

**SOUTH FLORIDA**  
**REGIONAL TRANSPORTATION**  
**AUTHORITY**  
**GOVERNING BOARD**

**REGULAR MEETING AGENDA**  
**February 26, 2010**  
**9:30 a.m.**

South Florida Regional Transportation Authority  
Board Room  
800 NW 33<sup>rd</sup> Street  
Suite 100  
Pompano Beach, FL 33064

SFRTA BOARD MEETINGS ARE SCHEDULED ON THE FOURTH FRIDAY OF EACH MONTH AT 9:30 A.M. FOR FURTHER INFORMATION CALL (954)942-RAIL (7245). TIME OF MEETINGS SUBJECT TO CHANGE.

**SFRTA Board Members**

Commissioner Bruno Barreiro  
Alice N. Bravo  
James A. Cummings

Commissioner Kristin Jacobs  
Marie Horenburger  
Commissioner Jeff Koons, Chair

Felix M. Lasarte  
George Morgan, Jr.  
F. Martin Perry

**Executive Director**

Joseph Giulietti

**GOVERNING BOARD REGULAR MEETING**  
**OF FEBRUARY 26, 2010**

The meeting will convene at 9:30 a.m., and will be held in the Board Room of the South Florida Regional Transportation Authority, Administrative Offices, 800 NW 33<sup>rd</sup> Street, Suite 100, Pompano Beach, Florida 33064.

**CALL TO ORDER**

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**AGENDA APPROVAL** – Additions, Deletions, Revisions

**MATTERS BY THE PUBLIC** – Persons wishing to address the Board are requested to complete an “Appearance Card” and will be limited to three (3) minutes. Please see the Minutes Clerk prior to the meeting.

<b>CONSENT AGENDA</b>
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Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion in the form listed below. If discussion is desired by any Board Member, however, that item may be removed from the Consent Agenda and considered separately.
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**C1. MOTION TO APPROVE:** Minutes of Governing Board’s Regular Meeting January 22, 2010.

**C2. MOTION TO APPROVE:** The following business travel for the Governing Board and/or the Executive Director for calendar year 2010:

Meeting with Insurance Underwriters (May) – London / Bermuda

APTA Conferences: Legislative Conference (March)  
Commuter Rail/Rail Transit Conference (June)  
Annual Meeting (October)

FPTA: Florida Public Transportation Association’s Annual Conference  
(October)

## REGULAR AGENDA

Those matters included under the Regular Agenda differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion, if so desired.

**R1. MOTION TO APPROVE:** Agreement No. 10-003, between the South Florida Regional Transportation Authority (SFRTA) and Paintsmart USA, Inc., for painting services for the Deerfield Beach Station in the amount of \$179,800.00.

Department: Engineering & Construction  
Project Manager: Michael Lulo

Department Director: Daniel R. Mazza, P.E.  
Procurement Director: Chris Bross

### **R2.**

**(A) MOTION TO APPROVE:** Issuance of a Request for Proposal (RFP) to obtain Legislative Consultant Services for the State and Tri-County region. Any resultant contract shall be for an annualized firm fixed price amount and shall be for a period of one (1) year with four (4) one (1)-year options.

**(B) MOTION TO APPROVE:** Evaluation and Selection Committee for the analysis and ranking of proposals. The proposed committee consists of: Jack Stephens, Deputy Executive Director; Bonnie Arnold, Director of Marketing; Edward Woods, Director of Finance & Information Technology; Vicki Wooldridge, Government Affairs Manager; and Loraine Cargill, Transportation Planning Manager / EEO Officer.

Department: Administration  
Project Manager: Vicki Wooldridge

Department Director: Diane Hernandez Del Calvo  
Procurement Director: Chris Bross

### **R3.**

**(A) MOTION TO APPROVE:** FY2010 Federal Appropriations

**(B) MOTION TO APPROVE:** FY2010 Reauthorization Submissions

Department: Executive  
Project Manager: Vicki Wooldridge

Department Director: Joseph Giulietti  
Procurement Director: Chris Bross

**R4. MOTION TO APPROVE:** General Counsel Employment Agreement between the South Florida Regional Transportation Authority and Teresa J. Moore.

Department: Executive  
Project Manager: N/A

Executive Director: Joseph Giulietti  
Procurement Director: Chris Bross

**R5. MOTION TO APPROVE:** Amendments to the SFRTA By-laws to address General Counsel duties and responsibilities.

Department: Executive  
Project Manager: Diane Hernandez Del Calvo

Executive Director: Joseph Giulietti  
Procurement Director: Chris Bross

## **INFORMATION / PRESENTATION ITEMS**

Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.

**I-1** [INFORMATION](#) – Planning Technical Advisory Committee (PTAC) Report

## **COMMITTEE REPORTS / MINUTES**

Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.

- A. PROPERTY TASK FORCE
- B. [CONSTRUCTION OVERSIGHT COMMITTEE](#)
- C. [PLANNING TECHNICAL ADVISORY COMMITTEE](#)
- D. [MARKETING COMMITTEE](#)
- E. [OPERATIONS TECHNICAL COMMITTEE](#)
- F. [CITIZENS ADVISORY COMMITTEE](#)
- G. AUDIT COMMITTEE
- H. LEGISLATIVE COMMITTEE
- I. ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES
- J. [LEGAL SERVICES COMMITTEE](#)

## **MONTHLY REPORTS**

Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.

- A. [ENGINEERING & CONSTRUCTION MONTHLY PROGRESS REPORTS – January](#)
- B. [RIDERSHIP GRAPHS – January](#)
- C. [ON-TIME PERFORMANCE GRAPHS – January](#)
- D. [MARKETING MONTHLY SUMMARY – January](#)
- E. [BUDGETED INCOME STATEMENT – January](#)
- F. [PAYMENTS OVER \\$2,500.00 – January](#)
- G. [REVENUE AND FARE EVASION REPORTS – January](#)
- H. [SOLICITATION SCHEDULE – January](#)
- I. [CONTRACT ACTIONS EXECUTED UNDER THE EXECUTIVE DIRECTOR'S AUTHORITY - January](#)

J. CONTRACT ACTIONS EXECUTED UNDER THE CONSTRUCTION OVERSIGHT COMMITTEE – January

K. PROPERTY COMMITTEE – PROJECT SCHEDULE - January

L. SECURITY REPORT - January

M. EXPIRING CONTRACT REPORT - Current

OTHER BUSINESS

EXECUTIVE DIRECTOR REPORTS/COMMENTS

LEGAL COUNSEL COMMENTS

CHAIR COMMENTS

BOARD MEMBER COMMENTS

ADJOURNMENT

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide a written request directed to the Executive Office at 800 NW 33<sup>rd</sup> Street, Suite 100, Pompano Beach, Florida, or telephone (954) 942-RAIL (7245) for assistance; if hearing impaired, telephone (800) 273-7545 (TTY) for assistance.

Any person who decides to appeal any decision made by the Governing Board of the South Florida Regional Transportation Authority with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, for such purpose, he/she 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.

Persons wishing to address the Board are requested to complete an "Appearance Card" and will be limited to three (3) minutes. Please see the Minutes Clerk prior to the meeting.

**MINUTES**  
**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**  
**GOVERNING BOARD REGULAR MEETING**  
**OF JANUARY 22, 2010**

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The regular meeting of the South Florida Regional Transportation Authority Governing Board was held at 9:30 a.m. on Friday, January 22, 2010 in the South Florida Regional Transportation Authority Board Room, 800 Northwest 33<sup>rd</sup> Street, Suite 100, Pompano Beach, Florida 33064.

**BOARD MEMBERS PRESENT:**

Bruno Barreiro, Vice Chair, Miami-Dade County Commissioner - *arrived at 9:46 a.m.*  
 Alice N. Bravo, Florida Department of Transportation, District VI – *via telephone*  
 James A. Cummings, Citizen Representative, Broward County  
 Marie Horenburger, Citizen Representative, Palm Beach County  
 Kristin Jacobs, Broward County Commissioner  
 Jeff Koons, Chair, Palm Beach County Commissioner  
 Felix M. Lasarte, Citizens Representative, Miami-Dade County - *via telephone*  
 George Morgan, Governor’s Appointee - *via telephone*  
 F. Martin Perry, Governor’s Appointee

**BOARD MEMBERS ABSENT:**

**ALSO PRESENT:**

Joseph Giulietti, Executive Director, SFRTA  
 Jack Stephens, Deputy Executive Director, SFRTA  
 Bonnie Arnold, Director of Marketing, SFRTA  
 Brad Barkman, Director of Operations, SFRTA  
 Chris Bross, Director of Procurement, SFRTA  
 Diane Hernandez Del Calvo, Director of Administration, SFRTA  
 Mary Jane Lear, Director of Human Resources, SFRTA  
 Renee Matthews, Special Projects Manager, SFRTA  
 Daniel Mazza, P.E., Director of Planning and Engineering, SFRTA  
 Teresa Moore, General Counsel, SFRTA  
 Jeffrey Olson, Staff Counsel, SFRTA  
 Edward Woods, Director of Finance & IT, SFRTA  
 Sandra Thompson, Executive Administrative Coordinator, SFRTA

**CALL TO ORDER**

The Chair called the meeting to order at 9:35 a.m.

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**AGENDA APPROVAL**

Mr. Joe Giulietti requested the following amendments to the Agenda.

**ADDITIONS**

**R3. MOTION TO APPROVE:** Modification to Automated Fare Card Collection PO #s 18393 et al. between South Florida Regional Transportation Authority (SFRTA) and Greenberg Traurig, P.A. (“GT”) for additional services under Agreement No. 02-710 in the not-to-exceed amount of \$135,000.

**R4. MOTION TO APPROVE:** General Counsel Employment Agreement between the South Florida Regional Transportation Authority and Teresa J. Moore.

NOTE: Exhibit 2, page 5 has been revised as noted on the exhibit, since the original version provided to the board.

**R5. MOTION TO APPROVE:** Amendments to the SFRTA By-laws to address General Counsel duties and responsibilities.

**DELETION**

I-3 Federal Legislative Update

**REVISION**

I-1 INFORMATION – Fiscal Year 2008-09 Annual Audit Report to be heard first.

The Chair inquired if there was objection to waiving the four day rule on the attorney item R4.

**Board Member Jim Cummings moved for approval of the Agenda as amended. The motion was seconded by Board Member Marie Horenburger.**

**The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.**

**MATTERS BY THE PUBLIC**

Joseph Stanecki, Oakland Park, Florida addressed the Board. Mr. Stanecki inquired about risk assessment at facilities and liabilities associated with those risks. He cited the Cypress Creek Station had an unlocked gate; the graffiti at the Golden Glades station and the possibility of a trespasser falling and suing Tri-Rail. He also mentioned the crumbling roof tiles at the West Palm Beach Station. Mr. Stanecki recommended that the various owners of those properties take a look and make repairs before there is a liability.

The Chair commented that the West Palm Beach station is an historic site and will check into the maintenance on the roof tiles.

I-1 INFORMATION – Fiscal Year 2008-09 Annual Audit Report.

Mr. Ronald Tompkins, Partner with TCBA Watson Rice, addressed the Board. He introduced Rhea Rivera the Audit Manager in charge of the field work. Mr. Tompkins noted that the Comprehensive Annual Financial Report (CAFR), compliance; internal control reports and a “communication to those charged with governments,” were sent to each Board Member under separate cover. Mr. Tompkins gave a power point presentation on the above mentioned reports. He reported that there are 14 items that the audit is required to report on and that there were no significant items of question.

Mr. Edward Woods, Director of Finance & IT, SFRTA, addressed the Board. He stated that the Federal Tri-Annual Audit was performed last year, and that there were no findings in the report. He continued that every year the Florida Transportation Commission (FTC) receives the SFRTA audits and there have been no issues.

**Board Member Marie Horenburger moved for approval of 2008-09 The motion was seconded by Board Member Jim Cummings.**

**The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.**

<b>CONSENT AGENDA</b>
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Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion in the form listed below. If discussion is desired by any Board Member, however, that item may be removed from the Consent Agenda and considered separately.
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**C1. MOTION TO APPROVE:** Minutes of Governing Board’s Regular Meeting December 11, 2009.

**Board Member Jim Cummings moved for approval of the Consent Agenda. The motion was seconded by Board Member Marie Horenburger.**

**The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.**

## REGULAR AGENDA

Those matters included under the Regular Agenda differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion, if so desired.

**R1. MOTION TO APPROVE:** Interlocal Agreement between Miami-Dade County and the South Florida Regional Transportation Authority (SFRTA) in the amount of \$1,565,000 for Operating Funds and \$2,670,000 for dedicated recurring annual contributions. This Agreement commences July 1, 2009 and ends June 30, 2012 (Exhibit 1).

**Board Member Marie Horenburger moved for approval. The motion was seconded by Board Member Jim Cummings.**

**The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.**

**R2. MOTION TO APPROVE:** The second of four (4), one (1) year renewal options to Agreement No. 08-002 between the South Florida Regional Transportation Authority (SFRTA) and ACS Transport Solutions, Inc. (ACS), in the amount of \$166,264.25 for Ticket Vending Machine (TVM) software maintenance and support services.

**Board Member Jim Cummings moved for approval. The motion was seconded by Board Member Marie Horenburger.**

**The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.**

**R3. MOTION TO APPROVE:** Modification to Automated Fare Card Collection PO #s 18393 et al. between South Florida Regional Transportation Authority (SFRTA) and Greenberg Traurig, P.A. ("GT") for additional services under Agreement No. 02-710 in the not-to-exceed amount as described below.

Mr. Giulietti stated that this is for additional legal services. He announced that at the January 21, 2010, the Miami-Dade Commission meeting, the Commission and Miami-Dade Transit had accepted and passed the Joint Participation Agreement for the Provision of Services Related to the Automated Fare Collection System (AFCS). This will enable the SFRTA to move forward on contracts regarding the new ticket vending machines.

**Board Member Marie Horenburger moved for approval. The motion was seconded by Board Member Jim Cummings.**

**The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.**

**R4. MOTION TO APPROVE:** General Counsel Employment Agreement between the South Florida Regional Transportation Authority and Teresa J. Moore.

Board Member Marty Perry, Chair of the Legal Services Committee reported to the Board. He informed that the Committee thoroughly reviewed the contract and came to an agreement with exception of the auto allowance. Board Member Perry commented that one other item has been corrected regarding Paragraph 7, Health Insurance coverage to continue for 30 days upon termination, a standard for the Authority. He asked for a decision regarding the auto allowance at \$500 per month.

Board Member Morgan stated that he objects to items R4 and R5. He explained that these items and amendments were presented to the Board Members 1 day prior to the meeting. He stated that this agreement and the amendments are too important of an issue to be given a short time to consider and review and that he conceptually objected to the 24 hour notice.

The Chair responded that at the start of the meeting, it was asked if there were any objections to the 4-day rule on the items R4 and R5, as presented. He stated that it was a Board Committee that had brought this forward in the short time. The Chair asked Board Member Morgan if he wished to invoke the 4-day rule.

Board Member Cummings stated that the Committee did meet and review the information that is presented. He stated that although this information is new to the Board Members, the Committee in trying to save another month worth of legal fees and therefore decided to bring this to the Board for its consideration.

Board Member Perry stated that he conceptually agrees with Board Member Morgan as to the notice. He stated that the Committee did have a discussion about presenting this to the Board or delaying it for another month. He stated that the reality is a substantial reduction over historical costs that are set forth in this agreement. The only open issue is the auto expense of \$6,000 per year and that this is considered additional income.

Board Member Horenburger inquired as to the SFRTA policy regarding auto allowance in regards to executive and regular employees.

Mr. Giulietti responded that the Deputy Director receives an auto allowance of \$400 per month, and the Executive Director is supplied a car. The SFRTA has a pool of vehicles that are available to the employees and a few vehicles are assigned to on-call employees.

**Board Member Marie Horenburger moved to approve a \$400 per month auto allowance. The motion was seconded by Board Member Jim Cummings.**

Board Member Perry clarified that the proposed contract states a car allowance of \$500 per month. This will be modified to \$400 per month. The other amendment is the health insurance.

Board Member Bravo inquired as to the automatic annual increase of 5% and asked what other employees receive an automatic increase.

Mr. Giulietti responded that 6 years ago the Board voted to allow the increase for the Executive Director and that this is the only automatic increase.

Board Member Bravo commented that the SFRTA is funded with public funds from other agencies and that these agencies are freezing salaries, reducing salaries or laying off its employees. She stated her objection to automatic increases and that she would prefer more time to be able to compare to other legal salaries.

The Chair suggested postponing this item to the next Board Meeting. The Chair requested a clean contract to be presented and encouraged the Board to communicate with the Executive Director as to what data they would require in order to move forward.

**Board Member Marie Horenburger moved to approve the contract as submitted with the following modifications: 1) Health Insurance modified from 1 year to 30 days and 2) Approve an auto allowance of \$400 per month.**

**Board Member Alice Bravo moved to defer this motion to next month. Board Member George Morgan seconded the motion.**

Commissioner Barreiro stated his opinion that he would support this motion to defer even though he does not agree with it.

Board Member Morgan stated that the contract has not been fully finalized and that it is necessary to take the time to review all aspects of the contract.

Board Member Horenburger commented that the proposed contract agreement was well reviewed by the Committee with exception for one error and an open question.

Board Member Perry supported the motion to defer. He asked the Board Members to review the contract and direct any questions to the Legal Services Committee in order for the committee to meet if necessary.

Commissioner Jacobs inquired if this delay can be quantified and wanted to know what savings would be realized if this was passed today.

The Chair stated that a savings would be \$5,000 if this motion was passed today.

**The Chair called for further discussion and/or opposition to the motion.**

**The Chair called for a vote on deferring this item to next month.**

**Commissioner Bruno Barreiro – Yes**

**Board Member Alice Bravo – Yes**

**Board Member Jim Cummings – No**

**Commissioner Kristin Jacobs – No**

**Board Member Marie Horenburger – No**

**Commissioner Jeff Koons – Yes**

**Board Member Felix Lasarte – N/A**

**Board Member George Morgan – N/A**

**Board Member Martin Perry - Yes**

**Upon hearing the vote, the Chair declared the motion carried 4:3 to defer the item for 30 days.**

There was discussion on if the motions SECOND did not vote, does the motion count.

The Chair declared the vote counts.

**Board Member Marie Horenburger moved to include in the proposed contract, 1) Health Insurance modified from 1 year to 30 days; 2) to approve an auto allowance of \$400 per month. The motion was seconded by Board Member Jim Cummings.**

**The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.**

**R5. MOTION TO APPROVE: Amendments to the SFRTA By-laws to Address General Counsel Duties and Responsibilities.**

**Board Member Jim Cummings moved to defer this item for 30 days. The motion was seconded by Commissioner Kristin Jacobs.**

**The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.**

<b>INFORMATION / PRESENTATION ITEMS</b>
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Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.
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I-1 INFORMATION – Fiscal Year 2008-09 Annual Audit Reports

I-2 INFORMATION – Planning Technical Advisory Committee (PTAC) Report

I-3 PRESENTATION – Federal Legislative Update- *postponed*

I-4 PRESENTATION – Railroad Retirement

The Chair reported that in regards to the recently passed legislation, he was specifically asked that prior to any changes on the status of the South East Florida Rail Corridor (SEFRC), that if the SFRTA engaged in the South Florida Operating and Management Agreement (SFOMA) discussions that he would agree to meet with the affected unions. The Chair clarified that the SEFRC is owned by the State of Florida, the system and maintenance is under contract with the State of Florida and CSXT. The SFRTA has expressed an interest in taking over the dispatch of the corridor. SFRTA is not interested in the maintenance of the corridor. He explained that the goal of the SFRTA Board is to control the destiny of the trains. Outside counsel is here to advise this issue.

Mr. Giulietti commented that counsel is here to advise the Board on the issues of what is involved with participating in railroad retirement benefits. He stated that this issue could affect the agency and that he could have a vested interest in the decision, because he is already in the railroad retirement system.

Ms. Moore addressed the Board. Ms. Moore stated that the provision of railroad retirement benefits to signalmen on the Central Florida Corridor was an issue that arose during the special session. The Secretary of Transportation had agreed that any contracts that FDOT allowed on the corridor would be required to provide railroad retirement benefits to the signal workers. The unions have contacted the SFRTA and asked the agency to consider the signal workers and other affected trades on the SEFRC for these benefits. This is an issue should the SFRTA take over dispatch and maintenance on the corridor. The Chair has requested an analysis on the costs associated with this commitment. Ms. Moore introduced Mr. Charles Spitulnik of Kaplan, Kirsch and Rockwell and Mr. D.C. Agrawal of D.C. Agrawal Consulting, LLC, to address the Board.

Mr. Spitulnik stated that the analysis being presented is to determine the potential cost to SFRTA, should the SFRTA contractors become covered under the Railroad Retirement Act (RRA) system and should the SFRTA take on the responsibility for dispatch and maintenance of the corridor. Mr. Spitulnik emphasized that this presentation only covers RRA costs and that there are several pieces to the RRA such as, Railroad Retirement Tax Act (RRTA) and the Railroad Retirement Unemployment Insurance Act (RUIA). He stated that Amtrak and CSXT employees are already

covered under the RRA. Those employees not currently covered under RRA are Veolia, Bombardier, Wackenhut, station maintenance personnel and all SFRTA employees. These employees are currently covered under Social Security (SSI) and/or state retirement. Mr. Spitulnik continued to explain in detail the Tier I and Tier II of the RRA system and its implications to the SFRTA.

The Chair stated that this is for information purposes and no decisions are to be made today.

Board discussion took place.

Ms. Moore asked for direction from the Board, if the Board wished for a more thorough analysis of the potential costs associated with the labor force and going with SFOMA, as there are union vs. non-union benefits and other potential costs with staff and legal counsel.

Board Member Cummings stated that the Board should discuss the agreement first and talk about other items before going further.

The Chair opened the floor for public comment.

Mr. Floyd Mason, representing Brotherhood of Railroad Signalmen (BRS) addressed the Board. He expressed surprise at the presentation made. He stated that signalmen and maintenance of way workers, some of which do work on the Tri-Rail line, currently receive RRA benefits which are paid for with contractual arrangements between SFRTA and CSXT, and referred to the OMAPA agreement.

Mr. Giulietti clarified that SFRTA is not part of the OMAPA agreement and that this agreement is between FDOT and CSXT.

Mr. Mason stated that the corridor currently has freight and commuter rail service. The employees on it now are a shared cost. Those costs are born already and benefits are current. The BRS has asked of SFRTA, that if the union worked to secure permanent funding for Tri-Rail, the current employees wanted to keep their jobs and benefits. With the passage of the current Bill, there is a potential that the SFOMA will be implemented. If this is implemented, there is a current contractual arrangement that exists between the employees and SFRTA. He stated that here is a contractual arrangement that currently exist and goes to all successors and assigns from the initial commuter operations that was first set up. The BRS is a party to that employment relationship. What the BRS is asking is that the contractual arrangement be honored as well as the other commitments. There needs to be a transition for the responsibility for these employees to continue and continue with the same benefits.

Commissioner Jacobs requested the speaker to pause because the speaker has laid out several assumptions that the General Counsel and the Executive Director seem to disagree with. At this point she requested a pause to check facts that are the basis for this discussion.

Ms. Moore stated that the first comment related to SFRTA pays money towards the dispatch and maintenance of the corridor. That statement is incorrect. The negotiated deal between CSXT and FDOT is for cost sharing. That agreement determines each party pays dispatch and maintenance

on the corridor. SFRTA has no financial responsibility at this time for those services. She stated that the retirement costs to the Agency would not change if SFRTA elected to go to dispatch and maintenance, because the SFRTA currently has a dispatch contract with Amtrak and only for dispatch on the New River Bridge. The retirement costs currently exist under that existing contract. The SFRTA does not have an agreement with the signal and maintenance workers on the corridor. Ms. Moore deferred the 13-C agreement issue to Mr. Spitulnik.

Mr. Spitulnik commented that the agreement under 13-C, is an agreement that provides for protection of the interests of the employees who may be adversely affected by a grant of federal funds. This is a condition of any grant given by the Federal Transportation Administration (FTA). SFRTA is a party to this agreement. He explained that 13-C is not part of this discussion.

Mr. Mason stated that several of these matters need to be discussed in detail and that there were assurances made when the BRS met with the Chair and Executive Director. He stated that it is misleading to present to the Board that costs will skyrocket based on previous obligations. The only thing that the BRS is asking is to be assured of continued employment and benefits. BRS's position is in writing and correspondence has been distributed to the Board Members.

*Commissioner Jacobs excused herself from the meeting at 11:05a.m.*

The Chair stated that SFRTA would like to take on the dispatch and that SFRTA is pleased with the maintenance of the corridor. The SFRTA will sit down with FDOT and investigate the scenario that would not affect any existing employees on the corridor. He stated that SFRTA would like to review cost sharing. He then requested an update on the bridge issues and requested staff to prepare questions for FDOT on dispatch and maintenance.

Mr. Giulietti clarified that what has been agreed to, prior to moving forward, is that SFRTA would meet with the unions. The Board has given staff direction to meet with FDOT to clarify these issues before going forward.

<b>COMMITTEE REPORTS / MINUTES</b>
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Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.
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**A. PROPERTY TASK FORCE**

The Chair requested reactivation of the Property Task Force to invite improvements on the corridor.

Board Member Cummings stated that SFRTA should first discuss with FDOT the ability to have property turned over to SFRTA before trying to negotiate development.

The Chair requested discussion with FDOT in regards to the newly formed "Florida Rail Enterprise."

**B. CONSTRUCTION OVERSIGHT COMMITTEE**

- C. PLANNING TECHNICAL ADVISORY COMMITTEE
- D. MARKETING COMMITTEE
- E. OPERATIONS TECHNICAL COMMITTEE
- F. CITIZENS ADVISORY COMMITTEE
- G. AUDIT COMMITTEE
- H. LEGISLATIVE COMMITTEE
- I. ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES
- J. LEGAL SERVICES COMMITTEE

<b>MONTHLY REPORTS</b>
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Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.
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A. ENGINEERING & CONSTRUCTION MONTHLY PROGRESS REPORTS – All projects are completed

B. RIDERSHIP GRAPHS

C. ON-TIME PERFORMANCE GRAPHS

Board Member Cummings commented on the 70%-80% on-time performance.

Mr. Giulietti stated that the delays that are being experienced are with the contractor and that the principals are coming in for a meeting this week to discuss and address these issues. He stated that the main delays are on weekends and that the SFRTA is investigating the costs and impact of increasing the headways to hourly to improve the weekend service. He stated that Tri-Rail has lost ridership due to the rising unemployment and also due to the direct relationship of the fare increases. He stated that the staff is working to increase the service on weekends to be a more reliable and normal service. This information will be forthcoming.

Board Member Horenburger inquired as to the renewal period of the contractor.

Ms. Moore responded that the contract is for 7 years with one 3 year renewal. SFRTA is going into the third year of the initial 7 year term.

D. MARKETING MONTHLY SUMMARY

Mr. Giulietti announced that the SFRTA had started a program to collect food items to benefit the “Daily Bread Food Bank” and needy families in the tri-county area. He stated that there was a tremendous response from the public and lot of positive press. Mr. Giulietti thanked the staff, Bombardier, Veolia, Amtrak, Meridian, Bitner-Goodman, Broadway Across America and Wackenhut in making this effort a success.

E. BUDGETED INCOME STATEMENT

F. PAYMENTS OVER \$2,500.00

G. REVENUE AND FARE EVASION REPORTS

H. SOLICITATION SCHEDULE

I. CONTRACT ACTIONS EXECUTED UNDER THE EXECUTIVE DIRECTOR'S AUTHORITY

J. CONTRACT ACTIONS EXECUTED UNDER THE CONSTRUCTION OVERSIGHT COMMITTEE

K. PROPERTY COMMITTEE – PROJECT SCHEDULE - Current

L. SECURITY REPORT

M. EXPIRING CONTRACT REPORT

EXECUTIVE DIRECTOR REPORTS/COMMENTS

LEGAL COUNSEL COMMENTS

CHAIR COMMENTS

The Chair announced that the Regional Planning Council had a charrette to discuss the stations along the FEC corridor. Agreements with Amtrak and the City of West Palm Beach were reached to make the connection with the FEC and CSXT.

BOARD MEMBER COMMENTS

ADJOURNMENT

There being no further business, the meeting adjourned at 11:25 a.m.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
GOVERNING BOARD MEETING: FEBRUARY 26, 2010

AGENDA ITEM REPORT

Consent     Regular     Public Hearing

BUSINESS TRAVEL

REQUESTED ACTION:

MOTION TO APPROVE: The following business travel for the Governing Board and/or the Executive Director for calendar year 2010:

Meeting with Insurance Underwriters (May) – London / Bermuda

APTA Conferences:    Legislative Conference (March)  
                              Commuter Rail/Rail Transit Conference (June)  
                              Annual Meeting (October)

FPTA:                    Florida Public Transportation Association’s Annual Conference (October)

SUMMARY EXPLANATION AND BACKGROUND:

This travel will provide an opportunity for public transportation board members and management to attend educational seminars and workshops, as well as meet with similar personnel from other organizations to share information, discuss common concerns, and keep abreast of the latest developments in transportation.

Department:            Executive  
Project Manager:      N/A

Department Director:      Joseph Giulietti  
Procurement Director:      N/A

FISCAL IMPACT: Funding for these travel expenses will be available in the FY 2009-10 Operating Budget Travel Line Item.

EXHIBITS ATTACHED: None

BUSINESS TRAVEL

Recommended by: \_\_\_\_\_  
Department Director      Date

Approved by: \_\_\_\_\_  
Procurement Director      Date

Authorized by: J. Stalworth 4/18/10  
Executive Director      Date

Approved as to Form by: \_\_\_\_\_  
General Counsel      Date

Board Action:

Approved:     Yes     No

Vote:     Unanimous

Amended Motion:

Commissioner Bruno Barreiro     Yes     No  
 James A. Cummings             Yes     No  
 Marie Horenburger             Yes     No  
 Commissioner Kristin Jacobs     Yes     No

Commissioner Jeff Koons     Yes     No  
 Felix Lasarte                 Yes     No  
 George Morgan                Yes     No  
 F. Martin Perry                Yes     No

BUSINESS TRAVEL

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Recommended by: \_\_\_\_\_  
Department Director Date

Approved by: \_\_\_\_\_  
Procurement Director Date

Authorized by: \_\_\_\_\_  
Executive Director Date

Approved as to Form by:  2/10/10  
General Counsel Date

Board Action:

Approved: \_\_\_\_\_ Yes \_\_\_\_\_ No

Vote: \_\_\_\_\_ Unanimous

Amended Motion:

Commissioner Bruno Barreiro \_\_\_\_\_ Yes \_\_\_\_\_ No  
James A. Cummings \_\_\_\_\_ Yes \_\_\_\_\_ No  
Marie Horenburger \_\_\_\_\_ Yes \_\_\_\_\_ No  
Commissioner Kristin Jacobs \_\_\_\_\_ Yes \_\_\_\_\_ No

Commissioner Jeff Koons \_\_\_\_\_ Yes \_\_\_\_\_ No  
Felix Lasarte \_\_\_\_\_ Yes \_\_\_\_\_ No  
George Morgan \_\_\_\_\_ Yes \_\_\_\_\_ No  
F. Martin Perry \_\_\_\_\_ Yes \_\_\_\_\_ No

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
GOVERNING BOARD MEETING: FEBRUARY 26, 2010

AGENDA ITEM REPORT

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Consent     Regular

AGREEMENT NO. 10-003  
PAINTSMART USA, INC. FOR  
DEEFIELD BEACH STATION PAINTING

REQUESTED ACTION:

MOTION TO APPROVE: Agreement No. 10-003, between the South Florida Regional Transportation Authority (SFRTA) and Paintsmart USA, Inc., for painting services for the Deerfield Beach Station in the amount of \$179,800.00.

SUMMARY EXPLANATION AND BACKGROUND: SFRTA requires the services of a contractor to repaint the Deerfield Beach SFRTA/Tri-Rail Station. Work includes complete removal of the existing paint system on the station canopies, light fixtures, and station amenities by sandblasting and repainting these station components, including the concrete ticket vending machine kiosks and fencing.

On December 18, 2009, SFRTA began advertising an Invitation to Bid (ITB 10-003) for the Deerfield Beach Station Painting. Solicitation documents were made available on December 21, 2009. A Pre-Bid Conference was held on January 5, 2010. On January 28, 2010, SFRTA received six bids and the lowest responsive and responsible bid was received from Paintsmart USA, Inc. in the amount of \$179,800.00

Department: Engineering & Construction  
Project Manager: Michael Lulo

Department Director: Daniel R. Mazza, P.E.  
Procurement Director: Chris Bross

FISCAL IMPACT: Funding for this amount is available in the SFRTA FY 2009-10 Capital Budget.

EXHIBITS ATTACHED: Exhibit 1 – Agreement 10-003

AGREEMENT NO. 10-003  
PAINTSMART USA, INC. FOR  
DEEFIELD BEACH STATION PAINTING

Recommended by: Daniel Mays 2/18/10  
Department Director Date

Approved by: [Signature] 2/18/10  
Contracts Director Date

Authorized by: [Signature] 2/18/10  
Executive Director Date

Approved as to Form by: \_\_\_\_\_  
General Counsel Date

Board Action:

Approved:  Yes  No

Vote:  Unanimous

Amended Motion:

Commissioner Bruno Barreiro  Yes  No  
Alice N. Bravo  Yes  No  
James A. Cummings  Yes  No  
Marie Horenburger  Yes  No  
Commissioner Kristin Jacobs  Yes  No

Commissioner Jeff Koons  Yes  No  
Felix M. Lasarte  Yes  No  
George A. Morgan, Jr.  Yes  No  
F. Martin Perry  Yes  No

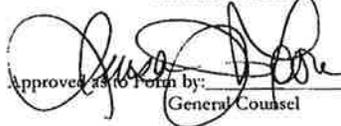
AGREEMENT NO. 10-003  
PAINTSMART USA, INC. FOR  
DEEFIELD BEACH STATION PAINTING

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Recommended by: \_\_\_\_\_  
Department Director Date

Approved by: \_\_\_\_\_  
Contracts Director Date

Authorized by: \_\_\_\_\_  
Executive Director Date

Approved as to Form by:  2/14/12  
General Counsel Date

Board Action:

Approved:  Yes  No

Vote:  Unanimous

Amended Motion:

Commissioner Bruno Barreiro  Yes  No  
Alice N. Bravo  Yes  No  
James A. Cummings  Yes  No  
Marie Horenburger  Yes  No  
Commissioner Kristin Jacobs  Yes  No

Commissioner Jeff Koons  Yes  No  
Felix M. Lasarte  Yes  No  
George A. Morgan, Jr.  Yes  No  
F. Martin Perry  Yes  No



AGREEMENT NO. 10-003

BETWEEN

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

AND

PAINTSMART USA, INC.

FOR

DEERFIELD BEACH STATION PAINTING

**AGREEMENT NO. 10-003**

BETWEEN

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**

AND

**PAINTSMART USA, INC.**

FOR

**DEERFIELD BEACH STATION PAINTING**

This is an Agreement, by and between SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY, hereinafter referred to as “SFRTA”,

AND

PAINTSMART USA, INC., a Florida corporation, authorized to and doing business in the State of Florida, hereinafter referred to as “CONTRACTOR”.

**DEFINITIONS**

For the purposes of this Agreement and the various covenants, conditions, terms, and provisions which follow, the definitions and identifications set forth below are assumed to be true and correct and are agreed upon by the parties.

- a. Board. The Board and governing body of the SFRTA, created pursuant to Chapter 343, Florida Statutes (2003).
- b. Contract Administrator. The Executive Director for SFRTA or appointed designee. In the administration of this Agreement, all parties may rely upon the instructions or determinations made by the Contract Administrator.
- c. Contractor. The Contractor selected to perform the services pursuant to this Agreement is PAINTSMART USA, INC.
- d. Project. Providing all services described in the Contract Documents.
- e. Project Manager. A person supplied by SFRTA and the single point of contact for Contractor with SFRTA.

## **PREAMBLE**

In order to establish the background, context, and frame of reference for this Agreement and to generally express the objectives and intentions of the respective parties herein, the following statements, representations, and explanations shall be accepted as predicated for the undertakings and commitments included within the provisions which follow and may be relied upon by the parties as essential elements of the mutual consideration upon which this Agreement is based.

- An Invitation to Bid was advertised by SFRTA as ITB No. 10-003, for DEERFIELD BEACH STATION PAINTING, and CONTRACTOR was determined to be the lowest responsive and responsible bidder.
- The South Florida Regional Transportation Authority, during any fiscal year, shall not expend money, incur any liability or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void and no money may be paid on such contract.

CONTRACTOR covenants and agrees to perform all obligations of CONTRACTOR set forth in this Agreement and in the documents listed below, which documents are incorporated herein by reference and which documents together with this Agreement are hereinafter called “Contract Documents”.

Instructions to Bidders  
General Terms and Conditions  
Special Terms and Conditions  
Technical Specifications  
Definition of Terms  
Advertisement  
All Exhibits and Attachments  
Addendum No. 1 and 2  
Bid Form  
Bidder’s Qualification Certification  
Key Employee Certification  
DBE Participation Schedule  
Drugfree Workplace Certification  
Debarment & Suspension Certification  
Certification of Restriction on Lobbying  
Truth in Negotiation Certificate  
Declaration of Non-Collusion Certification  
Buy America Certification  
Schedule of Subcontractors  
Intent to Perform as a Subcontractor  
Certificate of Disbursement of Previous Periodic Payment to Subcontractors  
Subcontractors Certificate of Previous Payment  
Monthly Subcontractor Utilization Report

Monthly Employee Utilization Report  
Performance Bond  
Payment Bond  
Release and Affidavit  
Design Change Notice  
Field Change Notice

### **TERM**

The period of performance shall be for a term of sixty (60) days from the issuance of a Notice to Proceed.

### **COMPENSATION**

SFRTA agrees to pay the CONTRACTOR compensation as specified in the Contract Documents the total contract amount of One Hundred Seventy Nine Thousand Eight Hundred Dollars (\$179,800.00).

### **ADDRESSES**

#### **CONTRACTOR:**

Paintsmart USA, Inc.  
421 W. Robinson Street  
Orlando, FL 32801

Attn: Andre Smart

#### **SFRTA:**

South Florida Regional Transportation Authority  
800 N.W. 33 Street  
Pompano Beach, FL 33064

Attn: Mike Lulo

**IN WITNESS WHEREOF**, the parties have made and executed this Agreement on the respective date under each signature: **PAINTSMART USA, INC.**, signing by and through its \_\_\_\_\_, duly authorized to execute same and **SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**, signing by and through its Chair, authorized to execute same by Board action on the \_\_\_\_ day of \_\_\_\_\_, 2010.

SFRTA

ATTEST:

SOUTH FLORIDA REGIONAL  
TRANSPORTATION AUTHORITY

\_\_\_\_\_  
JOSEPH GIULIETTI  
EXECUTIVE DIRECTOR

By \_\_\_\_\_  
COMMISSIONER JOHN F. KOONS, CHAIR

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2010

(SFRTA SEAL)

Approved as to form by:

\_\_\_\_\_  
CHRIS BROSS, Director  
Procurement

\_\_\_\_\_  
General Counsel, SFRTA

ATTEST:

PAINTSMART USA, INC.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
PRESIDENT OR VICE-PRESIDENT

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2010

(Corporate Seal)

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
GOVERNING BOARD MEETING: FEBRUARY 26, 2010

AGENDA ITEM REPORT

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Consent     Regular

REQUEST FOR PROPOSAL  
LEGISLATIVE CONSULTANT SERVICES FOR THE  
TRI-COUNTY REGION AND THE STATE OF FLORIDA

REQUESTED ACTION:

(A)MOTION TO APPROVE: Issuance of a Request for Proposal (RFP) to obtain Legislative Consultant Services for the State and Tri-County region. Any resultant contract shall be for an annualized firm fixed price amount and shall be for a period of one (1) year with four (4) one (1)-year options.

(B)MOTION TO APPROVE: Evaluation and Selection Committee for the analysis and ranking of proposals. The proposed committee consists of: Jack Stephens, Deputy Executive Director; Bonnie Arnold, Director of Marketing; Edward Woods, Director of Finance & Information Technology; Vicki Wooldridge, Government Affairs Manager; and Loraine Cargill, Transportation Planning Manager / EEO Officer.

SUMMARY EXPLANATION AND BACKGROUND:

In an effort to facilitate the support of SFRTA's program of projects in the Tri-County region and the State of Florida, staff has prepared a Scope of Services and evaluation criteria for legislative consultant services (see Exhibits 1 and 2). Upon Board approval, a Request for Proposal (RFP) shall be prepared and issued. Provisions of the RFP will allow for an award to a respondent based upon evaluation by SFRTA's Evaluation and Selection Committee (see Exhibit 3).

(Continued on Page 2)

Department: Administration  
Project Manager: Vicki Wooldridge

Department Director: Diane Hernandez Del Calvo  
Procurement Director: Chris Bross

FISCAL IMPACT: Funding is available in the Department FY 09-10 Operating Budget

EXHIBITS ATTACHED: Exhibit 1 – RFP Scope of Services  
Exhibit 2 – Evaluation Criteria  
Exhibit 3 – Evaluation and Selection Committee

REQUEST FOR PROPOSAL  
LEGISLATIVE CONSULTANT SERVICES FOR THE  
TRI-COUNTY REGION AND STATE OF FLORIDA

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SUMMARY EXPLANATION AND BACKGROUND: (Continued)

The initial Agreement will be for one (1) year with the option of extending the term for four (4) additional one (1) year periods. The Scope of Services to be provided under the Agreement covers the full range of legislative/public affairs activities required for SFRTA's Legislative Program. These activities may include, but are not to be limited to: legislative monitoring/follow-up; legislative public relations advocacy; leadership strategy/networking; legislative/public relations services reporting; and public participation activities in the tri-county region and the State of Florida.

The Consultant will assist staff in securing support of SFRTA's programs and projects in the tri-county region and the State of Florida. The Consultant shall also provide expertise in local government and public relations, State of Florida legislation and regulations that impact SFRTA, and annual appropriation requests.

SFRTA currently employs the services of Ericks Consulting, Inc. to provide legislative/public relations consulting services for programs and projects in the tri-county region and the State of Florida.

Staff recommends Board approval to issue the RFP and appoint members for the Evaluation and Selection Committee for Legislative Consultant Services for the Tri-County region and State of Florida.

REQUEST FOR PROPOSAL  
LEGISLATIVE CONSULTANT SERVICES FOR THE  
TRI-COUNTY REGION AND STATE OF FLORIDA

Recommended by: [Signature] 2/18/10  
Department Director      Date

Approved by: [Signature] 2/18/10  
Contracts Director      Date

Authorized by: [Signature] 2/18/10  
Executive Director      Date

Approved as to Form by: \_\_\_\_\_  
General Counsel      Date

Board Action:

Approved:     Yes     No

Vote:     Unanimous

Amended Motion:

Commissioner Bruno Barreiro     Yes     No  
 Alice N. Bravo     Yes     No  
 James A. Cummings     Yes     No  
 Commissioner Kristin Jacobs     Yes     No  
 Marie Horenburger     Yes     No

Commissioner Jeff Koons     Yes     No  
 Felix M. Lasarte     Yes     No  
 George A. Morgan, Jr.     Yes     No  
 F. Martin Perry     Yes     No

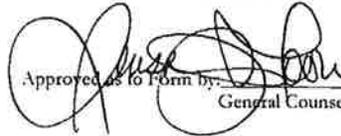
REQUEST FOR PROPOSAL  
LEGISLATIVE CONSULTANT SERVICES FOR THE  
TRI-COUNTY REGION AND STATE OF FLORIDA

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Recommended by: \_\_\_\_\_  
Department Director Date

Approved by: \_\_\_\_\_  
Contracts Director Date

Authorized by: \_\_\_\_\_  
Executive Director Date

Approved as to Form by:  2/16/18  
General Counsel Date

Board Action:

Approved: \_\_\_\_ Yes \_\_\_\_ No

Vote: \_\_\_\_ Unanimous

Amended Motion:

Commissioner Bruno Barreiro \_\_\_\_ Yes \_\_\_\_ No  
Alice N. Bravo \_\_\_\_ Yes \_\_\_\_ No  
James A. Cummings \_\_\_\_ Yes \_\_\_\_ No  
Commissioner Kristin Jacobs \_\_\_\_ Yes \_\_\_\_ No  
Marie Horenburger \_\_\_\_ Yes \_\_\_\_ No

Commissioner Jeff Koons \_\_\_\_ Yes \_\_\_\_ No  
Felix M. Lasarte \_\_\_\_ Yes \_\_\_\_ No  
George A. Morgan, Jr. \_\_\_\_ Yes \_\_\_\_ No  
F. Martin Perry \_\_\_\_ Yes \_\_\_\_ No

## **3.0 – SCOPE OF SERVICES**

### **3.1 INTRODUCTION**

The tri-county region and State Legislative Consultant shall provide legislative and public relations support to SFRTA.

### **3.2 GOALS**

SFRTA goals are as follows:

- a) Pursue and maintain long-term capital and operating funding sources to leverage local resources, both public and private;
- b) Promote a responsible transportation system supported by transit-oriented, pedestrian-friendly strategies;
- c) Coordinate, connect and implement our transportation system within South Florida;
- d) Ensure quality service and increased ridership by providing greater mobility choices, accessibility, safety and on-time performance; and
- e) Coordinate SFRTA activities with local and county governments.

### **3.3 CONSULTANT RESPONSIBILITIES**

The Tri-County Region and State Legislative Consultant shall assist in the legislative and public relations efforts related to projects, studies and/or tasks of SFRTA. The Tri-County Region and State Legislative Consultant will conduct the technical work identified in the tasks listed below:

#### **TASK 1.0 – General Services**

- Advice and consultation to SFRTA’s Executive Director and Government Affairs Manager on overall legislative and public relations development strategy.
- Brief SFRTA Governing Board on overall tri-county region and State of Florida legislative issues and concerns.
- Coordinate with the Government Affairs Manager and provide monthly updates on overall legislative development.
- Provide staff to handle entire sub-projects as a separate, but coordinated member of the program team.
- Coordinate with locally elected officials, businesses, community organizations, customers and other stakeholders.

- Attend meetings of various agencies and appropriate functions as directed by SFRTA.
- Prepare draft monthly project progress reports.
- Provide activity reports.
- Other services, as may be deemed necessary, to implement SFRTA's Legislative Program.

### **TASK 2.0 – Legislative Monitoring/Follow-up**

- Identify, review, monitor and report to the Government Affairs Manager on pending local and State legislation and agency rulemaking which directly or indirectly pertains to SFRTA's Legislative Program, prioritize issue areas and activities.
- Make recommendations on SFRTA positions and actions on legislation, assist in correspondence preparation and coordinate presentations.
- Keep SFRTA staff updated on the existing political dynamics in the tri-county region and Florida Legislature.

### **TASK 3.0 – Legislative/Public Relations Advocacy**

- Provide non-legal advocacy and representation on behalf of SFRTA and its objectives and develop mechanisms to achieve these goals, including but not limited to:
  - Maintain positive relationships with elected, appointed and regulatory officials and key staff in the State of Florida;
  - Conduct briefings with key decision makers;
  - Coalition building with other organizations;
  - Organize grassroots activities.
- Develop a comprehensive strategy for successfully advancing SFRTA projects and objectives.
- Assist in the distribution of materials prepared by SFRTA and forwarded to local, regional and state entities in bulk, for hand delivery.

### **TASK 4.0 – Leadership Strategy/Networking**

- Develop and implement strategies that will help establish SFRTA as an influential leader in the tri-county region and State of Florida that impacts transportation initiatives.
- Facilitate communication with the appropriate state and local government officials, agencies, associations, businesses and related jurisdictions regarding legislative positions and advocacy campaigns.

### **TASK 5.0 – Legislative/Public Relations Services Reporting**

- Maintain on-going contact with SFRTA staff via telephone, fax, e-mail, etc., and provide and prepare necessary reports on all legislative/public relations services, issues, activities and approaching opportunities for SFRTA in the tri-county region and State of Florida.
- Prepare updates for the SFRTA newsletters and other SFRTA publications as needed.

### **TASK 6.0 – Public Participation**

- Establish and implement comprehensive public participation programs and outreach activities for SFRTA studies and projects that meet the requirements of federal, state, regional and local processes.

**Evaluation Criteria for the Analysis and Ranking of Proposers for  
Legislative Consultant Services for the Tri-County Region and State of Florida**

The criteria outlined below will be used in evaluating the Proposer responses. All criteria are important.

1. **Qualifications and Experience.** Demonstrated skills and qualifications in the areas described in the Scope of Services. Specific skills and qualifications in the areas of tri-county and State of Florida legislative coordination, local and State legislation and agency rulemaking, and coalition building with locally elected officials, businesses, community organizations, customers and other stakeholders. **(Maximum 40 points)**
  
2. **Proposed Project Manager and Project Leaders.** This category will evaluate the ability of the Project Manager and supporting individuals, including subconsultants, to perform the required Scope of Services. **(Maximum 20 points)**
  
3. **Knowledge of South Florida Conditions.** This category will examine the Proposer's knowledge of South Florida and regional issues as they relate to transit needs. **(Maximum 20 points)**
  
4. **Cost. (Maximum 20 points)**

The Proposer offering the lowest total price proposal shall receive 20 points for the cost criteria. The remaining firms shall be rated in accordance with the following formula:

$$\text{Score} = \left( 1 - \frac{\text{proposer cost} - \text{low cost}}{\text{low cost}} \right) \times 20$$

Scores will be rounded to the nearest 10<sup>th</sup> of a point.

**Legislative Consultant Services**  
**Evaluation and Selection Committee Biographies**

Jack Stephens

Deputy Executive Director

Mr. Stephen's responsibilities include managing the administrative oversight functions of SFRTA, including planning, finance, human resources, marketing, engineering, and revenue/fare collection. He has been employed with SFRTA since May 2003, after 12 years of executive level experience with Metropolitan Atlanta Regional Transit Authority (MARTA).

Bonnie Arnold

Director of Marketing

Ms. Arnold's responsibilities include overseeing SFRTA's Marketing and Customer Service Department. Ms. Arnold has been employed with the SFRTA for 8 years and possesses over 26 years of experience in the communications industry. Ms. Arnold served as Director of Marketing and Public Relations for Ballet Florida prior to joining SFRTA.

Vicki Wooldridge

Government Affairs Manager

Ms. Wooldridge's responsibilities include handling SFRTA's Government Affairs at the county, state and federal levels. Ms. Wooldridge has been with SFRTA since March 2008. Prior to joining SFRTA, Ms. Wooldridge spent 8 years as a Chief Legislative Assistant in the Florida House of Representatives and formed her own political consulting firm in 2002. As a contract lobbyist, one of her clients was Ericks Consultants Inc., where she acted as a monitoring consultant to Tri-Rail and assisted in the passage of legislation creating the SFRTA.

Loraine Cargill

Transportation Planning Manager/EEO Officer

Ms. Cargill responsibilities include handling SFRTA's real property, leases and easements and working closely with the public and private sector to accomplish transit-oriented development. She is also one of two Equal Employment Opportunity (EEO) Officers' for the Authority. Ms. Cargill began her professional career with SFRTA as an intern. Over the next 15 years, her various roles included Planning Technician, Planner and her current role as Transportation Planning Manager.

Edward Woods, CPA

Director of Finance & Information Technology

Mr. Woods is a Certified Public Accountant with the State of Florida. Mr. Wood's responsibilities include overseeing SFRTA's Finance, Accounting, Information Technology and Budget Departments. Mr. Woods has been employed with SFRTA for over 17 years and possesses 35 years experience in finance/accounting and 21 years experience in transportation.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
GOVERNING BOARD MEETING: FEBRUARY 26, 2010AGENDA ITEM REPORT Consent  Regular2010 FEDERAL LEGISLATIVE INITIATIVEREQUESTED ACTIONS:A) MOTION TO APPROVE: FY2010 Federal AppropriationsB) MOTION TO APPROVE: FY2010 Reauthorization SubmissionsSUMMARY EXPLANATION AND BACKGROUND:

As we approach the expiration of the current Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the introduction of the Reauthorization Bill and anticipate the upcoming economic stimulus package being considered by the new White House administration, the C2 Group, LLC and Mr. John Cline (a principal of the C2 Group) will be instrumental in moving the South Florida Regional Transportation Authority (SFRTA) forward in the areas of both funding and policy.

Federal funding, whether through a stimulus package, the appropriations process or reauthorization, is vital to the regional transit projects South Florida's public has demanded. These funds will enable the SFRTA to increase regional mobility and connectivity, provide greater return on investment for the State and Counties, support sustainable economic recovery and growth, enhance quality of life by reducing emissions through cleaner fuel technology and environmentally sound practices, and accelerate transit expansion projects.

South Florida requires federal support of enhanced regional transportation, and transit alternatives, in particular. In light of recent extreme economic conditions, citizens are seeking simpler, reliable, modes of public transportation. Enhanced systems allow school students to attend choice schools without the need for busing or autos, employers to count on a sustainable and available workforce and drivers to experience less congestion and fewer emissions on current highways.

(Continued on page 2)

Department: Executive  
Project Manager: Vicki Wooldridge

Department Director: Joseph Giulietti  
Procurement Director: Chris Bross

FISCAL IMPACT: N/A

EXHIBITS ATTACHED: Exhibit 1 - FY2010 Federal Appropriations and  
FY2010 Reauthorization Submissions  
Exhibit 2- January 2010 Congressional Report

2010 FEDERAL LEGISLATIVE INITIATIVE

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SUMMARY EXPLANATION AND BACKGROUND: (Continued)

Federal funding is imperative in enabling the SFRTA to move forward with efforts to plan, develop and implement an efficient regional transportation network, in partnership with the State and Broward, Miami-Dade and Palm Beach Counties.

As a united region, South Florida can greatly benefit from more fully-funded projects and increased mobility, which is crucial to the area's continued economic vitality and sustained quality of life.

We will work with the C2 Group to arrange an appropriate time for the members of the Governing Board to visit Washington, D.C. for the purpose of advocating for the SFRTA project funding with the South Florida Congressional Delegation and other important members of committees of jurisdiction. As elected officials, local business leaders and agency staff, the Governing Board members are the perfect ambassadors for public transportation in the Tri-County region.

2010 FEDERAL LEGISLATIVE INITIATIVE

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Recommended by: [Signature] 2/18/10  
Department Director Date

Approved by: \_\_\_\_\_  
Procurement Director Date

Authorized by: [Signature] 2/18/10  
Executive Director Date

Approved as to Form by: \_\_\_\_\_  
General Counsel Date

Board Action:

Approved:  Yes  No

Vote:  Unanimous

Amended Motion:

Commissioner Bruno Barreiro  Yes  No  
Alice N. Bravo  Yes  No  
James A. Cummings  Yes  No  
Commissioner Kristen Jacobs  Yes  No  
Marie Horenburger  Yes  No

Commissioner Jeff Koons  Yes  No  
Felix M. Lasarte  Yes  No  
George A. Morgan, Jr.  Yes  No  
F. Martin Perry  Yes  No

2010 FEDERAL LEGISLATIVE INITIATIVE

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Recommended by: \_\_\_\_\_  
Department Director Date

Approved by: \_\_\_\_\_  
Procurement Director Date

Authorized by: \_\_\_\_\_  
Executive Director Date

Approved as to form by:  \_\_\_\_\_ 2/16/10  
General Counsel Date

Board Action:

Approved:  Yes  No

Vote:  Unanimous

Amended Motion:

Commissioner Bruno Barreto  Yes  No  
Alice N. Bravo  Yes  No  
James A. Cummings  Yes  No  
Commissioner Kristen Jacobs  Yes  No  
Marie Hoenburger  Yes  No

Commissioner Jeff Koons  Yes  No  
Felix M. Lasarte  Yes  No  
George A. Morgan, Jr.  Yes  No  
E. Martin Perry  Yes  No

## **FY2010 Appropriations and Reauthorization Submissions**

### **FY2010 Appropriations**

- Support for Fort Lauderdale Downtown Development Authority's WAVE streetcar system
- SFRTA Smart Link (Tri-Rail Technology Enhancements)

### **Reauthorization**

- The C2 Group will pursue a Census/Rail and Fixed Guideway Modernization fix
- The C2 Group will pursue a mandatory single MPO for South Florida
- Joe Giulietti to discuss lead for FEC with FDOT\* – specific earmarks to be determined once this issue resolved.
  - Broward Blvd Streetcar
  - Jupiter Extension of Tri-Rail
  - Downtown Extension of Tri-Rail
  - Entire FEC project\*
  - Three new Tri-Rail stations at WPB Airport, Boca Raton and Northern Miami-Dade County
  - Headquarters Building Improvements/Modifications

### **Jobs Act**

- The C2 Group will develop a coalition to support a more favorable distribution of Rail and Fixed Guideway Modernization funds to Tier II properties.

\*Tentative – specific earmarks to be requested once it is determined which agency will take lead on this project.



## January 2010 Congressional Report

Stimulus II/Jobs Bill  
Highway Trust Fund Update  
Appropriations Update  
Health Care Reform Update  
Surface Transportation Reauthorization Update  
Budget Reconciliation  
Climate Change Legislation  
Rail Re-Regulation  
Status of Pending Legislation  
Legislative Outlook  
Activities on Behalf of SFRTA

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## SFRTA Monthly Report

January 2010



### ■ Stimulus II/Jobs Bill

On December 16<sup>th</sup>, the House passed a second fiscal stimulus bill, H.R. 2847, “The Jobs for Main Street Act of 2010.” The bill passed by a vote of 217 to 212. All Republicans in the House opposed the bill as well as 38 Democrats. In the end, the Democratic Leadership had to leave the vote open for nearly an hour in order to convince enough members to achieve the necessary votes for passage.

The Senate has begun preliminary consideration of their version of a stimulus bill but only a general outline of an \$82.5 Billion bill has emerged into public view. The following is a brief summary of the House-passed version.

Title I of Division A of the House bill provides new funding for highway, transit, and Amtrak infrastructure. The highway funding includes passenger and freight rail and port infrastructure projects eligible under TIFIA. Category funding levels are as follows:

- Highway infrastructure investment: \$27.5 B
- Transit infrastructure investment: \$8.4 B
- Transit capital grants assistance: \$6.15 B
- Fixed guideway infrastructure investment: \$1.75 B
- FTA capital investment grants: \$500 M
- Amtrak fleet modernization grants: \$800 M

Highway and transit formula funds must be apportioned within 21 days of enactment. There is a 90-day window for these funds to be put under contract before 50% is redistributed to States/agencies that have not had funds withdrawn, and a one-year window to put the rest of the funds under contract before those funds are also redistributed, although the one-year deadline may be extended for hardship as specified under the bill. At the recipient’s option, the federal share for these formula funds is up to 100%. The SAFETEA-LU DBE requirements apply to all highways and transit funds made available under Title I. Transit funds made available under Title I may not be commingled with prior year funds.

Title II of H.R. 2847 generally extends the SAFETEA-LU provisions through September 30, 2010, also generally omitting SAFETEA-LU earmarks/directed spending. The highways authorization is set at FY 2009 levels minus \$1,394,358,419. Transit authorizations are set at

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\$8,343,171,000 for formula and bus grants and \$2,164,581,000 for major capital investment grants, research and university centers, and administrative expenses. Title II also provides an increase in the limit on FY 2010 obligations; extends and expands the expenditure authority from the Highway Trust Fund (HTF), addresses the determination of the HTF balances, repeals the provision for transfers from the HTF for repayments and credits, allows for an increase in federal share up to 100%, and provides for more stringent Buy America requirements for highways and transit funding.

Title III covers unemployment and other emergency needs and is not summarized herein. Title IV includes general provisions on period of availability and Buy America. Division B of H.R. 2847 is the Statutory Pay-As-You-Go Act of 2009. There are numerous exemptions from the reduction requirements under pay-as-you-go, including all programs enacted in or increases in programs required by the American Recovery and Reinvestment Act of 2009 (ARRA).

The Senate outline, as described by the lead Senators – Durbin (IL) and Dorgan (ND), provides for five categories:

1. Promote Small Business.
2. Strengthen Infrastructure.
3. Improve Energy Efficiency.
4. Provide Public Services.
5. Small Business Lending through TARP Funds.

Under the Infrastructure Category, proposed funding levels are as follows:

- Highway infrastructure investment: \$14 B
- Transit infrastructure investment: \$7.5 B
- Intercity Rail, HSR, Congestion Relief: \$2.5 B
- Airports: \$2.0 B
- Schools: \$3.0 B

Further action on the Senate stimulus legislation is expected during February. Predictions for achieving final passage vary greatly.

### ■ Highway Trust Fund Update



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The Congressional Budget Office issued its annual budget forecast for fiscal year 2011 through 2021 and the news for the Highway Trust Fund and the overall budget deficit was not encouraging. The overall budget deficit is projected to be \$1.35 billion at the end of the current fiscal year and the HTF will have only a \$3 billion balance at the end of the fiscal year (the Mass Transit Account of the HTF would last until the final months of fiscal year 2011 before running out of cash).

In 2009, the HTF ran a deficit of \$7.2 billion, but was saved by a Congressionally-mandated injection of \$7 billion from the General Revenue of the US Treasury. CBO projects that if a six-year reauthorization were completed in FY 2010, \$65 billion in new revenues would be needed to fund the authorization for six years at 2010 funding levels, plus inflation. Such new revenues would likely come from new gas taxes, other user fees, general revenues or some combination of these.

It is hard to translate these revenue needs into specific calculations for gas taxes, but it is safe to assume it would translate into at least 5-cent gas tax increase. If the revenue needs to be increased above that amount, as Oberstar has proposed, the gas tax increase could easily approach a 10 cent increase.

The Mass Transit Account, after years of carrying a disproportionately high balance, is now in a position of being in a cash-strapped position for many years. This of course depends on the funding decisions that will be made in the new authorization.

### ■ Appropriations Update

During the month of December, the House and Senate passed all remaining appropriations bill for Fiscal Year (FY) 2010. Up until that point, Congress had passed five appropriations bills in the month of October. With healthcare taking the main stage, lawmakers had to outline a strategy to debate and pass the seven additional appropriations bills without repetitive Continuing Resolutions.

On December 10, 2009, the House passed H.R.3288, an omnibus bill, which contained six appropriations bills: Transportation and Housing & Urban Development; Commerce, Justice, Science; Financial Services and General Government; Labor, Health & Human Services and Education; Military Construction and Veterans Affairs; and State & Foreign Operations. The final vote was 221 to 202.

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Three days later, on December 13, 2009, the Senate passed the conference report to accompany the omnibus by a vote 57-35 and sent the \$450 billion FY10 spending package to President Obama's desk.

In addition, the Senate voted on Saturday, December 19<sup>th</sup> to pass the last remaining appropriations bill for FY 2010, H.R.3326, the Defense Appropriations bill. The measure passed on a vote of 88 to 10, and the President signed the bill into law that same day. The Defense package included \$636 billion for defense programs and two-month extensions of various programs, such as unemployment insurance, COBRA, and a fix for Medicare payments to physicians. This Defense bill created much controversy with fiscal conservatives, as it included nearly 5,000 pet projects, which totaled almost \$4 billion.

On Christmas Eve, shortly after the Senate passed the Patient Protection and Affordable Care Act, the 111<sup>th</sup> Congress passed their final bill of 2009, which was approved by a 60-39, party line vote. The legislation passed raised the debt ceiling by \$290 billion to \$12.39 trillion.

The FY 2011 Appropriations process will kick off officially when the President submits his proposed budget to Congress in early February. Each house of Congress will develop their own budgets in the early spring and the appropriations bills will follow in the summer. Final enactment of some or all appropriation bills before the November elections is hardly a given.

The Appropriations process will commence in February with hearings on the President's budget submission. Hearings will continue through the end of February. The Appropriations Committee in the House has set a deadline of March 19<sup>th</sup> for submission of member-sponsored project requests. The Senate has not yet set deadlines for submissions, but expects to do so in mid-February.

### ■ Health Care Reform Update

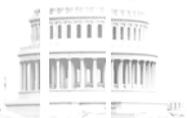
Throughout the month of December, healthcare reform took up nearly all floor time in the Senate. Majority Leader Harry Reid (D-NV) needed to craft a bill that would garner 60 votes, and it became impossible for him to acquire 60 with the public option still intact. Senator Joseph Lieberman (I-CT) and Senator Ben Nelson (D-NE) were among the key hold outs on the public option. Senator Reid (D-NV) offered a

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compromise to the public option now recognized as Medicare expansion, which would expand coverage and allow individuals between the ages of 55 and 64 to buy into the program. Senator Lieberman, who had been against the public option of any sort since the start of the reform, stated the compromise was not enough and this new proposal, would actually lead him to vote against the bill's passage. Senator Ben Nelson (D-NE) also expressed reservations about the same compromise. In addition to, he expressed concerns about abortion language and whether it truly prevented tax payer dollars going to fund abortions. As a result, the final Senate healthcare bill contained neither a public option nor Medicare expansion, but did include an abortion compromise which Senator Nelson supported.

In addition, two crucial amendments were offered by Senator Dorgan (D-ND) and Senator Frank Lautenberg (D-NJ) that would have allowed for the re-importation of prescription medications from outside the United States. Both the Dorgan Amendment and the Lautenberg Amendment failed by votes of 51 to 48 and 56 to 43 respectively.

On Saturday, December 19, 2009, Senate Majority Leader Harry Reid introduced the Manager's amendment to H.R. 3590, the Patient Protection and Affordable Care Act. In return, he secured the 60<sup>th</sup> vote, when Senator Ben Nelson (D-NE) stated he would support the bill.

With Senator Reid (D-NV) securing the 60<sup>th</sup> vote and the Congressional Budget Office (CBO) scoring the Senate's final bill at \$871 billion, there was little the Republicans could do to stop the bill from passing. Over the next few days, the Senate worked through various procedural hurdles to set up a final vote for Christmas Eve, which passed on party lines, 60-39. No Republicans supported the bill, and no Democrats or Independents opposed it.

The results of the Massachusetts Senate race have disrupted the plans of the Democratic Leadership to finalize the bill. During the coming weeks, we expect to learn more about the plans of the Leadership and whether they will continue to try and press for comprehensive reform, or whether the legislation will be whittled down to those provisions for which they can get Republican support. Also, there is talk of no further action at all prior to the November elections.



## ■ Surface Transportation Reauthorization Update

The current short-term extension of the SAFETEA-LU authorization is set to expire on February 28<sup>th</sup>, as provided for in the omnibus appropriations bill passed by Congress in December. There have been no further efforts in the Senate to pass a stand-alone authorization for highway and transit programs. The House has proposed another extension as a part of their recently-passed stimulus bill, taking the current authorization through September 30, 2010. Current discussion in the Senate concerning a companion stimulus bill have centered on an extension through December 31, 2010. Clearly the dominant attitude in Congress is to push the authorization as far into the fiscal year as possible, with some, perhaps even many, favoring a delay extending beyond the November elections.

## ■ Budget Reconciliation

Using Budget Reconciliation as a means of passing controversial legislation (climate change, health care) has been openly discussed by Democratic Party leaders in Congress for the past year. Doing so is easier said than done.

The budget reconciliation bill is an outgrowth of the budget process, which commences when the President sends his proposed budget to Congress, normally during the first week of February, following the State of the Union address by the President. (Last year, due to the inauguration of a new President, the White House did not release the details of its proposed 2010 budget until April.) Once the President submits his budget to Congress, it sets in motion a Congressional process whereby the Congress considers the President's submission (through hearings where the Cabinet Secretaries and Agency heads testify) and then develops in each house, a budget resolution. These resolutions may contain "reconciliation" instructions which are directions to one or more committees to recommend changes in current law in order to effectuate the proposed budget as laid out in the resolution. From these directions may flow a reconciliation bill. A reconciliation bill does not always result from this process.

The Congressional Budget Act of 1974 created the reconciliation process as a means to control spending and the deficit; it really did not get serious use until the 1980s when deficits began to rise under President Reagan. Because the reconciliation legislation is a



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“privileged” piece of legislation, there have been a number of attempts to use it as a means to advance major policy changes, as President Clinton attempted to do unsuccessfully with his health care reform legislation in 1994. The term “privileged” means that the bill has limited debate in both houses, amendments are limited and most important, amendments must be germane to the budget.

In the House, this is not such a major change from the manner in which the majority party conducts most normal business, that is, bills can have very restrictive rules governing the consideration of proposed legislation that limits debate and amendments and it only requires a simple majority to pass. In the Senate however, limiting debate and amendments means that the majority party has much more power to avoid a filibuster by the minority party. A cloture vote of 60 Senators is not required to move to final consideration and a simple majority (51 votes in favor) is all that is needed for passage of reconciliation; clearly this offers great opportunities for the majority to advance contentious legislation or any legislation under which the make-up of the Senate makes it difficult to achieve a cloture vote during normal consideration of a bill.

Now Democrats are not the only ones to try to use reconciliation as a means to secure passage of contentious policy. Senate Republicans, when they were in the majority under George W. Bush tried to use reconciliation to open the Arctic National Wildlife Refuge for oil exploration, but were stymied by Democrats and other moderate Republicans.

The Democrats face similar challenges. If the Democratic Leadership attempts to move major policies, they will likely bump up against opposition even within their own party – i.e. in the House, the Blue Dog Democrats (Coalition of fiscally-conservative Democrats) have threatened not to support the budget if reconciliation is used for cap and trade under a climate change bill. In the Senate, Chairman of the Budget Committee, Kent Conrad, has repeatedly stated he is opposed to using reconciliation for major initiatives such as when he voiced his opposition to proposals last year to use it for passage of health care reform. Also, old stalwarts of adhering to the normal course of considering legislation, such as Senator Robert C. Byrd of West Virginia, will also likely oppose any such move to include major initiatives in the reconciliation. However, the need to address burning tax issues such as the expiration of the Bush Tax Cuts, could drive reconciliation even if other major policy issues are attached.

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Speaking of Senator Byrd, in 1985 and 1986, the Senate adopted the Byrd rule as a way to prevent “extraneous” non-germane matters from being included in the reconciliation. The Byrd rule has been modified several times and in 1990 was incorporated into the Congressional Budget Act of 1974 and made permanent. What it provides for is if a Senator is opposed to the inclusion of extraneous matter in reconciliation they may offer an amendment that strikes the provision from the legislation. Alternatively, a Senator may raise a “point of order” to strike extraneous matters already in the bill as reported in a conference report or elsewhere, or to prevent the adoption of amendments or motions. The Senate can entertain a motion to waive the Byrd rule, which requires an affirmative vote of three-fifths -- 60 Senators. The Byrd rule specifies six definitions of what constitutes extraneous matter for purposes of the rule and is generally described as covering those provisions unrelated to the goals of the reconciliation instructions.

The House and Senate Democratic Leadership will eventually release their budget document sometime in February or March, which will be debated in committee before moving to the House and Senate floors for passage, most likely sometime in April or May. The resolutions will likely include reconciliation instructions for tax matters (House Ways and Means and Senate Finance Committees). There may also be a number of reserve funds – possibly dealing with climate change or other policy initiatives.

As with all things, the potential for action out of the Senate is still very much unknown. Although there have been open objections to using reconciliation for major new policy and programs from Democrats such as Kent Conrad, Chairman of the Senate Budget Committee, it does not mean that reconciliation is unlikely in the Senate. For example, even if the Senate does not have reconciliation instructions in their budget, they could in conference with the House agree later to reconciliation and thereby revisit the idea later on, despite the sense of it being challenging right now. As is the case with virtually all legislation, the Senate is the great question mark. We should know more next month about how the Senate plans to address their budget. Obviously we will be looking to see if the door is left open for a conference agreement that proposes reconciliation if the Senate does not address it head on in the budget resolution.



## ■ Climate Change Legislation

The American Clean Energy and Security Act passed the House on June 23<sup>rd</sup> by the narrow margin of 219 to 212. At the heart of the bill is a cap-and-trade program, which establishes a system of gradual greenhouse gas (GHG) emissions reduction.

**Emission Caps:** The legislation amends the Clean Air Act (CAA), calling for regulations to: (1) cap and reduce GHG emissions, annually, to decrease emissions of capped sources to 97% of 2005 levels by 2012, 83% by 2020, 58% by 2030, and 17% by 2050; and (2) establish a federal GHG registry.

**Emission Permits:** In the initial years, approximately 80% of the allowances would be granted for free before gradually transitioning into an auction-based system. By 2030, 70% of the permits are expected to be distributed through auction.

**Offsets Program:** The United States Department of Agriculture (USDA) will be the governing body overseeing the program.

Despite approval of the bill in the House, aggregate analysis of support for the legislation foreshadows contention that might resurface during Senate consideration. With 44 Democrats voting against the bill and 211 in favor, the measure would have failed to clear the House without the support of eight Republicans. Of the Republicans who voted for the climate change bill, seven represent districts carried by President Obama in the 2008 election.

Also last summer, Senators Boxer and Kerry moved through the Committee on Environment and Public Works, a Climate Change Bill that did not garner any Republican support and was also opposed by Senator Max Baucus, the Chairman of the Finance Committee and a member of the EPW Committee.

S.1733 did the following:

- Sections 112 and 113 of Division A are “CLEAN TEA” transportation-related sections.
- Section 112 requires states and large MPOs to incorporate GHG reductions targets into long-range transportation plans.



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- Section 113 establishes performance-based grant program at US DOT to reward best performers.
- Sec 202 of Division B devotes 10% of state and local government energy efficiency allowances to grants awarded under Sec 113.
- Sec 208 of Division B devotes 44% of state adaptation allowances to transit.
- Sen. Boxer's mark to S. 1733 contains a significant increase in funding for clean transportation projects compared with Waxman-Markey bill. Sen. Carper secured on average 2.4% of allowances per year. In some years, the level is above 3% of allowances. It is assumed that 1% of allowances will be worth \$1 billion.

### ■ Rail Re-Regulation

On December 16th, Senators Rockefeller (D-WV), Hutchison (R-TX), Lautenberg (D-NJ), Thune (R-SD), and Dorgan (D-ND) introduced S. 2889, the - "STB Reauthorization Act of 2009". This legislation is the first comprehensive reauthorization of the STB since it was established under the ICC Termination Act of 1995 and the first significant reform of rail competition policy since the Staggers Act of 1980.

The Surface Transportation Board's role is to provide economic oversight of the railroad industry and to interpret and implement the Staggers Act.

The Senate version of STB Reauthorization is an attempt to balance the wishes of shippers against the realities of the rail carriers. The following is a summary of the Senate Commerce Committee's description of their bill as drafted and passed out of committee.

**Requiring major railroads to quote "bottleneck rates."** The STB Act will require major railroads to quote "bottleneck rates" and direct the STB to establish a new rate reasonableness process for bottleneck rates based on an efficient component pricing methodology and other factors. Some captive shippers have more than one railroad that serves them at their origin and/or destination points, but have at least one portion of a rail movement for which no alternative rail route is available. Requiring a railroad to quote a rate for this bottleneck



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segment will give captive shippers access to a second railroad and more competitive rates and service.

**Setting standards for “reciprocal switching” and “terminal access” rates.** The STB Act will overturn a mid-1980s ICC decision called “Midtec Paper” that governs mandated reciprocal switching and terminal access (where one railroad operates on the facilities of another). Since Midtec, captive shippers have been stifled from bringing cases to resolve reciprocal switching and terminal access concerns because they are required to prove that a railroad is engaged in anti-competitive conduct. The STB Act will combine the requirements for mandated reciprocal switching (in the Act referred to as “terminal switching”) with those for quoting bottleneck rates. It also will clarify when the Board should require terminal access and establish the appropriate pricing mechanism based on the principles of bottleneck rates.

**Allowing parties to challenge existing and future “paper barriers.”** The STB Act will heighten standards for the review of paper barriers and authorize the Board to address any that are found unlawful. A paper barrier is a contractual agreement entered into between two railroads, usually when a Class I railroad either sells or leases long term some of its track to other railroads (typically a short-line or regional railroad). Such agreements can impede competition by placing prohibitive penalties on the short-line or regional railroad if it interchanges traffic with another railroad.

**Increasing STB scrutiny of future railroad mergers for competitive, service, and environmental effects.** The STB Act will require mergers and acquisitions between Class I and Class II rail carriers to receive the same level of scrutiny that transactions between Class I carriers currently receive. Because there are now only seven Class I railroads (BNSF, Canadian National, Canadian Pacific, CSX, Kansas City Southern, Norfolk Southern, and Union Pacific), their transactions with Class II short-line and regional carriers need additional scrutiny. The STB Act will authorize a higher level of review of these transactions and take into account potential effects on public health, safety, environment, and intercity and passenger rail.

**Updating the Rail Transportation Policy.** The STB Act will update the federal “rail transportation policy” (RTP) – unchanged since 1980, when the railroads were on the verge of bankruptcy – to reflect the current state of the industry. The new policy will recognize the need to



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protect shippers in the absence of effective competition and prohibit predatory pricing and practices, amongst other elements.

**Giving the Board independent investigative authority.** Today, the STB may only initiate an investigation upon formal complaint. The STB Act will allow the STB to investigate rail practices on its own initiative, rather than only in reaction to a formal complaint. The STB Act will make the STB a fully independent agency, removing it from the jurisdiction of the Department of Transportation (DOT) and dedicating resources that previously went to the DOT back to the STB.

**Directing the STB Office of Public Assistance, Governmental Affairs, and Compliance to assist shippers with complaints regarding railroad service and rates.** The STB Act will authorize the STB Office of Public Assistance, Governmental Affairs, and Compliance to mediate rail disputes, monitor rail carrier operations, ensure legal compliance, and facilitate communication among stakeholders.

**Creating a Rail Customer Advocate and STB Ombudsman to help rail customers resolve rail service and rate issues.** The STB Act will create a new position at the Board, a Rail Customer Advocate, to serve as a resource for shippers, investigate shipper complaints, participate in Board proceedings, and review rail cost and efficiency data. The STB will also be permitted to deploy agency staff as ombudsmen to represent the Board in regional or local matters.

**Expanding the size of the Board.** The STB Act will increase the membership of the Board from three to five members to help ensure a broader representation of interests and expertise in Board decision-making.

**Allowing certain complaints to be resolved through binding arbitration.** The STB Act will allow the Board to direct a rail rate, practice, or common carrier service dispute valued at up to \$250,000 per year for up to two years to be decided by an arbitrator. The STB's existing arbitration process – which has never been used – will be improved and made more accessible by allowing a shipper to apply to the Board to initiate binding arbitration. Such binding arbitration will be subject to widely-accepted U.S. arbitration practices and will take into account differential pricing and a railroad's ability to earn adequate revenues.



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### **Opening the STB's simplified rate case process to more shippers and larger cases.**

The STB Act will expand access to expedited review for complaints regarding the reasonableness of rates charged by a railroad with market dominance. Under the new structure, rate complaints valued at up to \$1.5 million can be contested under the "three-benchmark test" (now reserved for disputes of \$1 million or less) and rate complaints valued at up to \$10 million can be contested under the simplified "stand-alone cost" test (now reserved for disputes of \$5 million or less). The Board will be authorized to adjust figures as needed. Overall, this improvement will increase to 82 percent the amount of regulated traffic that is eligible for expedited relief, making it cheaper, easier, and faster for shippers to contest rail rates.

**Making clear that service must be reasonable.** The STB Act will send a clear message that railroads must provide not only a reasonable *rate* but also reasonable *service* by requiring railroads to provide shippers with a range of service expectations for every common carrier rate.

**Requiring the STB to review current class exemptions for unregulated railroad traffic.** The STB Act will help improve access to the Board for shippers currently shut out altogether by requiring it to re-examine all existing class exemptions. There are currently a number of active exemptions that need to be reviewed in light of changes in the way commodities are shipped to determine if they are still appropriate. The bill will also improve the standards for granting and revoking exemptions.

**Setting lower fees for filing complaints at the STB.** To resolve concerns about the high-cost of filing cases at the STB, the STB Act will limit the filing fees of all complaints to the same level as filing before a federal District Court, which is \$350.

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## ■ Status of Pending Legislation

BILL	DESCRIPTION	HOUSE ACTION	SENATE ACTION	OUTCOME
<b>FY 2011 Congressional budget resolution</b>	Congressional Budget will serve as blueprint of allocations to Appropriations Committees	<b>HConRes</b>	<b>SConRes</b>	(President doesn't sign)
<b>FY 2010 Omnibus Appropriations (including Transportation-HUD)</b>	Appropriations for remainder of fiscal year 2010	<b>HR3288</b> Passed House: 256-168 7/23/09	<b>HR3288</b> Passed Senate: 9/17/2009, 73-25	President Signed bill- Public Law 111-117. 12/16/2009
<b>American Recovery and Reinvestment Act of 2009 (Economic Stimulus)</b>	Economic stimulus legislation making appropriations in numerous areas, including transportation.	<b>HR1</b> Passed House: 246-183-1, with no Republicans voting in favor 02/13/2009	<b>HR1</b> Senate agreed to conference report: 60-38 with 3 Republican Votes 02/13/2009	President Signed bill- Public Law 111-5. 02/17/2009
<b>Federal Aviation Admin. Reauthorization</b>	Amend title 49 for FY 2008-2011 to improve aviation safety, capacity and secure funding	<b>HR915</b> Passed House: 277-136 05/22/2009	<b>S1451</b> Reported by Senate Committee on Commerce 9/29/2009; S. Rpt. 111-82.	
<b>Jobs/Stimulus II Bill</b>	Second Stimulus Bill.	<b>HR 2847 Amendment</b> passed House 217-212 on 12/16/09		
<b>Surface Transportation Reauthorization – “SAFETEA-LU”</b>	Amend and authorize appropriations to transportation titles for six year period. Current authorization expires 9/30/09.	House Trans. and Infrastructure Committee marked up bill 6/24/09	Introduced in Senate, S1498, a bill to extend SAFETEA-LU for 18 months. 7/22/2009. Rept. 111-59	
<b>Extension of SAFETEA-LU Authorization</b>	Short-term Extension of current surface transportation authorization. <u>Expires February 28, 2010</u>	<b>HR 2847 Amendment</b> passed House 217-212 on 12/16/09		

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<b>American Clean Energy and Security Act</b>	To create clean energy jobs, achieve energy independence, reduce global warming pollution, and transition to a clean energy economy.	<b>HR2454</b> Passed House: 219-212 06/26/2009	<b>S. 1733</b> Passed Senate Committee on Environment and Public Works.	
<b>Affordable Health Choices Act</b>	To make quality, affordable health care available to all Americans, reduce costs, improve health care quality, enhance disease prevention, and strengthen the health care workforce.	<b>HR3590</b> Passed House: 219-212 06/26/2009	<b>HR3590</b> Passed Senate December 19 by a vote of 60-39.	
<b>Surface Transportation Reauthorization</b>	Legislation to Reauthorize the Surface Transportation Board and authority for regulation of US freight rail industry.	No action yet by the House Committee on Transportation and Infrastructure	<b>S. 2889</b> , STB Reauthorization Act of 2009 passed Senate Commerce, Science and Transportation Committee without amendment December 17, 2009	

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### ■ Legislative Outlook

Democratic Leadership is still developing the calendar for the Second Session of the 111<sup>th</sup> Congress. Bills that will likely be considered include:

- Health Care
- Appropriations Bills for FY 2011
- Extension of SAFETEA-LU
- Energy Tax Extenders package

Other possible legislation and Conference Reports:

- Climate Change
- STB Reauthorization

### ■ Activities on Behalf of SFRTA

***Congressional Delegation Meetings*** – c2 group is preparing for meetings between SFRTA Executive Director and the Congressional delegation in preparation for the FY 2011 Appropriations process.

***FY 2010 Appropriations*** – Monitored progress of 2010 Appropriations bills in Senate and House.

***Jobs/Stimulus Bill*** – Monitored progress of second stimulus bill, with specific attention paid to Rail Modernization Formula.

***Reauthorization of SAFETEA-LU*** – c2 group has continued to monitor the development of a long-term reauthorization bill, as well as several short-term extensions.

#### **Anticipated Legislative Calendar – February 2010**

Congress will be in session for all of February, except for the week of February 15, 2010 for the President's Day Recess.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
BOARD MEETING: FEBRUARY 26, 2010

AGENDA ITEM REPORT

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Consent     Regular

GENERAL COUNSEL EMPLOYMENT AGREEMENT

REQUESTED ACTION:

MOTION TO APPROVE: General Counsel Employment Agreement between the South Florida Regional Transportation Authority and Teresa J. Moore.

SUMMARY EXPLANATION AND BACKGROUND:

At the October, 2009 Board meeting of the South Florida Regional Transportation Authority ("SFRTA"), the Board instructed the Legal Affairs Committee (the "Committee") to meet and negotiate a General Counsel employment agreement with Teresa J. Moore which occurred at the Committee's meeting on Wednesday, January 20, 2010.

Using the Compensation Analysis provided in Exhibit 1, the Committee recommended the Board approve the General Counsel Employment Agreement at the Board's January 22, 2010 meeting. The Board voted to defer consideration of the item until its February 26, 2010 meeting. As part of that same motion, the Board voted that the version of the General Counsel Employment Agreement to be considered at the next Board meeting include correction of a scrivener's error and the car allowance shown in Exhibit A of the General Counsel Employment Agreement (provided in Exhibit 2).

Department:            Executive  
Project Manager:    N/A

Executive Director: Joseph Giulietti  
Procurement Director: Chris Bross

FISCAL IMPACT:    Funding for these services is included in the FY 2009/2010 Operating Budget.

EXHIBITS ATTACHED:    Exhibit 1(Compensation Analysis)  
   Exhibit 2 (General Counsel Employment Agreement)

GENERAL COUNSEL EMPLOYMENT AGREEMENT

Recommended by: \_\_\_\_\_  
Department Director      Date

Approved by: \_\_\_\_\_  
Procurement Director      Date

Authorized by: J. Galletti 2/18/10  
Executive Director      Date

Approved as to Form by: J. Perry 2/18/10  
Staff Counsel      Date

Board Action:

Approved:     Yes     No

Vote:     Unanimous

Amended Motion:

Commissioner Bruno Barreiro     Yes     No

Commissioner Jeff Koons     Yes     No

Alice N. Bravo     Yes     No

Felix M. Lasarte     Yes     No

James A. Cummings     Yes     No

George A. Morgan, Jr.     Yes     No

Commissioner Kristin Jacobs     Yes     No

F. Martin Perry     Yes     No

Marie Horenburger     Yes     No

**Compensation Analysis**

Legal services under the current legal contract with Greenberg Traurig ("GT Contract") is paid by SFRTA in two different ways: (1) a flat fee retainer (currently \$138,000/year) for work performed of a general nature (attend meetings, etc.); and (2) a blended billable rate for all attorneys (currently at \$266/hour).

Using historical information provided by SFRTA Staff and GT, the Committee concluded that SFRTA has paid a total of approximately \$2,059,319 in legal fees under the GT Contract which equals: (1) the value of work performed by Ms. Moore or work that she has the expertise to perform (\$1,685,720); and (2) the remainder of the flat fee retainer amounts, i.e., the amount that was not associated with any actual work performed (\$373,599). The amount of money spent on outside legal services for areas outside of Ms. Moore's expertise were not included in these calculations. The total amount of \$2,059,319 equates to an average of \$294,188 per year.

At the Committee's direction, SFRTA Staff calculated the total cost (salary and benefits) associated with an annual salary of \$190,000 using benefits provided under the Agreement and comparable to those already provided Staff Counsel and other SFRTA Senior Staff. The annual cost to the agency would be approximately \$234,317 which is \$60,000 less per year than the average annual amount paid under the existing GT Contract.

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**

**GENERAL COUNSEL**

**EMPLOYMENT AGREEMENT**

**THIS EMPLOYMENT AGREEMENT** is made and entered into this \_\_\_ day of \_\_\_\_\_ 2010, by the SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY, the successor in interest to the **TRI-COUNTY COMMUTER RAIL AUTHORITY**, (hereinafter called "SFRTA"), an agency of the State of Florida created pursuant to Chapter 343, Florida Statutes,

**AND**

**TERESA J. MOORE**, the General Counsel of SFRTA (hereinafter called "COUNSEL").

**WITNESSETH**

**WHEREAS**, the parties hereto believe that it would be mutually beneficial to have a contract of employment setting forth the agreements and understandings as to COUNSEL's employment with SFRTA;

**NOW, THEREFORE**, in consideration of the mutual covenants and promises that the parties set forth below, SFRTA and COUNSEL agree as follows:

**1. EMPLOYMENT OF COUNSEL**

SFRTA hereby agrees to employ Teresa J. Moore as COUNSEL of the SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY and Teresa J. Moore hereby accepts such employment upon the terms and conditions hereinafter set forth. The relationship set forth herein shall be that of employer-employee and COUNSEL shall not be considered an independent contractor.

**2. EMPLOYMENT TERM**

The term of this employment agreement shall be for a period of three (3) years, commencing on \_\_\_\_\_, 2010 ("Effective Date"), and automatically renewing each year thereafter for a three-year term.

**3. COMPENSATION**

3.1. The SFRTA agrees to pay COUNSEL and COUNSEL agrees to accept from SFRTA the gross annual amount of One Hundred Ninety Thousand and no/100 Dollars (\$190,000.00) payable in bi-weekly equal installments during each year of the term of this Agreement with an automatic annual increase of five percent (5%)

of the COUNSEL's then current salary as of the Effective Date of each year. Payments shall be less any amounts required to be deducted or withheld from such installments for income tax, social security, or other charges required by law or agreed upon by the COUNSEL.

- 3.2. SFRTA shall provide the COUNSEL with the additional SFRTA fringe benefits set forth in Exhibit A to this Agreement. SFRTA shall, at the option of COUNSEL, either make all required contributions to the Florida Retirement System - Senior Management Class or the Florida Retirement System - Regular Class (depending on which membership class the General Counsel position is placed in during the term of the Agreement) that are mandated by law for all state agencies (the "Required Contributions"); or in the event the COUNSEL cannot enter the Florida Retirement System, the SFRTA shall make a contribution equal to the Required Contributions to a private retirement plan designated by the COUNSEL (the "Plan"), and shall provide a maximum of One Thousand Dollars (\$1,000.00) annually to manage the Plan.

SFRTA agrees that if the COUNSEL elects to enter the Florida Retirement System and is not included in the Senior Management Class by the Effective Date, SFRTA shall make all necessary appeals to the Florida Retirement System to qualify the General Counsel position for the Senior Management Class at the earliest possible date after the position becomes eligible.

- 3.3. Within the last sixty (60) days of each anniversary of the Effective Date, the SFRTA Board will conduct an annual review of COUNSEL's performance and set goals and objectives for the COUNSEL for the next year. The SFRTA Board may determine, at its sole discretion and without cause, to discontinue this Agreement by giving COUNSEL thirty (30) days advance written notice prior to the third anniversary of the Effective Date. If the Board elects to discontinue this Agreement, COUNSEL shall be entitled to six (6) months' severance pay. In the event the Board does not give COUNSEL thirty (30) days advance written notice of its intention not to renew this Agreement, then this Agreement shall automatically renew as set forth in Section 2 of this Agreement. During the last sixty (60) days prior to each anniversary of the Effective Date, the Board will consider granting COUNSEL a pay increase.
- 3.4. COUNSEL shall be allowed to take up to four (4) weeks annual leave during each year of the Agreement, with the first such year to run for one (1) calendar year from the Effective Date. To the extent the COUNSEL shall not take such leave during each such calendar year, SFRTA shall automatically pay to COUNSEL at the end of each such year an amount up to two (2) weeks cash equivalent to unused vacation, calculated at the COUNSEL's rate of compensation for that year ("Automatic Annual Leave Payment"). A maximum of two (2) weeks annual leave may be carried forward from each such year to each such year, if the COUNSEL has any annual leave remaining after the Automatic Annual Leave Payment.

- 3.5. SFRTA standard sick leave policy contained in the Employee Handbook, as amended from time to time, shall control.
- 3.6 SFRTA shall pay for the COUNSEL's Florida Bar dues, including membership in any of the Florida Bar Committees, and any Continuing Legal Education ("CLE") fees necessary to maintain COUNSEL's license to practice law in Florida and COUNSEL will utilize on-line CLE courses as much as possible. SFRTA shall also pay for COUNSEL to attend trade organization meetings, such as those held by the American Public Transit Association ("APTA").

#### **4. DUTIES**

COUNSEL agrees to devote her full time, attention, and best efforts to the performance of her duties hereunder in a competent and professional manner that shall include the following on behalf of SFRTA, as amended or supplemented from time to time by SFRTA:

- 4.1. Subject to direction by SFRTA's Governing Board, the COUNSEL shall:
  - 4.1.1. Assume and perform all duties and responsibilities of the office as set forth in the SFRTA Bylaws, Procurement Code and Employee Handbook, as they may be amended from time to time.
  - 4.1.2. Assume and perform all duties and responsibilities customarily attendant upon said office.
  - 4.1.3. Assume and perform such other reasonable responsibilities and duties consistent with the Office of the COUNSEL as may be assigned to her from time to time by SFRTA's Governing Board.
  - 4.1.4. Work directly under and report directly to SFRTA's Governing Board.

#### **5. TERMINATION OF EMPLOYMENT FOR CAUSE**

During the term of this Agreement, the SFRTA Board may, at any time, terminate this Agreement for good cause. Termination must be by written notice clearly specifying the grounds forming the basis of the SFRTA Board's decision to terminate the COUNSEL and shall be effective immediately after delivery of the written notice to the COUNSEL. The COUNSEL may, at her sole option, request a hearing before the SFRTA Board to appeal the Board's decision.

For the purposes of this Agreement, "good cause" for termination by the SFRTA Board shall be defined as any action constituting:

- (1) Misfeasance; i.e. the improper performance of a job responsibility that is required of the COUNSEL.

- (2) Malfeasance; i.e. carrying out an act that the COUNSEL is prohibited from doing pursuant to this Agreement, SFRTA Bylaws, Employee Handbook, Procurement Code, as they may be amended from time to time, or specific direction of the Board.
- (3) Nonfeasance; i.e. the omission of an act that the COUNSEL has a responsibility to do, pursuant to this Agreement, SFRTA Bylaws, Employee Handbook, Procurement Code, as they may be amended from time to time, or specific direction of the Board.
- (4) Fraud, embezzlement, or willful violation of law.

## 5.2. Termination Without Cause

5.2.1 During the term of this Agreement and any renewals, the SFRTA Board may elect to terminate the COUNSEL without specific grounds for termination by giving a sixty (60) day notice of termination and paying the COUNSEL severance pay in cash. The severance pay shall be equal to a lump sum amount equivalent to what the COUNSEL would have been paid in cash for the following six (6) month period.

5.2.2 During the term of this Agreement and any renewals, COUNSEL may elect to terminate her employment without specific grounds for termination by providing the SFRTA Board with thirty (30) days written notice.

## 6. INDEMNIFICATION AND HOLD HARMLESS

To the extent permitted by law, regarding any civil action arising from a complaint for damages or injury suffered as a result of any act or omission of action of the COUNSEL for an act or omission arising out of and in the scope of his or her employment or function, unless, in the case of a tort action, the COUNSEL acted in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety, or property, the SFRTA agrees:

- (1) to indemnify and hold harmless the COUNSEL for any costs, fines, judgments, damages, and losses that the COUNSEL incurs as a result of said civil action, subject to the exception noted below; and
- (2) to provide an attorney to defend said civil action.

Defense of such civil action includes, but is not limited to, any civil rights lawsuit seeking relief personally against the COUNSEL for an act or omission under color of state law, custom, or usage, wherein it is alleged that the COUNSEL has deprived another person of rights secured under the Federal Constitution or laws.

Legal representation of the COUNSEL shall be by counsel selected by the SFRTA Board and the defense shall be controlled by the SFRTA Board.

However, as an exception to the indemnification and the hold harmless contained herein, any monies, including, but not limited to attorney's fees, and judgments, paid from public funds for the COUNSEL who is then found to be personally liable by virtue of acting outside the scope of his or her employment, or was acting in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety, or property, may be recovered by the SFRTA in a civil action against the COUNSEL.

**7. HEALTH INSURANCE**

Except as limited below, SFRTA shall provide the COUNSEL, her spouse and her children ("Covered Parties") with the same or equivalent coverages and limits available under the then-current health insurance coverage program offered by SFRTA to its employees, including the COUNSEL ("SFRTA Health Insurance"), during the term of this Agreement. Should the Agreement be terminated for any reason, these benefits shall be provided at no cost to the COUNSEL for an additional thirty (30) days following the termination.

**8. EXPENSE REIMBURSEMENT**

Upon submission of proper proof by the COUNSEL, SFRTA will reimburse the COUNSEL for all reasonable business expenditures paid or incurred by the COUNSEL in the course of and pursuant to the business of SFRTA. The COUNSEL shall be provided with a corporate credit card for such purposes. The COUNSEL shall not charge more than Two Thousand Five Hundred and no/100 Dollars (\$2,500.00) annually to the corporate credit card for such expenses.

**9. PREVAILING PARTY**

In the event of any litigation regarding the provisions of the Agreement, the prevailing party shall be entitled to attorney's fees, court costs, and any other related costs of litigation which may be awarded by the Court. The venue for any legal proceeding will be in Palm Beach, Broward or Miami-Dade County, Florida.

**10. ENTIRE AGREEMENT**

This Agreement contains the entire Agreement between the parties hereto, and the same shall not be modified or altered except by another written agreement executed by each of the parties hereto. The fact that this Agreement has been prepared by counsel for one of the parties shall not affect or influence the interpretation of any provision hereof.

**11. NOTICES**

Any notice required or permitted to be given under this Agreement shall be sufficient if in writing and shall be deemed served if deposited in the United States mail, certified, return receipt requested, and addressed as follows:

To the SFRTA:

South Florida Regional Transportation Authority  
800 NW 33rd Street, Suite 100  
Pompano Beach, FL 33064  
Attention: CHAIR

To the COUNSEL:

South Florida Regional Transportation Authority  
800 NW 33rd Street, Suite 100  
Pompano Beach, FL 33064  
Attention: GENERAL COUNSEL

or to such other address as the parties may from time to time give written notice of to the other parties.

[Remainder of page left intentionally blank.]

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals the day and year first above written.

**SOUTH FLORIDA REGIONAL  
TRANSPORTATION AUTHORITY**, through its  
Chair, authorized by Board action on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
John Koons, Chair/SFRTA

\_\_\_\_\_ day of \_\_\_\_\_, 2010

**GENERAL COUNSEL**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Teresa J. Moore

\_\_\_\_\_ day of \_\_\_\_\_, 2010

Approved as to form and legal  
sufficiency by:

\_\_\_\_\_  
Jeff Olson, SFRTA Staff Counsel

**EXHIBIT A**  
**COUNSEL BENEFITS**

**Vacation**

As set forth in Section 3.4 of Agreement

**Holidays\*:**

9 Paid Holidays (same as all employees)

**Personal Days\*:**

2 days per calendar year (same as all employees)

**Sick Days\*:**

12 Sick days per year (same as all employees)

**Retirement:**

As set forth in Section 3.2 of Agreement

**Vehicle Allowance**

\$400/month

**Insurance:**

Health Insurance as set forth in Section 7 of the Agreement

Life Insurance\* Employer paid \$ 150,000  
(Same as all employees: 1.25% of salary or maximum of \$150,000)

2004 – 2% of Annual Income Senior Management

Long Term Disability\* Employer paid (same as for all employees)

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\* Or as otherwise set forth in the SFRTA Employee Handbook in effect from time to time.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
GOVERNING BOARD MEETING: FEBRUARY 26, 2010

AGENDA ITEM REPORT

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Consent     Regular

BY-LAWS AMENDMENTS FOR GENERAL COUNSEL POSITION

REQUESTED ACTION:

MOTION TO APPROVE: Amendments to the SFRTA By-laws to address General Counsel duties and responsibilities.

SUMMARY EXPLANATION AND BACKGROUND:

In the event the SFRTA Governing Board approves the General Counsel Employment Agreement with Teresa J. Moore, the Legal Affairs Committee agreed at its January 20, 2010 meeting to recommend that the SFRTA Board amend the SFRTA By-laws (the "By-laws") to include the language shown in Exhibit 1. The proposed amendments address the duties and responsibilities of the General Counsel in the same manner in which the By-laws address those of the Executive Director, the only other direct employee of the SFRTA Governing Board.

Pursuant to Section 8.1 of the By-laws, the Bylaws may be amended by a supermajority of the Board (two-thirds of the entire Board) at one meeting or by a "majority vote of the entire Board at a regular meeting after consideration of the matter at a prior regularly scheduled Board meeting."

Department: Executive  
Project Manager: Diane Hernandez Del Calvo

Executive Director: Joseph Giulietti  
Procurement Director: Chris Bross

FISCAL IMPACT: N/A

EXHIBITS ATTACHED: Exhibit 1-Proposed Bylaws Amendments

BY-LAWS AMENDMENTS FOR GENERAL COUNSEL POSITION

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Recommended by: J. Suleff 2/18/10 Approved by: \_\_\_\_\_  
Department Director Date Procurement Director Date

Authorized by: J. Suleff 2/18/10 Approved as to Form by: J. Perry 2/18/10  
Executive Director Date Staff Counsel Date

Board Action:

Approved: \_\_\_\_\_ Yes \_\_\_\_\_ No

Vote: \_\_\_\_\_ Unanimous

Amended Motion:

Commissioner Bruno Barreiro	_____ Yes _____ No	Commissioner Jeff Koons	_____ Yes _____ No
Alice N. Bravo	_____ Yes _____ No	Felix M. Lasarte	_____ Yes _____ No
James A. Cummings	_____ Yes _____ No	George A. Morgan, Jr.	_____ Yes _____ No
Commissioner Kristin Jacobs	_____ Yes _____ No	F. Martin Perry	_____ Yes _____ No
Marie Horenburger	_____ Yes _____ No		

**Bylaws Amendments to Address General Counsel Duties and Responsibilities**

3.10. GENERAL COUNSEL

The General Counsel shall be chosen on the basis of qualifications required by a job description to be prepared by the Board. The General Counsel shall serve at the will of the Board. Appointment and dismissal of the General Counsel shall require an affirmative vote by a majority vote of the entire Board and a written resolution and/or motion. The General Counsel shall not be engaged in any other business or employment during his or her employment as General Counsel and shall be a full-time employee.

By letter filed with the Authority, the General Counsel, or failing that, the Board, may designate a qualified Authority staff employee to exercise the powers and perform the duties of the General Counsel during any temporary absence or disability of the General Counsel. The Board may appoint a person to perform the duties of the General Counsel during any suspension, vacancy or prolonged absence from that position.

Subject to the general control of the Board and the supervision, direction, coordination, consent and approval of the Board, the duties and powers of the General Counsel shall be to:

(a) report to all members of the Board, respond to all inquiries of Board members, carry out the directives of the Board and conduct investigations necessary to respond to inquiries of Board members;

(b) act as the chief legal counsel of the Authority, address all legal issues that arise, be responsible to the Board for the proper administration and day-to-day operations of the SFRTA Legal Department placed in the General Counsel's charge by and under these By-laws, except where prohibited by the Constitution and Laws of Florida;

(c) address the legal issues of the Authority and its employees;

(d) administer all legal services contracts and consultants;

(e) manage the Legal Department, including supervision of other attorneys and legal staff, preparing department budget, recruitment, selection, appointment, assignment, transfer or promotion and demotion, discharge or other discipline for cause of the employees of the Authority's Legal Department in accordance with all applicable laws and regulations;

(f) assist the SFRTA Governing Board and the Executive Director in connection with intergovernmental relations with local, state and federal governmental bodies, and civic and community affairs and other external matters;

(g) in accordance with all laws of the state, faithfully execute all agreements, resolutions and orders of the Board;

(h) submit an annual comprehensive legal budget to the Board along with the budget submittal required by Section 1.6 of these By-laws, and budget amendments, as necessary;

(i) keep the Board fully advised on the legal issues of the Authority and make such recommendations concerning Authority affairs as deemed desirable by the General Counsel;

(j) perform such other powers or duties as are required by these By-laws, the Board or as may be prescribed by the Board and as specified in his or her employment agreement with Authority.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
GOVERNING BOARD MEETING: FEBRUARY 26, 2010

AGENDA ITEM REPORT

Information Item       Presentation

PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC) REPORT

SUMMARY EXPLANATION AND BACKGROUND:

In response to a request made by the South Florida Regional Transportation Authority (SFRTA) Governing Board at its meeting on August 22, 2008, SFRTA staff has been providing a report regarding the activities of the SFRTA Planning Technical Advisory Committee (PTAC). While early PTAC reports covered basic information such as committee duties and membership, the PTAC Report now includes details such as agenda items and activities of individual PTAC meetings. The following PTAC Report is a summary of the PTAC meeting held on January 20, 2010.

Agenda items at the January 2010 meeting of the SFRTA PTAC included:

- Job Access Reverse Commute (JARC) and New Freedom (NF) Programs
- PGA Boulevard Park-and-Ride Lot
- Bus Rapid Transit (BRT) Applications
- 95 Express BRT Kick-Off

SFRTA staff gave a brief update on the progress of the current JARC and NF cycle. A key announcement was the confirmation of an upcoming conference call for all potential JARC and NF applicants. The conference call is scheduled for January 28, with representatives from the Federal Transit Administration (FTA) and United We Ride slated to participate. The application deadline for the current JARC and NF funding cycle is February 19.

SFRTA staff gave a presentation on a recently initiated study that is examining the feasibility of a new park-and-ride lot on PGA Boulevard in Palm Beach Gardens. The study is a due diligence effort for a site at the northwest quadrant of PGA Boulevard and Dixie Highway that is owned by the Northern Palm Beach County Water Improvement District. This site was recommended as a future rail station and park-and-ride facility as part of the Palm Beach Gardens Transit Oriented Development (TOD) Charrette, conducted by the Treasure Coast Regional Planning Council (TCRPC) in March 2009.

(Continued on next page)

Department: Planning & Capital Development  
Project Manager: William L. Cross, P.E.

Department Director: Daniel R. Mazza, P.E.  
Procurement Director: Chris Bross

EXHIBITS ATTACHED:    None

PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC) REPORT

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SUMMARY EXPLANATION AND BACKGROUND: (Continued)

The strategic location of this potential park-and-ride facility (with easy access to/from Interstate 95) would be attractive to residents of northern Palm Beach County, as well as Martin County and St. Lucie County. This due diligence study effort is expected to have a short three to four month timeframe.

Representatives from Kittelson and Associates, Inc., on behalf of FDOT District 4, gave a detailed presentation on Bus Rapid Transit (BRT) applications. The presentation covered basics such as BRT characteristics, goals, and advantages, and also provided details on technology and other technical components. Specific BRT projects across North America were identified, with project information such as vehicle costs, ROW costs, service characteristics, and resulting ridership. BRT funding opportunities and challenges were also presented. There was direction from the PTAC to bring additional presentations on this topic to the committee in future months.

Representatives from FDOT District 4 gave a presentation on the imminent start of express bus service on Interstate 95 (I-95) and their other express bus programs being planned. It was announced that tolling on the southbound managed lanes of I-95 (from Golden Glades to Downtown Miami) has been in place since January 15. Three new express bus services will begin running in the managed lanes on January 25. These services will run from the park-and-ride lots at Broward Blvd, Sheridan Street, and C.B. Smith Park to Downtown Miami. The Broward Blvd and Sheridan Street buses will operate every 15 minutes during peak periods, while the C.B Smith Park buses will operate every 30 minutes. No bus fares will be charged during the first week of service. Substantial outreach and publicity efforts have been conducted for the new service, including billboards, radio, cable tv, newspapers, e-mail blasts, and street teams. It was also announced that I-595 Express bus service is expected to begin later this year.

Upcoming PTAC meetings are scheduled for February 17, March 17, and April 21.

PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC) REPORT

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Recommended by: *Daniel Mapp* *2/18/10*  
Department Director Date

Approved by: \_\_\_\_\_  
Contracts Director Date

Authorized by: *Joe Sulecki* *2/18/10*  
Executive Director Date

Approved as to Form by: \_\_\_\_\_  
General Counsel Date

PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC) REPORT

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Recommended by: \_\_\_\_\_  
Department Director      Date

Approved by: \_\_\_\_\_  
Contracts Director      Date

Authorized by: \_\_\_\_\_  
Executive Director      Date

Approved as to Form by:  \_\_\_\_\_  
General Counsel      Date 2/16/10

# SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

## CONSTRUCTION OVERSIGHT COMMITTEE

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The Construction Oversight Committee did not meet during the Month of January, 2010.

# **DRAFT**

## **MINUTES**

### **SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY** **PLANNING TECHNICAL ADVISORY COMMITTEE (PTAC) MEETING** **JANUARY 20, 2010**

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The Planning Technical Advisory Committee (PTAC) meeting was held at 10:30 a.m. on Wednesday, January 20, 2010 in the Boardroom of the South Florida Regional Transportation Authority (SFRTA), Administrative Offices located at 800 NW 33<sup>rd</sup> Street, Suite 100, Pompano Beach, Florida 33064.

#### **COMMITTEE MEMBERS PRESENT:**

Ms. Lois Bush, Florida Department of Transportation (FDOT), District 4  
Mr. William Cross, South Florida Regional Transportation Authority (SFRTA)  
Ms. Kim Delaney, Treasure Coast Regional Planning Council (RPC) (Via Telephone)  
Mr. Wilson Fernandez, Miami-Dade Metropolitan Planning Organization (MPO)  
Mr. John Garcia, Miami-Dade Transit  
Ms. Amie Goddeau, FDOT, District 4  
Mr. Joseph Quinty, SFRTA  
Mr. Jonathan Roberson, Broward County Transit  
Mr. Phil Steinmiller, FDOT, District 6  
Mr. Fred Stubbs, Palm Tran  
Mr. Bryan Taylor, South Florida RPC  
Mr. Randy Whitfield, Palm Beach MPO, Chairman  
Mr. Enrique Zelaya, Broward MPO

#### **ALSO PRESENT:**

Mr. Steve Anderson, SFRTA  
Mr. David Bjerneboe, FDOT District 6  
Ms. Kelly Blume, Kittelson & Associates, Inc  
Ms. Robyn Chiarelli, FDOT District 4  
Mr. Darryl Depencier, Kittelson & Associates, Inc  
Ms. Khalilah Ffrench, FDOT District 4  
Mr. Marcin Gadek, SFRTA  
Ms. Sabrina Glenn, South Florida Commuter Services  
Mr. Dan Glickman, Citizen  
Mr. John Lafferty, PB Americas, Inc.  
Ms. Thuha Lyew, Kittelson & Associates, Inc  
Mr. Jeremy Mullings, FDOT District 4  
Ms. Cindi Ritzler, SFRTA  
Mr. Jim Udvardy, South Florida Commuter Services  
Ms. Lynda Westin, SFRTA  
Mr. Joseph Yesbeck, Jacobs  
Ms. Natalie Yesbeck, SFRTA  
Mr. Eric Zahn, SFRTA

**CALL TO ORDER**

The Chair called the meeting to order at 10:35 a.m.

**ROLL CALL**

The Chair requested the roll call.

**PLEDGE OF ALLEGIANCE**

**AGENDA APPROVAL** – Additions, Deletions, Revisions

A motion was made by Ms. Lois Bush to approve the agenda. The motion was seconded by Mr. Jonathan Roberson. The motion was called to a vote and carried unanimously.

**DISCUSSION ITEMS**

**MATTERS BY THE PUBLIC** – None

**CONSENT AGENDA**  
Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion in the form listed below. If discussion is desired by any Committee Member, however, that item may be removed from the Consent Agenda and considered separately.

**C1 – MOTION TO APPROVE:** Minutes of Planning Technical Advisory Committee Meeting of December 16, 2009.

A motion was made by Mr. John Garcia to approve the meeting minutes. The motion was seconded by Mr. Fred Stubbs. The motion was called to a vote and carried unanimously.

**REGULAR AGENDA**  
Those matters included under the Regular Agenda differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion, if so desired.

No items.

**INFORMATION / PRESENTATION ITEMS**  
Action not required, provided for information purposes only.

**11. - INFORMATION:** Job Access Reverse Commute (JARC) and New Freedom (NF) Programs

Ms. Natalie Yesbeck of SFRTA gave an update on the JARC and NF process. Ms. Yesbeck handed out the agenda for the upcoming teleconference scheduled for Thursday, January 28, 2010 @ 10:00 AM with participation from Myra Immings – Federal Transit Administration (FTA) and Joanne Hutchinson – United We Ride. Ms. Yesbeck stated that all JARC and NF contacts had received the teleconference information via e-mail, but she also encouraged committee members to forward this along to any

additional interested parties. She closed by noting that all JARC and NF application information is available on the SFRTA website and encourages anyone with questions to contact her.

**12. - INFORMATION: PGA Boulevard Park-and-Ride Lot**

Mr. Stephen Anderson of SFRTA gave a presentation on a recently initiated study that is examining the feasibility of a new park-and-ride lot on PGA Boulevard in Palm Beach Gardens. Mr. Anderson stated that on January 7, 2010, a notice to proceed (NTP) was issued to PB Americas, Inc. for this study. He added that the study is funded by the SFRTA, has a 3 to 4 month schedule and will determine the viability of potential acquisition for park-and-ride uses. Mr. Anderson stated that the study is a due diligence effort for a site at the northwest quadrant of PGA Boulevard and Dixie Highway, adjacent to the Florida East Coast (FEC) Railway tracks. He noted that the site is already in public ownership, owned by the Northern Palm Beach County Water Improvement District. Mr. Anderson commented that the site was recommended as a future rail station and park-and-ride facility as part of the Palm Beach Gardens Transit Oriented Development (TOD) Charrette, conducted by the Treasure Coast Regional Planning Council (TCRPC) in March 2009. He closed by stating that Palm Beach MPO funds already reserved for the FEC corridor could potentially be used for design and construction of the park-and-ride facility.

**13. - INFORMATION: Bus Rapid Transit (BRT) Applications**

Ms. Amie Goddeau of FDOT District 4 introduced this item, noting that it is part of the department's attempt to educate various entities about BRT techniques. This was followed by a detailed presentation given by Darryl de Pencier of Kittelson & Associates. Mr. de Pencier's presentation covered basics such as BRT characteristics, goals, and advantages, such as improved travel time and reliability. Mr. de Pencier also provided details on technology treatments such as automatic vehicle location, transit signal priority, and queue jumping. He also pointed out differing BRT running characteristics, such as mixed traffic, exclusive lanes on arterials, and busways. He also referenced specific BRT projects across North America, such as those in Cleveland, Kansas City, and Los Angeles. Mr. de Pencier shared information on these individual projects, such as vehicle costs, ROW costs, service characteristics, and resulting ridership. He noted that the details can vary greatly from project to project. Mr. de Pencier also spoke about BRT funding opportunities and challenges, on both the federal and state level. He pointed out three federal funding possibilities- the New Starts, Small Starts, and Very Small Starts programs. Mr. de Pencier closed by presenting a Los Angeles MTA (Metro) marketing video called, "LA's Orange Line: Bus Rapid Transit" (plus bike path). He noted that the video shows Metro's 14-mile BRT system in the San Fernando Valley, which opened in October 2005. This video can be found at [www.streetfilms.org](http://www.streetfilms.org).

Mr. Enrique Zelaya asked about the typical length of BRT corridors. Mr. de Pencier replied that it varies, but about 10 miles is the average length. The issue was also raised of eventually converting BRT corridors to light rail. Mr. de Pencier commented that Ottawa is the only example he knows of that is actively converting an existing BRT corridor to light rail. Mr. Wilson Fernandez noted that the South Dade Busway was built with specs to allow for eventual conversion to Metrorail. Mr. Garcia added that currently three layers of bus service operate on the South Dade Busway. Ms. Sabrina Glenn commented that park and ride facilities for BRT could be challenging here in South Florida, due to the lack available land. Ms. Goddeau stated that FDOT was planning to use Kittelson & Associates, CUTR and a few other consultants that the department has on board to look more specifically into more examples on how the BRT systems are operating today and look at some of their hindsight issues of what they would have done differently. There was consensus among PTAC members that the committee would welcome such presentations in the months ahead. Mr. Joseph Quinty acknowledged that studies of the Broward Blvd and

Oakland Park Blvd corridors are moving forward, and that SFRTA is a partner in funding the Broward portion. He added that these two corridors could possibly be a PTAC agenda item as soon as next month.

#### **14. - INFORMATION:** 95 Express BRT Kick-Off

Mr. Jeremy Mullings and Ms. Robyn Chiarelli of FDOT gave a presentation on this item, noting that on January 27, 2010, next week, the 95 Express bus service between county lines will start. Mr. Mullings gave an overview of the multiple phases of the 95 Express managed lanes project, with toll collection on the southbound segment from Golden Glades to Downtown Miami (Phase 1 B) having started on January 15. He mentioned that the new service will be free for all riders during the first week. He added that the 95 Express bus services runs every 15 to 30 minutes, depending on where you pick it up, during the early morning and afternoon peak travel periods. There is no midday or weekend service. Further details were shared, such as Broward County Transit (BCT) operating the express bus route that starts at C.B. Smith Park, with three Broward stops before hitting I-95, while Miami-Dade Transit (MDT) is operating the two express routes that leave Broward County from the Tri-Rail park-and-ride lots on Sheridan Street and Broward Boulevard. Ms. Chiarelli announced details on the substantial outreach and publicity efforts that have been conducted in advance of the new service. She mentioned billboards, radio, cable television, newspapers, e-mail blasts, and street teams as some of the tactics used.

The committee then had extensive discussion about the fares charged for these new express routes and some of the complications for MDT and BCT monthly pass holders who wish to transfer to local bus routes in the county for which they do not have the monthly pass. Mr. Zelaya then asked if Tri-Rail riders could transfer for free to the new express bus service. Mr. William Cross replied that there is no such agreement in place, so anyone transferring between Tri-Rail and the express bus would have to pay both fares. Mr. Garcia commented that MDT expects to see a drop in park-and-ride occupancy at Golden Glades due to the new services.

#### **OTHER BUSINESS:**

Mr. Roberson spoke briefly about the BCT Comprehensive Operational Analysis (COA) Study flier that was in the PTAC meeting packet. He stated that the second round of COA public workshops are currently in progress and he encouraged committee members to attend. Mr. Roberson said that the COA will recommend system changes and rapid bus concepts are part of the evaluation.

#### **SFRTA EXECUTIVE DIRECT OR REPORTS/COMMENTS**

None.

#### **PTAC MEMBER COMMENTS**

Mr. Quinty spoke briefly about the recently completed West Palm Beach CSX-FEC Connector Charrette. He applauded the Treasure Coast RPC staff for conducting the week long effort. Mr. Quinty noted that the charrette looked at station locations on the FEC corridor throughout the city, as well as tackling the CSX-FEC connector location. He said that a new concept to relocate the existing Northwood connection immediately north of 25<sup>th</sup> Street and build a passenger rail station on the new connector was warmly received. Mr. Quinty commented that Treasure Coast RPC staff would likely provide a full summary of the charrette to the PTAC in the coming months.

## **ADJOURNMENT**

The meeting was adjourned at 12:35 pm.

**MINUTES**  
**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**  
**MARKETING COMMITTEE MEETING**  
**January 19, 2010**

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The Marketing Committee Meeting of the South Florida Regional Transportation Authority Governing Board was held at 2:00 P.M. on Tuesday, January 19, 2010 at Palm Tran, 3201 Electronics Way, West Palm Beach, FL 33407.

**COMMITTEE MEMBERS PRESENT**

Bonnie Arnold (Vice Chair), SFRTA/Tri-Rail  
Phyllis Berry, (Chair) Broward County Transit  
Lili Finke, Palm Tran  
Jim Udvardy, Florida Department of Transportation representative

**COMMITTEE MEMBERS NOT PRESENT**

Michael DeCossio, Miami-Dade Transit

**ALSO PRESENT**

Robyn Hankerson, Bitner Goodman  
Steve Rosenberg, SFRTA/Tri-Rail  
Jennifer Ryan, South Florida Commuter Services  
Doris Williams, Broward County Transit

**CALL TO ORDER**

The meeting was called to order at 2:00 p.m.

**ROLL CALL**

A quorum was present.

**AGENDA APPROVAL**

Agenda was approved

**MINUTES APPROVAL**

Prior Meeting Minutes were approved.

**MATTERS BY THE PUBLIC**

None

**REGULAR AGENDA**

None

## **INFORMATION / PRESENTATION ITEMS**

### **11. – APTA MARKETING WORKSHOP**

- Artwork designed for tri-county complimentary travel passes for Workshop attendees was displayed for approval. The design in orange tones showing a ship and palm tree was the unanimous choice. This pass will allow attendees to travel free on all four systems for one week from February 20 – 27, 2010.
- Ms. Arnold stated that she received an e-mail from Jennifer Kalczuk of the APTA Marketing Committee in which she is seeking presenters in the following categories:
  - Communicating Bad News
  - Special Events
  - Partnerships
  - Research
  - Branding
  - Retaining Riders
  - Partnerships to Develop Off Peak Ridership
  - Ad Campaigns

They also need moderators for a number of sessions and are looking for volunteers. Ms. Arnold will forward this e-mail to Committee Members for their information.

- There are 87 registrants at this point.
- Sunday evening a reception will take place. On Monday evening, a bus will be provided to transport people to the Hard Rock in Hollywood. Attendees will receive \$50 in free play. Bitner Goodman is working out the details. On Tuesday, a technical session will take place. The Workshop will end on Wednesday at noon.
- M. P. Carter, APTA Chair, will be at the opening session. Ms. Arnold will invite Yvette Taylor, FTA Regional Administrator. Ms. Finke will ask Chuck Cohen if he would like to speak at the opening session and Ms. Berry will ask the same of Chris Walton and Broward County Mayor Ken Keechl.
- Transit information for each of the systems should be included in the guest packets as well as the complimentary travel pass.
- With regard to the Call Center Challenge, finalists will be notified on January 20<sup>th</sup>.

### **12. – I-95 EXPRESS INAUGURAL EVENT ON JANUARY 22, 2010**

- Broward County Transit, Miami-Dade Transit and South Florida Commuter Services have embarked on I-95 Express (bus) campaign through extensive publicity.
- Great interest in the project has been shown in Broward County.
- Concern about use of transfers to MDT system has been expressed.
- Street Teams will be at Sheridan Street, Pines Boulevard, Broward Boulevard and the Broward County business district to hand out information.

### **13. – “TELLING OUR STORY”**

- Testimonials and interviews will be the main thrust of this APTA venture for which transit agencies are asked to submit video recordings of passenger experiences and situations unique to their agency.
- Ms. Arnold is in the process of finalizing details for bright yellow tee shirts which will be printed with “Telling Our Story” and the logos of the South Florida partnering agencies.

#### **I4. – RECIPROCAL RIDERSHIP AGREEMENTS FOR TRANSIT AGENCY EMPLOYEES**

- Broward County Transit and Tri-Rail are amenable to reciprocal benefits for its transit employees, but Miami-Dade Transit and Palm Tran are still considering.

#### **I5. – BY LAWS / MEETING DAY /TIME**

- By-laws for all RTA committees was distributed but the specific by-laws for the RTA Marketing Committee need to be located and e-mailed to all the voting members of this Committee.

#### **I6. – REGIONAL EVENTS**

No comments

#### **I7. – EMERGENCY RIDE HOME**

#### **I8. – SCHEDULE AND BUS UPDATES**

### **AGENCY REPORTS**

#### **Broward County Transit**

- BCT is promoting 95-Express and will be rolling out its new articulated buses for this project.

#### **Florida Department of Transportation**

- Robyn Chiarelli, who will be the new FDOT representative at these meetings, has been working on coordinating the 95-Express.

#### **Miami-Dade Transit**

No representation at this meeting

#### **Palm Tran**

- The Martin County Express and the Wellington Park and Ride are not doing well, despite extensive marketing efforts.
- Palm Tran will take part in the South Florida Fair as it does every year.

#### **SFRTA/Tri-Rail**

- Ms. Arnold stated that a major food drive benefitting Feeding South Florida took place on January 14<sup>th</sup> at which more than 3,000 pounds of food were collected. This undertaking was kicked off two days earlier, by encouraging the public to donate food, school supplies and pet supplies at the Ft. Lauderdale Airport Tri-Rail Station. In exchange for this donation at

this one location, each donor received a voucher from “Broadway Across America” entitling them to purchase up to six “Phantom of the Opera” tickets for \$20.00 each.

**South Florida Commuter Services**

- SFCS is working with BCT and MDT toward a successful launch of 95-Express, the express bus which will run on I-95 in the toll lane.
- Commuter Express is not doing well due to the uncertainty of the bus and Tri-Rail connection. The public is afraid that their last bus home will miss the connection if Tri-Rail is running late.

**Bitner Goodman**

- Bitner Goodman is working on promoting Senior Idol 2010.

**OLD BUSINESS**

None

**NEW BUSINESS**

With no further comments, the meeting adjourned at 3:01 p.m.

MINUTES  
SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
OPERATIONS TECHNICAL COMMITTEE MEETING  
JANUARY 28, 2010, Thursday, Board Room 10:00 A.M.

The regular Meeting of the South Florida Operations Technical Committee meeting held on Thursday, January 28, 2010, at 10:00 A.M., SFRTA board room, located at 800 NW 33 Street, Pompano, FL 33064.

COMMITTEE MEMBERS PRESENT:

Peter Wolz, Broward County, Chair  
Brad Barkman, Vice Chair, SFRTA  
Jim De Vaughn, SFRTA  
Gerry Gawaldo, Palm Tran  
Jim Uvardy, SFCS  
Robyn Chiarelli, FDOT  
Sabrina Glenn, SFCS/City of Boca  
Annette Coates, PBSC  
Pete Witschen, SFEC VIA TELECONFERENCE

COMMITTEE MEMBERS /ALTERNATES ABSENT:

Steve Alperstein, Miami-Dade Transit  
Scott Aronson, Delray Beach  
Marcin Gadek, SFRTA  
Chip Dobson, CSX  
Paul Manger, AMTRAK  
Patricia Zeiler, Sun Trolley  
Rail America  
Dan Glickman, public  
Israel Hernandez, BCT

ALSO PRESENT:

Shane Searchwell, PBSC  
Margaret Ferrara, SFRTA

CALL TO ORDER

The Chair called the meeting to order at 10:00 a.m.

MATTERS BY THE PUBLIC - Persons wishing to address the Committee are requested to complete an "Appearance Card" and will be limited to three (3) minutes. Please see the Minutes Clerk prior to the meeting.

CONSENT AGENDA

C1- Motion to approve the Minutes of Operations Technical Committee Meeting of November 19, 2009. Motion was moved, seconded and approved.

REGULAR AGENDA

Matters included under the Regular Agenda differ from the Consent Agenda will be voted on individually. In addition, presentations will be made on each motion, if desired.

## INFORMATION/PRESENTATION ITEMS

Action not required, provided for information purposes only.

## INFORMATION DISCUSSION ITEMS

1. Palm Tran buses to meet trains relating to ADA passenger – Gerry Gawaldo 93-95% stated that the last bus going to Steward are not interested in waiting for trains and they took other modes home– last bus to train is an issue. Gerry / Brad looking into resolving this issue. The bus service is 60 minute headways. Holding buses during the day is not feasible. If the connection is too tight they are going to miss it.
2. I95 express bus passengers were upset due to waiting for the train – last week P630 bus to Stewart waited – for one person – ops center communicated with the bus driver – driver waited and some passengers took alternate trips home. When train arrived no one got off the train. The buses have 30 minute headways. The train departure out of Miami – passengers need to take 4:09 a.m. train. BCT there are many other schedules to balance. Brad will look at the ridership on train – Gerry will look at his schedule. All 18 train stations; however, buses have to meet many more stops. MetroRail/WPB trains change track (crossover) to eliminate walk time / elevator time  
Dec 09 ridership reports to be distributed (waiting for completion).
3. School of the arts trains already are crossed over to accommodate students. Added time into the schedule much improved. *Weekend service* – considering some adjustments for better on time improvement and cost effectiveness by adding crews and equipment. Report to group of the evening on time performance trains [P620]. Trains take 15 minute turns – widen the turns.
4. Trains do not seem to be dwelling longer at stations; on time performance up prior to May 10-15% PEAK trains. Weekend encounters with CSX and Amtrak trains on the corridor.
5. Jim Uvardy – I95 bus 25 passengers on the bus to downtown Miami. Hybrid buses are expected in the near future. At present they are all articulated buses. Passengers seem very satisfied– some mechanical problems and parking at the CV Smith Park (FDOT – adding a path, ADA shelter and gate to be constructed). Hollywood Millennium Mall will be providing secure parking spaces for the I95 bus [with security]. Stops: 441, University and CV Smith Park. Agreement with operations people to repair buses interchangeably when necessary
6. Peter Wolz - BCT pass \$85 and access to any other buses in Broward County and they will be going to the Easy Pass. Service changes route 22 on the hourly to meet the trains. Minor adjustments picks were started last Sunday. Route 81 incurred some scheduling problems. May too early to give any information – probably no major changes.
7. Brad Barkman suggested that we consider how we can interchange our service with I95 and Tri-Rail as a guaranteed ride home during emergencies/contingencies routing. Limited seats – if there is repetitive service.

8. Gerry Gawaldo – Palm Tran is concentrating on the AVL and running AVAIL Technology – real time signs. Trip - InfoPoint will be available soon; as will 18 message board signs. They will be at every Tri-Rail station in PBC except Lake Worth due to overpass interference (solar power), in place at VA Hospital and several other areas. Anticipating another tax or millage increase for the budget to accomplish to meet next year's budget (possibly service cuts).
9. Brad Barkman –bid proposal for a new Global Positioning system. He will try to add to scope to see if all county systems will interchange and speak to each other for real time advantage. This will give announcement of exact time of train arrival so passengers are well aware. Options to take other modes of transportation if trains are delayed. Tri-Rail continuing the purchase of new ticket machines – Tri-Rail will be selling the Easy card
10. Jim De Vaughn possible joint JARC funding with cities – City of Opa Locka submitting for JARC.
11. Miami Dade Steve Alperstein absent today.
12. University funding in process.

Other Business:

Meeting adjourned at 11:15 a.m. Next meeting date is Thursday, March 25, 2010 SFRTA Board Room.

**MINUTES**  
**CITIZENS ADVISORY COMMITTEE MEETING**  
**OF OCTOBER 9, 2009**

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The Citizens Advisory Committee meeting was held at 10:00 a.m. on Friday, October 9, 2009 in the Board Room of the South Florida Regional Transportation Authority (SFRTA), Administrative Offices, located at 800 NW 33<sup>rd</sup> Street, Suite 100, Pompano Beach, FL 33064.

**COMMITTEE MEMBERS PRESENT:**

Ms. Susan Haynie, Chair  
Ms. Patricia Archer, Vice-Chair  
Ms. Isabel Cosio Carballo

**COMMITTEE MEMBERS ABSENT:**

Mr. Tomas Boiton  
Ms. Nadine Hankerson  
Mr. Allan Hooper  
Mr. Anthony Robinson  
Mr. Rick Rodriguez Pina

**ALSO PRESENT:**

Mr. Joseph Giulietti, SFRTA Executive Director  
Mr. Jack Stephens, SFRTA Deputy Executive Director  
Ms. Bonnie Arnold, SFRTA  
Mr. Brad Barkman, SFRTA  
Mr. Chris Bross, SFRTA  
Mr. Dan Glickman  
Ms. Diane Hernandez del Calvo, SFRTA  
Ms. Mary Jane Lear, SFRTA  
Ms. Renee Matthews, SFRTA  
Mr. Dan Mazza, SFRTA  
Mr. Jeff Olson, SFRTA  
Ms. Flavia Silva, SFRTA  
Mr. Ed Woods, SFRTA  
Ms. Vicki Wooldridge, SFRTA  
Ms. Natalie Yesbeck Pustizzi, SFRTA

**CALL TO ORDER**

The Chair called the meeting to order at 10:20 a.m.

**PLEDGE OF ALLEGIANCE**

The Chair led the Pledge of Allegiance.

**ROLL CALL**

The Chair requested a roll call. A quorum was not established.

**AGENDA APPROVAL** - Additions, Deletions, Revisions.

No action taken.

**MATTERS BY THE PUBLIC** – Persons wishing to address the Committee are requested to complete an “Appearance Card” and will be limited to three (3) minutes. Please see the Minutes Clerk prior to the meeting.

Mr. Dan Glickman, a Deerfield Beach resident, stated that the CAC Agenda should include an item regarding the in-house General Counsel employment.

Mr. Giulietti stated that the SFRTA Governing Board, during its August 28, 2009 meeting, formed a Legal Services Committee and charged it with the responsibility to return to the Governing Board with the findings on the advantages and disadvantages of in-house counsel at a future meeting.

**The Chair moved the discussions to the next item on the Agenda.**

**DISCUSSION ITEMS**

None.

<b>CONSENT AGENDA</b>
Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion in the form listed below. If discussion is desired by any Committee Member, however, that item may be removed from the Consent Agenda and considered separately.

C1 – MOTION TO APPROVE: Minutes of the Citizens Advisory Committee Meeting of August 14, 2009

No action taken.

## REGULAR AGENDA

Those matters included under the Regular Agenda differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion, if so desired.

None.

## INFORMATION / PRESENTATION ITEMS

Action not required, provided for information purposes only. If discussion is desired by any Member, however, that item may be considered separately.

I 1 – PRESENTATION: South Florida Regional Transportation Authority Public Opinion Study

Ms. Yesbeck Pustizzi, SFRTA Transportation Planner, provided an explanation of the survey methods and results of the of the SFRTA’s Public Opinion Study.

The Study was conducted from November 2008 through January 2009 and consisted of three different types of surveys (web, telephone and focus groups). The surveys were conducted in Miami-Dade, Broward and Palm Beach counties.

The purpose of the Study was to gather information from the general public regarding public transportation, specifically issues such as the factors effecting mode choice; service/operational changes; willingness to support funding and environmental perceptions.

**The Chair moved the discussions to the next item on the Agenda.**

I 2 – PRESENTATION: South Florida Regional Transportation Authority Transit Development Plan

Mr. Quinty, SFRTA Transportation Planning Manager, provided a presentation on SFRTA’s Transit Development Plan (TDP).

Mr. Quinty stated that Florida regulations require that a short-term planning document (TDP) be completed every 5 years and subsequently Annual/Minor Updates. The SFRTA’s TDP Major Update was completed in August 2008, which included the operational and capital improvement needs of SFRTA/Tri-Rail. The Major Update also included data and information on regional conditions and other transit operators in South Florida. The TDP Annual Update was approved by SFRTA Governing Board in August 2009. The TDP Annual Updated included revised goals and objectives, accomplishments, challenges, financial plan and work program.

**The Chair moved the discussions to the next item on the Agenda.**

## EXECUTIVE DIRECTOR REPORTS/COMMENTS

1. General SFRTA Update

Mr. Giulietti informed the CAC members that Commissioner Kristin Jacobs, Broward County, was appointed to the SFRTA Governing Board.

Mr. Giulietti stated that the Board welcomed the idea of a retreat involving the CAC members and Board members.

**The Chair moved the discussions to the next item on the Agenda.**

#### OTHER BUSINESS

1. Legislative Update

Ms. Wooldridge, SFRTA Government Affairs Manager, provided information on the status of the State Legislative Strategy Coordination. Ms. Wooldridge distributed the Dedicated Fund Source for Regional Mass Transit Programs in Florida – Stakeholder Management Plan.

**The Chair moved the discussions to the next item on the Agenda.**

#### REPORTS

1. Attendance Sheet – 2009

#### ADJOURNMENT

**The meeting was adjourned at 11:20 a.m.**

**MINUTES**  
**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**  
**LEGAL SERVICES COMMITTEE MEETING**  
**OF JANUARY 20, 2010**

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The meeting of the South Florida Regional Transportation Authority Legal Services Committee was held at 10:00 a.m. on Wednesday, January 20, 2010 in the South Florida Regional Transportation Authority Conference Room #101, 800 Northwest 33<sup>rd</sup> Street, Suite 100, Pompano Beach, Florida 33064.

**COMMITTEE MEMBERS PRESENT:**

James A. Cummings, Citizen Representative, Broward County  
Felix M. Lasarte, Citizens Representative, Miami-Dade County – *via telephone*  
F. Martin Perry, Chair, Governor’s Appointee

**ALSO PRESENT:**

Joseph Giulietti, Executive Director, SFRTA  
Jack Stephens, Deputy Executive Director, SFRTA  
Diane Hernandez Del Calvo, Director of Administration, SFRTA  
Teresa Moore, General Counsel, SFRTA  
Jeffrey Olson, Staff Counsel, SFRTA  
Sandra Thompson, Executive Administrative Coordinator, SFRTA

**CALL TO ORDER**

The Committee Chair called the meeting to order at 10:12 a.m.

**AGENDA APPROVAL** – Additions, Deletions, Revisions

No action taken.

**MATTERS BY THE PUBLIC**

**DISCUSSION**

The Committee Chair opened the floor for discussion.

The Committee Chair commented on the 7-year history of general counsel and special counsel and SFRTA’s legal costs during that time. He stated that the first three years, 2003 through 2005, were the highest hours per year billed by Greenberg Traurig (G/T). The Chair stated that the goal was to contain costs and to bring more of the legal services in house.

Mr. Lasarte stated that this process should show a savings by bringing counsel in house. He stated that past experiences have shown that in house counsel tends to do less legal work and more administrated functions. He explained that he wanted to avoid that scenario.

The Committee Chair stated that it is up to the Administration and Board to see that counsel duties remain counsel duties.

Mr. Cummings stated that he wanted to address the salary. He stated that an average of \$2,190,642 per year was paid out to G/T over the past 7 years and does not include \$504,921 that was subcontracted out. He used the average amount paid to G/T over 7-years of \$294,188 and a labor burden rate of 35% to calculate a base rate of \$217,917 that could be paid to in-house counsel to keep expenditures the same. This \$217,917 base rate, he said, should satisfy Mr. Lasarte's requirement of a cost savings.

The Committee Chair stated that the proposal presented is for \$200,000 annual salary and, according to Mr. Cummings, the proposal is less than the base rate.

Discussion took place regarding auto allowance, yearly contract renegotiations/renewal and automatic annual increase.

The Committee Chair inquired if the committee can take the proposed contract rate, and compare the base salary and benefits package to the staff counsel.

The Committee Chair called a break at 10:45 a.m.

The Committee reconvened at 10:55 a.m.

The Committee Chair inquired about the health insurance clause in the contract and asked if it was a standard benefit.

The Committee Chair expressed his support for consistent and standard benefits as provided for everybody else.

Mr. Cummings agreed that Paragraph 7, second paragraph, regarding health benefits be eliminated and standard benefits be applied.

The Chair inquired if Staff Counsel received an auto allowance.

Jeff Olson, SFRTA Staff Counsel responded that he does not receive an auto allowance.

The Committee Chair inquired about the proposed expense reimbursement.

Mr. Giulietti responded that each senior management member is issued a credit card for conference charges that would normally be a reimbursed expense. He continued that the Board had voted to provide a special card to him, to be used for extraordinary expenses.

The Committee allowed for an expense reimbursement clause in the contract with a reduced amount.

The Committee discussed compensation.

The Committee discussed bringing this to the Board on Friday, January 22, 2010, and requesting a waiver of the 4-day rule.

A copy of the compensation was faxed to Mr. Lasarte.

The Committee agreed upon a base salary of \$190,000 and benefits. The auto allowance was deferred to the Governing Board for decision.

The Chair called for any further comments or discussion.

#### CHAIR COMMENTS

#### ADJOURNMENT

There being no further business, the meeting adjourned at 11:30 a.m.

**Engineering & Construction  
Monthly Progress Report  
February 26, 2010**

**Cypress Creek Station:**

345-space surface parking lot to be constructed on west side of the Cypress Creek Station. Contract awarded to MBR Construction at the December 11, 2009 Board meeting. Notice-to-Proceed was given on January 12, 2010. Construction time is approximately 7 months. Contractor is presently securing a building permit from the City of Ft. Lauderdale. Construction to be completed by August 2010. Contract amount: \$1.4M.

**Ft. Lauderdale Airport Station:**

Design/Build construction of a 402-space, 3-level parking garage on the west side of the Ft. Lauderdale Airport Station. Contract awarded to Finfrock Construction at the June 26, 2009 Board meeting. Notice-to-Proceed was on July 16, 2009. Construction began on January 16, 2010. Demolition of existing surface lot is presently underway. Construction to be completed by August 2010. Contract amount: \$5.23M.

**Hialeah Yard Storage Tracks and Inspection Pit:**

Construction of a total 3300' storage tracks (4-track configuration) with 340' inspection pit. 100% design documents have been completed. Contract award expected in March 2010. Estimated construction completion in November 2010.

**Pompano Beach Station Improvements:**

Upgrade of existing Pompano Beach Station to Segment 5 standards. Improvements consist of widening existing platforms to 25' width, new full-length canopies, pedestrian overpass with stairs and elevators, bus circulation improvements, and parking lot reconfiguration. Development of 30% design-build procurement package and NEPA documents is presently underway. Contract award expected by June 2010. Estimated construction completion in June 2011.

**Engineering & Construction  
Monthly Progress Report  
February 26, 2010**

**Cab and Trailer Car Procurement:**

Procurement of 10 Cab Cars and 4 Trailer Cars. Delivery of first two (2) cab cars is expected by the end of July 2010. The 4 trailer cars are expected to be delivered by the end of November 2010, and the delivery of the remaining eight (8) cab cars is expected by the end of December 2010. Contract amount: \$21,056,100.

**ARRA Locomotive Procurement:**

Procurement of 10 locomotives with an option for up to 13 additional locomotives for SFRTA. Procurement package to be advertised by February 22, 2010. Contract award expected by May 2010. Anticipated twenty-two (24) month delivery.

**Bike Lockers:**

Procurement and installation of 289 bike lockers at fourteen (14) SFRTA stations. Sixty-one additional lockers are being procured for later installation at the remaining four stations. Anticipated award in April 2010. Estimated installation completion by September 2010.

**Emergency Station Generators:**

Procurement and installation of emergency generators at all SFRTA stations. Final phase of specification development is presently underway. Anticipated award in June 2010. Estimated installation completion by December 2010.

AGENDA REPORT  
 SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
 GOVERNING BOARD MEETING  
 February 26, 2010

JANUARY RIDERSHIP

Total monthly ridership for January has decreased 15.7 % when compared to January of last year. Weekday ridership has decreased by 17.9% for January, while the average weekday ridership in January 2010 was 12,211 per day versus 14,162 per day for 2009. Total weekend ridership has decreased by 12.4% when compared to last year. Total Fiscal Year ridership is down by 19.1%.

Revenue is shown in Chart 3. Chart 2 shows ridership month-to-month and Chart 1 combines revenue and ridership month-to-month.

<u>Riders</u>	Actual January 2010	Actual January 2009	January '10 vs. '09 %	FY 10 Rider ship To Date	FY 09 Rider ship To Date	FYTD 10 vs '09 %
M-F	244,217	297,401	-17.9%	1,778,235	2,224,969	-20.1%
Saturday	25,799	28,497	-9.5%	143,178	166,981	-14.3%
Sunday	22,869	21,255	7.6%	127,485	143,623	-11.2%
Holidays	3,330	4,184	-20.4%	20,917	22,241	-6.0%
	<u>296,215</u>	<u>351,337</u>	<u>-15.7%</u>	<u>2,069,815</u>	<u>2,557,814</u>	<u>-19.1%</u>

Note: Ridership figures are based on daily reports from Veolia.

**Chart 1 - SFRTA Riders and Revenue Trends**

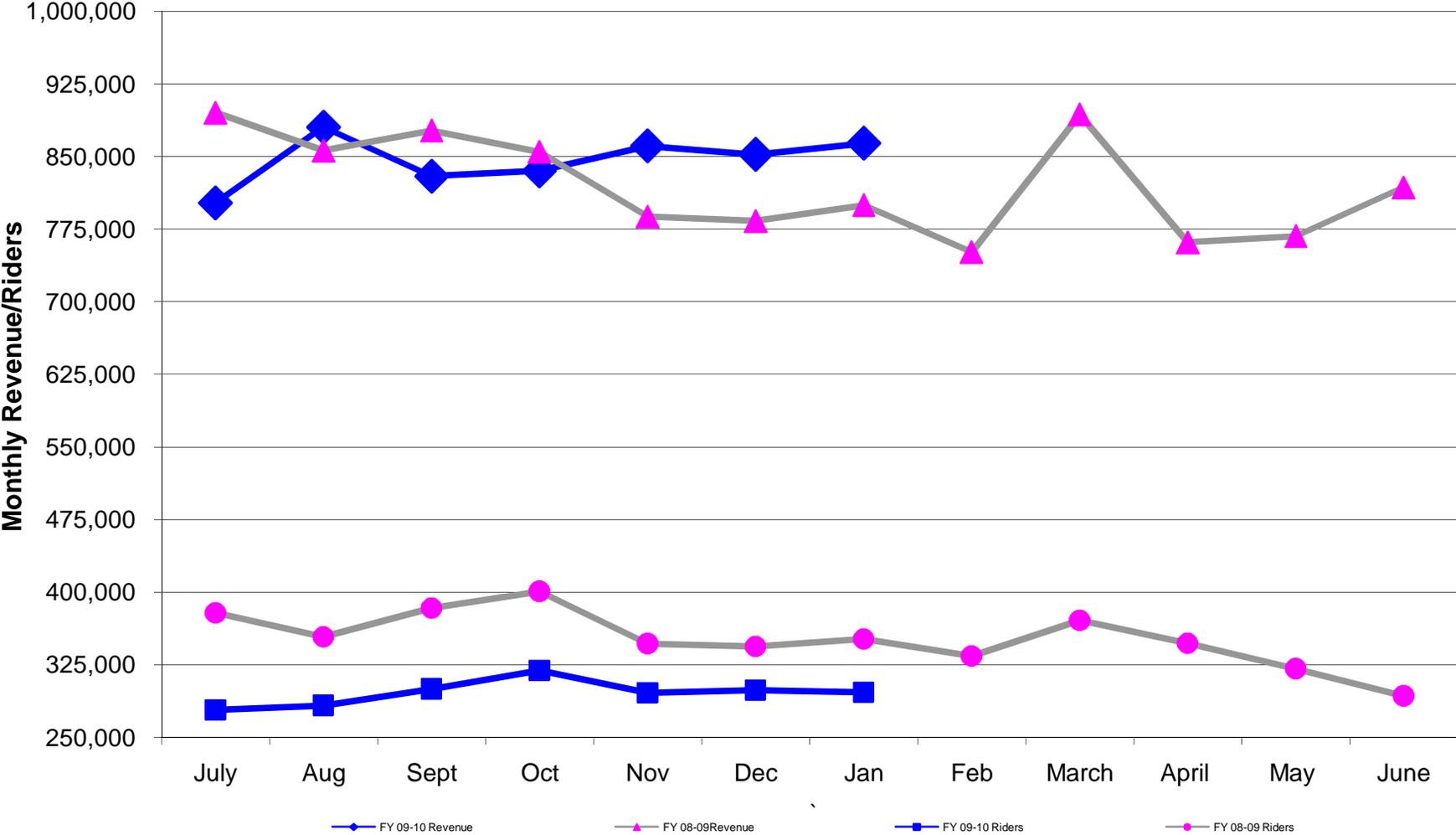


Chart 2 - SFRTA Riders

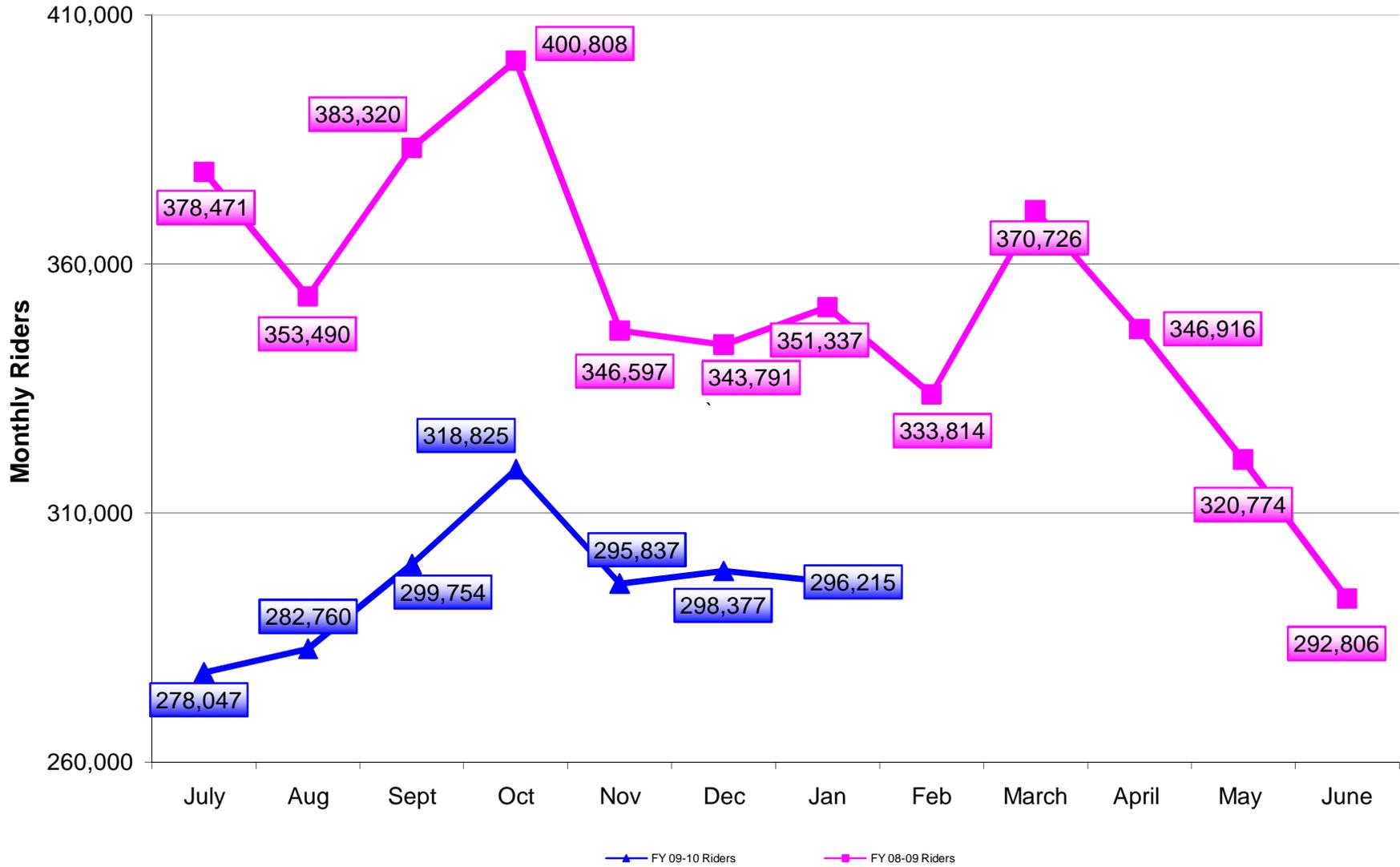
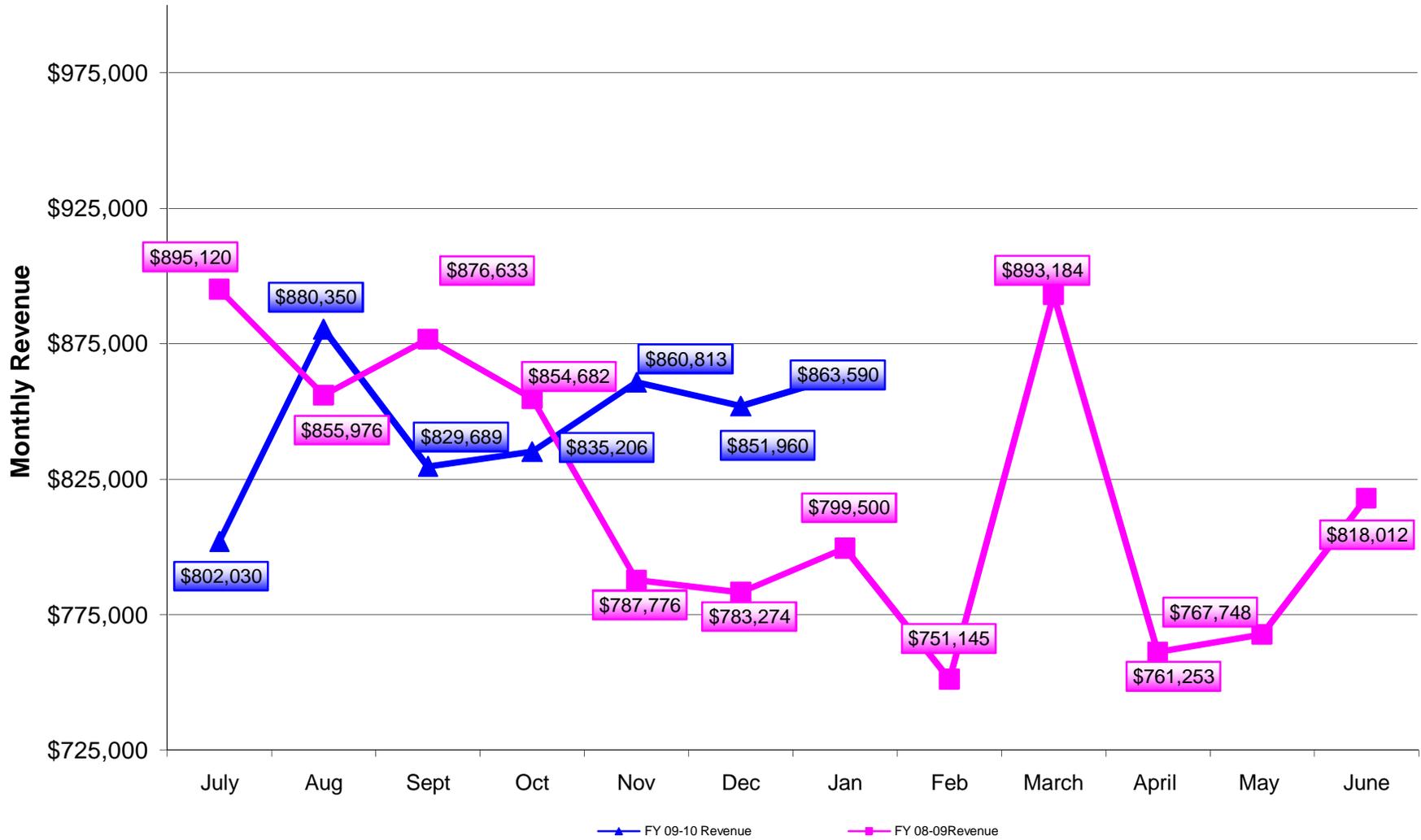


Chart 3 - SFRTA Revenue



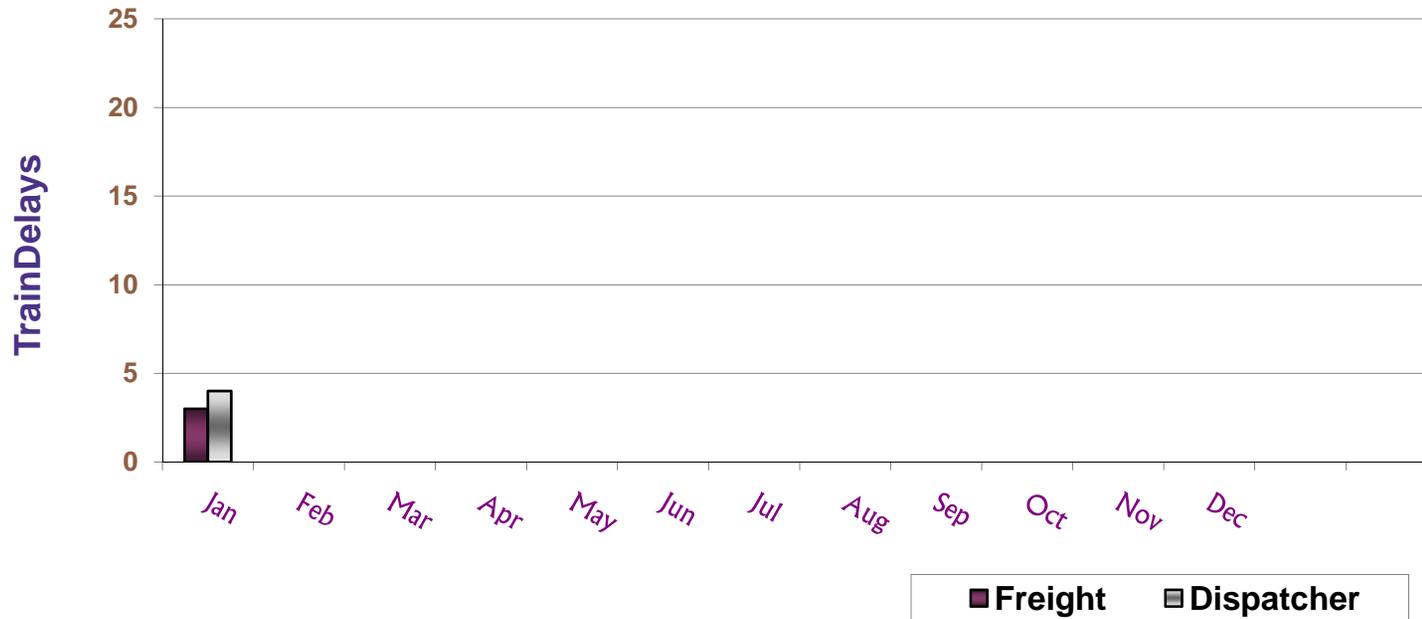


### JANUARY 2010 ON TIME PERFORMANCE - CAUSAL ANALYSIS SUMMARY

<b>OTP End To End</b>			<b>81.5%</b>
<b>OTP Station To Station</b>			<b>77.5%</b>
	<b>NUMBER OF INCIDENTS</b>	<b>NUMBER OF LATE TRAINS</b>	<b>PERCENT OF TOTAL TRAINS</b>
<b>DELAY CAUSES</b>			
PD/FD Activity	2	3	0.3%
<b>SUB-TOTAL</b>	<b>2</b>	<b>3</b>	<b>0.3%</b>
<b>CSX AGREEMENT</b>			
CSX FRIEGHT	2	3	0.3%
LOCAL SWITCHER	1	2	0.2%
JAX DISPATCHER	4	4	0.3%
MOW	6	16	1.4%
<b>SUB-TOTAL</b>	<b>13</b>	<b>25</b>	<b>2.1%</b>
<b>OUTSIDE CSX</b>			
COMMUNICATIONS	0	0	0.0%
SIGNALS-COMP.	9	19	1.6%
CSX RULE 100J	0	0	0.0%
<b>SUB-TOTAL</b>	<b>9</b>	<b>19</b>	<b>1.6%</b>
BOMBARDIER MECHANICAL	9	15	1.3%
VEOLIA TRANSPORTATION	5	65	5.5%
AMTRAK	0	0	0.0%
FEC DELAY	7	13	1.1%
WEATHER	2	4	0.3%
ROW FOUL	0	0	0.0%
SFRTA TRANSPORTATION	11	19	1.6%
OTHER	12	19	1.6%
3rd PARTY	10	18	1.5%
DMU MECHANICAL	2	3	0.3%
BRIDGE SIGNAL	0	0	0.0%
NBC MOW	0	0	0.0%
NBC DISPATCHER	0	0	0.0%
NBC OTHER	0	0	0.0%
ADA	7	10	0.9%
EFFICIENCY TESTING	0	0	0.0%
<b>SUB-TOTAL</b>	<b>65</b>	<b>166</b>	<b>14.1%</b>
TRAINS DELAYED		213	18.1%
TERMINATED / ANNULLED		4	0.3%
TRAINS ON TIME		959	81.5%
<b>TOTAL</b>		<b>1176</b>	<b>100.0%</b>

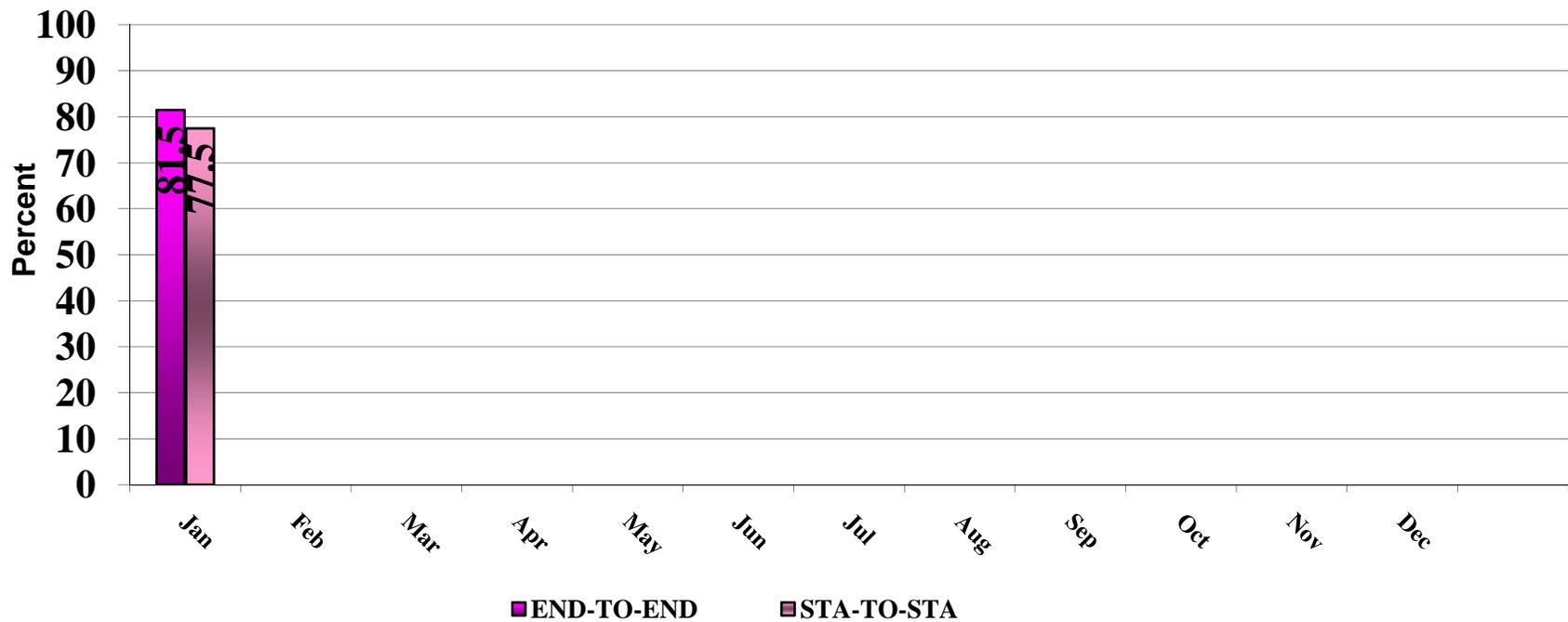


## CSXT JAX Dispatcher & Freight Delays 2010



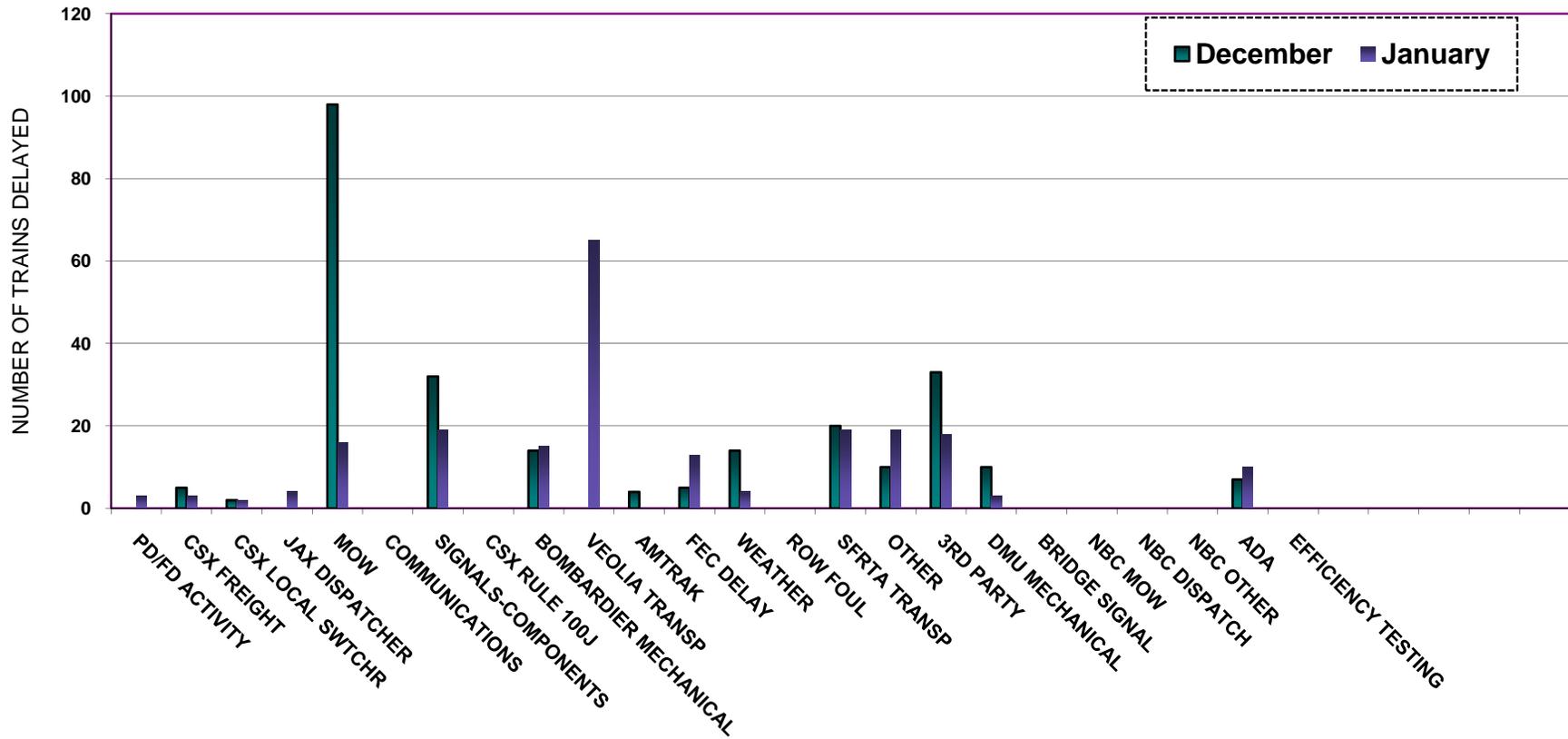


## On-Time Performance Calendar Year 2010



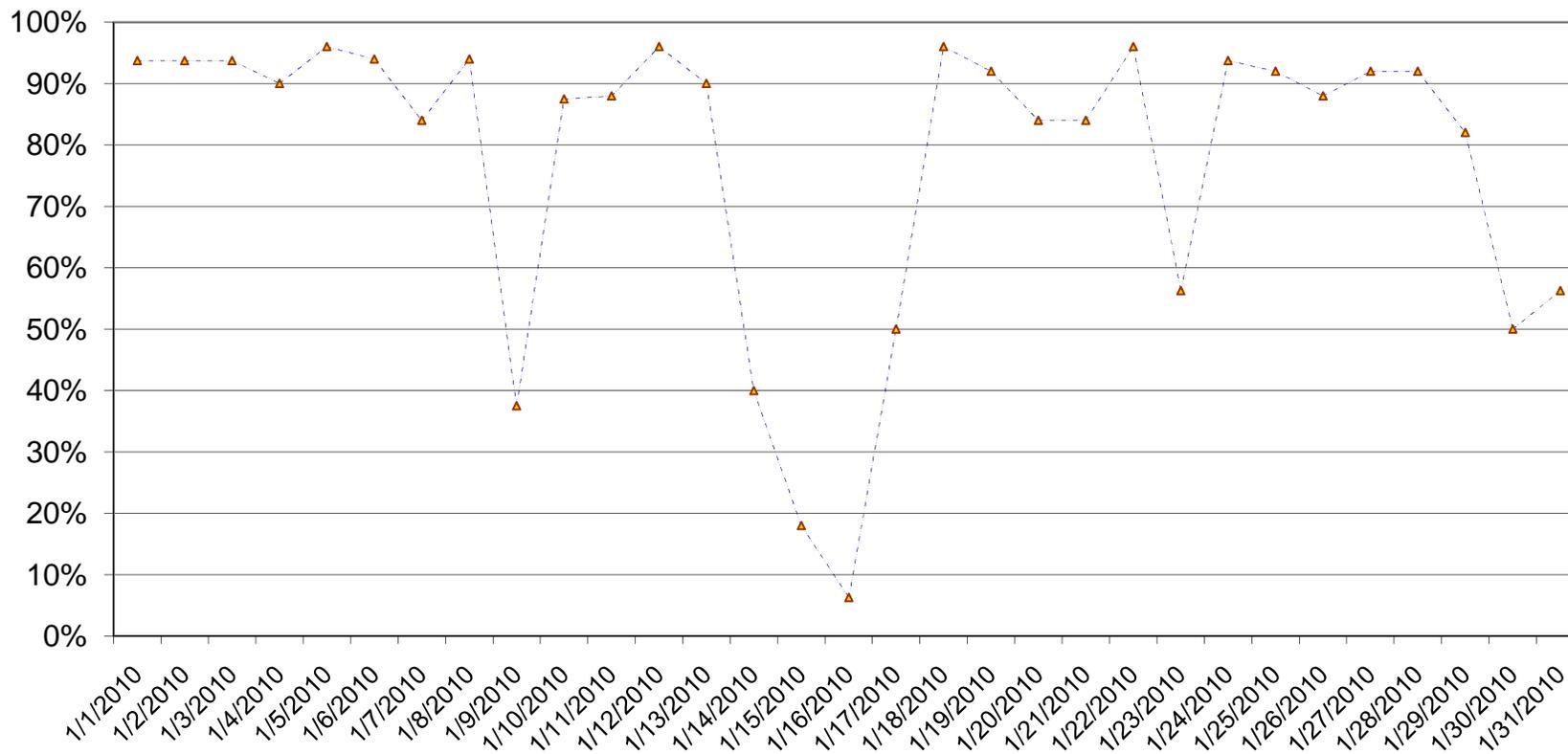


## TRAIN DELAYS 2009-2010

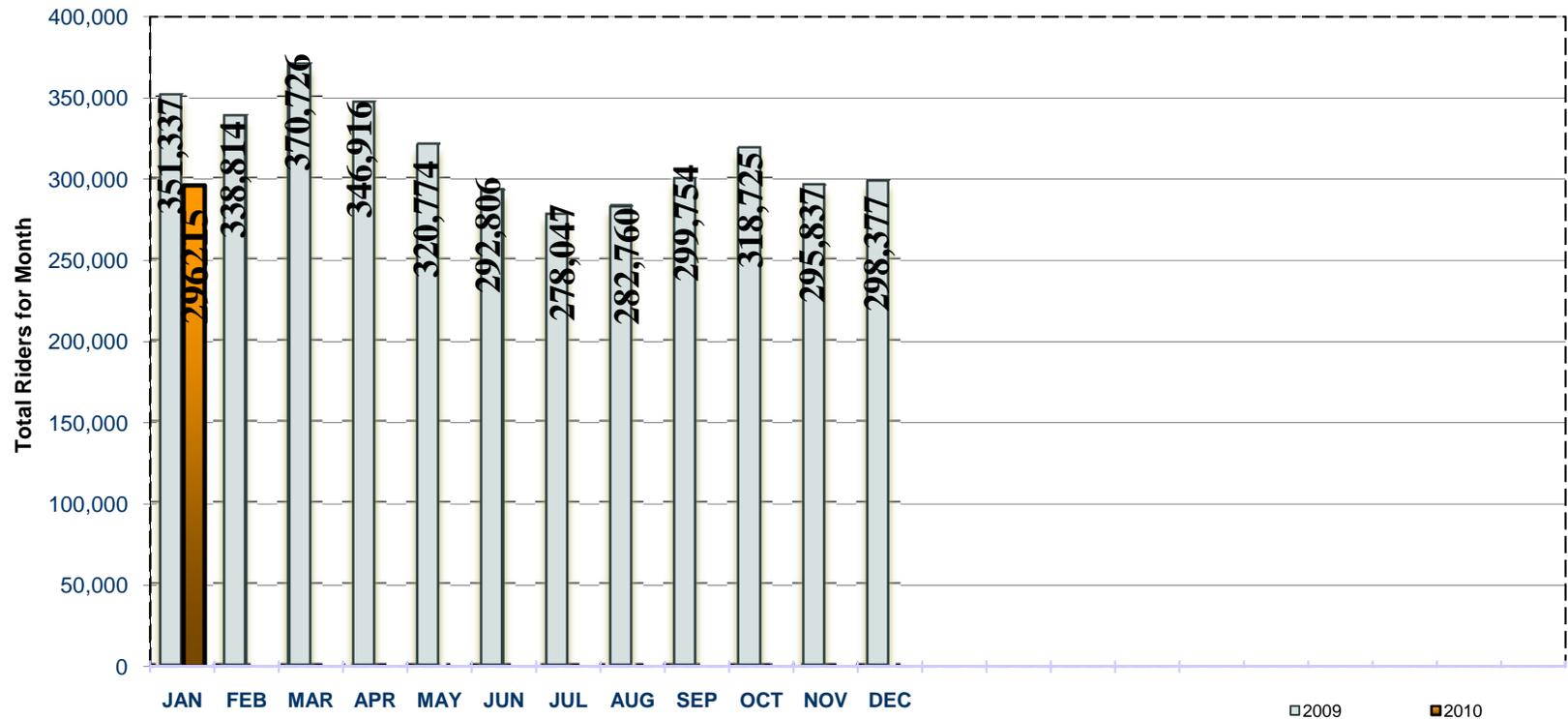




## ON TIME PERFORMANCE END TO END JANUARY - 2010



# SFRTA Tri-Rail Monthly Ridership 2010



**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
MARKETING DEPARTMENT MONTHLY SUMMARY FOR JANUARY 2010  
GOVERNING BOARD MEETING**

**EMPLOYER DISCOUNT PROGRAM**

The Employer Discount Program (EDP) added 11 new employers and 136 new employees during the month of January.

- The total number of EDP tickets recorded as sold in January was 2,887 and the total revenue generated was reported as \$168,300.00.

The following companies joined the EDP in January:

<b>Employer</b>	<b>Enrollment Date</b>	<b>City</b>
Beach Front News	01/21/2010	Fort Lauderdale
Blue Star Jets	01/05/2010	Boca Raton
East Side Pawn	01/27/2010	Fort Lauderdale
European Sink Outlet	01/14/2010	Pompano Beach
Fairn & Swanson	01/21/2010	Fort Lauderdale
GBS Warranty Services, LLC	01/05/2010	Margate
HED South	01/06/2010	Hollywood
National Diamond Corporation	01/27/2010	Deerfield Beach
New You Hair & Nails	01/27/2010	Delray Beach
Stevens Tropical Plantation	01/04/2010	Pompano Beach
Zarco Einhorn Salkowski of Brito, P.A.	01/22/2010	Miami

## EDP SALES MISSIONS

Employer	City
Headstron Business Services	Boca Raton
Dragados USA	Davie
Best Western	Deerfield Beach
Beachfront News	Fort Lauderdale
Granite Telecommunications	Boynton Beach
Blue Star Jets	Boca Raton
Patten Company	Lake Worth
Vision Airlines	Miami
Dr. Steven Gelbard, MD	Pompano Beach
Gator Investments	North Bay Village
American Precious Metals	Pompano Beach
BP Amoco	Hollywood
White Gloves Cruises, LLC	Dania Beach

## **MARKETING DEPARTMENT – JANUARY ACTIVITIES:**

### **TELLING OUR STORY**

The Marketing Department began videotaping and photographing passengers for testimonials to be posted on APTA's website in support of APTA Chair MP Carter's signature effort. The videos can be viewed by going to [www.apta.com](http://www.apta.com).

### **APTA MARKETING AND COMMUNICATIONS WORKSHOP**

The Marketing Department continued to work with APTA staff to finalize details for the annual APTA Marketing and Communications Workshop, for which the SFRTA is serving as the host property. The event will be held in Fort Lauderdale February 21-24.

### **95 EXPRESS SERVICE**

South Florida Regional Transportation Authority (SFRTA) / Tri-Rail Marketing staff was present for the inaugural ceremony of the 95 Express bus service provided by Broward County Transit and Miami-Dade Transit. The event was held at the Golden Glades Park & Ride's new East Lot. This regional effort is funded by the Federal Transit Administration and the Florida Department of Transportation.

### **CITY OF BOYNTON BEACH**

The SFRTA Marketing Department staff was invited to attend a Transportation Day hosted by the City of Boynton Beach, to inform their employees of their transportation choices. The event was held at the Boynton Beach City Library, and also included members of South Florida Commuter Services, South Florida Vanpools, and Palm Tran.

### **COMTO LUNCHEON**

The Conference of Minority Transportation Officials (COMTO) held a luncheon at the Sheraton Fort Lauderdale Airport Hotel. Several COMTO members from other agencies around the region were present, and several employees from the SFRTA were there to represent the agency, including members of the Marketing Department staff.

### **BICYCLE LOCKER PROGRAM**

Marketing Department staff members began to work with Planning Department representatives on formulating a logistical plan for the Bicycle Locker Program which the SFRTA hopes to launch in early 2010. The West Palm Beach Station will be the first to kick off the SFRTA's Bike Locker Program, which once completed, will have bike lockers at all train stations. The tentative launch date for this program at the West Palm Beach Station would be the first week of March 2010. A completion date for this project at the remainder of the Tri-Rail stations is to be determined.

## **LEGISLATIVE INITIATIVES**

Marketing Department staff members continue to work with the assistance of the SFRTA's Government Affairs Manager and Planning Department representatives to produce testimonial videos of Tri-Rail passengers for the "Telling Our Story" national campaign. Additional passenger interviews are being scheduled and produced on an ongoing basis.

## **PRO BOWL / SUPER BOWL**

Marketing Department and Operations Department staff members continued working with the Pro Bowl / Super Bowl transportation committees to coordinate additional Tri-Rail service for both games. The service for the Pro Bowl successfully occurred on January 31, 2010, as agency staff members were scheduled onsite at the Golden Glades Station and bus drop-off locations to assist in crowd management.

## **ONGOING COMMUNITY OUTREACH ACTIVITIES**

- Center for Urban Transportation Research – Weekly Webinar
- Florida Atlantic University Campus Marketplace – Student Orientation



## **EXECUTIVE SUMMARY BUDGETED INCOME STATEMENT**

**January 2010**

### **Revenue:**

#### **Train Revenue**

For January 2010 year-to-date (YTD) actual revenue is down \$202,698 or 3% when compared to the FY 2009/10 YTD budgeted revenue. FY 2009-10, YTD actual revenue has increased slightly by \$70,677 when compared to the FY 2008/09 YTD actual revenue.

### **Expenses:**

Currently, expenses are \$1,987,228 or 6% below budget. All expenses are well within budget.

**Train Operations** YTD are currently 3% below budget.

- Train fuel expense is currently 3% below budget due to the decrease in the price of fuel.
- Security expense is 2% below budget when compared to the FY 2009/10 YTD budget.
- Feeder bus expense also remains 2% below budget when compared to the FY 2009/10 YTD budget.

**Professional Services** when compared to the FY 2009/10 YTD budget are 36% below budget. This can be attributed to an overall decrease in our legal and consultant services.

**General and Administrative** expenses when compared to the FY 2009/10 YTD budget are 13% below budget. This can be attributed to a decrease in our business travel, general training, and office supplies expenses.

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
ACTUAL VS BUDGET REPORT  
JANUARY 31, 2010**

	January 2010 Actual	January 2010 Budget	Variances	%	January YTD Actual	January YTD Budget	Variances	%
<b>Revenues:</b>								
Train Revenue	\$ 863,590	\$ 833,058	\$ 30,532	4%	\$ 5,923,638	\$ 6,126,336	\$ (202,698)	-3%
Interest/Dividend Income	27,520	13,750	13,770	100%	92,149	96,250	(4,101)	-4%
Other Income	-	-	-	0%	-	-	-	0%
<b>Total Train Revenue</b>	<b>891,110</b>	<b>846,808</b>	<b>44,302</b>	<b>5%</b>	<b>6,015,787</b>	<b>6,222,586</b>	<b>(206,799)</b>	<b>-3%</b>
<b>Operating Assistance:</b>								
FDOT Operating JPA	734,543	759,340	(24,797)	-3%	9,693,161	9,796,494	(103,333)	-1%
FDOT Feeder Service JPA	548,466	556,433	(7,967)	-1%	2,023,569	2,032,167	(8,598)	0%
FDOT Contracted Dispatch Service	116,500	125,756	(9,256)	-7%	1,801,522	1,816,893	(15,371)	-1%
FDOT - Marketing Grant	100,968	100,968	-	0%	241,691	241,691	(0.00)	0%
FDOT - Maintenance of NRB	-	-	-	0%	161,745	200,000	(38,255)	-19%
FHWA	288,600	298,333	(9,733)	-3%	2,326,850	2,333,333	(6,483)	0%
FTA Assistance	660,500	671,289	(10,789)	-2%	6,272,337	6,292,602	(20,265)	0%
Counties Contribution	391,250	586,875	(195,625)	-33%	1,173,750	1,760,625	(586,875)	-33%
Transfer Fund from Capital	667,500	1,001,250	(333,750)	-33%	2,002,500	3,003,749	(1,001,249)	-33%
Other Local Funding	-	-	-	0%	161,719	161,719	(0)	0%
<b>Total Operating Assistance</b>	<b>3,508,327</b>	<b>4,100,244</b>	<b>(591,917)</b>	<b>-14%</b>	<b>25,858,844</b>	<b>27,639,273</b>	<b>(1,780,429)</b>	<b>-6%</b>
<b>Total Revenue</b>	<b>\$ 4,399,437</b>	<b>\$ 4,947,052</b>	<b>\$ (547,615)</b>	<b>-11%</b>	<b>\$ 31,874,631</b>	<b>\$ 33,861,859</b>	<b>\$ (1,987,228)</b>	<b>-6%</b>

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
ACTUAL VS BUDGET REPORT  
JANUARY 31, 2010**

	January 2010 Actual	January 2010 Budget	Variances	%	January YTD Actual	January YTD Budget	Variances	%
<b>Expenses:</b>								
<b>Train Operations</b>								
Train Operations Contract	\$ 743,812	\$ 953,644	(209,832)	-22%	\$ 5,401,202	\$ 5,484,368	(83,166)	-2%
Train Operation - Fuel	528,888	534,750	(5,862)	-1%	3,323,676	3,443,250	(119,574)	-3%
Emergency Bus Service	-	2,500	(2,500)	-100%	-	17,500	(17,500)	-100%
Security Contract	489,429	500,550	(11,121)	-2%	2,897,381	2,946,350	(48,969)	-2%
Feeder Bus	325,456	332,044	(6,588)	-2%	2,908,518	2,979,809	(71,291)	-2%
Station Utilities	49,505	54,917	(5,411)	-10%	354,266	422,916	(68,650)	-16%
EMS Boards	2,184	4,167	(1,983)	-48%	41,677	44,167	(2,490)	-6%
Special Trains	-	300	(300)	-100%	-	2,100	(2,100)	-100%
Insurance	-	-	-	0%	1,971,738	1,980,302	(8,564)	0%
Toll Free Numbers	7,213	9,500	(2,287)	-24%	45,428	52,500	(7,072)	-13%
Alarm System	200	1,658	(1,458)	-88%	1,846	11,608	(9,763)	-84%
APTA Dues	-	1,583	(1,583)	-100%	-	11,083	(11,083)	-100%
<b>Total Train Operations</b>	<b>2,146,687</b>	<b>2,395,613</b>	<b>(248,926)</b>	<b>-10%</b>	<b>16,945,732</b>	<b>\$ 17,395,954</b>	<b>(450,222)</b>	<b>-3%</b>
<b>Train and Station Maintenance</b>								
Train Maintenance	999,552	1,083,626	(84,074)	-8%	6,653,704	6,730,031	(76,327)	-1%
ROW Maintenance	37,536	46,667	(9,131)	-20%	146,458	291,667	(145,209)	-50%
TVM Maintenance	21,414	29,042	(7,628)	-26%	145,936	203,292	(57,356)	-28%
Dispatch	196,213	221,589	(25,376)	-11%	1,343,996	1,656,123	(312,127)	-19%
<b>Total Train and Station Maintenance</b>	<b>1,254,715</b>	<b>1,380,923</b>	<b>(126,208)</b>	<b>-9%</b>	<b>8,290,113</b>	<b>8,881,112</b>	<b>(590,999)</b>	<b>-7%</b>
<b>Personnel Expenses</b>								
Salaries and Wages	536,210	550,975	(14,765)	-3%	3,864,259	3,947,824	(83,565)	-2%
Taxes	45,785	52,881	(7,096)	-13%	274,170	293,168	(18,998)	-6%
Group Insurance	80,389	83,633	(3,244)	-4%	550,115	571,433	(21,318)	-4%
Pension	53,812	67,615	(13,803)	-20%	397,243	473,304	(76,061)	-16%
<b>Total Personnel Expenses</b>	<b>716,196</b>	<b>755,104</b>	<b>(38,908)</b>	<b>-5%</b>	<b>5,085,788</b>	<b>5,285,730</b>	<b>(199,942)</b>	<b>-4%</b>
<b>Professional Services</b>								
Auditing Services	-	-	-	0%	89,235	89,235	-	0%
Legal Services	11,500	20,833	(9,333)	-45%	102,463	322,888	(220,425)	-68%
Professional Services	60,712	77,238	(16,526)	-21%	251,835	276,429	(24,594)	-9%
<b>Total Professional Services</b>	<b>72,212</b>	<b>98,071</b>	<b>(25,859)</b>	<b>-26%</b>	<b>443,534</b>	<b>688,553</b>	<b>(245,019)</b>	<b>-36%</b>

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
ACTUAL VS BUDGET REPORT  
JANUARY 31, 2010**

	January 2010 Actual	January 2010 Budget	Variances	%	January YTD Actual	January YTD Budget	Variances	%
<b>General and Administrative Expenses</b>								
Bank & Credits Cards Fees	42,800	58,333	(15,533)	-27%	194,651	198,333	(3,682)	-2%
Building Maintenance	8,583	12,500	(3,917)	-31%	59,539	72,500	(12,961)	-18%
Business Travel	18,823	22,902	(4,079)	-18%	66,112	90,316	(24,204)	-27%
Materials & Supplies	12,395	12,500	(105)	-1%	58,685	87,500	(28,815)	-33%
Membership/Dues/Subscriptions	19,262	24,449	(5,187)	-21%	105,127	107,144	(2,017)	-2%
Office Rent	62,215	78,750	(16,535)	-21%	396,556	411,250	(14,694)	-4%
Printing & Advertising	3,888	5,008	(1,120)	-22%	17,574	35,058	(17,484)	-50%
Seminars and Training	3,188	5,822	(2,634)	-45%	20,862	40,752	(19,890)	-49%
Telecommunications	3,033	16,368	(13,335)	-81%	92,672	109,578	(16,906)	-15%
Vehicle Operations & Maintenance	9,895	11,000	(1,105)	-10%	36,435	47,250	(10,815)	-23%
Miscellaneous Personnel Expenses	1,100	1,783	(683)	-38%	4,164	7,233	(3,069)	-42%
<b>Total General and Administrative Expenses</b>	<b>185,182</b>	<b>249,416</b>	<b>(64,234)</b>	<b>-26%</b>	<b>1,052,377</b>	<b>1,206,916</b>	<b>(154,538)</b>	<b>-13%</b>
<b>Marketing Expenses</b>								
Advertising	2,500	3,333	(833)	-25%	18,069	23,333	(5,264)	-23%
Special Programs	743	4,167	(3,424)	-82%	28,239	29,167	(928)	-3%
Customer Service/Information	6,513	9,283	(2,770)	-30%	71,815	89,978	(18,163)	-20%
Marketing Contract	46,577	56,500	(9,923)	-18%	359,551	412,500	(52,949)	-13%
Promotional Materials	2,501	7,250	(4,749)	-66%	14,791	21,750	(6,959)	-32%
Smart Card/Easy Card Campaign	12,000	25,000	(13,000)	-52%	12,000	90,125	(78,125)	-87%
Marketing Supplies	1,611	1,975	(364)	-18%	12,821	13,824	(1,003)	-7%
<b>Total Marketing Expenses</b>	<b>72,445</b>	<b>107,507</b>	<b>(35,062)</b>	<b>-33%</b>	<b>517,287</b>	<b>680,677</b>	<b>(163,390)</b>	<b>-24%</b>
<b>Reserves and Transfers</b>								
Reserve	-	41,667	(41,667)	-100%	-	291,667	(291,667)	-100%
Expenses Transferred to Capital	(48,000)	(81,250)	33,249	-41%	(460,199)	(568,750)	108,550	-19%
<b>Total Reserves and Transfers</b>	<b>(48,000)</b>	<b>(39,583)</b>	<b>(8,417)</b>	<b>21%</b>	<b>(460,199)</b>	<b>(277,083)</b>	<b>(183,117)</b>	<b>66%</b>
<b>Total Expenses</b>	<b>\$ 4,399,437</b>	<b>4,947,052</b>	<b>\$ (547,615)</b>	<b>-11%</b>	<b>\$ 31,874,631</b>	<b>\$ 33,861,859</b>	<b>\$ (1,987,228)</b>	<b>-6%</b>

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**  
**BUDGETED INCOME STATEMENT**  
**1/01/10 TO 1/31/10**

REVENUE	JANAURY 2010 ACTUAL REVENUES	YTD ACTUAL REVENUES	YTD BUDGETED REVENUES	OVER (UNDER) BUDGET	2009-10 ANNUAL BUDGET	BUDGET AVAILABLE
Train Revenue	\$863,590	\$ 5,923,638	\$6,126,336	(\$202,698)	\$10,212,434	\$4,288,796
Interest Income / Other Income	27,520	92,149	96,250	(4,101)	165,000	72,851
Advertising Revenue/Other Revenue	-	-	-	-	-	-
<b>TOTAL TRAIN REVENUE</b>	<b>\$891,110</b>	<b>\$6,015,787</b>	<b>\$6,222,586</b>	<b>(\$206,799)</b>	<b>\$10,377,434</b>	<b>\$4,361,647</b>
<b>OPERATING ASSISTANCE</b>						
FDOT Operating JPA	734,543	9,693,161	9,796,494	(103,333)	\$12,705,000	3,011,839
FDOT Feeder Service JPA	548,466	2,023,569	2,032,167	(8,598)	3,040,767	1,017,198
FDOT Contracted Dispatch Service	116,500	1,801,522	1,816,893	(15,371)	2,529,068	727,546
FDOT-Marketing Grant	100,968	241,691	241,691	-	550,000	308,309
FDOT Maintenance of NRB	-	161,745	200,000	(38,255)	440,000	278,255
FHWA	288,600	2,326,850	2,333,333	(6,483)	4,000,000	1,673,150
FTA Assistance	660,500	6,272,337	6,292,602	(20,265)	10,723,847	4,451,510
Counties Contribution	391,250	1,173,750	1,760,625	(586,875)	4,695,000	3,521,250
Transfer Fund from Capital	667,500	2,002,500	3,003,749	(1,001,249)	8,010,000	6,007,500
Other Local Funding	-	161,719	161,719	(0)	261,000	99,281
<b>TOTAL ASSISTANCE</b>	<b>3,508,327</b>	<b>25,858,844</b>	<b>27,639,273</b>	<b>(1,780,429)</b>	<b>46,954,682</b>	<b>21,095,838</b>
<b>TOTAL REVENUE</b>	<b>\$4,399,437</b>	<b>\$31,874,631</b>	<b>\$33,861,859</b>	<b>(\$1,987,228)</b>	<b>\$57,332,116</b>	<b>\$25,457,485</b>

EXPENSES	JANAURY 2010 ACTUAL EXPENSES	YTD ACTUAL EXPENSES	YTD BUDGETED EXPENSES	(OVER) UNDER BUDGET	2009-10 ANNUAL BUDGET	BUDGET AVAILABLE
Train Operations	2,146,687	16,945,732	17,395,954	450,222	27,867,357	10,921,625
Train and Station Maintenance	1,254,715	8,290,113	8,881,112	590,999	16,253,335	7,963,222
Personnel Expenses	716,196	5,085,788	5,285,730	199,942	9,061,251	3,975,463
Professional Fees	72,212	443,534	688,553	245,019	1,266,090	822,556
General & Administrative Expenses	185,182	1,052,377	1,206,916	154,538	2,068,995	1,016,618
Marketing Expenses	72,445	517,287	680,677	163,390	1,290,088	772,801
Reserve	-	-	291,667	291,667	500,000	500,000
Expenses Transferred to Capital	(48,000)	(460,199)	(568,750)	(108,550)	(975,000)	(514,801)
<b>TOTAL EXPENSES</b>	<b>\$4,399,437</b>	<b>\$31,874,631</b>	<b>\$33,861,859</b>	<b>\$1,987,228</b>	<b>\$57,332,116</b>	<b>\$25,457,485</b>

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
 FARE RECOVERY RATIO  
 FISCAL YEAR 2009-2010**

	<u>JANAURY 2010</u>	<u>YEAR TO DATE</u>
<b>TRAIN REVENUE</b>	<b>863,590</b>	<b>5,923,638</b>
<b>TOTAL EXPENSES*</b>	<b>4,399,437</b>	<b>31,874,631</b>
<b>LESS:</b>		
FEEDER SERVICE	325,456	2,908,518
DISPATCH	196,213	1,343,996
PLANNING	78,896	457,279
<b>TOTAL PASS-THROUGH EXPENSES</b>	<b>600,565</b>	<b>4,709,793</b>
<b>TOTAL EXPENSES LESS PASS-THROUGH EXPENSES*</b>	<b>3,798,872</b>	<b>27,164,839</b>
<b>FARE BOX RECOVERY RATIO **</b>	<b>23%</b>	<b>22%</b>

\*Based on estimates (accruals) and actual figures.

\*\*Based on estimates and actual figures. At year - end, the ratio will be a function of actual expenses

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**  
**STATEMENTS OF NET ASSETS**  
**JANUARY 31, 2010**

**ASSETS**

Current assets:	
Cash and cash equivalents	\$ 48,111,107
Accounts receivable:	
State grants	9,661,510
Federal Grants	8,669,899
Other	66,189
Prepaid expenses	351,105
Deposits	14,506
Total current assets	<u>66,874,316</u>
Noncurrent assets:	
Capital assets (net of accumulated depreciation)	<u>575,297,200</u>
Total noncurrent assets	<u>575,297,200</u>
Total assets	<u>\$ 642,171,516</u>

**LIABILITIES**

Current liabilities:	
Accounts payable	\$ 4,463,169
Accruals	2,977,150
Compensated absences	328,068
Deferred revenue	134,461
Due to other governmental units	11,505
Total current liabilities	<u>7,914,353</u>
Noncurrent liabilities:	
Compensated absences	492,103
Deposits	1,529,199
Advances from FDOT	3,633,437
Total noncurrent liabilities	<u>5,654,739</u>
Total liabilities	<u>\$ 13,569,092</u>

**NET ASSETS**

Invested in Capital Assets	\$ 575,297,200
Reserved for Encumbrances	12,037,658
Reserved for Capital Projects	26,127,370
Unrestricted	15,140,196
Total net assets	<u>628,602,424</u>
Total liabilities and net assets	<u>\$ 642,171,516</u>



## **FINANCE & INFORMATION TECHNOLOGY EXECUTIVE SUMMARY**

### **INVOICES OVER \$2,500**

During January 2010, the SFRTA Accounts Payable division processed 368 invoices totaling \$6,401,337.87 and disbursed 151 checks, excluding payroll, totaling \$4,944,594.23.

Invoices over \$2,500 represent 34.0% (51 checks) of all invoices processed in the month of January, and represent 99.0% of the value (\$4,887,966.54) of all checks processed in January 2010.

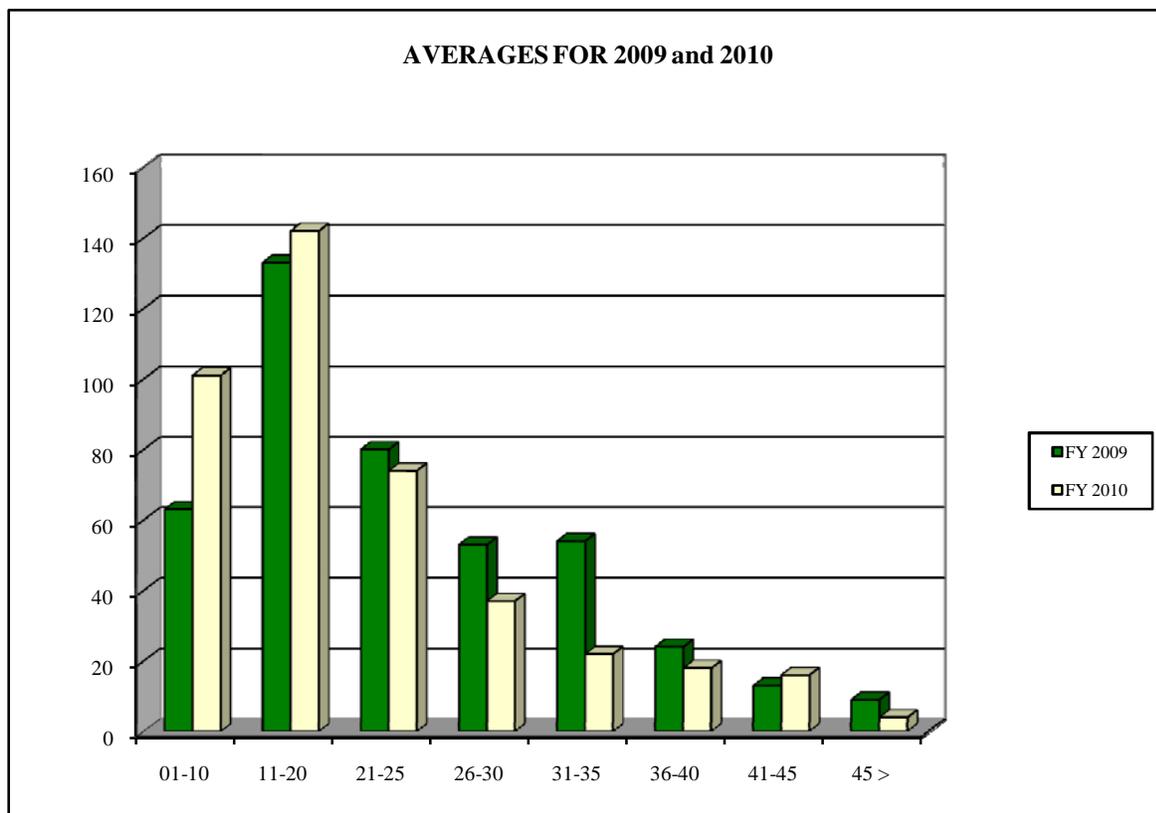
Accounts Payable processed 72.5% (37 checks) of the checks over \$2,500 within the 21-25 days, with 80.4% (41 checks) of the checks over \$2,500 processed within 30 days.

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
PAYMENT CYCLE REPORT - JANUARY 2010**

AGENDA ITEM NO. F

**FOR INVOICES \$2,500 AND OVER**

MONTHLY AVERAGE JULY 2009 TO JUNE 2010		MONTHLY AVERAGE JULY 2008 TO JUNE 2009	
INVOICE CYCLE	% OF TOTAL	INVOICE CYCLE	% OF TOTAL
0 -10 Days	24.4%	0 -10 Days	14.7%
11-20 Days	34.3%	11-20 Days	31.0%
21-25 Days	17.9%	21-25 Days	18.6%
26-30 Days	8.9%	26-30 Days	12.4%
31-35 Days	5.3%	31-35 Days	12.6%
36-40 Days	4.3%	36-40 Days	5.6%
41-45 Days	3.9%	41-45 Days	3.0%
Over 45 Days	1.0%	Over 45 Days	2.1%



**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**  
**GOVERNING BOARD MEETING: FEBRUARY 26, 2010**  
**INFORMATION ITEM: PAYMENTS OVER \$2,500**  
**JANUARY 1 THRU JANUARY 31, 2010**

RCVD DATE	APPRVD DATE	CHECK DATE	MAILED CHECK	DAYS PROCESS	VENDOR	DESCRIPTION	AMOUNT
1/4/2010	1/5/2010	1/6/2010	1/7/2010	3	NATIONAL RAILROAD PASSENGER	Dispatch Svcs -12/09	183,694.00
12/30/2009	1/4/2010	1/5/2010	1/5/2010	6	MIAMI DADE	Easy Tickets	6,250.00
12/31/2009	12/31/2009	1/6/2010	1/7/2010	7	FLORIDA POWER & LIGHT	Station Utilities	3,850.71
1/7/2010	1/7/2010	1/8/2010	1/14/2010	7	ACORDIA WPB DIVISION	Acordia - Workers Comp -01/2009	5,173.00
1/12/2010	1/12/2010	1/15/2010	1/19/2010	7	FLORIDA POWER & LIGHT	Station Utilities	4,628.29
1/12/2010	1/15/2010	1/15/2010	1/19/2010	7	WACKENHUT CORPORATION	Security Officers -11/18-12/17/09	106,504.70
1/20/2010	1/26/2010	1/27/2010	1/28/2010	8	BOMBARDIER MASS TRANSIT	Commuter Rail Fleet Maintenance -12/01-31/09	856,531.01
1/26/2010	1/26/2010	1/29/2010	2/3/2010	8	PROLOGIS TRUST	Office Rent	57,549.60
1/26/2010	1/26/2010	1/29/2010	2/3/2010	8	RAIL-VOLUTION	Partners Contribution -FY10	15,000.00
1/10/2010	1/12/2010	1/15/2010	1/19/2010	9	LIMOUSINES OF SOUTH FLORIDA	Feeder Svc -12/16-31/09	109,241.50
1/8/2010	1/8/2010	1/15/2010	1/19/2010	11	BITNER GOODMAN	Mrkt PR Svcs -12/09	8,751.85
1/7/2010	1/14/2010	1/15/2010	1/19/2010	12	C2 GROUP LLC	Fed/Leg Consult Svcs -12/09	10,000.00
1/22/2010	1/22/2010	1/29/2010	2/3/2010	12	FLORIDA POWER & LIGHT	Station Utilities	5,532.90
1/22/2010	1/28/2010	1/29/2010	2/3/2010	12	HDR ENGINEERING INC	Commuter Rail Track & Signal Field Support Services.	18,083.23
12/24/2009	1/5/2010	1/6/2010	1/7/2010	14	MACMILLAN OIL COMPANY	Fuel Exp -12/13/09	201,199.63
1/14/2010	1/22/2010	1/27/2010	1/28/2010	14	MACMILLAN OIL COMPANY	Fuel Exp -01/08/10	306,344.57
1/5/2010	1/6/2010	1/15/2010	1/19/2010	14	RESPECT OF FLORIDA	Janitorial Svcs -12/01-31/09	5,971.77
1/12/2010	1/12/2010	1/22/2010	1/27/2010	15	DOWNTOWN FT LAUDERDALE	July 2009 Weekend Sat / Sun Bus Services	4,972.16
1/12/2010	1/15/2010	1/22/2010	1/27/2010	15	WACKENHUT CORPORATION	Security Officers -01/04-10/10	92,128.05
12/22/2009	1/5/2010	1/6/2010	1/7/2010	16	LIMOUSINES OF SOUTH FLORIDA	Feeder Svc -12/01-15/09	114,173.75
12/22/2009	12/23/2009	1/6/2010	1/7/2010	16	WACKENHUT CORPORATION	Wackenhut W/E -12/21-27/09	268,094.91
1/10/2010	1/10/2010	1/22/2010	1/27/2010	17	AT & T	Reg Summ -12/2009	23,386.89
12/18/2009	11/18/2009	1/6/2010	1/7/2010	20	BANK OF AMERICA	Purchasing Cards	20,360.02
12/30/2009	1/11/2010	1/15/2010	1/19/2010	20	ROADMASTER ENGINEERING	Emergency Repair and Maintenance of Class 1 Railroad for the New River Bridge Corridor.	2,712.84
1/12/2010	1/28/2010	1/29/2010	2/3/2010	22	MERIDIAN MANAGEMENT COMPANY	Station Maintenance Base Contract -12/01-31/09	105,194.06
12/22/2009	1/7/2010	1/8/2010	1/14/2010	23	UNUM LIFE INSURANCE	Long Term Disability	4,276.75
12/14/2009	12/20/2009	1/6/2010	1/7/2010	24	MERIDIAN MANAGEMENT COMPANY	Station Maint -07/09	25,815.48
1/9/2010	1/21/2010	1/29/2010	2/3/2010	25	SFEC TMA	SFEC TMA Feeder Bus Services -12/09	8,219.86
1/9/2010	1/21/2010	1/29/2010	2/3/2010	25	WACKENHUT CORPORATION	Security Officers -01/11-17/10	89,285.82
12/23/2009	1/6/2009	1/15/2010	1/19/2010	27	RITTERS PRINTING	ONBOARD Newsletter -10/09	4,901.33
1/6/2010	1/15/2010	1/29/2010	2/3/2010	28	MIAMI DADE	Easy Tickets	12,000.00
1/5/2010	1/27/2010	1/29/2010	2/3/2010	29	VEOLIA TRANSPORTATION	Commuter Rail Opertions -12/01-31/09	736,410.20
12/6/2009	11/19/2009	1/6/2010	1/7/2010	32	BANK OF AMERICA	Purchasing Cards	18,219.72
12/16/2009	1/8/2010	1/15/2010	1/19/2010	34	PALMTRAN	Palm Tran Boca Shuttle Route 94 -11/09	16,875.00
12/24/2009	1/14/2010	1/22/2010	1/27/2010	34	GREENBERG TRAURIG LLP	General Legal Services Base Contract	11,500.00
12/1/2009	12/14/2009	1/6/2010	1/7/2010	37	BOMBARDIER MASS TRANSIT	Commuter Rail Fleet Maintenance -11/01-30/09	5,626.38
12/1/2009	12/14/2009	1/7/2010	1/8/2010	38	BOMBARDIER MASS TRANSIT	Commuter Rail Fleet Maintenance -11/01-30/09	786,983.33
12/7/2009	1/4/2010	1/8/2010	1/14/2010	38	ACS TRANSPORT SOLUTION	ACS (TVM) Software Support - 12/09	13,451.80
12/11/2009	12/17/2009	1/20/2010	1/21/2010	41	MACMILLAN OIL COMPANY	Fuel Exp -11/30/09	99,440.41
12/4/2009	12/8/2009	1/8/2010	1/14/2010	41	ERICKS CONSULTANTS	Leg Consult Svcs Lobbying Svcs -11-12/2009	25,000.00
				<b>40</b>	<b>TOTAL OPERATING EXPENDITURES</b>		<b>\$ 4,393,335.52</b>

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
GOVERNING BOARD MEETING: FEBRUARY 26, 2010  
INFORMATION ITEM: PAYMENTS OVER \$2,500  
JANUARY 1 THRU JANUARY 31, 2010**

<b>RCVD DATE</b>	<b>APPRVD DATE</b>	<b>CHECK DATE</b>	<b>MAILED CHECK</b>	<b>DAYS PROCESS</b>	<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
<b>CAPITAL EXPENDITURES</b>							
1/22/2010	1/28/2010	1/29/2010	2/3/2010	12	HDR ENGINEERING INC	Landscape design to the Scope	27,977.94
12/23/2009	1/4/2010	1/6/2010	1/7/2010	15	KIMLEY HORN AND ASSOCIATES	Supply Profess. srvs necessary to provide oversight to SFRTA's Americans w/ Disabilities Act	35,092.27
1/4/2010	1/9/2010	1/15/2010	1/19/2010	15	BERGMANN ASSOCIATES	Design and Installation of Bike Lockers	7,649.77
1/19/2010	1/28/2010	1/29/2010	2/3/2010	15	BERGMANN ASSOCIATES	Storage Track Deisgn and Construction	64,068.60
1/11/2010	1/15/2010	1/22/2010	1/27/2010	16	CARTER AND BURGESS INC	Provide expertise, and technical and logistical support	21,195.11
12/18/2009	1/5/2010	1/6/2010	1/7/2010	20	CORRADINO GROUP	Consulting Services	7,412.63
1/13/2010	1/22/2010	1/29/2010	2/3/2010	21	PB AMERICAS, INC	Performing general planning tasks	26,378.68
1/4/2010	1/15/2010	1/22/2010	1/27/2010	23	BERGMANN ASSOCIATES	Facility Condition Assessment Inspections at 18 Tri-Rail Stations.	121,418.43
12/10/2009	1/5/2010	1/6/2010	1/7/2010	28	PB AMERICAS, INC	Professional planning services to support	12,114.02
12/23/2009	1/5/2010	1/22/2010	1/27/2010	35	FINFROCK CONSTRUCTION	Design-Build Services	139,905.90
12/10/2009	1/5/2010	1/15/2010	1/19/2010	40	PARSONS TRANSPORTATION	Planning services to support the SFRTA	31,417.67
				<b>11</b>	<b>TOTAL CAPITAL EXPENDITURES</b>		<b>\$ 494,631.02</b>
	<b>Item Total</b>			<b>51</b>	<b>TOTAL OPERATING EXPENSES AND CAPITAL EXPENDITURES</b>		<b>\$ 4,887,966.54</b>

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
GOVERNING BOARD MEETING: FEBRUARY 26, 2010  
INFORMATION ITEM:  
SUMMARY OF PAYMENTS OVER \$2,500  
JANUARY 1, 2010 TO JANUARY 31, 2010**

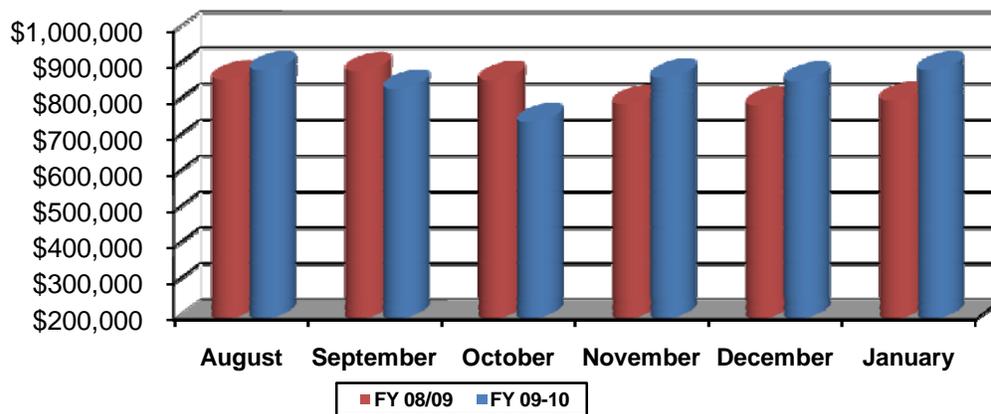
<b>INVOICE CYCLE</b>	<b>NO. CHECKS</b>	<b>PERCENT OF TOTAL</b>	<b>ACCUM %</b>
<b>0-10 days</b>	<b>10</b>	<b>19.6%</b>	<b>19.6%</b>
<b>11-20 days</b>	<b>20</b>	<b>39.2%</b>	<b>58.8%</b>
<b>21-25 days</b>	<b>7</b>	<b>13.7%</b>	<b>72.5%</b>
<b>26-30 days</b>	<b>4</b>	<b>7.8%</b>	<b>80.4%</b>
<b>31-35 days</b>	<b>4</b>	<b>7.8%</b>	<b>88.2%</b>
<b>36-40 days</b>	<b>4</b>	<b>7.8%</b>	<b>96.1%</b>
<b>41-45 days</b>	<b>2</b>	<b>3.9%</b>	<b>100.0%</b>
<b>Over 45 days</b>	<b>0</b>	<b>0.0%</b>	<b>100.0%</b>
<b>TOTAL CHECKS</b>	<b>51</b>	<b>100.0%</b>	

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
REVENUE REPORT- JANUARY 2010**

**REVENUE - JANUARY 2010**

DESCRIPTION	Jan-09	Jan-10	VARIANCE	%
Weekday Sales	665,731	686,396	20,665	3.1%
Weekend Sales	133,769	177,194	43,425	32.5%
Other Income	8,250	27,520	19,270	233.6%
Total Revenue	807,750	891,110	83,360	10.3%

**Revenue Monthly Trends  
FY 08/09 and FY 09/10**

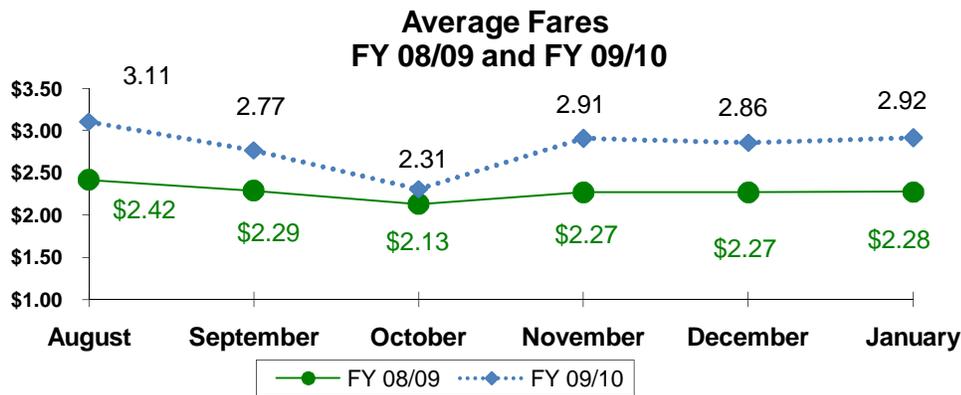


**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
REVENUE REPORT- JANUARY 2010**

SALES BY TICKET TYPE	JANUARY 2009	JANUARY 2010	PERCENT CHANGE <sup>(1)</sup>
Palm Beach Schools	32,360	35,000	8%
Employer Disc. Program	168,346	168,300	0%
Group Tour Sales	-	228	
<b>Station Sales:</b>			
One-Way	235,557	275,494	17.0%
Roundtrip	145,985	148,734	1.9%
12 Trips	31,451	28,101	-10.7%
Monthly	51,478	52,025	1.1%
One-Way Discount	52,509	61,792	17.7%
Roundtrip Discount	38,961	44,664	14.6%
Monthly Discount	42,853	49,253	14.9%
<b>Total Station Sales</b>	<b>598,794</b>	<b>660,062</b>	
<b>Total Sales</b>	<b>799,500</b>	<b>863,590</b>	<b>8.0%</b>

(1) Percent increase or decrease from previous year

**AVERAGE FARE**                      2.28                      2.92



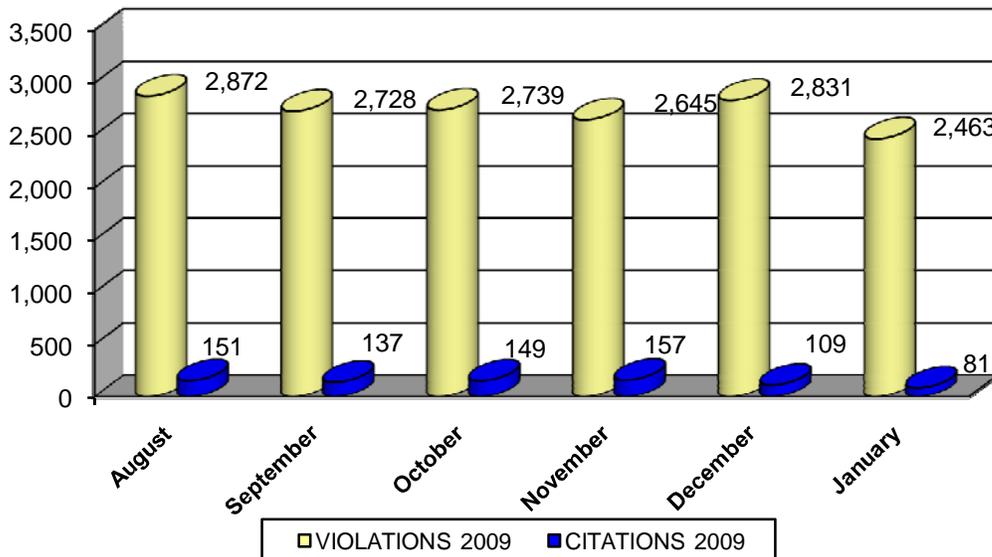
**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY  
FARE EVASION REPORT  
AUGUST 2009 THROUGH JANUARY 2010**

MONTH	TOTAL INSPECTED	TOTAL VIOLATIONS	# OF CITATIONS	# OF WARNINGS	% RIDERS INSPECTED
AUGUST 2009	345,823	2,872	151	2,716	122%
SEPTEMBER 2009	363,056	2,728	137	2,586	121%
OCTOBER 2009	386,124	2,739	149	2,581	121%
NOVEMBER 2009	347,253	2,645	157	2,480	117%
DECEMBER 2009	347,863	2,831	109	2,716	117%
JANUARY 2010	336,698	2,463	81	2,381	114%
AVERAGE	354,470	2,713	131	2,577	119%

**FARE EVASION %**                      **0.73%**

**FINES**    **\$**    **4,918**

**Fare Violations / Citations  
2009**





## Solicitation Status Report January 2010

AGENDA ITEM: H

Solicitation Number	Solicitation Type	Description of Services	Advertise Date	Document Available	Pre-Submittal Conference	Due Date Bids/Proposals	Award Contract
10-003	ITB	Deerfield Beach Station Painting  Contract Admin.: R. Becker Proj. Mgr.: Mike Lulo	12/18/2009	12/21/2009	1/5/2010	1/28/2010	2/26/2010
10-008	ITB	Bicycle Lockers At Tri-Rail Stations  Contract Admin.: R. Becker Proj. Mgr.: P. McCammon	2/19/2010	2/22/2010	3/21/2010	3/29/2010	4/23/2010

The cone of silence is in effect for the above solicitations from the advertised date thru contract award.

\*\* Cone of silence effective October 16th, 2008 .

\*\*\* Contingent on approval of Participation Agreement by Miami Dade County Board.



**Contract Actions Executed  
Under The Executive Director's Authority  
For The Month of January 2010**

AGENDA ITEM NO: I

Date Signed	Contract /Purchase Order No.	Contract Action	Amount \$	Term
<b>Contractor</b> Project Justification	<b>10-00344</b> <b>Greenberg Traurig</b> <b>Legal Services for Railroad Retirement</b> Legal Services for Railroad Retirement	Purchase Order	25,000.00	N/A
<b>Contractor</b> Project	<b>10-00350</b> <b>Classic Fence Company Inc.</b> <b>Extension of WPB fence</b>	Purchase Order	16,509.80	N/A
<b>Contractor</b> Project Justification	<b>10-000367</b> <b>Digital Printing Systems</b> <b>Ticket Stock For TVM's</b> Green Magnetic Ticket Stock with "Void" Watermark Security Feature, and Blank Audit Tape Stock for TVM's	Purchase Order	12,551.60	N/A
<b>Contractor</b> Project Justification	<b>10-000369</b> <b>WABTEC</b> <b>Disc Brake Lining for DMU's</b> COBRA® V2856; 28" disc brake lining for all DMU's	Purchase Order	18,720.00	N/A



**Contract Actions Executed  
Under The  
Construction Oversight Committee's Authority  
For The Month of January 2010**

**AGENDA ITEM: J**

Date Signed	Contract No.	Contract Action	Amount \$	Term
N/A	No Contract Actions were executed by the Construction Oversight Committee for the Month of January, 2010		N/A	N/A





**SOUTH FLORIDA  
REGIONAL  
TRANSPORTATION  
AUTHORITY**

***MONTHLY CRIME ANALYSIS SUMMARY  
AND FARE EVASION REPORT***

***JANUARY 2010***

***PRESENTED BY***

***G4S*** Wackenhut

TIM CATES  
PROJECT MANAGER

**SOUTH FLORIDA REGIONAL  
TRANSPORTATION AUTHORITY  
MONTHLY CRIME ANALYSIS SUMMARY**

**JANUARY 2010**

During the month of JANUARY 2010, 2867 incidents were reported to, or by Wackenhut Custom Protection Officers®, of these, one (1) Train Vs. Vehicle (no injuries), one (1) Battery, one (1) Robbery, and two (2) Thefts. A total of two (2) arrests were made during this month.

**MAJOR INCIDENTS:**

**Train Vs. Vehicle (no injuries)**

Case # 01-10-551

Occurred on 01/07/10, Thursday, at 1325 hours. A vehicle at MM 1000.2 (NW 48th Street crossing, Pompano) struck the P624 train. Broward Sheriff's Case # DR 10-01-1034.

**Battery (on board P667)**

Case # 01-10-2161

Occurred on 01/24/10, Sunday, at 1250 hours. The subject struck the victim on her left shoulder with his hand as he was getting off the train at the Pompano Beach Station. No police report.

**FT LAUDERDALE STATION**

**Trespass After Warning**

**Arrest**

Case # 01-10-1900

Occurred on 01/21/10, Thursday, at 1650 hours. The subject, who had been previously trespassed from the station, was found at the station again. Ft Lauderdale Police Department Case # 10-7522.

**FT LAUDERDALE AIRPORT STATION**

**Theft**

Case # 01-10-1705

Occurred on 01/19/10, Tuesday, at 2045 hours. The subject became disorderly with the construction crew and took a chain and lock from the west side gate. No police report.

**GOLDEN GLADES STATION**

**Robbery**

Case # 01-10-1675

Occurred on 01/19/10, Tuesday, at 1830 hours. Two suspects approached the victim on the station walkway overpass. The suspects put the victim in fear and took money and a Blackberry from the victim. Miami Dade Police Department Case # 10-119027687.

**HIALEAH MARKET STATION**

**Theft (Street light and pole)**

Case # 01-10-2313

Occurred between 01/24/10, Sunday, at 1800 hours and 01/25/10, Monday, at 0330 hours. Unknown person(s) took the Station Street light and pole from in front of the station kiosk. Miami Dade Police Department Case # 10-00126037907.

## OUTSTANDING JOB PERFORMANCES

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January 5, 2010, C.P.O. Thrasher, assisted an elderly man who was heavily medicated and confused. C.P.O. Thrasher escorted the passenger to the correct station and assisted the passenger to the platform. The passenger arrived home safely.

January 8, 2010, C.P.O. Ciaverelli assisted a passenger who had lost his wallet. C.P.O. Ciaverelli searched the P640, located the wallet, and returned to the owner.

January 9, 2010, C.P.O. Velez assisted a young male passenger who missed his stop. The young man's father who said he did not get off the train at the appropriate stop approached C.P.O. Velez. The subject was transported back to the correct station and reunited safely with his father.

January 16, 2010, C.P.O. Arias located a vending machine that was restocked and not secured. C.P.O. Arias locked the unsecured door to the vending machine to ensure the vending machine could not be easily opened and items removed.

January 22, 2010, C.P.O. MC Calop located a man lying on the tracks. C.P.O. Mc Calop removed the subject safely from the tracks and escorted the subject to the Metrorail Station.

January 28, 2010, C.P.O. Johnson located an abandoned vehicle at the Pompano Beach Station. The vehicle had expired tags and no current stickers. C.P.O. Johnson contacted the local authorities to investigate to see if the vehicle was reported stolen. The investigation concluded that the vehicle was not stolen.

January 28, 2010, C.P.O. Meggett located a suspicious vehicle at the West Palm Beach station that was found with the driver side window half way down.

# THE WACKENHUT CORPORATION

## Weekly/Monthly Fare Inspection Report

Month: January 2010

Week	Total Passengers	Total Inspected	Total Violations	Number of Citations	Discretion Warnings	F.S.S. 812.015	% Riders Inspected	% Riders Violation	% Violators Cited	% Violators Warned	% Violators Arrested
01/01/10-01/03/10	13,216	12,131	130	4	126	0	92%	1.07%	3%	97%	0%
01/04/10-01/10/10	66,344	75,146	543	15	528	0	113%	0.72%	3%	97%	0%
01/11/10-01/17/10	70,513	79,008	566	21	544	1	112%	0.72%	4%	96%	0%
01/18/10-01/24/10	69,500	83,017	637	19	618	0	119%	0.77%	3%	97%	0%
01/25/10-01/31/10	75,760	87,396	587	22	565	0	115%	0.67%	4%	96%	0%
<b>Totals</b>	295,333	336,698	2,463	81	2,381	1	114%	0.73%	3%	97%	0%

# THE WACKENHUT CORPORATION

## MONTHLY FARE EVASION REPORT

MONTH: January 2010

Date	Total Passengers	Total Inspected	Total Violations	Number of Citations	Discretion Warnings	F.S.S. 812.016	% Riders Inspected	% Riders Violation	% Violators Cited	% Violators Warned	% Violators Arrested
1/1/2010	3,330	4,057	49	2	47	0	122%	1.2%	4%	96%	0%
1/2/2010	5057	4110	40	0	40	0	81%	1.0%	0%	100%	0%
1/3/2010	4829	3964	41	2	39	0	82%	1.0%	5%	95%	0%
1/4/2010	10,585	11,908	89	4	85	0	112%	0.7%	4%	96%	0%
1/5/2010	11,960	14,149	100	3	97	0	118%	0.7%	3%	97%	0%
1/6/2010	12,191	13,676	100	2	98	0	112%	0.7%	2%	98%	0%
1/7/2010	11,847	13,700	93	2	91	0	116%	0.7%	2%	98%	0%
1/8/2010	12,137	14,750	102	2	100	0	122%	0.7%	2%	98%	0%
1/9/2010	3,881	3,316	25	0	25	0	85%	0.75%	0%	100%	0%
1/10/2010	3,743	3,647	34	2	32	0	97%	0.93%	6%	94%	0%
1/11/2010	11,669	14,333	97	3	94	0	123%	0.68%	3%	97%	0%
1/12/2010	12,554	15,126	94	7	87	0	120%	0.62%	7%	93%	0%
1/13/2010	11,508	13,064	105	2	103	0	114%	0.80%	2%	98%	0%
1/14/2010	12,497	13,888	110	3	106	1	111%	0.79%	3%	96%	0%
1/15/2010	12,464	15,196	122	3	119	0	122%	0.80%	2%	98%	0%
1/16/2010	5,333	3,585	10	0	10	0	67%	0.28%	0%	100%	0%
1/17/2010	4,488	3,816	28	3	25	0	85%	0.62%	11%	89%	0%
1/18/2010	9,112	11,214	107	3	104	0	123%	0.95%	3%	97%	0%
1/19/2010	12,518	16,081	107	1	106	0	128%	0.67%	1%	99%	0%
1/20/2010	12,447	14,337	108	2	106	0	115%	0.75%	2%	98%	0%
1/21/2010	12,736	14,499	107	3	104	0	114%	0.74%	3%	97%	0%
1/22/2010	12,898	15,925	105	5	100	0	123%	0.66%	5%	95%	0%
1/23/2010	4,937	5,665	46	0	46	0	115%	0.81%	0%	100%	0%
1/24/2010	4,852	5,296	57	5	52	0	109%	1.08%	9%	91%	0%
1/25/2010	13,364	15,677	97	4	93	0	117%	0.62%	4%	96%	0%
1/26/2010	12,842	16,065	113	6	107	0	125%	0.70%	5%	95%	0%
1/27/2010	12,474	15,360	103	1	102	0	123%	0.67%	1%	99%	0%
1/28/2010	12,824	14,381	108	5	103	0	112%	0.75%	5%	95%	0%
1/29/2010	13,436	16,305	106	3	103	0	121%	0.65%	3%	97%	0%
1/30/2010	5,863	4,683	25	0	25	0	80%	0.43%	0%	100%	0%
1/31/2010	4,957	4,925	35	3	32	0	99%	0.71%	9%	91%	0%
<b>Totals</b>	<b>295,333</b>	<b>336,698</b>	<b>2,463</b>	<b>81</b>	<b>2381</b>	<b>1</b>	<b>114%</b>	<b>0.73%</b>	<b>3%</b>	<b>97%</b>	<b>0%</b>



# FARE EVASION REPORT MONTHLY COMPARISON

MONTH	Total Passengers	Total Inspected	Total Violations	Number of Citations	Discretion Warnings	F.S.S. 8/12/015	% Riders Inspected	% Riders Violation	% Violators Cited	% Violators Warned	% Violators Arrested
April-98	284,380	170,853	541	495	27	19	60%	0.32%	91%	5%	4%
May-98	180,788	118,150	395	350	28	18	65%	0.33%	89%	7%	5%
June-98	167,931	119,333	605	538	39	28	71%	0.51%	89%	6%	5%
July-98	164,028	114,160	753	675	56	22	70%	0.66%	90%	7%	3%
August-98	175,944	126,223	643	598	29	16	72%	0.51%	93%	5%	2%
September-98	169,522	118,346	442	419	17	6	70%	0.37%	95%	4%	1%
October-98	194,241	137,885	636	613	13	10	71%	0.46%	96%	2%	2%
November-98	172,782	123,556	564	540	11	13	72%	0.46%	96%	2%	2%
December-98	177,662	129,428	533	517	6	10	73%	0.41%	97%	1%	2%
January-99	182,432	140,296	531	509	10	12	77%	0.38%	96%	2%	2%
February-99	184,533	137,924	531	518	8	5	75%	0.38%	98%	2%	1%
March-99	206,134	161,833	710	696	6	8	79%	0.44%	98%	1%	1%
April-99	195,182	146,649	565	555	9	1	75%	0.39%	98%	2%	0%
May-99	185,160	138,211	608	594	8	6	75%	0.44%	98%	1%	1%
June-99	165,130	126,263	533	511	21	1	76%	0.42%	96%	4%	0%
July-99	157,020	124,754	470	373	93	4	79%	0.38%	79%	20%	1%
August-99	183,578	140,002	475	447	23	5	76%	0.34%	94%	5%	1%
September-99	170,632	138,267	407	397	6	4	81%	0.29%	98%	1%	1%
October-99	181,774	155,633	508	484	20	4	86%	0.33%	95%	4%	1%
November-99	186,616	147,986	560	549	7	4	79%	0.38%	98%	1%	1%
December-99	182,591	145,524	563	547	11	5	80%	0.39%	97%	2%	1%
January-00	187,154	144,403	529	520	5	4	77%	0.37%	98%	1%	1%
February-00	198,944	158,269	582	573	5	4	80%	0.37%	98%	1%	1%
March-00	210,339	166,800	519	507	9	3	79%	0.31%	98%	2%	1%
April-00	193,414	170,365	509	500	5	4	88%	0.30%	98%	1%	1%
May-00	207,042	180,112	587	572	9	6	87%	0.33%	97%	2%	1%
June-00	173,063	141,554	680	670	7	3	82%	0.48%	99%	1%	0%
July-00	171,438	131,316	622	613	4	5	77%	0.47%	99%	1%	1%
August-00	204,722	153,674	512	497	9	6	75%	0.33%	97%	2%	1%
September-00	207,322	144,675	491	470	11	10	70%	0.34%	96%	2%	2%
*October-00	227,112	156,845	651	216	425	10	69%	0.42%	33%	65%	0%
November-00	219,669	157,151	670	221	437	12	72%	0.43%	33%	65%	2%
December-00	198,383	153,327	626	235	383	8	77%	0.41%	38%	61%	0%
<b>Totals</b>	<b>6,266,662</b>	<b>4,719,767</b>	<b>18,551</b>	<b>16,519</b>	<b>1757</b>	<b>276</b>	<b>75%</b>	<b>0.39%</b>	<b>89%</b>	<b>9%</b>	<b>1%</b>

Note: Hurricane George Warning on Wednesday, 9/23/98.  
 Per Tri-Rail ticket checks/citations were stopped at 1200 hrs on 9/23/98.  
 Holiday: 11/26/98, 12/25/98, 1/1/99 - No Train Service.  
 Note: Hurricane Floyd Warning on Tuesday 09/14/99 and Wednesday, 9/15/99.  
 \* October 2000 MODIFIED FARE EVASION BEGINS

Per Tri-Rail trains were canceled due to hurricane on 9/24/98 & 9/25/98.  
 Per Tri-Rail ticket checks/citations were started at P646 on 9/26/98.  
 January 22-24, 1999 - Friends Ride Free.  
 Holiday: 11/25/99, 12/25/99, 1/1/00 - No Train Service.



# FARE EVASION REPORT MONTHLY COMPARISON

MONTH	Total Passengers	Total Inspected	Total Violations	Number of Citations	Discretion Warnings	F.S.S. 812.016	% Riders Inspected	% Riders Violation	% Violators Cited	% Violators Warned	% Violators Arrested
January-01	217,992	158,234	595	201	387	7	73%	0.38%	34%	65%	1%
February-01	218,815	155,774	500	144	351	5	71%	0.32%	29%	70%	0%
March-01	236,192	187,706	546	130	412	4	79%	0.29%	24%	75%	0%
April-01	224,941	205,730	581	129	444	8	91%	0.28%	22%	76%	1%
May-01	227,874	213,360	620	135	485	0	94%	0.29%	22%	78%	0%
June-01	188,375	191,285	664	174	487	3	102%	0.35%	26%	73%	0%
July-01	187,923	193,992	690	219	469	2	103%	0.36%	32%	68%	0%
August-01	220,792	228,613	659	170	488	1	104%	0.29%	26%	74%	0%
September-01	197,084	199,546	557	157	398	2	101%	0.28%	28%	71%	0%
October-01	224,865	226,566	642	221	417	4	101%	0.28%	34%	65%	0%
November-01	196,902	190,162	640	240	400	0	97%	0.34%	38%	63%	0%
December-01	197,396	181,718	666	276	381	9	92%	0.37%	41%	57%	1%
January-02	215,010	199,904	627	208	417	2	93%	0.31%	33%	67%	0%
February-02	209,444	213,042	589	172	414	3	102%	0.28%	29%	70%	1%
March-02	227,971	224,647	650	270	377	3	99%	0.29%	42%	58%	0%
April-02	239,345	225,965	661	238	420	3	94%	0.29%	36%	64%	0%
May-02	231,330	217,200	643	195	445	3	94%	0.30%	30%	69%	0%
June-02	181,749	174,081	658	259	395	4	96%	0.38%	39%	60%	1%
July-02	195,723	195,531	865	38	817	10	100%	0.44%	4%	94%	1%
August-02	225,555	231,376	880	38	841	1	103%	0.38%	4%	96%	0%
September-02	216,671	227,528	883	37	843	3	105%	0.39%	4%	96%	0%
October-02	243,867	250,859	954	48	903	3	103%	0.38%	5%	95%	0%
November-02	221,892	219,181	955	49	903	3	99%	0.44%	5%	95%	0%
December-02	220,225	215,762	995	34	961	0	98%	0.46%	3%	97%	0%
January-03	238,953	239,334	963	28	933	2	100%	0.40%	3%	97%	0%
February-03	233,620	233,517	910	27	881	2	100%	0.39%	3%	97%	0%
March-03	247,918	247,702	801	44	756	1	100%	0.32%	5%	94%	0%
April-03	241,294	251,377	833	36	795	2	104%	0.33%	4%	95%	0%
May-03	239,967	248,639	769	53	714	2	104%	0.31%	7%	93%	0%
June-03	198,394	201,188	794	52	738	4	101%	0.39%	7%	93%	1%
July-03	203,815	211,409	881	46	828	7	104%	0.42%	5%	94%	1%
<b>Page 1 Total</b>	<b>6,266,662</b>	<b>4,719,767</b>	<b>18,551</b>	<b>16,519</b>	<b>1,757</b>	<b>276</b>	<b>75%</b>	<b>0.39%</b>	<b>96%</b>	<b>9%</b>	<b>1%</b>
<b>Totals</b>	<b>13,038,556</b>	<b>11,280,895</b>	<b>41,222</b>	<b>20,587</b>	<b>20257</b>	<b>379</b>	<b>87%</b>	<b>0.37%</b>	<b>50%</b>	<b>49%</b>	<b>1%</b>

\* October 2000 MODIFIED FARE EVASION BEGINS 09/11/01 TERRORIST ATTACK

JULY 1, 2002-NEW WARNING POLICY-ONE WARNING TO ALL-NEW ENFORCEMENT GUIDE

**FARE EVASION REPORT  
MONTHLY COMPARISON**



MONTH	Total Passengers	Total Inspected	Total Violations	Number of Citations	Discretion Warnings	F.S.S. 812.016	% Riders Inspected	% Riders Violation	% Violators Cited	% Violators Warned	% Violators Arrested
August-03	225,003	233,605	732	27	703	2	104%	0.31%	4%	96%	0%
September-03	231,637	247,620	779	43	736	0	107%	0.31%	6%	94%	0%
October-03	252,722	257,883	1035	64	970	1	102%	0.40%	6%	94%	0%
November-03	216,440	225,123	1014	63	950	1	104%	0.45%	6%	94%	0%
December-03	223,791	222,530	1089	71	1014	4	99%	0.49%	7%	93%	0%
January-04	237,635	233,086	1038	77	958	3	98%	0.45%	7%	92%	0%
February-04	242,576	222,543	1000	73	926	1	92%	0.45%	7%	93%	0%
March-04	261,974	227,616	1006	63	941	2	87%	0.44%	6%	94%	3%
April-04	254,585	229,216	740	37	702	1	90%	0.32%	5%	95%	0%
May-04	248,924	228,334	688	31	657	0	92%	0.30%	5%	95%	0%
June-04	220,646	195,551	1046	38	1007	1	89%	0.53%	4%	96%	0%
July-04	217,550	197,139	968	49	917	2	91%	0.49%	5%	95%	0%
August-04	244,841	215,845	1066	37	1029	0	88%	0.49%	3%	97%	0%
September-04	134,259	127,913	524	18	505	1	95%	0.41%	3%	96%	0%
October-04	250,254	216,532	906	33	871	2	87%	0.42%	4%	96%	0%
November-04	247,676	235,871	947	41	904	2	95%	0.40%	4%	95%	0%
December-04	232,664	231,754	931	58	873	0	100%	0.40%	6%	94%	0%
January-05	233,079	240,361	1244	91	1147	6	103%	0.52%	7%	92%	0%
February-05	234,939	242,323	1149	90	1055	4	103%	0.47%	8%	92%	0%
March-05	271,374	288,833	1230	89	1140	1	99%	0.46%	7%	93%	0%
April-05	261,406	260,144	1500	77	1420	3	100%	0.58%	5%	95%	0%
May-05	249,519	248,817	1421	116	1297	8	100%	0.57%	8%	91%	0%
June-05	200,482	194,500	1360	107	1237	16	97%	0.70%	8%	91%	1%
July-05	186,245	183,463	1295	103	1181	11	99%	0.71%	8%	91%	1%
August-05	207,320	206,156	1224	112	1108	4	99%	0.59%	9%	91%	0%
September-05	227,227	206,899	1213	93	1118	2	91%	0.59%	8%	92%	0%
October-05	161,615	143,769	963	63	898	2	89%	0.67%	7%	93%	0%
November-05	178,032	114,184	745	39	702	4	64%	0.65%	5%	94%	1%
December-05	207,734	172,526	1347	59	1284	4	83%	0.78%	4%	95%	0%
January-06	224,188	175,605	1555	95	1457	3	78%	0.89%	6%	94%	0%
February-06	217,412	173,825	1447	74	1368	5	80%	0.83%	5%	95%	0%
March-06	248,631	199,736	1800	93	1698	9	80%	0.90%	5%	94%	1%
April-06	257,607	192,193	1776	93	1680	3	75%	0.92%	5%	95%	0%
<b>Page 2 Total</b>	<b>13,038,556</b>	<b>11,280,895</b>	<b>41,222</b>	<b>20,587</b>	<b>20,257</b>	<b>379</b>	<b>87%</b>	<b>0.37%</b>	<b>50%</b>	<b>49%</b>	<b>1%</b>
<b>Totals</b>	<b>20,548,543</b>	<b>18,252,390</b>	<b>78,000</b>	<b>22,804</b>	<b>54,710</b>	<b>487</b>	<b>89%</b>	<b>0.43%</b>	<b>29%</b>	<b>70%</b>	<b>1%</b>

LIMITED OR NO TRAIN SERVICE DUE TO HURRICANE FRANCES-SEPTEMBER 2-12, 2004

LIMITED OR NO TRAIN SERVICE DUE TO HURRICANE JEANNE- SEPTEMBER 25-29, 2004

LIMITED OR NO TRAIN SERVICE DUE TO HURRICANE KATRINA -AUGUST 26-28, 2005

NO TRAIN SERVICE SEPTEMBER 20, 2005 HURRICANE RITA

NO TRAIN SERVICE OCTOBER 22-31, 2005 DUE TO HURRICANE WILMA

NO TRAIN SERVICE NOVEMBER 1-3, 2005 DUE TO HURRICANE WILMA

NO TICKET CHECKS NOVEMBER 4-11, 2005 DUE TO HURRICANE WILMA



## FARE EVASION REPORT MONTHLY COMPARISON

MONTH	Total Passengers	Total Inspected	Total Violations	Number of Citations	Discretion Warnings	F.S.S. 812.016	% Riders Inspected	% Riders Violation	% Violators Cited	% Violators Warned	% Violators Arrested
May-06	291,543	208,697	1966	93	1868	5	72%	0.94%	5%	95%	0%
June-06	263,417	188,847	1754	77	1675	2	72%	0.93%	4%	95%	0%
July-06	250,659	178,368	1828	86	1738	4	71%	1.02%	5%	95%	0%
August-06	269,197	197,985	1915	106	1802	7	74%	0.97%	6%	94%	0%
September-06	287,529	212,380	1842	109	1729	4	74%	0.87%	6%	94%	0%
October-06	309,013	232,544	2096	105	1986	5	75%	0.90%	5%	95%	0%
November-06	281,711	219,411	1894	97	1794	3	78%	0.86%	5%	95%	0%
December-06	271,530	220,247	2143	94	2045	4	81%	0.97%	4%	95%	0%
January-07	294,795	250,522	2201	92	2103	6	85%	0.88%	4%	96%	0%
February-07	287,357	247,655	2354	130	2220	4	86%	0.95%	6%	94%	0%
March-07	306,651	316,244	2473	129	2335	9	103%	0.78%	5%	94%	0%
April-07	274,767	316,493	2634	116	2509	9	115%	0.83%	4%	95%	0%
May-07	303,896	353,284	2874	128	2741	5	116%	0.81%	4%	95%	0%
June-07	268,097	308,831	2645	121	2519	5	115%	0.86%	5%	95%	0%
July-07	266,694	308,224	2613	117	2493	3	116%	0.85%	4%	95%	0%
August-07	295,771	331,353	2754	130	2614	10	112%	0.83%	5%	95%	0%
September-07	275,035	309,849	2385	109	2273	3	113%	0.77%	5%	95%	0%
October-07	326,094	360,151	2816	112	2698	7	110%	0.78%	4%	96%	0%
November-07	306,116	325,178	2588	133	2448	7	106%	0.80%	5%	95%	0%
December-07	294,709	308,632	2531	107	2419	5	105%	0.82%	4%	96%	0%
January-08	324,570	342,578	2655	102	2545	8	106%	0.78%	4%	96%	0%
February-08	331,830	336,290	2272	84	2179	9	101%	0.68%	4%	96%	0%
March-08	348,437	357,954	2571	77	2478	16	103%	0.72%	3%	96%	1%
April-08	352,304	374,861	2614	118	2482	14	106%	0.70%	5%	95%	1%
May-08	371,527	385,360	2893	161	2723	9	104%	0.75%	6%	94%	0%
June-08	367,215	384,174	2915	166	2743	6	105%	0.76%	6%	94%	0%
July-08	378,471	387,641	2687	123	2558	6	102%	0.69%	5%	95%	0%
August-08	353,045	367,779	2335	101	2229	5	104%	0.64%	4%	95%	0%
September-08	383,320	430,263	2452	104	2339	9	112%	0.57%	4%	95%	0%
October-08	399,891	446,825	2628	112	2507	9	112%	0.59%	4%	95%	0%
November-08	346,597	361,181	2133	90	2041	2	104%	0.59%	4%	96%	0%
December-08	344,245	363,553	2626	132	2491	3	106%	0.72%	5%	95%	0%
Page 3 Total	20,548,543	18,252,390	78,000	22,804	54,710	487	89%	0.43%	29%	70%	1%
Totals	30,574,576	28,185,744	155,087	26,365	128,034	690	92%	0.55%	17%	83%	0%

08/29/06-08/30/06 No train service due to Tropical Storm Ernesto

3/9/2007 TICKET CHECKS SUSPENDED BY SFRTA FOR THE ENTIRE DAY-MAJOR TRAIN DELAY/TRACK WORK

3/15/2007 SFRTA SUSPENDED TICKET CHECKS DUE TO PASSENGER SURVEY

03/28/07-03/30/07 P605, P609, P630 (3 TRAINS ANNULLED)

03/28/07 -P614-P619 (6 TRAINS)REDUCED TICKET CHECK DUE TO TRAIN BEING IN EXCESS OF 45 MINUTES LATE

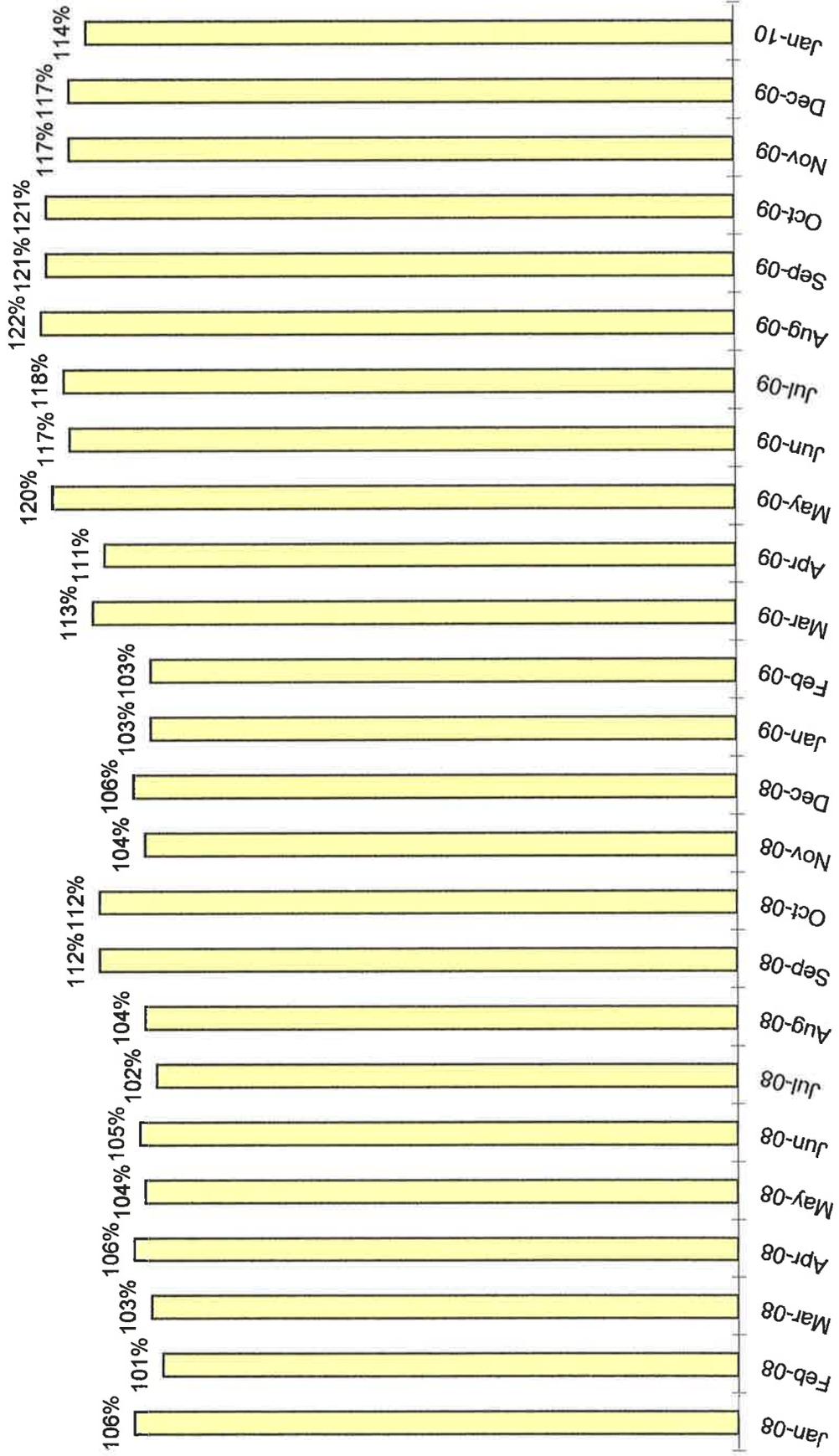
**08/18/08 AND 08/19/08 TICKET CHECKS SUSPENDED DUE TO TROPICAL STORM KAY**



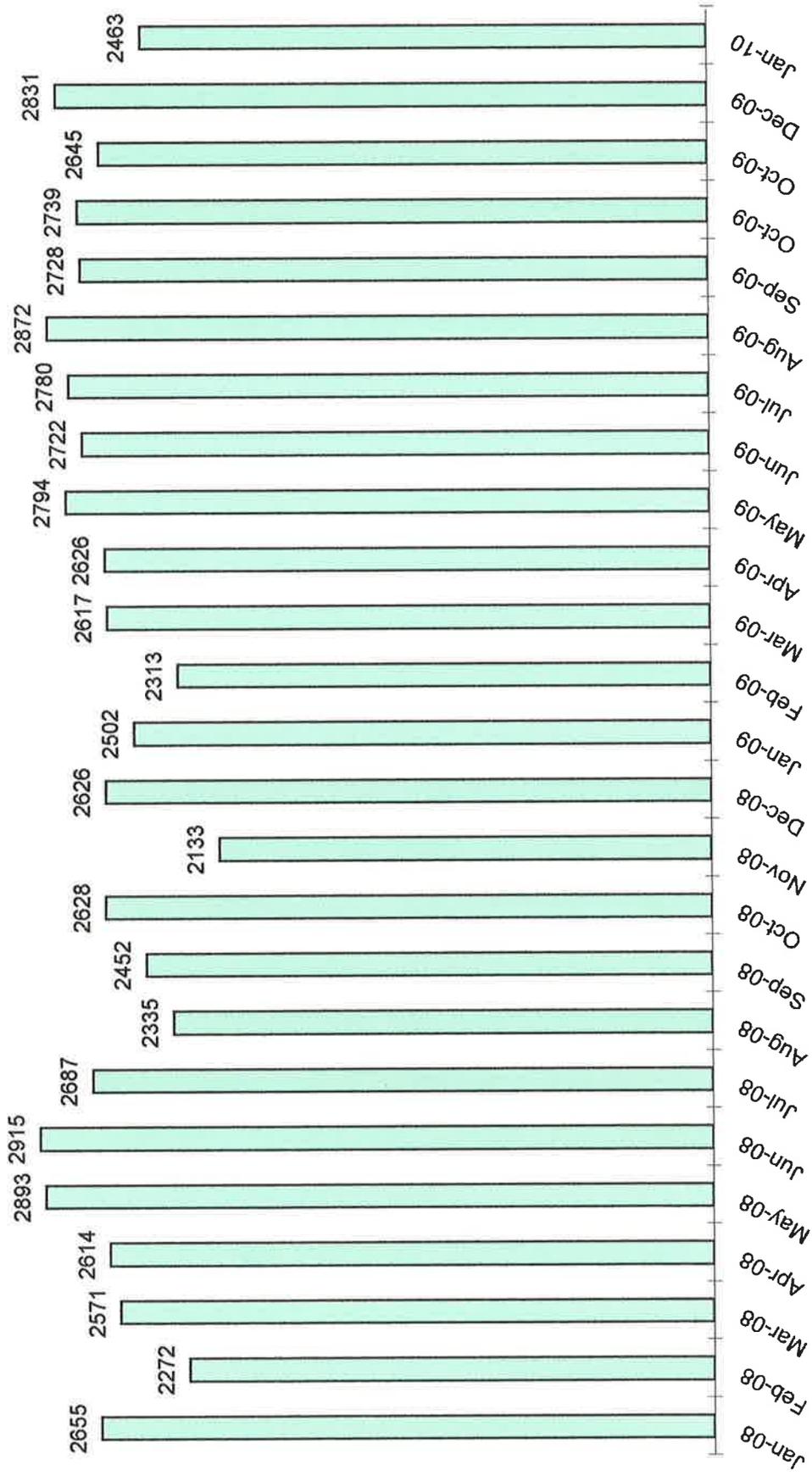
# FARE EVASION REPORT MONTHLY COMPARISON

MONTH	Total Passengers	Total Inspected	Total Violations	Number of Citations	Discretion Warnings	F.S.S. 812.015	% Riders Inspected	% Riders Violation	% Violators Cited	% Violators Warned	% Violators Arrested
January-09	350,903	361,145	2,502	121	2377	4	103%	0.69%	5%	95%	0%
February-09	333,804	366,692	2313	121	2185	7	110%	0.63%	5%	94%	6%
March-09	370,606	418,383	2617	108	2500	9	113%	0.63%	4%	96%	0%
April-09	346,865	383,624	2626	111	2513	2	111%	0.68%	4%	96%	0%
May-09	320,894	383,817	2794	129	2658	7	120%	0.73%	5%	95%	0%
June-09	292,806	342,385	2722	112	2601	9	117%	0.80%	4%	96%	0%
July-09	278,565	329,393	2780	126	2646	8	118%	0.84%	5%	95%	0%
August-09	282,760	345,823	2872	151	2716	5	122%	0.83%	5%	95%	0%
September-09	299,754	363,056	2728	137	2586	5	121%	0.75%	5%	95%	0%
October-09	318,259	386,124	2739	149	2581	9	121%	0.71%	5%	94%	0%
November-09	295,581	347,253	2645	157	2480	8	117%	0.76%	6%	94%	0%
December-09	298,378	347,863	2831	109	2716	6	117%	0.81%	4%	96%	0%
January-10	295,333	336,698	2463	81	2381	1	114%	0.73%	3%	97%	0%
page 4-total	30,574,576	28,185,744	155,087	26,365	128,034	690	92%	0.55%	17%	83%	0%
<b>Totals</b>	<b>34,659,084</b>	<b>32,898,000</b>	<b>189,719</b>	<b>27,977</b>	<b>160,974</b>	<b>770</b>	<b>95%</b>	<b>0.58%</b>	<b>15%</b>	<b>85%</b>	<b>0%</b>

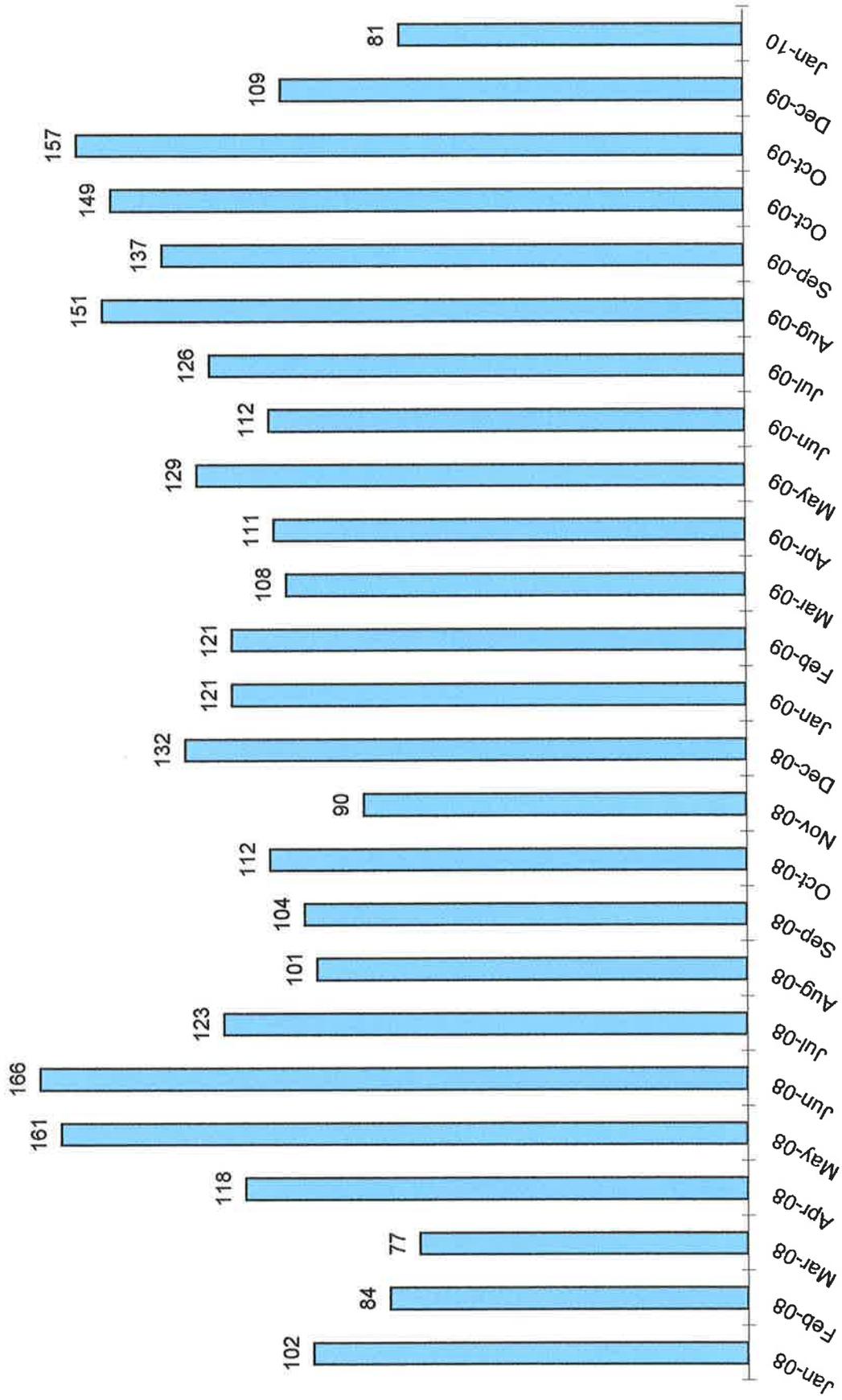
**PERCENTAGE OF RIDERS INSPECTED**



# FARE EVASION VIOLATIONS



CITATIONS ISSUED



**MONTHLY BREAKDOWN OF CITATIONS**

Month	12 Trip Validation	Ineligible Discount	No Ticket	Zone Override	No Transfer	Out Dated Ticket	EDP Ticket W/O Tri-Rail ID	Total
Apr-98	14	259	215	3	0	4	0	495
May-98	12	116	174	11	37	0	0	350
Jun-98	14	186	259	9	62	8	0	538
Jul-98	13	241	316	25	68	12	0	675
Aug-98	9	183	293	22	78	13	0	598
Sep-98	4	137	211	10	44	13	0	419
Oct-98	13	239	270	12	65	14	0	613
Nov-98	4	216	253	8	45	14	0	540
Dec-98	4	198	257	7	32	19	0	517
Jan-99	7	197	212	22	60	11	0	509
Feb-99	6	213	208	8	69	14	0	518
Mar-99	5	335	273	10	55	18	0	696
Apr-99	3	217	280	16	23	16	0	555
May-99	6	297	245	17	18	11	0	594
Jun-99	7	185	257	25	28	9	0	511
Jul-99	8	133	201	15	10	6	0	373
Aug-99	7	132	245	21	23	19	0	447
Sep-99	5	136	202	21	23	10	0	397
Oct-99	6	153	251	25	39	10	0	484
Nov-99	7	131	324	16	56	15	0	549
Dec-99	5	125	308	23	60	26	0	547
Jan-00	9	87	298	16	85	25	0	520
Feb-00	5	124	298	28	85	33	0	573
Mar-00	6	95	301	18	71	16	0	507
Apr-00	5	81	293	36	62	23	0	500
May-00	11	116	324	84	12	25	0	572
Jun-00	6	184	352	23	87	18	0	670
Jul-00	15	177	314	17	85	5	0	613
Aug-00	6	117	283	21	66	4	0	497
Sep-00	15	132	251	16	51	5	0	470
(A)OCT-00	0	3	201	8	4	0	0	216
Nov-00	1	2	194	19	2	2	1	221
Dec-00	0	6	217	6	2	3	1	235
Jan-01	0	3	172	18	3	5	0	201
Feb-01	1	4	129	8	2	0	0	144
Mar-01	2	2	118	7	0	1	0	130
Apr-01	3	2	105	11	6	1	1	129
May-01	2	1	126	3	1	2	0	135
Jun-01	0	4	157	10	0	2	1	174
Jul-01	1	5	196	10	2	5	0	219
Aug-01	1	3	160	1	0	5	0	170
Sep-01	3	0	152	0	0	2	0	157
Oct-01	3	2	195	16	1	4	0	221
Nov-01	3	2	184	37	4	10	0	240
Dec-01	1	5	228	23	3	16	0	276
<b>Total</b>	<b>258</b>	<b>5,186</b>	<b>10,502</b>	<b>762</b>	<b>1,529</b>	<b>474</b>	<b>4</b>	<b>18,715</b>

\*Hurricane Georges: No Train Services 9/24/98, 9/25/98, & 9/26/98 (1/2 day).  
 NO CITATIONS ISSUED ON 11/5/98 DUE TO TROPICAL STORM MI'

\*Hurricane Floyd: No Train Services 9/14/99 & 9/15/99.

(A)MODIFIED FARE EVASION BEGINS

**MONTHLY BREAKDOWN OF CITATIONS**

Month	12 Trip Validation	Ineligible Discount	No Ticket	Zone Override	No Transfer	Out Dated Ticket	EDP Ticket W/O Tri-Rail ID	Total
Jan-02	2	2	163	32	5	4	0	208
Feb-02	2	7	140	20	2	1	0	172
Mar-02	3	5	238	17	5	2	0	270
Apr-02	2	3	200	23	3	7	0	238
May-02	2	6	154	29	0	4	0	195
Jun-02	6	3	212	26	5	7	0	259
(B) JUL-02	0	5	24	2	5	2	0	38
Aug-02	1	3	27	3	2	2	0	38
Sep-02	1	4	29	2	1	0	0	37
Oct-02	4	11	27	2	2	2	0	48
Nov-02	4	8	28	4	4	1	0	49
Dec-02	2	3	23	3	3	0	0	34
Jan-03	0	4	20	4	0	0	0	28
Feb-03	2	7	13	4	1	0	0	27
Mar-03	1	6	31	4	1	1	0	44
Apr-03	0	5	26	1	3	1	0	36
May-03	0	5	43	3	2	0	0	53
Jun-03	2	2	40	7	1	0	0	52
Jul-03	1	6	30	3	3	0	3	46
Aug-03	1	5	12	3	3	2	1	27
Sep-03	1	3	29	6	2	2	0	43
Oct-03	3	10	37	6	5	3	0	64
Nov-03	0	20	30	7	6	0	0	63
DEC-03	2	16	42	3	6	2	0	71
Jan-04	2	27	31	4	9	4	0	77
Feb-04	3	14	42	3	10	1	0	73
Mar-04	1	14	30	2	15	1	0	63
Apr-04	0	5	21	6	4	1	0	37
May-04	0	3	19	7	2	0	0	31
Jun-04	1	7	23	4	1	2	0	38
Jul-04	1	13	29	1	4	1	0	49
Aug-04	1	7	19	3	3	3	1	37
(C) SEPT-04	3	2	8	2	1	2	0	18
Oct-04	2	6	13	6	4	1	1	33
NOV-04	5	3	27	2	2	2	0	41
Dec-04	3	5	41	3	4	2	0	58
Jan-05	8	9	59	5	9	1	0	91
<b>Total</b>	<b>330</b>	<b>5,450</b>	<b>12,482</b>	<b>1,024</b>	<b>1,667</b>	<b>538</b>	<b>10</b>	<b>21,501</b>

(A) MODIFIED FARE EVASION BEGINS

(B) NEW WARNING POLICY-ONE WARNING TO ALL-NEW ENFORCEMENT GUIDE

(C) LIMITED OR NO TRAIN SERVICE DUE TO HURRICANE FRANCES-SEPTEMBER 2-12, 2004

LIMITED OR NO TRAIN SERVICE DUE TO HURRICANE JEANNE- SEPTEMBER 25-29,2004

**MONTHLY BREAKDOWN OF CITATIONS**

Month	12 Trip Validation	Ineligible Discount	No Ticket	Zone Override	No Transfer	Out Dated Ticket	EDP Ticket W/O ID	Total
Feb-05	10	9	55	5	9	2	0	90
Mar-05	3	8	57	5	12	4	0	89
Apr-05	8	11	47	5	5	1	0	77
May-05	6	28	71	4	6	1	0	116
Jun-05	6	14	70	6	7	3	1	107
Jul-05	9	15	52	9	13	4	1	103
(D) AUG-05	4	14	63	12	16	3	0	112
(E) SEP-05	7	19	48	10	7	2	0	93
(F) OCT-05	3	7	42	3	6	2	0	63
(G)NOV-05	1	6	24	6	2	0	0	39
Dec-05	4	8	35	2	8	2	0	59
Jan-06	2	19	52	9	11	1	1	95
Feb-06	4	20	40	3	6	1	0	74
Mar-06	3	16	56	10	5	2	1	93
Apr-06	4	18	50	8	10	2	1	93
May-06	3	19	55	5	6	1	4	93
Jun-06	6	14	48	2	4	0	3	77
Jul-06	0	20	48	8	6	0	4	86
(H) AUG -06	6	18	72	2	6	1	1	106
Sep-06	11	25	62	5	4	2	0	109
Oct-06	11	20	62	3	5	2	2	105
Nov-06	3	26	47	3	9	7	2	97
Dec-06	5	26	49	7	1	6	0	94
JAN-07	11	20	50	2	9	0	0	92
Feb-07	8	30	67	4	15	0	6	130
(I)MAR-2007	8	34	66	9	9	3	0	129
Apr-07	11	22	57	9	15	2	0	116
May-07	8	32	65	7	13	2	1	128
Jun-07	8	27	61	5	10	4	6	121
Jul-07	10	21	56	10	12	4	4	117
Aug-07	8	25	73	9	14	0	1	130
Sep-07	6	14	63	12	10	3	1	109
Oct-07	5	22	66	3	9	5	2	112
Nov-07	10	20	75	8	11	8	1	133
Dec-07	6	24	57	9	7	3	1	107
Jan-08	8	19	46	12	12	3	2	102
Feb-08	9	17	46	6	5	1	0	84
<b>TOTAL</b>	<b>565</b>	<b>6,157</b>	<b>14,535</b>	<b>1,261</b>	<b>1,982</b>	<b>625</b>	<b>56</b>	<b>25,181</b>

(D) LIMITED OR NO TRAIN SERVICE DUE TO HURRICANE KATRINA AUGUST 25-28, 2005

(E) NO TRAIN SERVICE DUE TO HURRICANE RITA 09/20/05

(F) NO TRAIN SERVICE DUE TO HURRICANE WILMA 10/22/05-10/31/05

(G) NO TRAIN SERVICE DUE TO HURRICANE WILMA 11/01/05-11/03/05

(G) NO TICKET CHECKS DUE TO HURRICANE WILMA 11/04/05-11/11/05

**MONTHLY BREAKDOWN OF CITATIONS**

Month	12 Trip Validation	Ineligible Discount	No Ticket	Zone Override	No Transfer	Out Dated Ticket	EDP Ticket W/O ID	Total
Mar-08	6	16	45	1	3	2	4	77
Apr-08	8	29	53	6	11	6	5	118
May-08	7	42	97	5	5	3	2	161
Jun-08	12	34	93	8	8	6	5	166
Jul-08	4	27	71	8	10	2	1	123
(H) AUG-08	3	14	71	3	3	6	1	101
Sep-08	3	17	68	4	4	7	1	104
Oct-08	5	24	74	4	3	1	1	112
Nov-08	1	17	61	2	1	8	0	90
Dec-08	2	25	77	2	14	10	2	132
Jan-09	6	22	64	14	6	7	2	121
Feb-09	4	36	65	5	6	3	2	121
Mar-09	10	26	51	11	10	0	0	108
Apr-09	8	20	62	9	9	2	1	111
May-09	9	23	76	10	7	3	1	129
Jun-09	6	21	74	6	4	1	0	112
Jul-09	4	26	77	9	4	5	1	126
Aug-09	4	25	107	9	1	4	1	151
Sep-09	3	16	93	12	10	3	0	137
Oct-09	6	32	97	4	6	4	0	149
Nov-09	6	31	99	6	11	4	0	157
Dec-09	2	22	63	11	3	8	0	109
Jan-10	2	9	57	5	5	3	0	81
<b>TOTAL</b>	<b>686</b>	<b>6,711</b>	<b>16,230</b>	<b>1,415</b>	<b>2,126</b>	<b>723</b>	<b>86</b>	<b>27,977</b>

(H)08/18/08 AND 08/19/08 TICKET CHECKS SUSPENDED DUE TO TROPICAL STORM FAY

## MONTHLY BREAKDOWN OF WARNINGS

Date	12 Trip Validation	Ineligible Discount	No Ticket	Zone Override	No Transfer	Out Dated Ticket	EDP Ticket W/O Tri-Rail ID	Total
Oct-00	27	214	8	1	171	0	4	425
Nov-00	33	220	5	1	173	1	4	437
Dec-00	31	191	8	0	150	0	3	383
Jan-01	40	205	6	1	132	2	1	387
Feb-01	27	164	13	1	143	0	3	351
Mar-01	51	196	15	1	140	0	9	412
Apr-01	42	207	1	1	171	0	22	444
May-01	40	272	4	0	153	0	16	485
Jun-01	57	211	5	2	207	0	5	487
Jul-01	92	173	6	0	186	0	12	469
Aug-01	97	175	3	0	189	0	24	488
Sep-01	86	148	2	4	131	0	27	398
Oct-01	51	189	0	0	168	0	9	417
Nov-01	37	167	4	0	181	0	11	400
Dec-01	40	186	0	0	152	0	3	381
Jan-02	49	218	2	0	144	0	4	417
Feb-02	35	218	7	0	152	0	2	414
Mar-02	28	217	4	0	126	0	2	377
Apr-02	23	231	2	1	163	0	0	420
May-02	29	263	0	1	148	0	4	445
Jun-02	29	215	2	1	143	1	4	395
<b>(A) JUL-02</b>	18	206	392	43	134	18	6	817
Aug-02	33	234	398	43	104	28	1	841
Sep-02	30	204	391	44	148	24	2	843
Oct-02	28	280	376	43	155	20	1	903
Nov-02	35	287	424	40	93	19	5	903
Dec-02	16	282	494	40	117	11	1	961
Jan-03	22	289	470	45	93	13	1	933
Feb-03	14	310	401	52	84	20	0	881
Mar-03	10	252	384	31	68	8	3	756
Apr-03	5	224	407	25	124	9	1	795
May-03	5	214	382	25	79	9	0	714
Jun-03	6	223	386	31	73	14	5	738
Jul-03	4	212	436	25	112	17	22	828
Aug-03	6	161	370	23	113	21	9	703
Sep-03	10	167	382	21	143	7	6	736
Oct-03	11	282	478	33	141	24	1	970
Nov-03	9	329	422	25	149	16	0	950
DEC-03	8	327	473	22	170	14	0	1014
Jan-04	12	304	455	23	152	11	1	958
Feb-04	5	275	455	22	144	24	1	926
Mar-04	9	272	478	24	132	26	0	941
Apr-04	9	114	442	24	91	21	1	702
May-04	6	134	389	24	89	15	0	657
Jun-04	5	232	558	29	156	22	5	1007
Jul-04	3	213	520	28	128	24	1	917
<b>SUBTOTAL</b>	<b>1,263</b>	<b>10,307</b>	<b>10,860</b>	<b>800</b>	<b>6,315</b>	<b>439</b>	<b>242</b>	<b>30,226</b>

**(A) NEW WARNING POLICY-ONE WARNING TO ALL-NEW ENFORCEMENT GUIDE**

**(A) NEW WARNING POLICY-ONE WARNING TO ALL-NEW ENFORCEMENT GUIDE**

## MONTHLY BREAKDOWN OF WARNINGS

Date	12 Trip Validation	Ineligible Discount	No Ticket	Zone Override	No Transfer	Out Dated Ticket	EDP Ticket W/O Tri-Rail ID	Total
Aug-04	20	250	557	37	143	13	9	1029
(B) SEPT -04	34	102	285	16	51	11	6	505
Oct-04	36	190	476	26	118	11	14	871
Nov-04	66	145	535	29	112	9	8	904
Dec-04	45	125	526	22	125	24	6	873
Jan-05	75	210	639	25	165	24	9	1147
Feb-05	61	168	608	29	154	34	1	1055
Mar-05	36	220	681	32	150	20	1	1140
Apr-05	53	289	763	47	234	29	5	1420
May-05	48	297	681	51	199	17	4	1297
Jun-05	65	223	727	47	147	22	6	1237
Jul-05	41	250	651	44	155	36	4	1181
(C) AUG-05	38	237	584	49	165	32	3	1108
(D) SEPT-05	28	236	645	44	143	16	6	1118
(E) OCT-05	32	208	502	27	112	12	5	898
(F) NOV-05	26	128	442	27	72	6	1	702
Dec-05	28	315	731	48	129	24	9	1284
Jan-06	29	378	773	37	192	34	14	1457
Feb-06	37	340	756	54	142	21	18	1368
Mar-06	54	338	1042	49	182	24	9	1698
Apr-06	65	451	888	57	175	28	16	1680
May-06	61	486	981	53	240	25	22	1868
Jun-06	36	471	903	21	208	23	13	1675
Jul-06	57	476	988	23	150	29	15	1738
(G) Aug-06	65	508	969	28	198	26	8	1802
Sep-06	63	468	909	31	214	36	8	1729
Oct-06	76	524	1079	36	220	40	11	1986
Nov-06	56	461	969	21	235	41	11	1794
Dec-06	62	612	1048	37	235	36	15	2045
Jan-07	80	637	1009	52	284	21	20	2103
Feb-07	94	632	1055	52	316	37	34	2220
(H) MAR-07	105	681	1080	60	350	45	14	2335
Apr-07	106	749	1164	75	351	42	22	2509
May-07	107	849	1218	73	421	53	20	2741
Jun-07	128	840	1043	48	388	40	32	2519
Jul-07	93	808	1040	74	399	51	28	2493
Aug-07	73	819	1240	79	364	23	16	2614
Sep-07	85	708	1062	53	318	35	12	2273
Oct-07	97	776	1295	83	372	58	16	2697
Nov-07	95	690	1215	109	264	57	18	2448
Dec-07	91	694	1226	71	261	55	21	2419
<b>SUBTOTAL</b>	<b>3,810</b>	<b>28,296</b>	<b>45,845</b>	<b>2,676</b>	<b>15,168</b>	<b>1,659</b>	<b>752</b>	<b>98,206</b>

(B)- LIMITED/NO TRAIN SERVICE -HURRICANE FRANCES-9/ 2-12/04  
 (C) LIMITED OR NO TRAIN SERVICE-HURRICANE KATRINA 8/25-28/05  
 (E) NO TRAIN SERVICE -HURRICANE WILMA 10/22/05-10/31/05  
 (G) NO TRAIN SERVICE -TROPICAL STORM ERNESTO 08/28-08/29/06

LIMITED/NO TRAIN SERVICE-HURRICANE JEANNE-9/25-29/04  
 (D) NO TRAIN SERVICE DUE TO HURRICANE RITA 09/20/05  
 (F) NO TICKET CHECKS-HURRICANE WILMA 11/01/05-11/11/05

(H)3/9/2007 TICKET CHECKS SUSPENDED BY SFRTA -TRACK WORK

03/15/07 SFRTA PASSENGER SURVEY

(H)03/28/07-03/30/07 P605, P609, P630 (3 TRAINS ANNULLED)

(H)03/28/07-P614-P619 (6 TRAINS)REDUCED TICKET CHECK-TRAINS 45 MINUTES LATE OR MORE

## MONTHLY BREAKDOWN OF WARNINGS

Date	12 Trip Validation	Ineligible Discount	No Ticket	Zone Override	No Transfer	Out Dated Ticket	EDP Ticket W/O Tri-Rail ID	Total
Jan-08	105	846	1229	69	233	44	19	2545
Feb-08	83	641	1106	82	209	42	16	2179
Mar-08	98	772	1273	62	211	43	19	2478
Apr-08	103	823	1230	68	208	35	15	2482
May-08	96	908	1400	54	192	54	19	2723
Jun-08	116	1025	1270	42	192	62	36	2743
Jul-08	103	799	1285	49	240	56	26	2558
(H) AUG-08	62	616	1192	55	219	63	22	2229
Sep-08	84	518	1360	66	242	53	16	2339
Oct-08	61	579	1422	101	241	82	21	2507
Nov-08	50	460	1210	71	186	57	7	2041
Dec-08	71	618	1376	100	228	88	10	2491
Jan-09	79	538	1332	119	249	39	21	2377
Feb-09	76	534	1194	99	208	60	14	2185
Mar-09	54	633	1392	120	230	57	14	2500
Apr-09	72	655	1334	128	239	66	19	2513
May-09	99	684	1420	117	266	53	19	2658
Jun-09	80	583	1460	131	256	65	26	2601
Jul-09	58	563	1608	133	218	48	18	2646
Aug-09	67	544	1604	146	269	66	20	2716
Sep-09	62	536	1512	141	259	61	15	2586
Oct-09	61	560	1499	126	262	60	13	2581
Nov-09	63	532	1462	136	206	67	14	2480
Dec-09	62	592	1634	132	239	43	14	2716
Jan-10	42	459	1505	119	203	44	9	2381
<b>SUBTOTAL</b>	<b>5,717</b>	<b>44,314</b>	<b>80,154</b>	<b>5,142</b>	<b>20,873</b>	<b>3,067</b>	<b>1,194</b>	<b>160,461</b>

(H)08/18/08 AND 08/19/08 TICKET CHECKS SUSPENDED DUE TO TROPICAL STORM FAY

**CLASSIFICATIONS BREAKDOWN**  
**JANUARY 2010**

<b>CLASSIFICATION</b>	
ABANDONED VEHICLE	1
ALARMS	2
ALARMS-TVM	
ALCOHOLIC BEVERAGE	2
ARSON	
ASSAULT AGGRAVATED TRANSIT AGENT / CPO	
ASSAULT-AGGRAVATED	
ASSAULT TRANSIT AGENT / CPO	
ASSAULT	
ASSIST PASSENGER	3
ASSIST OTHER AGENCY	1
AUTO THEFT	
AUTO THEFT - ATTEMPT	
AUTO THEFT - RECOVERY	
BATTERY - AGGRAVATED TRANSIT AGENT / CPO	
BATTERY - AGGRAVATED	
BATTERY TRANSIT AGENT / CPO	
BATTERY	1
BICYCLE VIOLATIONS	
BIOLOGICAL RELEASE	
BOMBING	
BOMB THREAT	
BRUSH FIRE	
BURGLARY	
BURGLARY-AUTO	
BURGLARY-ATTEMPT AUTO	
CHEMICAL RELEASE	
CIVIL DISTURBANCE	
COUNTERFEIT/ALTERED TICKET	
CREDIT CARD FRAUD	
CRIMINAL MISCHIEF	6
CROSSING W/ GATE DOWN	
CYBER INCIDENT	
DAMAGED PROPERTY	2
DEBRIS ON TRACK	1
DISORDERLY CONDUCT	5
DISTURBANCE	2
DOMESTIC VIOLENCE	
DRUG OFFENSE	
EMS BOARD MALFUNCTION	
ELEVATOR MALFUNCTION	16
ELEVATOR PHONE MALFUNCTION	1
ESCALATOR MALFUNCTION	2
FALSE IDENTIFICATION	

## CLASSIFICATIONS BREAKDOWN JANUARY 2010

CLASSIFICATION			
FARE EVASION			2463
	CITATION	WARNED	ARREST
12 TRIP	2	42	0
INELIGIBLE DISCOUNT	9	459	0
NO TICKET	57	1505	1
ZONE OVERRIDE	5	119	0
NO TRANSFER SLIP	5	203	0
OUTDATED TICKET	3	44	0
EDP TICKET	0	9	0
TOTAL	81	2381	1
FIRE			2
GRADE CROSSING PROBLEM			1
HIJACKING			
ILLNESS			6
INJURY			1
INJURY-CPO			
INTERFERING W/ TRAIN			
INTOXICATED PERSON			
INVESTIGATION			
KIOSK PROBLEM			
LOST/FOUND PROPERTY			98
LOUD MUSIC			
LUGGAGE			
MISCELLANEOUS/INFORMATION			38
MISSING PERSON			
MISSING PERSON-LOCATED			
MOTOR VEHICLE ACCIDENT			1
NUCLEAR RELEASE			
PARKING PROBLEM			3
PARKING LOT ACCIDENTS			
PARKING LOT VIOLATIONS			
PAYPHONE MALFUNCTION			
PULLED EMERGENCY STOP			
RECOVERED STOLEN PROPERTY			
RIDING ON OUTSIDE OF TRAIN			
ROBBERY			1
ROBBERY ARMED			
SABOTAGE			
SAFETY HAZARD			21
SEXUAL BATTERY			
SEX OFFENSE (OTHER)			
SIGN PROBLEM			
SLIP AND FALL			5
SMOKING ON TRAIN			
SOLICITATION			
SURFBOARDS ON TRAIN			

## CLASSIFICATIONS BREAKDOWN JANUARY 2010

CLASSIFICATION	
STUDENT INCIDENT	2
ACS HIGH SCHOOL	
BAK MIDDLE SCHOOL	
DREYFOOS HIGH SCHOOL	
G STAR	1
LAKE WORTH	
ROOSEVELT MIDDLE SCHOOL	
ROOSEVELT FULL SERVICE	
OAK GROVE	
OTHER	1
SUSPICIOUS INCIDENT	3
SUSPICIOUS PERSON	4
SUSPICIOUS VEHICLE	5
TELEPHONIC THREAT	
THEFT	2
THEFT-ATTEMPTED	
THROWING OBJECT AT TRAIN	
TRAIN VS ANIMAL	
TRAIN VS BICYCLE	
TRAIN VS PEDESTRIAN	
TRAIN VS FIXED OBJECT	
TRAIN VS VEHICLE	1
TRESPASS	15
TVM GATE MALFUNCTION	3
TVM MALFUNCTION	120
UNAUTHORIZED ANIMAL	
VALIDATOR MALFUNCTION	27
WEAPON-COMPLAINT	
WEAPON-CONCEALED	
SPECIAL ASSIGNMENT: MONITOR CHECKS	
<b>TOTAL</b>	<b>2867</b>

**SIX MONTH CRIME ANALYSIS  
2009-2010**

CLASSIFICATION	AUG	SEP	OCT	NOV	DEC	JAN
ABANDONED VEHICLE						1
ALARMS	4		1		1	2
ALARMS-TVM						
ALCOHOLIC BEVERAGE/TRAIN	2			1		2
ARSON						
ASSAULT-AGGRAVATED TRANSIT AGENT / CPO					1	
ASSAULT-AGGRAVATED			1			
ASSAULT TRANSIT AGENT / CPO						
ASSAULT						
ASSIST PASSENGER	5	2	1	1	1	3
ASSIST OTHER AGENCY			4	2	1	1
AUTO THEFT			2	1		
AUTO THEFT - ATTEMPT			1		1	
AUTO THEFT - RECOVERY		1				
BATTERY - AGGRAVATED TRANSIT AGENT/ CPO						
BATTERY - AGGRAVATED						
BATTERY - TRANSIT AGENT / CPO	1	2	1	1		
BATTERY						1
BICYCLE VIOLATIONS						
BIOLOGICAL RELEASE						
BOMBING						
BOMB THREAT						
BRUSH FIRE						
BURGLARY						
BURGLARY-STRUCTURE						
BURGLARY-AUTO	1		7	1	1	
BURGLARY-ATTEMPT AUTO						
CHEMICAL RELEASE						
CIVIL DISTURBANCE						
COUNTERFEIT/ALTERED TICKET						
CREDIT CARD FRAUD						
CRIMINAL MISCHIEF	9	6	8	6	9	6
CROSSING W/ GATE DOWN						
CYBER INCIDENT						
DAMAGED PROPERTY	2	3	2		1	2
DEBRIS ON TRACK	1					1
DISORDERLY CONDUCT	8	5	5	1	5	5
DISTURBANCE	1	2	2		1	2
DRUG OFFENSE				1		
DOMESTIC VIOLENCE						
EMS BOARD MALFUNCTION	1		1	1	2	
ELEVATOR MALFUNCTION	20	18	16	12	12	16
ESCALATOR MALFUNCTION	1	3	2		3	2
ELEVATOR PHONE MALFUNCTION	2			1		1
FARE EVASION- CITATIONS	151	137	149	157	109	81
FARE EVASION-WARNINGS	2716	2586	2581	2480	2716	2381
FARE EVASION-ARREST	5	5	9	8	6	1
FALSE IDENTIFICATION				1		
FIRE		1			1	2
GRADE CROSSING PROBLEM	3	2			2	1
HIJACKING						
ILLNESS	8	7	5	4	6	6
<b>SUB-TOTAL</b>	<b>2941</b>	<b>2780</b>	<b>2798</b>	<b>2679</b>	<b>2879</b>	<b>2517</b>

**SIX MONTH CRIME ANALYSIS  
2009-2010**

CLASSIFICATION	AUG	SEP	OCT	NOV	DEC	JAN
INJURY	3	1	2	5	2	1
INJURY-CPO					1	
INTERFERING W/ TRAIN		1	1	1	2	
INTOXICATED PERSON						
INVESTIGATION						
KIOSK PROBLEM						
LUGGAGE						
LOST/FOUND PROPERTY	94	114	104	93	116	98
LOUD MUSIC						
MISCELLANEOUS/INFORMATION	33	37	45	48	44	38
MISSING PERSON	1		1			
MISSING PERSON-LOCATED					1	
MOTOR VEHICLE ACCIDENT	3	4	3	2	1	1
NUCLEAR RELEASE						
PARKING PROBLEM		4	5	3	1	3
PARKING LOT ACCIDENTS						
PARKING LOT VIOLATIONS						
PAYPHONE MALFUNCTION						
PULLED EMERGENCY STOP					1	
RECOVERED STOLEN PROPERTY						
RIDIDNG ON OUTSIDE OF TRAIN						
ROBBERY						1
ROBBERY ARMED						
ROBBERY ATTEMPT						
SABOTAGE						
SAFETY HAZARD	18	15	26	18	26	21
SEXUAL BATTERY						
SEX OFFENSE (OTHER)				2		
SIGN PROBLEM		2	1			
SLIP AND FALL	3	2	6	5	4	5
SMOKING ON TRAIN						
SOLICITATION	2					
STUDENT INCIDENT		1	1	1	2	2
SURFBOARDS ON TRAIN						
SUSPICIOUS INCIDENT	14	7	6	4	6	3
SUSPICIOUS PERSON	2	4	3	5	5	4
SUSPICIOUS VEHICLE	3	3		2	3	5
TELEPHONIC THREAT					1	
THEFT	4	1	2	1	2	2
THEFT-ATTEMPTED						
THROWING OBJECT AT TRAIN					1	
TRAIN VS ANIMAL						
TRAIN VS BICYCLE						
TRAIN VS PEDESTRIAN			1		3	
TRAIN VS VEHICLE		1	2	1		1
TRAIN VS FIXED OBJECT						
TRESPASS	16	12	11	14	5	15
TVM GATE MALFUNCTION	7		2	3	2	3
TVM MALFUNCTION	72	56	71	88	102	120
UNAUTHORIZED ANIMAL			1			
VALIDATOR MALFUNCTION	24	23	19	27	33	27
WEAPON CONCEALED		1				
SPECIAL ASSIGNMENT MONITOR CHECKS						
SUB-TOTAL	2941	2780	2798	2679	2879	2517
<b>TOTAL REPORTS</b>	<b>3240</b>	<b>3069</b>	<b>3111</b>	<b>3002</b>	<b>3243</b>	<b>2867</b>

**TWC/SFRTA  
FEDERAL (TSA) DIRECTIVES VIOLATIONS  
FOR JANUARY 2010**

<b>Date</b>	<b>Incident Report #</b>	<b>Location</b>	<b>TSA Directive Violation #</b>	<b>Remarks</b>	<b>CPO ID#</b>
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NO TSA DIRECTIVES REPORTED

**TSA Directive #13** "Inspect each passenger rail car for suspicious persons, items, or any unattended items."

**TSA Directive #15** "If equipped with locking mechanisms, lock all doors which allow access to the Engineers or Train Operators cab or compartment."

JANUARY 2010

NON-MAJOR SECURITY  
PART I

INCIDENTS ONLY

	Transit Passengers	Transit Facility Occupants	Transit Employees	Other Workers	Trespasser	Other	Total Incidents
Forcible Rape In Vehicle							0
In Revenue Facility							1
Non Revenue Facility							0
Right Of Way/Roadway							0
Robbery							
In Vehicle							
In Revenue Facility							
Non Revenue Facility							
Right Of Way/Roadway							
Aggravated Assaults							
In Vehicle							
In Revenue Facility							
Non Revenue Facility							
Right Of Way/Roadway							
Burglary							
In Vehicle							
In Revenue Facility							
Non Revenue Facility							
Right Of Way/Roadway							
Larceny/Theft Offenses							
In Vehicle							
In Revenue Facility							
Non Revenue Facility							
Right Of Way/Roadway							
Motor Vehicle Theft							
In Vehicle							
In Revenue Facility							
Non Revenue Facility							
Right Of Way/Roadway							
Arson							
In Vehicle							
In Revenue Facility							
Non Revenue Facility							
Right Of Way/Roadway							

Structure

Includes Burglary Vehicle

Includes Attempts

JANUARY 2010

Part II

- Fare Evasion (citations)
- Other Assaults (arrests)
- Trespassing (arrests)
- Vandalism (arrests)

In Vehicle	In Revenue	In Non- Revenue Facility	On Right of Way
81			

Total Incidents
81
0
1
0

Other Security Issues

- Bomb Threats
- Bombing
- Chemical / Biological / Nuclear Release
- Cyber Incident
- Hijacking
- Non-Violent Civil Disturbances
- Sabotage

In Vehicle	In Revenue	In Non- Revenue Facility	On Right of Way

Total Incidents

Total Property Damage (\$)

[Empty box]

TOTAL ARRESTS (2)

- FARE EVASION (1) -

- TRESPASS (1) -



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[flamail@wackenhut.com](mailto:flamail@wackenhut.com)



## MEMORANDUM

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To: Mr. Timothy L. Cates, Project Manager, TWC/SFRTA

From: Richard D. Cannon, Jr. Investigator, ID #276

**SUBJECT: MONTHLY ACTIVITY REPORT – JANUARY 2010**

Date: Wednesday, February 03, 2010

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I was assigned the following tasks for the month of **JANUARY 2010**:

**As the Court Liaison Officer:** I maintained contact with the Clerk of the Court, North County Regional Courthouse, Deerfield Beach, FL. I also handled the filing, service and return of subpoenas served to Custom Protection Officers assigned to the TWC/SFRTA Project. I attended all court hearings involving SFRTA/Tri-Rail Fare Evasion matters and tracked criminal cases.

**As the Citation Coordinator:** I managed the review, sorting and filing of Citations. I filed **81** citations at the North County Regional Courthouse. I also processed any voided citations and conducted inquiries as directed by the County Court Judge, related to Fare Evasion Citations. I conducted CPR/AED training for personnel assigned to the TWC/SFRTA Project, as well as entry-level training to newly assigned Transit Agents.

**As the Investigator:** I investigated or conducted inquiries into **9** incidents:

- SFRTA IR #: 10-09-067 – Train vs. Pedestrian – (Awaiting M.E. Report)
- SFRTA IR #: 11-90-1885 – Train vs. Vehicle – (Awaiting M.E. Reports)
- SFRTA IR #: 12-09-1677 – Train vs. Pedestrian – (Closed to File)
- SFRTA IR #: 12-09-2450 – Train vs. Pedestrian – (Awaiting M.E. Report)
- SFRTA IR #: 12-09-2592 – Train vs. Pedestrian – (Closed to File)
- SFRTA IR #: 01-10-1414 – Failure to Return ID – (Unfounded)
- COMPLAINT #: 7353 – Discourtesy – (Unfounded)
- COMPLAINT # 7466 – Discourtesy – (Unfounded)
- DIRECT REFERRAL – (Policy Violation) – (CPO Re-assigned)

In addition, I obtained various police reports pertaining to incidents involving the SFRTA. Refresher training regarding interpersonal relations and conflict management were conducted. In addition, I conducted CPR/AED Re-Certification Training. Lastly, I continued to provide support, logistical and troubleshooting services to the Safety & Security Administrator, as well as the Project Manager.

rdc/

cc: Mr. Allen R. Yoder

# Expiring Contract Report

## S FL Regional Transportation Authority

**Expiring Date ( 2/11/2010) thru (8/11/2010)**

Project Manager Contract # Contract Administrator	Contract Title Contract Name	Start Date Expiration Date	Contract Duration Renewal
Project Manager			
<b>Contract Class: Payables</b>			
Dan Mazza 04-006  BOBBY BECKER	GENERAL ENGINEERING AND CONSULT SERVICES 010695 BERGMANN ASSOCIATES INC	07/08/2005  07/07/2010	5 Year Term  2 - 1 year option renewals. Both options exercised - none remaining.
Dan Mazza 04-007  BOBBY BECKER	GENERAL ENGINEERING CONSULTANT SERVICES 010289 PARSONS TRANSPORTATION GROUP	07/08/2005  07/07/2010	5 Year Term  2 - 1 year option renewals. Both options exercised - none remaining.
Dan Mazza 04-008  BOBBY BECKER	GENERAL ENGINEERING AND CONSULTING SERVI 010195 HDR ENGINEERING INC	07/08/2005  07/07/2010	5 Year Term  2 - 1 year option renewals. Both options exercised - none remaining.
Dan Mazza 04-009  BOBBY BECKER	GENERAL ENGINEERING CONSULTANT SERVICES 010288 PB AMERICAS, INC	07/08/2005  07/07/2010	5 Year Term  2 - 1 year option renewals. Both options exercised - none remaining.

Lauran Mehalik	STATION MAINTENANCE SERVICES	08/01/2005	5 Year Term
04-100	010697 MERIDIAN MANAGEMENT CORPORATIO	07/31/2010	2 - 1 year option periods. No remaining options.
BOBBY BECKER			

Vicki Wooldridge	LEGISLATIVE CONSULTANT SERVICES	11/01/2004	6 Year Term
04-615	010142 ERICKS CONSULTANTS	06/30/2010	3 - 1 year option renewals. All 3 options have been exercised. Board approved an additional 8 month
BOBBY BECKER			

James DeVaughn	S. FL EDUCATION CENTER SHUTTLE BUS SERV	07/01/2005	5 Year Term
05-107	010338 SFEC TMA	06/30/2010	4 - 1 year renewal options. All options exercised - none remaining.
BOBBY BECKER			

Diane Hernandez Del Cal	LEGAL CONSULTING SERVICES-FEDERAL ISSUES	07/17/2006	4 Year Term
06-515	010364 THOMPSON COBURN LLP	07/16/2010	2 - 1 year option renewals. One option remaining.
BOBBY BECKER			

Dan Mazza	LTK ENGINEERING SERVICES	11/02/2007	3 Year Term
07-003	010478 LTK ENGINEERING SERVICES	07/31/2010	Engineering Services through acceptance and delivery of Rail Vehicles.
BRYAN KOHLBERG			

Lynda Westin	ILA FOR TRANSP AND LAND USE PLANNING	06/22/2007	3 Year Term
07-623	010597 COUNCILTREASURE COAST REGIONAL PLAN	06/30/2010	No renewal options
BEN GUIDA			

Lynda Westin	ILA FOR TRANSP AND LAND USE PLANNING	06/04/2007	3 Year Term
07-624	010339 S FL REGIONAL PLANNING COUNCIL	06/03/2010	No renewal options
BOBBY BECKER			

Laura Thezine	PROFESSIONAL AUDITING SERVICES	07/03/2007	3 Year Term
07-723	010878 WATSON RICE LLP	07/02/2010	Agreement has 2 one year options.
BRYAN KOHLBERG			

<b>Contract Class:</b> Receivables			
Bonnie Arnold	VENDING MACHINE SERVICE	04/29/2005	5 Year Term
04-285	16 GILLY VENDORS, INC.	04/28/2010	2 - 1 year renewal options. 0 remaining option
BRYAN KOHLBERG			