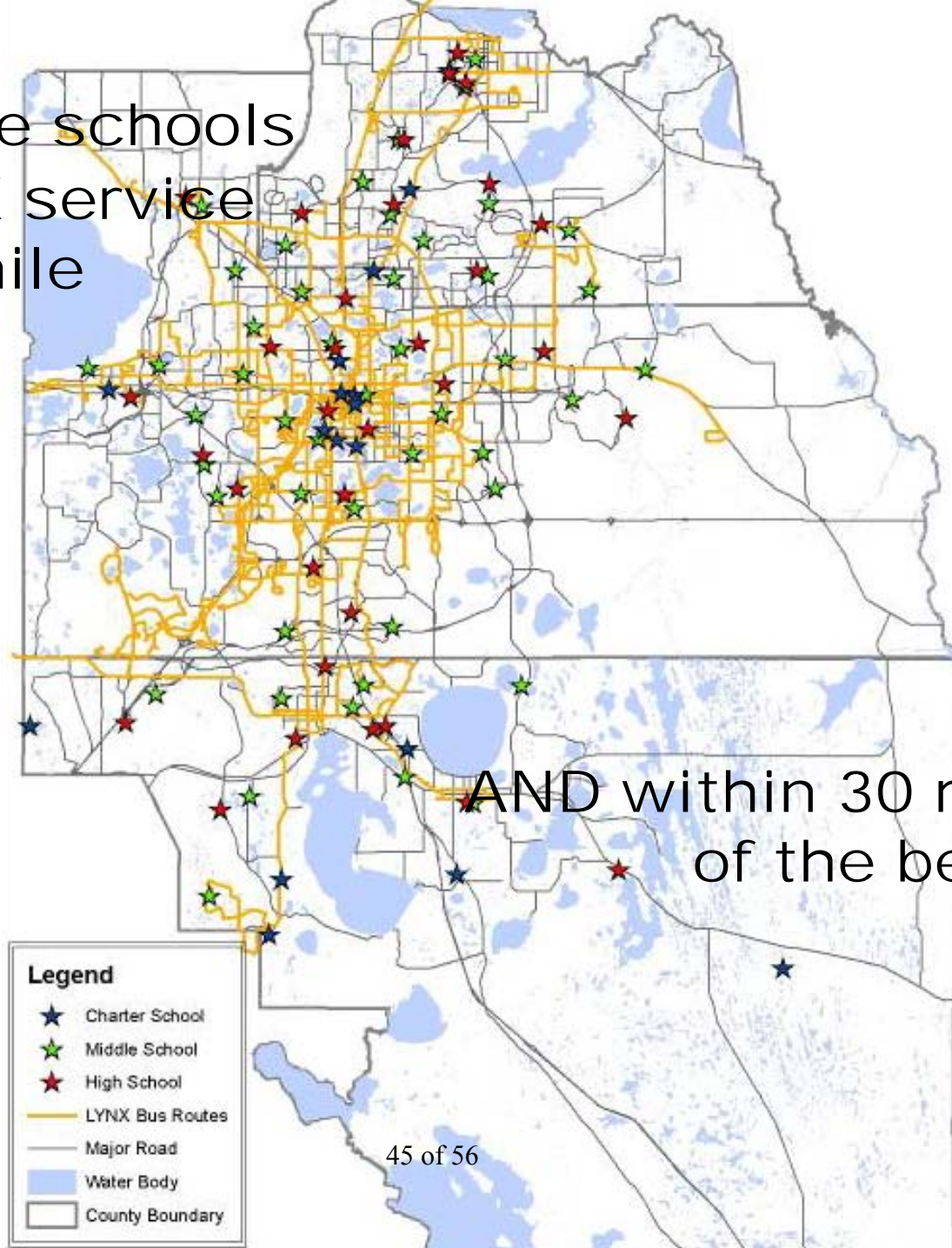


We studied
35 high,
51 middle and
14 charter
(grades 6-12)
schools
in the tri-county
Central Florida region

a total of 100 schools
*Sum of categories is 108 due to
multiple LYNX routes at some
schools*

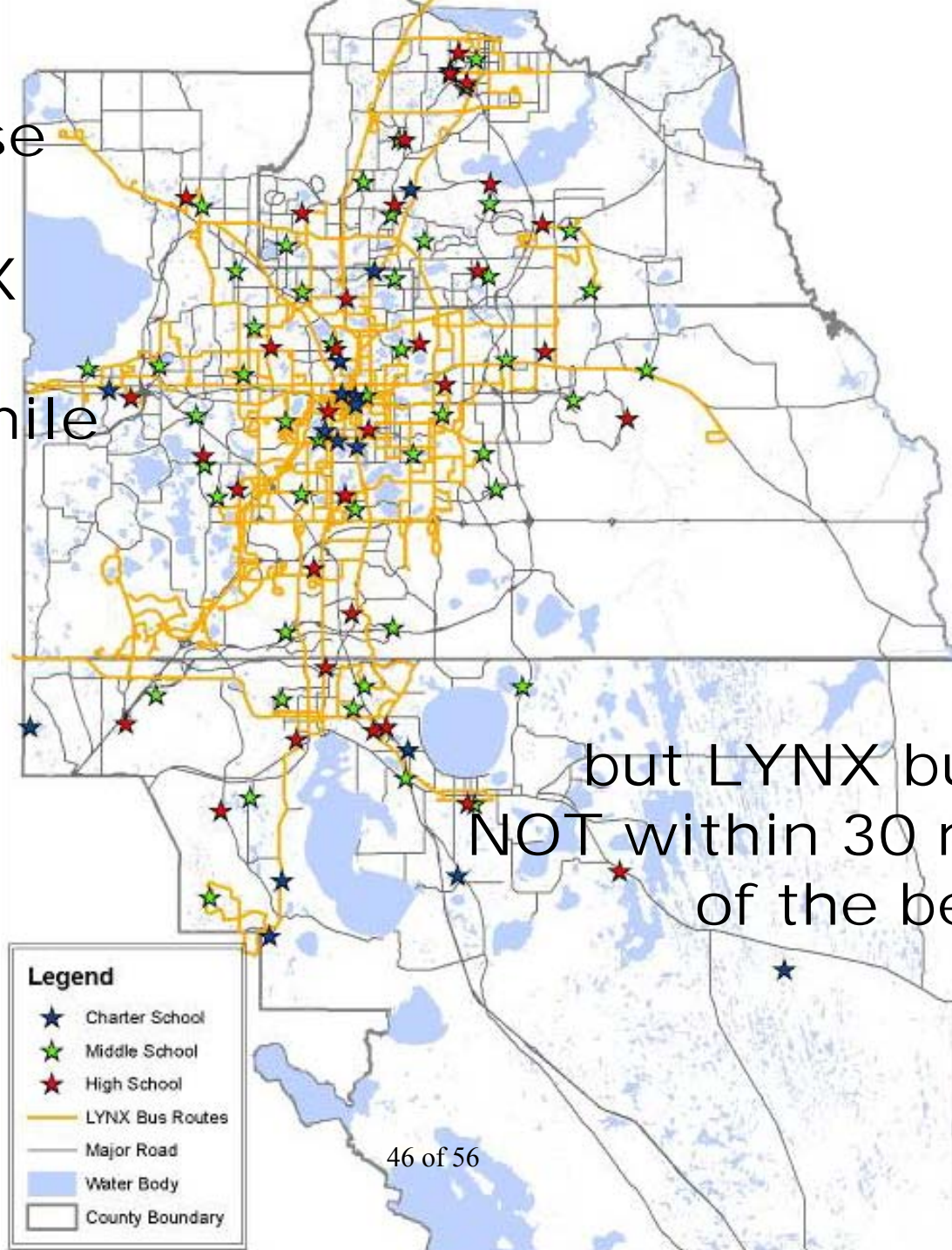


17 of these schools
have LYNX service
within ¼ mile



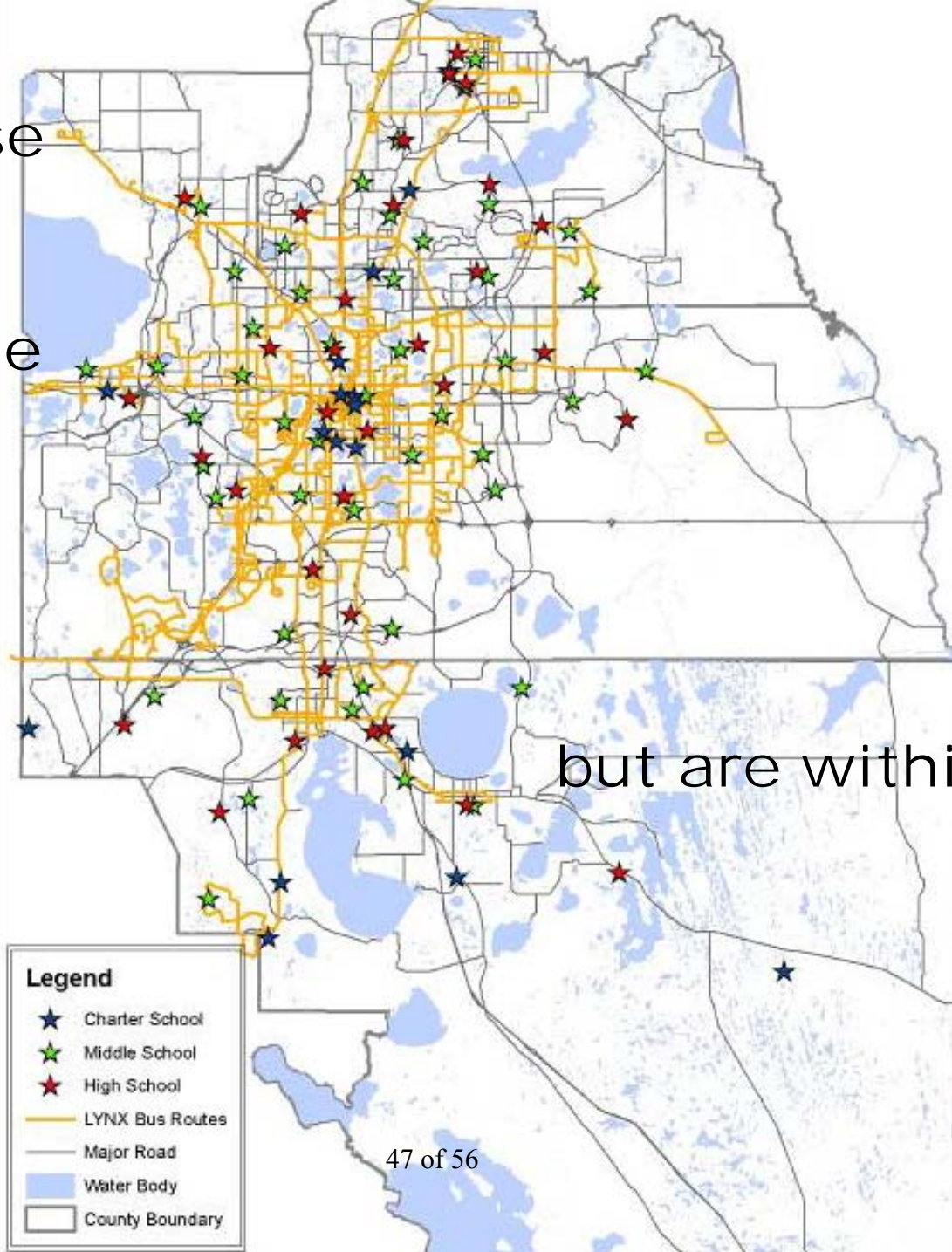
AND within 30 minutes
of the bell times

35 of these schools have LYNX service within ¼ mile



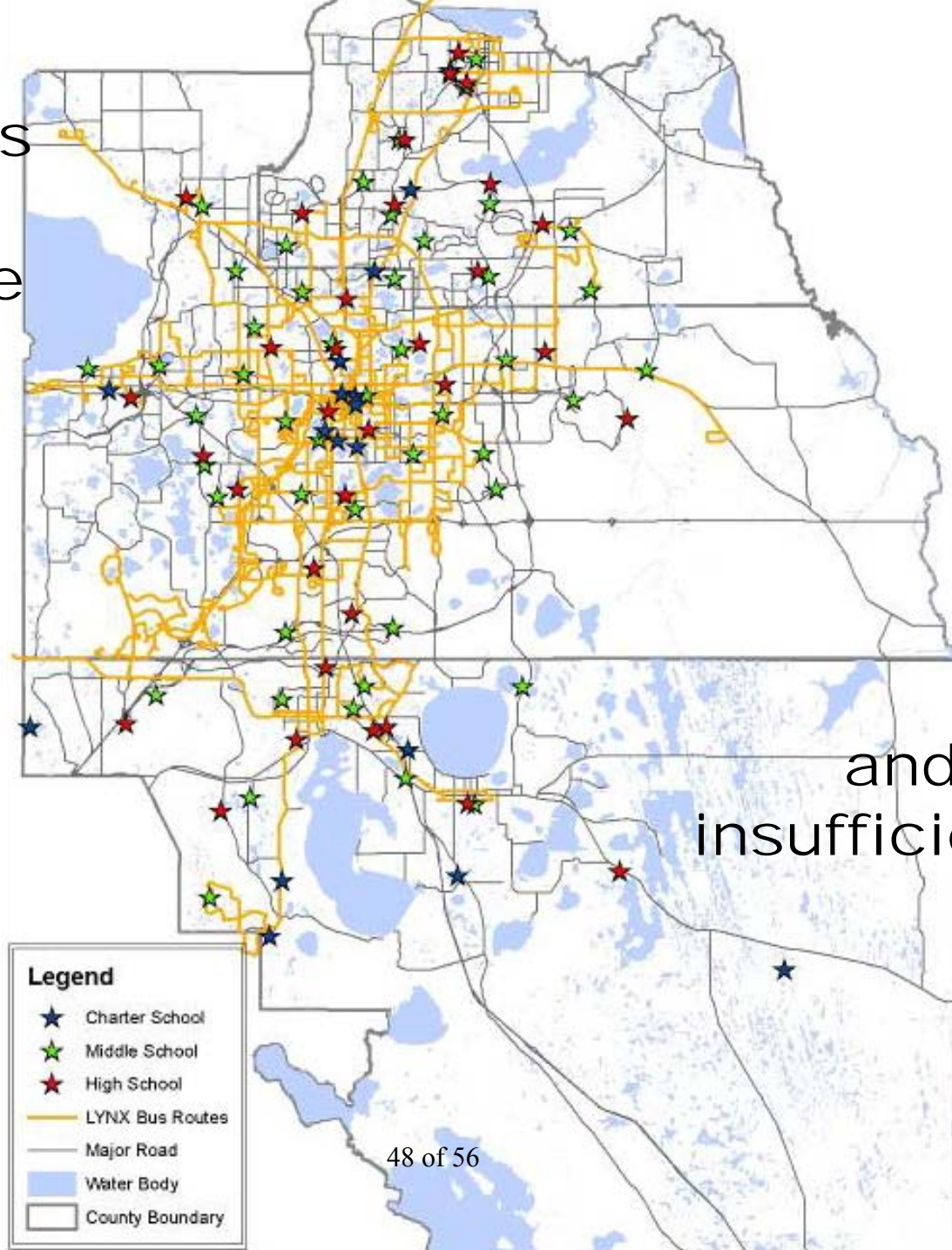
but LYNX buses are NOT within 30 minutes of the bell times

23 of these schools are more than ¼ mile away from LYNX




but are within 1 mile

23 schools
are more
than 1 mile
away from
LYNX



and 10 had
insufficient data

A red LYNX bus is shown from a front-three-quarter view. The destination sign at the top reads "CENTRAL FLORIDA STUDENTS" in yellow. A wheelchair accessibility symbol is visible on the left side of the bus. A bicycle is mounted on the front rack. The bus number "323" is visible on the front. A person is walking away from the bus on the left. The background is a blurred outdoor setting.

Can LYNX carry more students?

Yes, if we can...

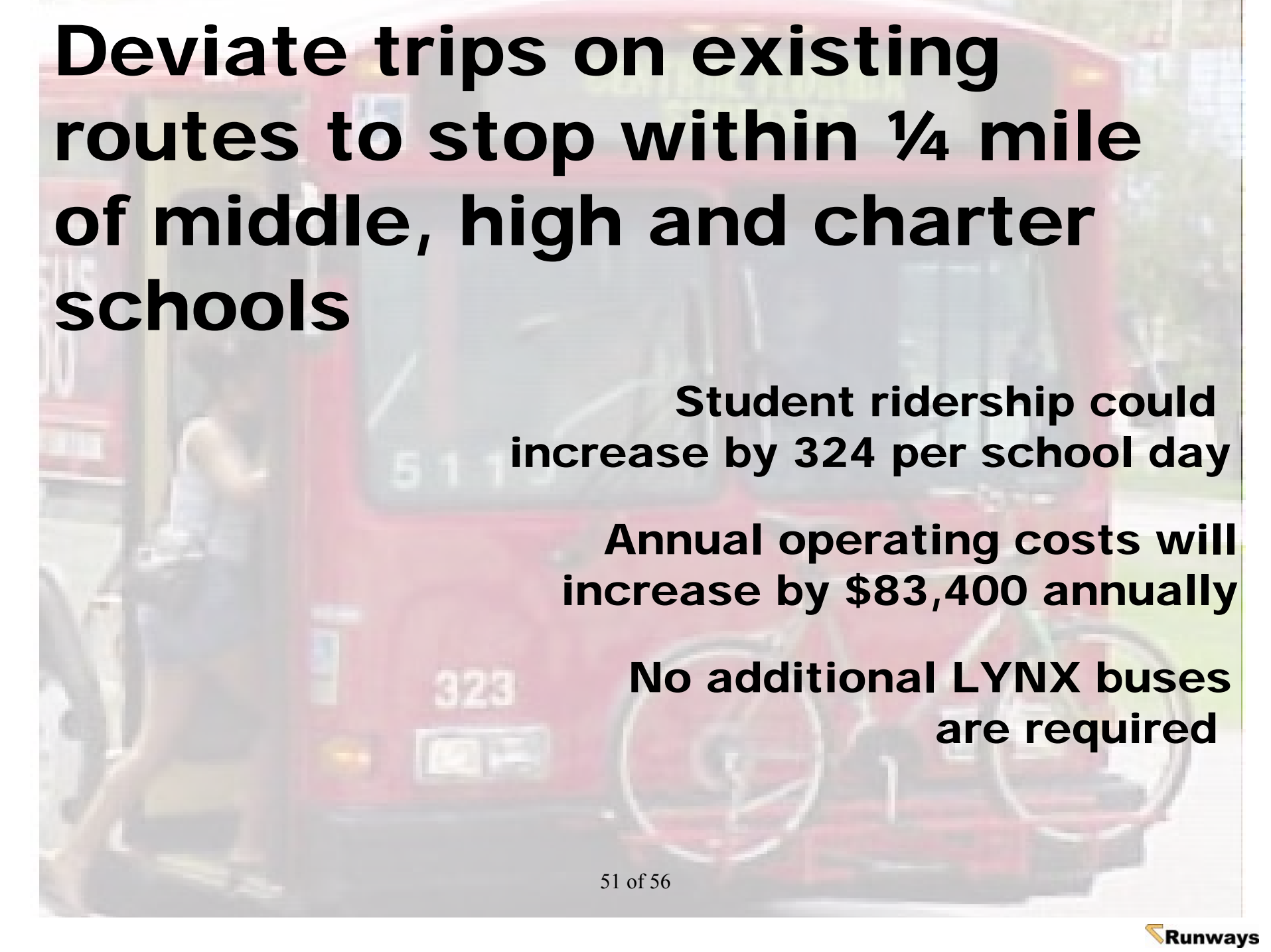
Improve service to run every 30 minutes
on routes serving more than one school

Deviate trips on existing routes to stop
within $\frac{1}{4}$ mile of middle, high and
charter schools

Create new LYNX routes to
middle, high and charter schools
outside the LYNX system

Improve access between LYNX stops
and school entrances

Expand LYNX education
and outreach programs

A red LYNX bus is shown with its front door open. A person is boarding the bus. The bus has the number '511' on the front and '323' on the side. The background is a blurred city street.

Deviate trips on existing routes to stop within ¼ mile of middle, high and charter schools

Student ridership could increase by 324 per school day

Annual operating costs will increase by \$83,400 annually

No additional LYNX buses are required

Improve service to run every 30 minutes on routes serving more than one school

Student ridership could increase by 1,674 per school day

Annual operating costs will increase by nearly \$3 million annually

Capital requirement for 48 new LYNX buses is \$16.86 million

Additional service benefits all, not just students

Create new LYNX routes to middle, high and charter schools outside the LYNX system

Ridership will be dependent on specific routings

Operating costs will increase by nearly \$2.3 million annually

Capital requirement for 34 new LYNX buses is \$11.94 million

Improve access between LYNX stops and school entrances

Eliminate conflicts
with other traffic

Improve sidewalk
access to front
entrances

Shorten walks between
LYNX stop and
School entrance



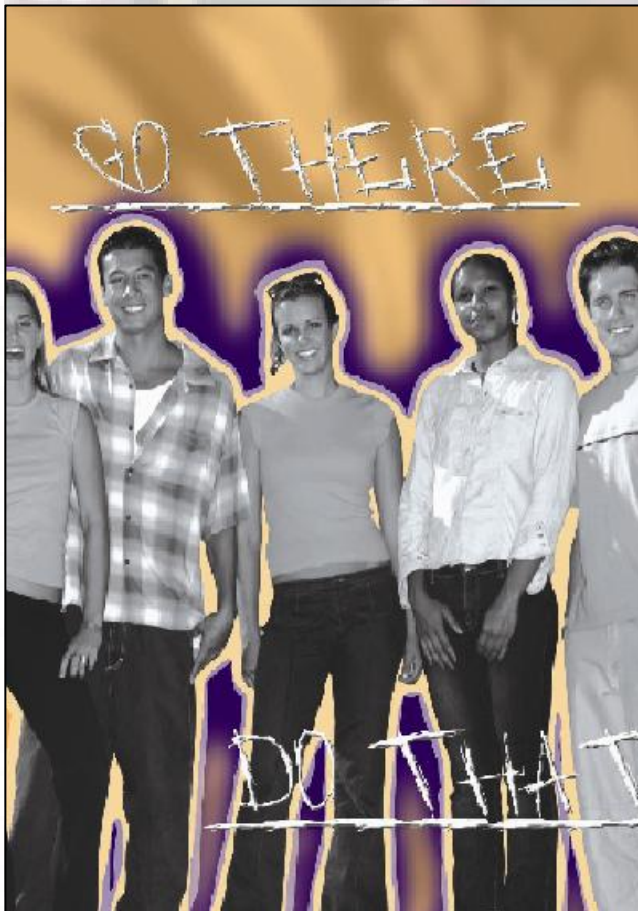
Expand LYNX education and outreach programs

Sell LYNX reduced fare K.I.S. passes through schools

Create a *Back to School* package similar to this one from PalmTran

Conduct "How to Ride" program beginning with elementary school students

Include school employees, starting with Commuter Choice tax free benefit program



See you on board!

