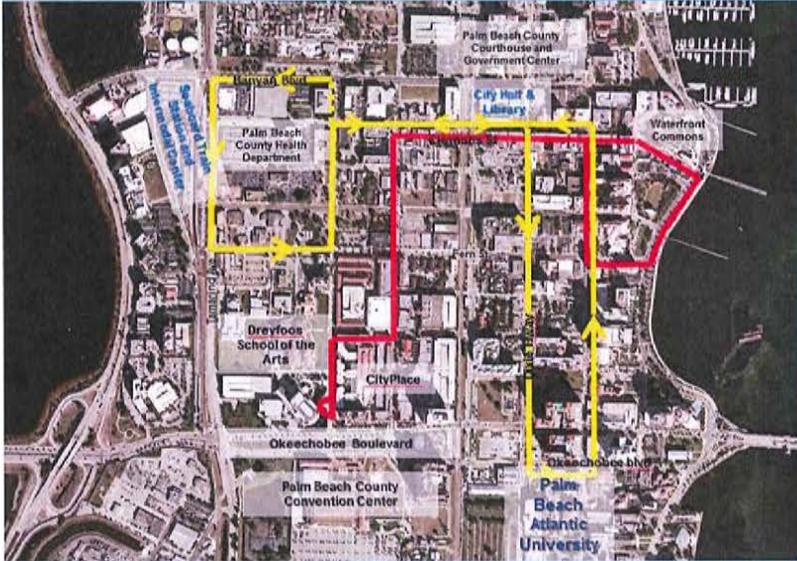


Downtown West Palm Beach Commuter Circulator Route



City of West Palm Beach

**Job Access Reverse Commute (JARC)
Grant Application**

February 1, 2013

Application Checklist

The following information must be included in the final JARC or New Freedom application packet to be considered complete. Incomplete applications will be disqualified after the application deadline has passed. Six (6) copies of the application must be submitted on 8 ½ x 11 inch paper and bounded with a paper clip or black binder clip and in electronic format on a CD. Failure to provide either will disqualify project from consideration.

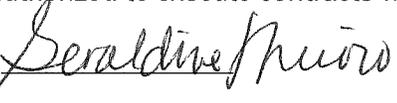
ALL PROJECT APPLICATIONS MUST BE RECEIVED AT THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY OFFICE BY DECEMBER 21, 2012 AT 12:00 NOON EST.

- Signed Application Checklist
- Section 1: Summary of Application
- Section 2: Applicant, Existing Services, and Service Area
- Section 3: Project Information
- Section 4: Coordination
- Section 5: Implementation and Scalability
- Section 6: Project Management and Reporting
- Section 7: Additional Information - Operating Projects Only
- Section 8: Additional Information - Capital/Mobility Management Projects Only
- Section 9: Summary of Project Cost
- Section 10: Letters of Support
- Exhibit A1: Resolution by Applicants with a Governing Board
- Exhibit A2: Certification by Applicants without a Governing Board
- Exhibit B: Public Hearing
- Exhibit C: Single Audit Act
- Exhibit D: Federal Certifications and Assurances
- Exhibit E: Civil Rights Requirements
- Exhibit F: Procurement

Exhibit G: Restrictions on Lobbying

Exhibit H: Milestone Information

Name: Geraldine Muoio, Mayor of City of West Palm Beach
(Individual authorized to execute contracts with South Florida Regional Transportation Authority)

Signature: 

Date: January 31, 2013

SECTION 1: SUMMARY OF APPLICATION

Application Type

Please indicate whether this is a JARC or New Freedom Application. CHECK ONLY ONE PROGRAM. If both Program boxes below are checked, the application may be deemed ineligible.

- Section 5316 – Job Access and Reverse Commute (JARC)
 Section 5317 – New Freedom

Applicant Name and Contact Information

| | |
|-------------------|-------------------------|
| Name of Applicant | City of West Palm Beach |
| Contact Person | Christopher Zachritz |
| Address | 401 Clematis Street |
| Email | czachritz@wpb.org |
| Phone Number | 561-822-1495 |

Organization Type

- Local Government Authority
 Private Non-Profit Organization *(please attach IRS 501(c)(3) documentation of non-profit status)*
 Public Operator of Public Transportation Services
 Private Operator of Public Transportation Services

Partnering Organization and Contact Information (Indicate N/A if not applicable)

| | |
|-------------------------|-----|
| Partnering Organization | N/A |
| Contact Person | |
| Address | |
| Email | |
| Phone Number | |

Project Type (Place an X in the appropriate box). For a detailed list of eligible projects, please refer to Appendix B: JARC and NF Eligible Projects.

| | |
|--|---|
| Capital Only | |
| Operating Only | X |
| Capital & Operating | |
| Mobility Management/Coordinated Planning | |

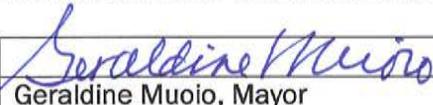
Project Information

| | |
|--------------|---|
| Project Name | Downtown WPB Commuter Circulator Route |
| Service Area | The immediate service area for this route is Downtown West Palm Beach; however, the Commuter Circulator has a much larger indirect service area by providing direct connections to most of Palm Beach County through the 9 Palm Tran routes that this route connects to at the Palm Tran Intermodal Facility and by providing connections to portions of Broward County and Miami Dade through direct access to Tri Rail. |

| | |
|---|--|
| Start Date | The route is already in operation. This application is for the continuation and the expansion of hours of an existing JARC Funded route. |
| Total Project Cost | \$1,196,520.00 |
| JARC/NF Funding Requested | \$598,260.00 |
| Number of Years for Which Funding Requested | 2 year funding within 3 year period |
| Total Local Match | \$598,260.00 |

IMPORTANT: Cost information provided in the above table will be used when the projects are evaluated and funding is requested for successful projects from FTA.

To the best of my knowledge, all information in this application is true and accurate. The document has been duly authorized by the governing body or authorized representative of the applicant and the applicant will comply with any certifications and assurances if the fund is awarded.

| | |
|---|--|
| Signature of Authorized Representative |  |
| Printed Name of Authorized Representative | Geraldine Muoio, Mayor |
| Date | January 31, 2013 |

SECTION 2: APPLICANT, EXISTING SERVICES, AND SERVICE AREA

- 1) Provide a brief description of the applicant and its background with implementing this type of project.

The applicant for this project is the City of West Palm Beach, the County seat and the largest (58 square miles) and most populated city (102,000 residents) in Palm Beach County. For the last 12 years the City has successfully operated a trolley route that connects the Clematis Downtown District with the CityPlace District. In 2012, this route served almost 500,000 passengers.

As explained in more detail later in this application, the City of West Palm Beach has extensive experience implementing different types of federal grant projects. Furthermore, in 2010 and 2011, the City was awarded a total of over \$1.3 million of JARC grant funding for the operation of the Downtown West Palm Beach Commuter Circulator route which is the subject of this application. Operation of this route commenced in full in May of 2012, and based on the existing ridership numbers the route is forecasted to carry over 100,000 passengers in its first year of operation, demonstrating the City's success in implementing this type of project.

- 2) Provide a brief description of the applicant's existing services.

The Downtown West Palm Beach Commuter Circulator is a trolley transit route designed to meet the growing transportation needs of City and County residents and commuters. The City of West Palm Beach planned this transit route with the purpose of serving not only its 11,000 downtown residents, but also its daytime downtown population of 130,000 to 150,000 which includes commuters as well as transportation disadvantaged populations. The Commuter Circulator route, which started operations in early 2012 connects the Seaboard Tri-Rail Station and adjacent Palm Tran's Intermodal Transit Facility with the City of West Palm Beach Public Library and City Hall, the Palm Beach County's Health Department, the County Government Complex, the County Courthouse, the

CityPlace mixed use area, the downtown Publix supermarket, Palm Beach Atlantic University, several downtown assisted living facilities, and other significant governmental, employment, institutional and residential destinations in the downtown area.

In 2010 and 2011 the City was awarded JARC Funding for operation of this route. The Commuter Circulator route started operations in full in May of 2012 with 2 trolleys providing continuous service with headways between 10 to 12 minutes. In the eight months since May of 2012 this route served 67,199 passengers, for a monthly average of 8,400 passengers. Projecting these passenger figures over a period of 12 months, it is expected that this route will serve approximately 100,800 passengers in its first year of operations. It is important to highlight that this service is being provided at no cost to riders.

A couple of years ago, the City of West Palm Beach acquired, through grant funding, five new trolleys which are being used to serve the two trolley routes in the downtown area, including two trolleys that currently serve the Commuter Circulator route.

The current hours of operation for this route are listed below and they were originally established with the idea of serving commuters and the transportation disadvantaged population that may need to access the destinations listed above.

Monday-Friday: 7am-6pm
Saturday: 9am-6pm
Sunday: 11am-6pm

Total Weekly Hours: 71

This proposal is for the continuation of the same route that was awarded funding during the last two funding cycles. However, the City is proposing an extension of the evening hours of operation from the current 7am-6 pm Monday through Friday to a 7am-7:30 pm weekday schedule. This extension in the hours of operation is the result of multiple requests by users who have indicated that the current end of services at 6:00 pm was too early to meet their transportation needs. The weekend hours of Saturday: 9am-6pm and Sunday: 11am-6pm are not proposed for modification.

3) Provide a brief description of the existing service area (provide demographic, economic, and geographic information).

There are three service areas being served by the Downtown Commuter Circulator route. The primary service area is the West Palm Beach downtown area, which is roughly defined as the area bounded by Palm Beach Lakes Boulevard on the north, Okeechobee Boulevard on the south, Australian Avenue on the west, and Flagler Drive on the east. The Downtown area currently has a residential population of over 11,000 residents as well as a daytime downtown population which has been estimated to be between 130,000 and 150,000. Both of these populations include significant numbers of commuters and transportation disadvantaged populations. The Commuter Circulator route connects the Seaboard Tri-Rail Station and adjacent Palm Tran's Intermodal Transit Facility with the City of West Palm Beach Public Library and City Hall, the County's Health Department, the County Government Complex, CityPlace, the Downtown Publix supermarket, Palm Beach Atlantic University, several assisted living facilities for low income individuals, and other significant governmental, employment and civic destinations in the downtown area.

The additional service areas being served by this project are: a) the multiple areas of Palm Beach County which are serviced by the 9 Palm Tran routes that access the Intermodal Transit Facility and which the Commuter Circulator route provides direct access to; and b) the sections of Palm Beach, Broward, and Miami Dade counties which are directly accessible by Tri Rail, which the Commuter Circulator route also connects to at the Seaboard TriRail Station.

Since this route serves, directly and indirectly, several geographic areas, it is difficult to provide specific demographic and economic information for these multiple geographic areas. However, as indicated in the response to Item 11 of this application, the City of West Palm Beach, Palm Tran and SFRTA have conducted demographic and socioeconomic surveys of the Commuter Circulator, Palm Tran, and TriRail users, respectively. Generally, the results of these surveys coincided in highlighting that a significant number of its users were lower income individuals and ethnic minorities. The results of the City's survey of the Commuter Circulator users is included as an attachment to this application.

SECTION 3: PROJECT INFORMATION

4) Project Title: Downtown West Palm Beach Commuter Circulator Route

5) Specify the type of project.

- Continuation of an Existing JARC/NF Project
- Expansion of an Existing Project not previously funded through JARC/NF
- Existing fixed route service not previously funded through JARC
- New Project

6) Provide a description of the project. For projects seeking operating assistance, provide details of proposed routes, schedules, and trip coordination strategies. For capital projects, explain the quantity and type of assets to be procured, use, useful life, and whether assets are expansion or replacement assets. If the project has multiple elements (i.e., operating, mobility management, capital), please include a description of how these elements relate to each other.

The Downtown West Palm Beach Commuter Circulator route is a trolley transit route designed to meet the growing transportation needs of Downtown and County residents and commuters.

The route, which is currently operated in part with JARC funds, connects the Seaboard Tri-Rail Station and adjacent Palm Tran's Intermodal Transit Facility with the City of West Palm Beach Public Library and City Hall, the County's Health Department, the County Government Complex, CityPlace, the Downtown Publix supermarket, Palm Beach Atlantic University, several downtown assisted living facilities, and other significant government, employment and civic destinations in the downtown area.

This service is being provided at no cost to riders. The current hours of operation for this route are:

- Monday-Friday: 7am-6pm
- Saturday: 9am-6pm
- Sunday: 11am-6pm

Total Weekly Hours: 71

As indicated in Item 2 of this application, the City intends to extend the hours of operation of this route from the current 7am-6 pm Monday through Friday to a 7am-7:30 pm weekday schedule. This extension in the hours of operation is the result of multiple requests by users who have indicated that the current end of services at 6:00 pm was too early to meet their transportation needs. The weekend hours of Saturday: 9am-6pm and Sunday: 11am-6pm are not proposed for modification. This would result in a new total of 78.5 weekly hours of service.

The City currently has two City owned trolley vehicles continuously operating in this circulator route. As a result, current headways do not exceed 12 minutes. The City is proposing to add a third trolley vehicle during the weekday peak hours of 7am to 9am and from 5pm to 7pm in order to increase its level of service. This additional vehicle would result in peak hour headways of no more than 8 minutes.

- 7) **Identify target population(s) of the project.** Cite any studies conducted and the corresponding recommendations that contributed to the development of the project. Explain how the project will be marketed to those populations. If the project will serve others in addition to the target population, specify how you will assure that the target population will be given priority on all project activities and how the availability of service to the target population will not be compromised by the provision of services to those other than the target population.

The populations that the project targets are multiple and they include:

- Downtown commuters, students and workers of Palm Beach Atlantic University, or any of the thousands of other transit users who come to Downtown West Palm Beach through Tri Rail or through any of the 9 Palm Tran routes that serve the Intermodal Transit Facility. These multiple groups did not have a transit route that would take them to their Downtown destination until the Commuter Circulator Route was started.
- Any of the 11,000 downtown residents who regularly access Tri Rail or any of the Palm Tran routes in order to reach their places of employment or employment related activities in suburban areas.
- Transportation disadvantaged individuals (low income individuals who do not possess cars and/or residents of the several downtown assisted living facilities) who currently use this route to access many of the civic, social, institutional, educational, employment, and commercial destinations that this route provides access to.

While the Commuter Circulator route also serves any other groups who decide to utilize it, the availability of service to the target populations is not compromised due to the outstanding level of service that the route provides. Current headways for the route are 10 to 12 minutes, with a proposal to lower them to 7 or 8 minutes by adding an additional vehicle during morning and afternoon peak hours. Furthermore, the trolleys utilized for this route can carry up to 35 seated passengers (including 2 ADA seats), which combined with the frequent headways ensures that all individuals from the target populations who want to use this route will have convenient access to it.

8) Please specify the unmet needs this project is designed to meet and how those unmet needs were identified.

Downtown West Palm Beach is adequately served by regional public transportation through Tri-Rail service and through 9 Palm Tran routes which access downtown. However, until the Downtown Commuter Circulator Trolley route started service in early 2012 there was a lack of transportation options connecting these regional transportation systems to the rest of the downtown area. Providing convenient and easily accessible connections from residences to the regional transit stations encourages the use of public transportation for reverse commute options, thereby decreasing single occupant vehicle trips, personal transportation costs, and traffic congestion in the downtown area. Additionally, as the region's main hub of jobs, government offices, and services, the lack of connectivity to the regional transit hub created a barrier for workers and transportation disadvantaged individuals who depend upon public transportation to access jobs, services, and other needs in the downtown area and beyond.

In addition to serving Downtown West Palm Beach, the route also services: a) other areas of Palm Beach County through its direct connection to 9 Palm Tran routes, and b) Broward County and Miami Dade County by means of its direct connection to Tri Rail.

The City's Commuter Circulator Route fills the gap that until recently existed between Tri-Rail and Palm Tran's stations and the downtown area. Before the start of this route, the public transportation needs of the residents in the downtown area had not been adequately met and this route addresses the unmet need by providing a free transit service to regional transportation networks. This facilitates access to jobs and services outside of the downtown area.

The Downtown West Palm Beach area has the highest concentration of jobs in Palm Beach County. By enhancing the connection between regional transportation services and places of work throughout the downtown, the City is able to provide a much needed service to individuals accessing jobs and services in the downtown. Furthermore, the route has stops at or near City, County, State, and Federal offices; shopping, schools, the area's main public library, parks, and entertainment venues.

Additionally, the route has a stop located immediately adjacent to an area that has a high concentration of transit-dependent elderly persons who are then able to use the service to connect to the larger transit network and thereby have improved access to necessary destinations outside of the downtown. Specifically, this service provides transportation for close to 500 residents of senior independent living facilities and low income housing with stops located immediately adjacent or very close to these buildings. The residents of Noreen McKeen (132 residents), St. James Residence (148 residents), and St. Andrews Residence (182 residents) are all elderly and primarily transportation dependent. Many of them are living on fixed incomes and accepting subsidized housing or services provided by the non-profit entities managing their respective buildings. All three of these buildings are situated immediately adjacent to a trolley stop located at the intersection of Olive Avenue and Fern Street. See attached letter of support for this grant application from the Manager of the St. Andrews and St. James residences.

Another important project to mention is Ballet Villages, a rent-controlled (Section 8) housing development with 66 residents and is located immediately adjacent to Quadrille Boulevard and close to the location of a trolley stop.

The residents in the buildings mentioned above had requested that the City implement a transit route that would connect their facilities with regional transit routes, with government services' buildings, and with commercial areas where they can meet their daily needs. The Commuter Circulator Route addressed this request.

- 9) Does the project address at least one (1) strategy identified in the local Coordinated Plan? (The Coordinated Plans of Broward, Miami-Dade, and Palm Beach Counties can be found on the SFRTA website at www.sfrta.fl.gov/grants)

- Yes
 No

If YES, list the strategies in the local Coordinated Plan that your project conforms with. List the name of the Coordinated Plan, conforming goal, and page number.

The West Palm Beach Downtown Commuter Circulator route project conforms with several goals, objectives, and strategies of the 2011-12 Palm Beach County Transportation Disadvantaged Service Plan and Human Service Transportation Coordinated Plan. Specifically the project is consistent with the following:

Goal 1. Provide the highest level of accessible and available fixed route bus service to the Transportation Disadvantaged. Objective 1.1. Regularly monitor performance of all fixed route buses to ensure accessibility. Strategy 1.1. Assign staff to investigate and record performance measures and improvement Report breakdowns and/or direct observation. (page 108).

The Commuter Circulator Route is a free fixed trolley route that provides 12 minute headways to thousands of transportation disadvantaged individuals who utilize it within downtown West Palm Beach or to provide access to or from the TriRail Seaboard Station and the Palm Tran Intermodal facility. In the next few months the City will be building several ADA accessible Trolley Shelters that will be funded with federal grant funds. Furthermore, all the City-owned trolleys which serve this route include ADA instep wheelchair lifts to ensure ADA accessibility to the trolleys.

Objective 1.2. Provide ongoing training to all bus operators, dispatchers and road supervisors to ensure sensitivity for and awareness of the needs and challenges facing those who are TD. Strategy 1.2. Train drivers on accessibility, equipment operations and sensitivity to the needs of TD riders. Retrain if problems are reported. (page 108).

The City requires that Molley's Trolleys, the operator of the Commuter Circulator Route, train its drivers on the operation of the ADA instep wheelchair lifts as well as on customer service protocols to ensure that the needs of TD riders are met.

Goal 2. Increase the utilization of the fixed route system by those who are Transportation Disadvantaged and ADA. Objective 2.2. Implement programs to educate our customers about the availability, accessibility and affordability of the fixed route system through our outreach

efforts. Strategy 2.2. Promote outreach through word of mouth, brochures and Program updates. Focus Outreach/Volunteer program on rider and agency education while promoting the use of fixed route. (page 108).

The City of West Palm Beach is working on multiple outreach efforts to promote the Commuter Circulator Route, some of these include the recent installation of trolley stop signs with route maps and schedules in all the stops; the upcoming construction of multiple trolley shelters which will result in heightened awareness of the trolley services as well as additional comfort for its users; the development of trolley promotional brochures which are periodically handed out at the Seaboard Tri Rail Station and the Palm Beach Multimodal Facility; and the upcoming construction of directional signs at the Seaboard Tri Rail Station to guide Tri Rail users to the Trolley Stop.

- 10) Describe the geographic boundaries of the project. Applicants must attach a map (8.5 x 11) depicting the project boundaries.

The attached map depicts the route of the Downtown Commuter Circulator. The route connects the Seaboard Tri Rail Station and the adjacent Palm Tran Intermodal Transit Center on the west side of Tamarind Avenue to several major civic, social, institutional, educational, employment, and commercial facilities in the Downtown area. The map also depicts the existing City Place-Clematis Street trolley route which has been operated by the City for the last 12 years and which connects to the Commuter Circulator route.

- 11) Estimate the number of low-income population (JARC) and individuals with disabilities (NF) that will be served by the project. Provide an explanation as to how the estimate was determined.

While there is no exact way of determining the number of low-income population and individuals with disabilities that are being served by the project, there are a number of indicators that can be used to assert that a significant number of the users of this route are low income individuals.

In September of 2012 the City conducted a survey of the route's users which included a number of socioeconomic questions. In response to the question "which of the following best describes you?" the following results were obtained:

| | |
|---------------------|-----|
| Less than \$10,000 | 40% |
| \$10,000 - \$19,999 | 16% |
| \$20,000 - \$29,999 | 11% |
| \$30,000 - \$39,999 | 6% |
| \$40,000 - \$49,999 | 8% |
| \$50,000 or more | 19% |

The data above shows that 89% of those surveyed had incomes under \$50,000, 67% had incomes under \$30,000, and 56% had incomes under \$20,000. These results highlight that a majority of the route's users are low income individuals.

One of the primary functions of the Downtown Commuter Circulator route is to transport riders between the different activity/employment nodes in Downtown and the Intermodal Transit Facility and the Seaboard Train Station. In early November, the trolley operator conducted a detailed evaluation of the boardings and alightings at the different Commuter Circulator stops. This evaluation showed that over 41% of all boardings and alightings occurred at the stop that serves the Seaboard TriRail Station and the Palm Tran Multimodal Facility. As a result, it is reasonable to assume that many of the users of the Commuter Circulator are also Palm Tran and Tri Rail users.

According to the 2010 Palm Tran On-Board Origin Distribution Survey, 16% of Palm Tran riders have household incomes of less than \$10,000, 30% have household incomes between \$10,000 and \$24,999, and 21% of riders have incomes between \$25,000 and \$49,000. Also, the 2008 Tri Rail On Board Survey showed that over 25% of Tri Rail riders had household incomes under \$35,000 and 17.4 % of riders had household incomes between \$35,001 and \$50,000. This data is generally consistent with the results of the Commuter Circulator survey showing that a significant number of its users are low income individuals.

SECTION 4: COORDINATION

- 12) Explain how your organization coordinated with existing public transportation providers to develop the project. Identify other transportation providers that currently operate similar services to the target population within the project area. How do you plan to prevent the duplication of services? Discuss anticipated formal agreements, arrangements to coordinate services, joint funding initiatives, the pooling of resources and any other coordination efforts planned or already initiated.

The Commuter Circulator trolley route is being coordinated with Tri-Rail service at the Seaboard Rail Station to coincide as closely as possible with the arrival and departure of trains, particularly in the AM and PM peak-hour periods. The service also provides convenient transfers to and from the 9 Palm Tran bus routes that reach the Intermodal Transit Facility. Additionally, there are stops that allow passengers to transfer to and from the Clematis-CityPlace trolley route that is currently in operation in the downtown area, thereby expanding the coverage of the City's trolley system.

It is important to highlight that the Commuter Circulator route provides a service and a route that is not provided by any other transit provider, and as such this route has not resulted in any duplication of services.

The City periodically coordinates with SFRTA on the service that it provides for the Commuter Circulator. This coordination is key not only because SFRTA manages the JARC funding program but also because a significant number of Commuter Circulator users are also Tri Rail users who utilize the Seaboard Station. In addition, the City has constant coordination with the West Palm

Beach Downtown Development Authority (DDA) and the Community Redevelopment Agency (CRA) on this project, as well as on the other trolley route that has been in operation (through a partnership with the DDA) for the last 12 years. Attached are letters of support for this project from the SFRTA, the DDA, and the CRA.

Furthermore, the Commuter Circulator Route and the Clematis-CityPlace that is currently coordinated with the DDA are being operated by one service provider, Molley's Trolleys. This allows for coordinated staffing, training, scheduling, dispatch (when necessary), service, maintenance, storage, and route maintenance and planning.

The City of West Palm Beach also continually promotes the new trolley service through its Transportation Management Initiative (TMI) program, which is a partnership between the City and FDOT which implements programs that promote non single-occupant vehicle transportation options in West Palm Beach. The West Palm Beach TMI is managed by South Florida Commuter Services (SFCS). A support letter from SFCS is attached to this application.

- 13) Explain how your organization coordinated with human service transportation providers and/or other private non-profit/for-profit operators to develop the project. Identify other human service transportation providers and/or other private non-profit/for-profit operators that currently operate similar services to the target population within the project area. How to you plan to prevent the duplication of services? Discuss anticipated formal agreements, arrangements to coordinate services, joint funding initiatives, the pooling of resources and any other coordination efforts planned or already initiated.

As referenced in item 12, the Commuter Circulator route provides a service and a route that is not provided by any other transit provider. As such, this route has not resulted in any duplication of services with any human service transportation provider and/or other private non-profit/for-profit operators. The Commuter Circulator Route and the Clematis-CityPlace that is currently coordinated with the DDA are being operated by one service provider, Molley's Trolleys. This allows for coordinated staffing, training, scheduling, dispatch (when necessary), service, maintenance, storage, and route maintenance and planning.

SECTION 5: IMPLEMENTATION AND SCALABILITY

- 14) Please provide the number of months needed upon receipt of award to begin providing services to the project's target population. Identify the activities that have been completed thus far to develop the project. Provide a schedule for project implementation and complete the Milestone Information Form provided in Exhibit H. If your service is dependent upon the purchase of vehicles, use the vehicle anticipated delivery date as your starting point to determine the number of months needed to begin initiation of service.

Since this application is for continued funding of a trolley service currently in operation and already receiving JARC funding, services to the target population would be provided immediately after upon receipt of award.

- 15) Provide evidence of financial capability to implement the project. Please note that no advance payments will be made by SFRTA to applicants under any circumstances.

The annual local match for this route is provided by the City of West Palm Beach Community Redevelopment Agency ("CRA"). Funding is budgeted annually based on a 5-year work plan. Currently, through Resolution No. 12-34(F) approving the Fiscal Year ("FY") 2012/2013 budget, the CRA Board of Directors has approved trolley operating funds in the amount of \$270,000 per year through FY16/17. The City of West Palm Beach and CRA budgets are approved annually in September. In September 2013 the CRA will request approval of a 5-year work plan through FY 17/18. The City Commission of the City of West Palm Beach, the Board of Directors of the CRA and the Board of Directors of the Downtown Development Authority understand and support the importance of public trolley service in the downtown and continue to support operations through approval of budgets providing for trolley operations.

| | 12-month period | 24-month period (maximum allowable) |
|---|-----------------|--|
| Total Operating Cost (all eligible operating costs) | \$ 598,260 | \$ 1,196,520 |
| Less project revenues (Fare box) | \$(0) | \$(0) |
| Net project cost | \$ 598,260 | \$ 1,196,520 |
| Local Share requirement (50% of Net Project Cost) | \$ 299,130 | \$ 598,260 |
| Request for Operating Funding | \$ 299,130 | \$ 598,260 |

Commuter Circulator Route - Annual Operating Costs

Hours (minimum): M-F: 7am- 7:30pm
 Sat: 9am- 6pm
 Sun: 11am- 6pm

Adl. (3rd) Vehicle M-F: 7-9am and 5-7pm

Total Weekly Hours (minimum): 78.5/per vehicle
 20/addl. 3rd. vehicle

Approximate Cost per Hour: \$65

- 16) Could the project be implemented on a more limited scope with less funding?

- Yes
 No

If YES, please describe in detail how your project could be scaled down with less funding. Please provide specific funding scenarios.

The total cost of running the Commuter Circulator route for two years is \$1,196,520. This JARC funding application for the Commuter Circulator Route is for a total of \$598,260 which would cover 50% of these costs for two years. This funding request was arrived at with the following service assumptions:

2 vehicles operating full time at an hourly cost of \$65 for the following hours:

Monday-Friday: 7 am- 7:30 pm

Saturday: 9am-6pm

Sunday: 11am-6pm

A third vehicle would operate only at weekday peak hours (7am - 9am and 5pm -7pm).

Weekly Hours for 2 vehicles: 78.5 hours each vehicle

Weekly hours for third vehicle: 20 hours

These hours of operation are an extension of the current weekday hours of operation of 7 am to 6 pm. This extension in the hours of operation is the result of multiple requests by users who have indicated that the current end of services at 6:00 pm was too early to meet their transportation needs. In addition, the City's proposal to add a third vehicle for the peak am and peak pm hours would result in shorter peak hour headways than the current 10 to 12 minute headways. If less funding is provided through the JARC grant then the City would scale down the project in the following sequence:

1) Would not run a third vehicle in the am and pm peak hours. This would result in an annual cost reduction of \$67,600, or \$135,200 for the two year period. As a result, the JARC funding for the two year period would be \$530,660

2) In addition to not running a third vehicle in the peak hours, the City would not add the proposed additional 1.5 hours of evening weekday service. As a result, weekday service would continue to end at 6 PM instead of the proposed 7:30 PM. This would result in an annual cost reduction of \$25,350, or \$50,700 for the two year period. If this reduction is combined with not running the third vehicle at peak hours, the JARC funding for the two year period would be \$479,960.

SECTION 6: PROJECT MANAGEMENT AND REPORTING

- 17) How will the project be monitored and evaluated on an ongoing basis? What criteria will be used to establish the success of the project?

The City already submits to SFRTA on a monthly basis very detailed ridership and operational data for this route which is used to monitor and evaluate the project on an ongoing basis. This detailed monthly reporting will continue for the duration of this project. The City is constantly evaluating its ridership data and it periodically looks at ways to increase its already high passenger counts.

The success of the project will be evaluated based on whether the City can continue to provide quality transit service to its transportation disadvantaged population and whether its already substantial ridership figures can be continually improved.

Furthermore, the City continually works with Molley's Trolleys, the route operator, to ensure that quality customer service continues to be provided for this route. Customer satisfaction and how well the program delivers reliable, safe, and efficient transportation to the target population will be determined through rider surveys and questionnaires, using both intercept surveys and web-based applications.

With regards to the FTA requirements listed below for this program, while no exact figure for jobs accessed through this route is available, the Commuter Circulator Route provides direct access to dozens of thousands of jobs located within Downtown West Palm Beach and the route also provides access by means of its direct connections to 9 Palm Tran routes and TriRail to hundreds of thousands of jobs throughout Palm Beach County and South Florida.

With regards to the number of rides associated with this project, in the eight months since the start of this route in May of 2012, this route has been used by 67,199 passengers, for a monthly average of 8,400 passengers. Projecting these passenger figures over a period of 12 months, it is expected that this route will serve approximately 100,800 passengers in its first year of operations.

Please note that the FTA requires that the following measures be reported on by program:

JARC

- *Actual or estimated number of jobs that can be accessed as a result of geographic or temporal coverage of JARC projects implemented in the current reporting year.*
- *Actual or estimated number of rides (as measured by one-way trips) provided as a result of the JARC projects implemented in the current reporting year.*

New Freedom

- *Services provided that impact availability of transportation services for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year. Examples include geographic coverage, service quality and/or service times.*
- *Additions or changes to environmental infrastructure (e.g., transportation facilities, sidewalks, etc), technology, vehicles that impact availability of transportation services as a result of the New Freedom projects implemented in the current reporting year.*
- *Actual or estimated number of rides (as measured by one-way trips) provided for individuals with disabilities as a result of New Freedom projects implemented in the current reporting year.*

18) Does your organization have experience in administering federal grants? Your response should include the following:

- Details of federally funded grants that your agency has managed.
- Procedures your organization has developed for implementing a Civil Rights Program.

Over the last few years the City has received, and successfully managed, numerous federal grants, including:

- Several Transportation Enhancement (TE) grants totaling over \$6 million;
- A \$2 million dollar grant from the FTA that was used to purchase the trolleys being used for the Commuter Circulator route;
- An ongoing \$240,000 FTA grant for construction of trolley shelters;
- An Energy Efficiency and Conservation Block Grant (EECBG) for the solar waterfront pavilion and for educational opportunities;
- FIND grants for the City's downtown waterfront revitalization;
- Department of Justice grants for Police Department programs totalling over \$2.3 million;
- Homeland Security funds for fire and emergency response projects for over \$2 million;
- HUD Neighborhood Stabilization Program funds for \$6.5 million.

Furthermore, in 2010 and 2011 the City was awarded \$688,000 and \$620,500 respectively for JARC funding for operation of the Commuter Circulator Route. This route started operations in the first half of 2012 and ridership is on pace to exceed 100,000 riders for its first year of operations. All of the examples above demonstrate the City's experience and capability in administering federal grants such as the JARC funding.

The City has developed procedures for implementing a civil rights program through City Policy 4-2, Equal Employment Opportunity ("EEO"), and through the City's Title VI complaint procedures which comply with federal grant assistance requirements. The EEO policy and attendant reporting form are attached as part of Exhibit E. The City's Title VI complaint procedures, complaint form and notice, are all available in bilingual format, and are also attached as Exhibit E.

The City's policies, procedures, rules, regulations and guidelines are available to all employees. The policies are introduced to employees during the new hire orientation process, through training or through their departments. The policies are available to all employees via Lotus Notes, the City's email and Bulletin Board systems, or alternate departmental systems. Policies are also posted at the City's facilities, and employees who do not have access to Lotus Notes may obtain the policies from their department's Time Entry Clerk (TEC), supervisor, department manager or the Human Resources Department. Additionally, policy reminders are sent out City-wide when necessary to remind employees of the City's policies. All policies are available in printed copy or in electronic formats. Additionally, employees are encouraged to speak to Human Resources directly regarding policies and procedures, utilizing the Human Resources open door policy and its EEO compliance officers. The Title VI complaint procedures and notice are disseminated for City contracts involving federal assistance grants; the Title VI complaint form is available on the City's website at <http://wpb.org/mayor/hotline>.

19) Describe your agency's ability to manage the project, including its financial and human resources, and its institutional capacity.

The City of West Palm Beach has significant financial, human, and institutional resources and experience to manage this project, as demonstrated by the City's current operation of this route which is already being partially funded by a JARC grant. The City manages grant programs and projects through an interdepartmental collaborative effort. In the case of the JARC Trolley funding, Mr. Chris Zachritz, the City's Parking Administrator, has been assigned responsibility for management of the grant. Mr. Zachritz works closely with law, finance and procurement to satisfy all terms and conditions of the grant. The project manager also utilizes

a grant management checklist as a tool to monitor the grant from application to close-out. Grant monitoring meetings are scheduled periodically during the life of the grant to confirm compliance of applicable regulations.

- 20) Describe your agency's financial management system, including accounting software and accounting system.

Oracle is the City's financial management system. Two specific funds were created to track program grants and capital project grants. The budget for the grant awards are recorded in these specific grant funds.

The financial system tracks eligible expenditures through these funds. The recording of invoices are reviewed and approved by the project manager and the grants compliance officer within the City's Finance Department. During this review process, the appropriate expense elements on the invoice are matched to the correct funding sources within the grant program or project. This tracking system also provides a mechanism to identify eligible expenditures on a timely basis to be invoiced and reimbursed by the Federal agency

SECTION 7: ADDITIONAL INFORMATION OF OPERATING PROJECTS

Questions 21 - 29 apply to projects that include an operations element. If your project does not include an operations element, please skip to question 30.

- 21) Indicate how the proposed service will be operated.

- Applicant will operate service
 Service will be contracted out (explain how an operator will be selected).

The City contracted Molley's Trolleys, a local transportation provider, to serve as the operator of this route. Molley's Trolleys was selected through a bidding process which was coordinated with SFRTA staff. Molley's Trolleys has been operating this route since it started running in early 2012.

- 22) If the proposed project is the continuation of an existing JARC/NF funded project, is the project currently meeting its main objectives including serving target population ridership projections?

The project is the continuation of an existing JARC funded project which started operations in the first half of 2012. It is estimated that the project will serve over 100,000 riders in its first year of operations, which is a sign of the success of the project. As indicated in the response to Item 11, a socioeconomic survey conducted last September with the route's users showed that a significant percentage of the riders are low income individuals, which is the main target population for the JARC grant.

- 23) If the proposed project is an expansion of an existing project, explain how the expanded project will differ from the current service with respect to service coverage area, hours of service, trip purpose, or level of service.

The proposed project is the continuation of the existing Commuter Route currently in operation. No changes in the route are being proposed as part of this application; however, this submittal does reflect a proposed increase in the hours of operation as well as an increase in the level of service.

The proposed new hours of service would be:

Monday-Friday: 7 am- 7:30 pm

Saturday: 9am-6pm

Sunday: 11am-6pm

In addition, the City is proposing to add a third vehicle which would operate only at weekday peak hours (7am - 9am and 5pm -7pm). These hours of operation are an extension of the current weekday hours of operation of 7 am to 6 pm. This extension in the hours of operation is the result of multiple requests by users who have indicated that the current end of services at 6:00 pm was too early to meet their transportation needs. In addition, the City's proposal to add a third vehicle for the peak am and peak pm hours would result in shorter peak hour headways than the current 10 to 12 minute headways.

- 24) Explain how the project you are seeking funding for differs from other services in the area with respect to service coverage area, hours of service, trip purpose, or level of service.

The continuation of the Downtown West Palm Beach Commuter Circulator route that is the subject of this application is significantly different from any other service in the area. While there are existing Palm Tran routes, as well as another trolley route, that traverse portions of Downtown West Palm Beach, none of these routes provides direct access between the multiple housing, jobs and service nodes in downtown and Palm Tran's Intermodal Transit Station and the adjacent Seaboard Tri Rail Station. The Downtown Circulator operates on a schedule that provides significant benefits to workforce commuters in the downtown area.

Currently two (2) trolleys continually serve this route resulting in headways ranging from 10 to 12 minutes. As mentioned previously, the City is proposing to reduce peak hour headways by adding a third vehicle in the morning and afternoon peak hours. No other transit service in Palm Beach County offers the short headways that the Commuter Circulator provides.

- 25) Explain what connections the project provides to key destinations and activity centers, particularly those destinations that present opportunities for employment assistance or employment. Be as specific as possible in identifying significant destinations.

The City's Downtown Commuter Circulator route fills a significant gap that existed between Tri-Rail and Palm Tran's main stations and the rest of the downtown area. Downtown West Palm Beach has almost 7,000 residential units with over 11,00 residents. Until this route was started, the public transportation needs of the residents in the downtown area had not been adequately met and this route addressed the unmet need by providing a free transit service to regional transportation networks. This route facilitates access to jobs and services outside of the downtown area.

Additionally, the Downtown area has the highest concentration of jobs in Palm Beach County. By enhancing the connection between regional transportation services and places of work throughout the downtown the City is able to provide a much needed service to individuals accessing jobs and services in the downtown.

Furthermore, this route has stops at or near City, County, State, and Federal offices; shopping, schools, the area's main public library, parks, and entertainment venues. Specifically, the route provides direct access from the Tri-Rail Station and the Palm Tran Intermodal Facility to the City Hall and City Library complex. The City Library has numerous facilities, initiatives, and classes that provide direct assistance with job training and skills, job search, and general life support skills, including:

- 142 publically accessible computer terminals which provide internet access and are also loaded with software such as Word, PowerPoint, Publisher and Excel;
- Life Support Workshops which provide assistance in dealing with government websites regarding unemployment, food stamps, Immigration, etc;
- Computer Basics Workshops;
- Career Support Workshops which provide assistance with resumes and job searching;
- Job Search 101 Class highlighting job search resources provided through the Workforce Alliance & Employ Florida;
- Bilingual classes providing training on email, Word, and Excel.

The route has a stop located immediately adjacent to an area that has a high concentration of transit-dependent elderly persons who are able to use the service to connect to the larger transit network and thereby have improved access to necessary destinations outside of the downtown.

Finally, the route connects to Palm Beach Atlantic University, an important institution of higher learning that is home to thousands of students and university employees, many of which currently reach downtown West Palm Beach by Tri Rail or Palm Tran but until this route was started, did not have a direct connection to the University.

26) Explain how this project provides access to other transportation services that go beyond the project's proposed geographic boundary.

One of the primary objectives of the Downtown Commuter Circulator route is to provide direct and frequent access between several areas of Downtown West Palm Beach and Palm Tran's Intermodal Transit Center and the Seaboard Tri Rail Station. Currently nine (9) Palm Tran routes serve the Intermodal Transit Center. These routes provide transit coverage to almost every section of Palm Beach County and average over 18,000 daily passengers, which is more than half of Palm Tran's total daily ridership according to figures contained in the recently released Palm Tran On-Board Origin-Destination Survey.

The West Palm Beach Seaboard Train Station is the second most most heavily used station within the entire Tri Rail system. In the last couple of years, there were around 300,000 annual boardings at the station and it has had some of the highest ridership increases during the last few years in the entire Tri Rail system.

As seen from the information below, the Downtwon Commuter Circulator provides direct and frequent access to other transportation services that go beyond the project's direct geographic boundary by helping reach jobs and services located in the entire Palm Beach County through Palm Tran and to the Miami-Dade, Broward, and Palm Beach area through Tri-Rail.

27) Provide the projected ridership in the table below.

PROJECTED RIDERSHIP (12-month period)

| Program | Target Population | Current Ridership (one-way trips) | Projected Ridership (one-way trips) |
|-------------|-------------------------------|-----------------------------------|-------------------------------------|
| JARC | Low Income/Welfare | 67000 | 91173 |
| New Freedom | Individuals with Disabilities | | |
| | Other | 33800 | 44907 |
| | TOTAL | 100800 | 136080 |

Explain how the ridership was determined.

The current ridership information was determined based on the rider counters that are utilized by the drivers. In the eight months since the start of this route in May of 2012, 67,199 passengers have utilized the Commuter Circulator, for a monthly average of 8,400 passengers. Projecting these passenger figures over a period of 12 months, it is expected that this route will serve approximately 100,800 passengers in its first year of operations.

The number of low income riders was extrapolated from the socioeconomic survey of the route's users conducted in September of 2012. That survey indicated that 67% of the surveyed riders had incomes under \$30,000, which would highlight that a majority of the route's users are low income individuals.

The projected ridership numbers assume that there will be a 35% increase in ridership over the next few years. This ridership increase is assumed based better knowledge by individuals regarding the route, improved marketing of the route, increased convenience for users due to the upcoming construction of trolley shelters at several of the stops, as well as a result of the service improvements, such as additional hours and improved peak hours headways, already referenced in other sections of this application. The City is also assuming that the current percentage of low income individuals will remain constant.

- 28) Summarize operating funding request in the table below. Please round all numbers to the nearest dollar.

OPERATING FUNDING REQUEST (50%/50% Match Required)

| | 12-month period | 24-month period (maximum allowable) |
|---|-----------------|-------------------------------------|
| Total Operating Cost (all eligible operating costs) | \$598260 | \$1196520 |
| Less Project Revenues (Fare box) | \$(0) | \$(0) |
| Net Project Cost | \$598260 | \$1196520 |
| Local Share Requirement (50% of Net Project Cost) | \$299130 | \$598260 |
| Request for Operating Funding | \$299130 | \$598260 |

If the funding request is for any other duration, clearly state the project duration,

Provide supplementary budget sheets to illustrate how the total operating cost was derived. If funding is sought for multiple routes, cost estimates must be provided for individual routes. Failure to provide necessary details to justify the project cost may result in rejection of the application.

If the funding request is for expanding an existing service that currently does not receive JARC/NF funding; only the expansion portion of the project is eligible for JARC/NF funding consideration.

Please see attached breakdown of the total operating costs

- 29) Based on the projected ridership and operating cost, estimate the cost per one-way trip.

The current cost per one way trip is \$4.76. This figure was arrived at by dividing the current annual cost of operating the two trolleys with the current hours of operation (\$479,960) by the number of passengers expected over the first 12 months of operation (100,800).

The projected cost per one-way trip would be \$4.39. This figure assumes the new operating costs with the increased hours and improved peak hour headways (\$598,260) and the projected future ridership figure of 136,080 for future years.

SECTION 8: ADDITIONAL INFORMATION OF CAPITAL/MOBILITY MANAGEMENT PROJECTS

Questions 30 - 33 apply to projects that include Capital and/or Mobility Management elements. If your project does not include these elements, please skip to question 34.

30) For each capital project element, provide the appropriate information in the table below. Please round all numbers to the nearest dollar.

CAPITAL FUNDING REQUEST (80%/20% Match Required)

| Capital Elements | Estimated Cost | Local Share | Federal Request |
|------------------|----------------|-------------|-----------------|
| | \$ | \$ | \$ |
| | \$ | \$ | \$ |
| | \$ | \$ | \$ |
| | \$ | \$ | \$ |
| | \$ | \$ | \$ |
| TOTALS | \$ | \$ | \$ |

Provide supplementary budget sheets to illustrate how the total capital cost was derived. Failure to provide necessary details to justify the project cost may result in rejection of the application.

31) For each element identified in question #30, please explain the major items that are included in the estimated cost and how the estimate was derived.

32) For each Mobility Management/Planning project element, please provide the appropriate information below. Please round all numbers to the nearest dollar.

MOBILITY MANAGEMENT/PLANNING FUNDING REQUEST (80%/20% Match Required)

| Major Activities | Estimated Cost | Local Share | Federal Request |
|------------------|----------------|-------------|-----------------|
| | \$ | \$ | \$ |
| | \$ | \$ | \$ |
| | \$ | \$ | \$ |
| | \$ | \$ | \$ |
| | \$ | \$ | \$ |
| TOTALS | \$ | \$ | \$ |

- 33) For each element identified in question #32, please explain the major items that are included in the cost estimate and how the estimate was derived.

SECTION 9: SUMMARY OF PROJECT COST

Questions 34-36 apply to all projects.

- 34) Provide the requested information in the following table for the year you are requesting funds. Transfer the information from questions 28, 30, and 32 as appropriate for the funding request. If a request is for less than 12 months please note the funding period in terms of months. Please round all numbers to the nearest dollar.

TOTAL FUNDING REQUEST

| Eligible Project Activities | | Year 1 Request | | | Year 2 Request | | |
|---|---------------------|-----------------|-------------|----------------|-----------------|-------------|----------------|
| | | Federal Funding | Local Match | Total Net Cost | Federal Funding | Local Match | Total Net Cost |
| Operating – 50% Match Required | Commuter Circulator | \$299,130 | \$299,130 | \$598,260 | \$299,130 | \$299,130 | \$598,260 |
| | | \$ | \$ | \$ | \$ | \$ | \$ |
| Capital – 20% Match Required | | \$ | \$ | \$ | \$ | \$ | \$ |
| | | \$ | \$ | \$ | \$ | \$ | \$ |
| | | \$ | \$ | \$ | \$ | \$ | \$ |
| | | \$ | \$ | \$ | \$ | \$ | \$ |
| Mobility Management / Planning – 20% Match Required | | \$ | \$ | \$ | \$ | \$ | \$ |
| TOTAL | | \$299,130 | \$299,130 | \$598,260 | \$299,130 | \$299,130 | \$598,260 |

- 35) Indicate the source of local match for each year that funding is requested. If local match funds are being derived from an existing grant, please attach a copy of the grant agreement/contract or supporting documentation. Also, explain how stable the local match funding source is.

The annual local match for this route is provided by the City of West Palm Beach Community Redevelopment Agency (“CRA”). Funding is budgeted annually based on a 5-year work plan. Currently, through Resolution No. 12-34(F) approving the Fiscal Year (“FY”) 2012/2013 budget, the CRA Board of Directors has approved trolley operating funds in the amount of \$270,000 per year through FY16/17. See attached a copy of the CRA Budget Plan identifying the funding line item for the match.

- 36) Is there a commitment of funds beyond the requested grant period? Yes No
 If yes, please explain the nature of the commitment.
 If no, please explain the steps you will take to attain sustainability.

As indicated in the response to item 35 above, the City/CRA already has budgeted matching funds for this project through fiscal year 2016/17. At its September 2013 budget meeting the CRA will request approval of a 5-year work plan through FY 17/18. The City Commission of the City of West Palm Beach, the Board of Directors of the CRA and the Board of Directors of the Downtown Development Authority understand and support the importance of public trolley service in the downtown and continue to support operations through approval of budgets providing for trolley operations.

SECTION 10: LETTERS OF SUPPORT

Letters of Support

All letters of support must be submitted with the application. Letters should indicate the nature of support (financial, participation, coordination, etc.).

Indicate if letters of support are included. Yes No

APPLICANT SIGNATURE

I certify, to the best of my knowledge, that the information in this application is true and accurate and that this organization has the necessary fiscal, data collection, and managerial capability to implement and manage the projects associated with this application.

Applicant Agency City of West Palm Beach
Project Title West Palm Beach Commuter Circulator
Name of Signatory Geraldine Muoio
Title of Signatory Mayor of City of West Palm Beach

Geraldine Muoio 1/31/13
Authorized Signature Date

EXHIBIT A1: RESOLUTION BY APPLICANTS WITH A GOVERNING BOARD

Exhibit A1 (see next page) must be completed by all applicants with a Governing Board. The resolution must clearly identify the person who is authorized to enter into an agreement with SFRTA if the proposed project is awarded a JARC/NF grant. Further, the resolution must certify the availability and source of local match. Failure to provide an executed resolution along with the completed application will result in rejection.

RESOLUTION NO. 332-12

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE MAYOR TO MAKE CERTAIN CERTIFICATIONS AND TO SUBMIT A GRANT APPLICATION REQUESTING UP TO \$700,000 IN FUNDING FOR TROLLEY OPERATIONS TO THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY FOR A FEDERAL TRANSIT AUTHORITY JOB ACCESS REVERSE COMMUTE GRANT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the South Florida Regional Transportation Authority (SFRTA) is the state agency approving authorized to make grants as the designated recipient of the Federal Transit Authority (FTA) Job Access Reverse Commute (JARC) grant programs in Palm Beach County; and

WHEREAS, the grant program is intended to provide federal funding for local transportation-related programs that offer job access and reverse commuter services; and

WHEREAS, in 2010 and 2011 the City applied for, and was awarded, two Job Access Reverse Commute (JARC) grants totaling over \$1.3 million from the FTA through the SFRTA for a 50/50 match of operating expenses for a new Downtown commuter trolley route; and

WHEREAS, the Downtown commuter trolley route started operations in early 2012 and links the Seaboard Tri-Rail Station/Palm Tran's Intermodal Facility with various downtown activity nodes and destinations, including governmental buildings, employment areas, the Mandel Public Library, and various public services/facilities and residential areas; and

WHEREAS, the City desires to apply for an additional JARC grant requesting up to \$700,000 in funding for continued trolley operations under the JARC grant program; and

WHEREAS, as part of the grant application, the City must make certain Certifications to the SFRTA and FTA, including certifying that the City has the fiscal capacity to operate the trolleys; and

WHEREAS, approval of the grant will impose certain financial obligations upon the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission of the City of West Palm Beach, Florida, hereby authorizes the Mayor to sign and submit to the South Florida Regional Transportation Authority an application under the FTA's Job Access Reverse Commute (JARC) grant program for up to \$700,000 in funding for trolley operations. The Mayor is further authorized to execute any ancillary documents related to the grant application.

SECTION 2: The City Commission hereby authorizes the Mayor to make the FTA

RESOLUTION NO. 332-12

Certifications and Assurances in the form shown in Attachment A, and to furnish such additional information, assurances, certifications and amendments as the SFRTA may require in connection with this Job Access Reverse Commute (JARC) grant application.

SECTION 3: The City Commission hereby certifies that in the event the West Palm Beach Community Redevelopment Agency (CRA) and/or the Downtown Development Authority (DDA) do not provide the requisite funding match, the City Commission will budget and appropriate the required matching funds from general revenue in an amount not to exceed \$700,000.

SECTION 4: The Mayor is hereby authorized and directed to execute and deliver, on behalf of the City, the grant agreement and all subsequent amendments thereto between the City of West Palm Beach and the SFRTA for this JARC grant.

SECTION 5: The Mayor is hereby authorized and directed to take such action as is necessary or appropriate to implement, administer and enforce the grant agreement(s) and all subsequent amendments thereto.

SECTION 6: Upon execution of a grant application by the Mayor, one complete executed copy shall be retained by the City Clerk as a public record of the City.

SECTION 7: Upon execution of a grant agreement by the Mayor, the Parking System Administrator shall ensure that one complete executed grant agreement is provided to the City Clerk for retention as a public record of the City.

SECTION 8: This Resolution shall take effect as provided by law.

PASSED AND ADOPTED THIS 10 DAY OF December, 2012.

(CORPORATE SEAL)

CITY OF WEST PALM BEACH
BY THE CITY COMMISSION

ATTEST:

Harold F. Corso
CITY CLERK

Gerardo Russo
PRESIDING OFFICER

CITY ATTORNEY'S OFFICE
Approved as to form and legality
By: BR

EXHIBIT C: SINGLE AUDIT ACT

All non-Federal entities that expend \$500,000 or more of Federal awards in a year are required to obtain an annual audit in accordance with the Single Audit Act as described in OMB Circular A-133. A single audit is intended to provide a cost-effective audit for non-Federal entities in that one audit is conducted in lieu of multiple audits of individual programs. The Single Audit's objective is to provide assurance to the Federal government as to the management and use of such funds by recipients. A Single Audit encompasses an examination of a recipient's financial records, financial statements, federal award transactions and expenditures, the general management of its operations, internal control systems, and federal assistance it received during the audit period.

To determine if your agency is subject to the Single Audit Act, please select the appropriate statement(s) below regarding your agency's current use of Federal funds.

- A. Receives \$500,000 or more for the current fiscal year from all Federal sources.
- B. Does not receive \$500,000 or more in Federal funds for the current fiscal year from all Federal sources combined.
- C. Receives ONLY Section 5316 and/or Section 5317-funded vehicles/equipment.

If you checked option A, then your agency is subject to the Single Audit Act and the following requirements must be satisfied:

1. A copy of the applicant's most recent audit report must be submitted with the application if this was not done previously. The report should be marked "Exhibit C."
2. If the most recent audit report was previously sent to the SFRTA, the date submitted should be shown in "Exhibit C" in the application.
3. Applicants that received a Section 5316 and/or a Section 5317 award in the last fiscal year should include a copy of the pages from the annual audit that indicates the auditor specifically tested for Section 5316 and/or Section 5317 requirements and certifies compliance.

Geraldine Muoio, Mayor of City of West Palm Beach Geraldine Muoio 1/31/13
(Type name and title of authorized individual) (Signature of authorized individual) (Date)

If you checked option B and/or C, then your agency is not subjected to the Single Audit Act. The applicant must certify the following:

1. Will not receive \$500,000 or more for the current Fiscal Year from all federal sources combined, and is, therefore, exempt from the Single Audit Act as described in OMB A-133; and
2. In the event the applicant does receive \$500,000 or more in total from all federal sources during the current fiscal year, the applicant will comply with the Single Audit Act and submit to the SFRTA a copy of its most recent audit conducted in compliance with the Act.

(Type name and title of authorized individual) (Signature of authorized individual) (Date)

SINGLE AUDIT SECTION



**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED
ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH *GOVERNMENT AUDITING STANDARDS***

Honorable Mayor and Members of the City Commission
City of West Palm Beach, Florida

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of West Palm Beach, Florida (the City), as of and for the year ended September 30, 2011, which collectively comprise the City's basic financial statements and have issued our report thereon dated April 30, 2012. Our report includes a reference to other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Other auditors audited the financial statements of the Firefighters' Pension Fund, the Police Pension Fund, and the Restated Employees' Defined Benefit Retirement System as described in our report on the City's financial statements. This report does not include the results of the other auditors' testing of internal control over financial reporting or compliance and other matters that are reported on separately by those auditors.

Internal Control Over Financial Reporting

Management of the City is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered the City's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. *A material weakness* is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.



Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above. However, we identified certain deficiencies in internal control over financial reporting, described in the accompanying schedule of findings and questioned costs as items 2011-01 and 2011-02 that we consider to be significant deficiencies in internal control over financial reporting. A *significant deficiency* is a deficiency or a combination of deficiencies in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We identified other matters that we have reported in the accompanying schedule of findings and questioned costs.

The City's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. We did not audit the City's responses and, accordingly, we express no opinion on them.

This report is intended solely for the information and use of the Mayor, City Commission, management, and regulatory bodies and is not intended to be and should not be used by anyone other than these specified parties.

Marcum LLP

West Palm Beach, FL
April 30, 2012



**MANAGEMENT LETTER IN ACCORDANCE WITH THE
RULES OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA**

Honorable Mayor and Members of the City Commission
City of West Palm Beach, Florida

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of West Palm Beach, Florida (the City), as of and for the year ended September 30, 2011, which collectively comprise the City's basic financial statements as listed in the table of contents. These financial statements are the responsibility of City's management. Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of the Firefighters' Pension Fund, the Police Pension Fund, and the Restated Employees' Defined Benefit Retirement System, which represent 80% and 24%, respectively, of the assets and revenues of the aggregate remaining fund information. Those financial statements were audited by other auditors whose reports thereon have been furnished to us, and our opinions, insofar as they relate to the amounts included for the Firefighters' Pension Fund, the Police Pension Fund, and the Restated Employees' Defined Benefit Retirement System, is based solely upon the report of other auditors.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. We have issued our Independent Auditors' Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*, Independent Auditors' Report on Compliance with Requirements Applicable to each Major Federal Program and State Project and on Internal Control over Compliance in Accordance with OMB Circular A-133 and Chapter 10.550 Rules of the Auditor General, and a Schedule of Findings and Questioned Costs. Disclosures in those reports and schedule, which are dated April 30, 2012, should be considered in conjunction with this management letter.

Additionally, our audit was conducted in accordance with Chapter 10.550, Rules of the Auditor General, which governs the conduct of local governmental entity audits performed in the State of Florida. This letter includes the following information, which is not included in the aforementioned auditors' reports or schedule:

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- Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. Corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report except as noted in the accompanying summary schedule of prior audit findings under the heading Prior Year Financial Statement Findings and Status.
- Section 10.554(1)(i)2., Rules of the Auditor General, requires our audit to include a review of the provisions of Section 218.415, Florida Statutes, regarding the investment of public funds. In connection with our audit, we determined that the City complied with Section 218.415, Florida Statutes.
- Section 10.554(1)(i)3., Rules of the Auditor General, requires that we address in the management letter any recommendations to improve financial management. In connection with our audit, our findings and recommendations are incorporated in the accompanying schedule of findings and questioned costs.
- Section 10.554(1)(i)4., Rules of the Auditor General, requires that we address violations of provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but more than inconsequential. In connection with our audit, our findings and recommendations are incorporated in the accompanying schedule of findings and questioned costs.
- Section 10.554(1)(i)5., Rules of the Auditor General, provides that the auditor may, based on professional judgment, report the following matters that have an inconsequential effect on financial statements, considering both quantitative and qualitative factors: (1) violations of provisions of contracts or grant agreements, fraud, illegal acts, or abuse, and (2) Deficiencies in internal control that are not significant deficiencies. In connection with our audit, our findings and recommendations are disclosed in the accompanying schedule of findings and questioned costs.
- Section 10.554(1)(i)6., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The City has made these disclosures in the notes to the financial statements.
- Section 10.554(1)(i)7.a., Rules of the Auditor General, requires a statement be included as to whether or not the local governmental entity has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific condition(s) met. In connection with our audit, we determined that the City did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

- Section 10.554(1)(i)7.b., Rules of the Auditor General, requires that we determine whether the annual financial report for the City for the fiscal year ended September 30, 2011 filed with the Florida Department of Financial Services pursuant to Section 218.32(1)(a), Florida Statutes, is in agreement with the annual financial audit report for the fiscal year ended September 30, 2011. In connection with our audit, we determined that these two reports were in agreement.
- Pursuant to Sections 10.554(1)(i)7.c. and 10.556(7), Rules of the Auditor General, we applied financial condition assessment procedures. It is management's responsibility to monitor the City's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Pursuant to Chapter 119, Florida Statutes, this management letter is a public record and its distribution is not limited. Auditing standards generally accepted in the United States of America require us to indicate that this letter is intended solely for the information and use of the Mayor, City Commission, Management of the City and the Florida Auditor General and is not intended to be and should not be used by anyone other than these specified parties.

Marcum LLP

West Palm Beach, FL
April 30, 2012



**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE WITH REQUIREMENTS
THAT COULD HAVE A DIRECT AND MATERIAL EFFECT ON EACH MAJOR
FEDERAL PROGRAM AND STATE PROJECT AND ON INTERNAL CONTROL
OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133 AND
CHAPTER 10.550 RULES OF THE AUDITOR GENERAL**

Honorable Mayor and Members of the City Commission
City of West Palm Beach, Florida

Compliance

We have audited the City of West Palm Beach, Florida's (the City) compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* and the requirements described in the *Department of Financial Services' State Projects Compliance Supplement*, that could have direct and material effect on each of the City's major federal programs and state projects for the year ended September 30, 2011. The City's major federal programs and state projects are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs and state projects is the responsibility of the City's management. Our responsibility is to express an opinion on the City's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*; and Chapter 10.550, Rules of the Auditor General. Those standards, OMB Circular A-133, and Chapter 10.550, Rules of the Auditor General, require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program or state project occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of the City's compliance with those requirements.

As described in item 2011-04 and 2011-05 in the accompanying schedule of findings and questioned costs, the City did not comply with requirements regarding Subrecipient Monitoring and Allowable Activities/Costs that are applicable to its HOME Investment Partnership Program Grant (CFDA 14.239). Compliance with such requirements is necessary, in our opinion, for the City to comply with the requirements applicable to that program.

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In our opinion, except for the noncompliance described in the preceding paragraph, the City, complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs and state projects for the year ended September 30, 2011.

Internal Control Over Compliance

Management of the City, is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs and state projects. In planning and performing our audit, we considered the City's internal control over compliance with the requirements that could have a direct and material effect on a major federal program or state project to determine the auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133 and Chapter 10.550 Rules of the Auditor General, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

Our consideration of internal control over compliance was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over compliance that might be significant deficiencies or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. However, as discussed below, we identified a deficiency in internal control over compliance that we consider to be a material weakness.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program or state project on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program or state project will not be prevented, or detected and corrected, on a timely basis. We consider the deficiencies in internal control over compliance described in the accompanying schedule of findings and questioned costs as items 2011-03, 2011-04 and 2011-05 to be material weaknesses.

The City's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. We did not audit the City's responses and, accordingly, we express no opinion on the responses.

This report is intended solely for the information and use of the Mayor, City Commission, management, federal and state awarding agencies, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Marcum LLP

West Palm Beach, FL
April 30, 2012

CITY OF WEST PALM BEACH, FLORIDA

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE

FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

| Federal Grantor/State Agency Pass-Through Entity Federal Program / State Project | CFDA / CSFA No. | Contract Grant No. | Expenditures | Transfers to Subrecipients |
|--|-----------------------|--|------------------|-------------------------------|
| U.S. Department of Housing and Urban Development | | | | |
| Direct Programs: | | | | |
| Community Development Block Grant (CDBG) | 14.218 | B-08-MC-12-0022 through B-10-MC-12-0022 | \$ 1,290,980 | \$ 38,859 |
| Community Development Block Grant (CDBG) - NSP1 | 14.218 | B-08-MC-12-0022 | 1,863,017 | -- |
| Community Development Block Grant (CDBG) - NSP3 | 14.218 | B-10-MC-12-0022 | 34,458 | -- |
| | | | <u>3,188,455</u> | <u>38,859</u> |
| Community Development Block Grant (CDBG) - Building Renovation (ARRA) | 14.253 | B-09-MY-12-0022 | 293,341 | -- |
| HOME Investment Partnership Program Grant | 14.239 | M-02-MC-12-0224 through M-10-MC-12-0224 | 137,367 | 100,000 |
| Housing Opportunity for People with AIDS (HOPWA) Grant | 14.241 | FL-H-08-F-006 through FL- H-10-F-006 | 3,160,005 | 3,056,003 |
| CDBG Disaster Recovery Initiative (DRI-3) Program | 14.218 | | -- | -- |
| Total U.S. Department of Housing and Urban Development | | | <u>6,779,168</u> | <u>3,194,862</u> |
| U.S. Department of Homeland Security | | | | |
| Direct Programs: | | | | |
| Hazard Mitigation - Villages of WPB Drainage Design | 97.039 | 10HM-37-10-60-02-003 | 6,563 | -- |
| Pass through State of Florida, Division of Emergency Management: Ironhorse Stormwater Pump Station Construction | 97.039 | 10HM-23-10-60-02-015 | 1,049,272 | -- |
| Passthrough State of Florida, Department of Financial Services: Florida Urban Search & Rescue Training (FLUSAR) | 97.067 | 010-DS-39-13-00-16-414 | 9,000 | -- |
| Subtotal Pass through State of Florida, Division of Emergency Management and Department of Financial Services | | | <u>1,058,272</u> | <u>--</u> |
| Total U.S. Department of Homeland Security | | | <u>1,064,835</u> | <u>--</u> |
| U.S. Department of Justice | | | | |
| Direct Programs: | | | | |
| Justice Assistance Grant (ARRA) | 16.595 | R-2007-0706 | 34,283 | 31,848 |
| Justice Assistance Grant (ARRA) | 16.804 | 2009-SB-B9-2133 | 47,653 | -- |
| Cops Hiring Recovery Grant (ARRA) | 16.710 | 2009-RK-WX-0239 | 561,500 | -- |
| Federal Law Enforcement Forfeiture Expenditures | 16.000 | NA | 307,241 | -- |
| Weed and Seed Grant | 16.595 | 2009-WS-QX-0180 | 39,123 | 23,516 |
| Weed and Seed Grant | 16.595 | 2010-WS-QX-0085 | 97,448 | 53,241 |
| Subtotal of Direct U.S. Department of Justice | | | <u>1,087,248</u> | <u>108,605</u> |
| Pass through FDLE and Palm Beach County CIC: Weed and Seed Grant | 16.595 | R-2007-0706 | 23,520 | 19,820 |
| Youth Empowerment Center | 16.544 | NA | 26,184 | -- |
| Justice Assistance Grant | 16.738 | 2009-DJ-BX-1509 | 69,874 | -- |
| Pass through FDLE and Palm Beach County: Youth Violence Prevention (ARRA) | 16.804 | NA | 157,548 | -- |
| Subtotal Pass through FDLE and Palm Beach County | | | <u>277,126</u> | <u>19,820</u> |
| Total U.S. Department of Justice | | | <u>1,364,374</u> | <u>128,425</u> |

(Continued)

CITY OF WEST PALM BEACH, FLORIDA

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE (CONTINUED)

FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

| Federal Grantor/State Agency Pass-Through Entity Federal Program / State Project | CFDA / CSFA No. | Contract Grant No. | Expenditures | Transfers to Subrecipients |
|--|-----------------------|------------------------|----------------------|-------------------------------|
| Department of the Treasury | | | | |
| Direct Programs: | | | | |
| Treasury Forfeiture Expenditures | 21.000 | NA | <u>30,315</u> | <u>--</u> |
| Total Department of the Treasury | | | <u>30,315</u> | <u>--</u> |
| U.S. Department of Transportation | | | | |
| Federal Highway Administration (FHWA) | | | | |
| Passed-Through Florida Department of Environmental Protection (FDEP): | | | | |
| Grassy Waters Preserve - Phase II (Hog Island Trail) | 20.219 | T28031 / T2831 | 250,000 | -- |
| Apoxee Bike and Hike Trail - Phase III | 20.219 | T27020 / T2720 | <u>90,906</u> | <u>--</u> |
| | | | <u>340,906</u> | <u>--</u> |
| Federal Highway Administration (FHWA) | | | | |
| Passed-Through Florida Department of Transportation (FDOT): | | | | |
| Okeechobee Boulevard | 20.205 | FPN No. 411889-1-58-01 | 68,045 | -- |
| North Flagler | 20.205 | FPN No. 409417-1-58-01 | <u>833,288</u> | <u>--</u> |
| | | | <u>901,333</u> | <u>--</u> |
| Total U.S. Department of Transportation | | | <u>1,242,239</u> | <u>--</u> |
| U.S. Department of Labor | | | | |
| Direct Programs: | | | | |
| Youth Empowerment Center On-the-Job Training / Apprenticeship | 17.261 | EA-18769-09-60-A-12 | 200,453 | 128,042 |
| Youth Empowerment Center On-the-Job Training / Apprenticeship | 17.261 | EA-21933-11-60-A-12 | <u>13,918</u> | <u>--</u> |
| | | | <u>214,371</u> | <u>128,042</u> |
| Total U.S. Department of Labor | | | <u>214,371</u> | <u>128,042</u> |
| National Endowment of the Humanities | | | | |
| Direct Programs: | | | | |
| Florida Room & Archives Preservation Assessment | 45.149 | PG-51138-11 | <u>4,874</u> | <u>--</u> |
| Total National Endowment of the Humanities | | | <u>4,874</u> | <u>--</u> |
| Department of Energy | | | | |
| Direct Programs: | | | | |
| Energy Efficiency Conservation Block Grant (ARRA) | 81.128 | DE-SC0002809 | <u>153,949</u> | <u>--</u> |
| U.S. Department of Agriculture | | | | |
| Passed-Through Florida Department of Agriculture and Consumer Services (ARRA): | | | | |
| USDA Forest Health Improvement Initiative | 10.688 | NA | <u>5,095</u> | <u>--</u> |
| Total Expenditures of Federal Awards | | | <u>\$ 10,859,220</u> | <u>\$ 3,451,329</u> |

(Continued)

CITY OF WEST PALM BEACH, FLORIDA

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE (CONTINUED)

FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

| Federal Grantor/State Agency Pass-Through Entity Federal Program / State Project | CFDA / CSFA No. | Contract Grant No. | Expenditures | Transfers to Subrecipients |
|--|-----------------------|------------------------|----------------------|-------------------------------|
| State of Florida | | | | |
| Florida Housing Finance Corporation | | | | |
| Direct Program: | | | | |
| State Housing Initiatives Partnership (SHIP) Program | 52.901 | SHIP | \$ 479,875 | \$ -- |
| Total Florida Housing Finance Corporation | | | <u>479,875</u> | <u>--</u> |
| Florida Department of Transportation | | | | |
| Direct Programs: | | | | |
| 24th & 25th Street | 55.023 | FPN No. 415851-1-58-01 | 698,900 | -- |
| Forest Hill Boulevard Landscape Improvements | 55.003 | FM No. 424779-1-58-01 | <u>3,602</u> | <u>--</u> |
| Total Florida Department of Transportation | | | <u>702,502</u> | <u>--</u> |
| Florida Department of Environmental Protection | | | | |
| Direct Programs: | | | | |
| Lox Slough Restoration | 37.039 | LP6052 | 5,106 | -- |
| Stub Canal Stormwater Improvement | 37.039 | LP6868 | <u>206,651</u> | <u>--</u> |
| Total Florida Department of Environmental Protection | | | <u>211,757</u> | <u>--</u> |
| Florida Department of State - Division of Libraries and Information Service | | | | |
| Direct Programs: | | | | |
| State Aid to Library Construction Grant | 45.020 | 06-PLC-19 | <u>134,240</u> | <u>--</u> |
| State Aid to Library Programs | 45.030 | 09-ST-60 and 11-ST-60 | 69,257 | -- |
| Career Catalyst Program | 45.030 | 10-LSTA-F-08 | <u>9,972</u> | <u>--</u> |
| | | | <u>79,229</u> | <u>--</u> |
| Total Florida Department of State | | | <u>213,469</u> | <u>--</u> |
| Total Expenditures of State Financial Assistance | | | <u>\$ 1,607,603</u> | <u>\$ --</u> |
| Total Expenditures of Federal Awards and State Financial Assistance | | | <u>\$ 12,466,823</u> | <u>\$ 3,451,329</u> |

CITY OF WEST PALM BEACH, FLORIDA

NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE

FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

NOTE 1 – BASIS OF PRESENTATION

The accompanying schedule of expenditures of federal awards and state financial assistance projects (the Schedule) includes the federal and state grant activity of the City of West Palm Beach, Florida (the City) under programs of the federal and state governments for the fiscal year ended September 30, 2011. The information in this schedule is presented in accordance with the requirements of the Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations* and Chapter 10.550, *Rules of the Auditor General*. Because the schedule presents only a selected portion of the operations of the City, it is not intended to and does not present the financial position, changes in net assets or cash flows of the City.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Expenditures reported on the Schedule are reported on the accrual basis of accounting. Such expenditures are recognized following the cost principles contained in OMB Circular A-87, *Cost Principles for State, Local and Indian Tribal Governments*, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

CITY OF WEST PALM BEACH, FLORIDA
SUMMARY SCHEDULE OF PRIOR YEAR AUDIT FINDINGS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

I. PRIOR YEAR FINANCIAL STATEMENT FINDINGS AND STATUS

The following addresses the status of financial statement findings reported in the fiscal year ended September 30, 2010 Schedule of Findings and Questioned Costs.

There were no financial statement findings reported.

II. PRIOR YEAR FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

The following addresses the status of federal award findings reported in the fiscal year ended September 30, 2010 Schedule of Findings and Questioned Costs.

MATTERS THAT ARE REPEATED IN THE ACCOMPANYING SCHEDULE OF FINDINGS AND QUESTIONED COSTS

- 2010-5 – Subrecipient Monitoring (revised and included in current year comment 2011-04)

MATTERS THAT ARE NOT REPEATED IN THE ACCOMPANYING SCHEDULE OF FINDINGS AND QUESTIONED COSTS

- 2010-1 – Reporting Special Test and Provisions

III. PRIOR YEAR STATE FINANCIAL ASSISTANCE FINDINGS AND QUESTIONED COSTS

The following addresses the status of state financial assistance findings reported in the fiscal year ended September 30, 2010 Schedule of Findings and Questioned Costs.

MATTERS THAT ARE NOT REPEATED IN THE ACCOMPANYING SCHEDULE OF FINDINGS AND QUESTIONED COSTS

- 2010-3 – Reporting

CITY OF WEST PALM BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

SECTION I – SUMMARY OF AUDITOR’S RESULTS

Financial Statements

Unqualified Opinion

Type of auditor’s report issued:

Internal control over financial reporting:

Material weakness(es) identified? Yes No

Significant Deficiency(ies) identified not considered to be material weakness(es)? Yes None reported

Noncompliance material to financial statements noted? Yes No

Federal Awards Programs and State Financial Assistance Projects

Internal control over major federal awards programs and state financial assistance projects:

Material weakness(es) identified? Yes No

Significant Deficiency(ies) identified not considered to be material weakness(es)? Yes None reported

Type of auditor’s report issued on compliance for major federal awards programs and state financial assistance projects:

Qualified Opinion

Any audit findings disclosed that are required to be reported in accordance with Circular A-133, Section .510(a) or Chapter 10.550, Rules of the Auditor General?

Yes No

Identification of major federal awards programs and state financial assistance projects:

| <u>Federal Awards Programs</u> | <u>CFDA No.</u> |
|--|-----------------|
| Home Investment Partnership Program (HOME) | 14.239 |
| Housing Opportunity for People with Aids | 14.241 |
| Hazard Mitigation Grant – Ironhorse Stormwater Pump Station Construction | 97.039 |
| Hazard Mitigation Grant – Villages of West Palm Beach Drainage Design | 97.039 |
| COPS Hiring Recovery Grant (ARRA) | 16.710 |
| Highway Planning and Construction – Okeechobee Blvd & North Flagler Projects | 20.205 |
| Recreational Trails Program – Grassy Waters Preserve Phase II & Apoxee Bike and Hike Trail Phase III | 20.219 |

CITY OF WEST PALM BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

| <u>State Assistance Projects</u> | <u>CSFA No.</u> |
|--|---|
| 24 th & 25 th Street Project | 55.023 |
| Lox Slough Restoration | 37.039 |
| Stub Canal Stormwater Improvement | 37.039 |
| Dollar threshold used to distinguish between Type A and Type B programs: | |
| | Federal <u>\$325,777</u> |
| | State <u>\$300,000</u> |
| Auditee qualified as low-risk auditee for federal programs? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> no |

CITY OF WEST PALM BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

SECTION II – FINANCIAL STATEMENT FINDINGS

SIGNIFICANT DEFICIENCIES

2011-01 Internal Control over Financial Reporting

Criteria

Prudent policies include a formal closing process with supervisory Finance Department personnel being responsible for the review of transactions and balances recorded. Timeliness of closing procedures is crucial to providing accurate accounting data and financial information including interim and year-end financial statements.

Condition

During the course of our audit procedures there were multiple auditor adjusting journal entries proposed to correct errors such as the misstatement of the investment in joint venture, overstatement of unbilled receivables, understatement of invested in capital assets net of related debt, overstatement of deferred revenue and related receivables due to the lack of adequate grant reconciliation procedures and the amounts due back to HUD which was recorded at the fund level should have only been recorded at the government wide level due to its long term objective. In addition, the City provided to the auditors many adjusting journal entries after the initial trial balances were provided and the commencement of the audit (i.e., start of audit fieldwork) which necessitated additional procedures and delayed the completion of the audit. Finally, in many instances, schedules requested in our initial planning letter were not readily available at the commencement of our audit engagement.

Cause

Lack of sufficient and timely closing process.

Effect

Multiple account balances were not properly stated prior to the performing their necessary procedures and an untimely close of the books and records in order to prepare accurate financial statements.

Recommendation

We recommend a detailed general ledger account analysis of all accounts be performed on a monthly or quarterly basis in a timely manner. These analyses should be reviewed by supervisory Finance Department staff to ensure accurate recording of transactions. Finance

CITY OF WEST PALM BEACH, FLORIDA

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

SECTION II – FINANCIAL STATEMENT FINDINGS (continued)

Department supervisory personnel should also perform an analytical review of account balances with the prior year balances prior to closing the books and records to facilitate determining if significant variances exist, the reasons that support the variance, and if any adjustments are required. We further recommend that employees responsible for the books and records and approval of journal entries consult with their auditors or others for unusual or difficult to record transactions especially given the complexities associated with the accounting standards.

Views of Responsible Officials and Planned Corrective Actions

The City acknowledges there were delays in the year-end closing and preparation of financial statements as well as preparation of required worksheets for the auditors. The delays were caused by a unique set of circumstances which was impossible to predict and which is being addressed by the City's management. These circumstances include departure of three key management employees in the Finance Department within a year as well as the departure of the Director of the Housing and Community Development. These departures were in addition to the loss of 11 positions in the Finance Department in the past 3 years due to budget reductions, including 3 in the accounting and financial reporting group. This loss of personnel has greatly increased the workload of the remaining staff and understandably slowed the pace of year end work. It appears that two of the three vacant management positions will soon be filled and recruitment efforts are underway for the third position. The City's goal is for these positions to be filled in time to produce significant improvements in the closing processes for fiscal year 2012.

2011-02 OPEB Trust Fund

Criteria

Governmental Accounting Statements Board (GASB) Statement No. 43, *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans*, establishes financial reporting standards for OPEB plans of all state and local governments. This standard established reporting requirements for OPEB plans that are administered as trusts, or equivalent arrangements, through which assets are accumulated and benefits are paid as they come due in accordance with an agreement between the employer and plan members and their beneficiaries. In accordance with this standard, for amounts to be considered contributions to a qualifying trust the employer contributions must meet the following three criteria: contributions to the plan are irrevocable, plan assets are dedicated to providing benefits for amounts to be considered to their retirees and their beneficiaries in accordance with the terms of the plan, and plan assets are legally protected from creditors of the employer or the plan administrator. In order to properly fund an OPEB Trust, the actuarially determined contributions must be made to a qualifying trust.

CITY OF WEST PALM BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

SECTION II – FINANCIAL STATEMENT FINDINGS (continued)

Condition

We noted that the City has not irrevocably transferred assets to an other post employment benefits (OPEB) trust, or an equivalent arrangement, in which plan assets are dedicated to providing benefits to retirees and their beneficiaries in accordance with the terms of the plan and are legally protected from creditors of the City.

Cause

We believe that the City misinterpreted the requirements of GASB Statement No. 43 requiring the assets to be held in a trust account.

Effect

Even though the city's intent is to accumulate plan assets that are dedicated to providing benefits to their retirees and their beneficiaries in accordance with the terms of the plan, since the amounts accumulated have not been transferred to a trust, or an equivalent arrangement, the assets are not legally protected from creditors of the City.

Recommendation

We recommend that the City transfer assets to an OPEB trust account as soon as possible, in which plan assets are dedicated to providing benefits to retirees and their beneficiaries in accordance with the terms of the plan and are legally protected from creditors of the City.

Views of Responsible Officials and Planned Corrective Actions

The City does not agree that this comment should be reported as a significant deficiency. The City believes that the requirements of GASB Statement No. 43 were satisfied with the establishment in 2008 of an irrevocable trust for the sole benefit of plan members and their beneficiaries. Annual contributions to the trust are budgeted and paid by the City and allowable benefits are provided from the trust and the assets of the trust are strictly accounted for in the name of the trust. However, the City does acknowledge that, although the requirements of GASB Statement No. 43 were followed, there would be better controls for insuring appropriate uses of the funds if the trust assets were physically moved into a separate bank account in the name of the trust. That action will be taken prior to September 30, 2012.

CITY OF WEST PALM BEACH, FLORIDA

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

**SECTION III – FEDERAL AWARD AND STATE FINANCIAL ASSISTANCE
PROJECTS FINDINGS AND QUESTIONED COSTS**

MATERIAL WEAKNESSES AND MATERIAL NONCOMPLIANCE

2011-03 Preparation of the Schedule of Expenditure of Federal Awards and State Financial Assistance

Criteria

OMB Circular A-133 requires that the SEFA agree or be reconciled to the financial statements and that the SEFA should be accurately prepared.

Condition

As a result of our audit procedures, several audit adjustments were required at year end to adjust the SEFA for incorrect classification of expenditures between federal and state funding sources, incorrect classification of amounts between direct awards and indirect awards, as well as improper representation of amounts associated with subrecipients since these amounts are reported as expenditures once paid to the subrecipient. The following were the items noted:

- Approximately \$610,000 (24&25th Street Grant) of expenditures were reported as Federal and should have been presented as State (this altered our major program determination procedures and added two (2) additional programs to the testing after the auditors initial determination).
- We noted the project had multiple funding sources (including the City and DOT grant funding) and the final expenditures reported on the SEFA were calculated based on the latest pay application (not on the sum of individual pay applications). This made it difficult for the auditors to trace participating eligible expenditures in our testing procedures for the following:
 - State FDOT 24&25th Street Grant
 - Federal DOT North Flagler Grant
- In one instance the U.S. Department of Homeland Security Federal pass-through the State program was listed as a direct federal program for the following program:
 - Ironhorse Stormwater Pump Station Construction
- In two instances, Federal Pass through funds were presented on the SEFA when expended by the subrecipient and not as required by Federal guidelines when paid by the City to the Subrecipient for the following:
 - HOPWA Federal Grant
 - DOL Youth Empowerment Program

CITY OF WEST PALM BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

**SECTION III – FEDERAL AWARD AND STATE FINANCIAL ASSISTANCE
PROJECTS FINDINGS AND QUESTIONED COSTS (continued)**

Cause

We believe that there is a lack of communication between the various departments that administer the programs and the grants compliance officer.

Effect

The SEFA was not prepared accurately and in accordance with OMB Circular A-133.

Recommendation

We recommend that the City review their financial close and reporting procedures as they relate to the grants to ensure that the Schedule of Expenditures of Federal Awards and State Financial Assistance is properly presented in accordance with OMB Circular A-133 and that mechanisms be put in place to improve the communications between departments so that the SEFA can be prepared accurately and completely. There should be a closer monitoring of funding sources from the granting agencies and close review of grant agreements specifying funding sources.

Views of Responsible Officials and Planned Corrective Actions

The City acknowledges there is a need to improve the accuracy and completeness of the SEFA. The City is working to correct the causes of this condition and believes there will not be an ongoing control problem.

Two new funds were created in the City's financial system to track all capital and program grants by grant funding sources. Scope of work and appropriate eligible costs are identified before a purchase order is created in the City's financial system. The revised accounting system will reduce incorrect classification of expenditures between federal and state funding sources, and allow tracing of participating eligible expenditures through the financial system.

2011-04 Subrecipient Monitoring

CFDA – 14.239 – Home Investment Partnership Program (HOME)

Criteria

As delineated in the HOME program compliance supplement, a pass through entity is responsible for monitoring the subrecipient's use of Federal awards through reporting, site visits, regular contact, or other means to provide reasonable assurance that the subrecipient administers

CITY OF WEST PALM BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

**SECTION III – FEDERAL AWARD AND STATE FINANCIAL ASSISTANCE
PROJECTS FINDINGS AND QUESTIONED COSTS (continued)**

Federal awards in compliance with laws, regulations, and the provisions of contracts or grant agreements and that the performance goals were achieved. The pass through entity should establish a written risk assessment procedure in order to plan the nature, timing and extent of the monitoring conducted.

Condition

“During-the-award” monitoring was performed only after audit findings were issued by the prior independent auditor during the fiscal year ended September 30, 2010 audit report dated March 30, 2011. As a result the ongoing monitoring for the fiscal year ended September 30, 2011 was not performed by the City (Housing and Community Development department (HCD)) until May 2011. In addition, in order to adequately monitor subrecipients, the City would to have performed a risk assessment on each individual subrecipient, which would provide the City with the nature, timing, and extent of the monitoring to be conducted on each subrecipient. We also noted that participating HOME program subrecipient (Redemptive Life) did not submit monthly progress reports in relation to the progress of the program as required by the agreement with the City.

Cause

The City did not have adequate internal controls over monitoring in place.

Effect

The City is not in compliance with the Federal program’s subrecipient monitoring requirements and there is not a sufficient system of internal control over compliance in place to ensure that non compliance would not occur in the future. This puts the City in jeopardy of losing funding and having to pay back funds to the granting agency.

Recommendation

We recommend the City implement internal controls and policies and procedures to ensure it performs the necessary “during-the-award” monitoring procedures as prescribed by the OMB Circular A-133 and the HOME programs compliance requirements. The City should also perform and maintain a written risk assessment on each subrecipient which would enable the City to determine the frequency of monitoring and the depth of the monitoring to be performed.

CITY OF WEST PALM BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

**SECTION III – FEDERAL AWARD AND STATE FINANCIAL ASSISTANCE
PROJECTS FINDINGS AND QUESTIONED COSTS (continued)**

Views of Responsible Officials and Planned Corrective Actions

The City has taken steps to strengthen management oversight and internal controls over the operations of the Housing Department by employing a team of professionals with expertise in HOME programs. We have already begun a comprehensive review and developing policies and procedures to ensure compliance with all HOME program compliance requirements.

2011-05 Grant Program Monitoring

CFDA – 14.239 – Home Investment Partnership Program (HOME)

Criteria

As delineated in the HOME program agreement dated October 30, 2009 associated with the Coleman Park Housing Development, 15% of the funding is to be allocated for investment in housing to be developed, sponsored, or owned by Community Housing Development Organizations (CHDO).

Condition

Expenditures were submitted for reimbursement from the Department of Housing and Urban Development (HUD) in relation to the Coleman Park Housing Project that did not meet the allowable criteria as denoted by the grant agreement and the related annual action plan developed by the City. The expenditures were associated with construction costs administered by an organization that did not meet the CHDO status at the time the expenditures were incurred. In addition, the reimbursement was requested under the Home Buyer Assistance activity of the Grant which does not agree with the nature of the expenditures since the expenditures incurred were associated with new housing construction.

Cause

The City did not have adequate internal control over monitoring in place.

Effect

The City is not in compliance with the Federal program's allowable activity requirements and there is not a sufficient system of internal control over compliance in place to ensure that non compliance would not occur in the future. As a result, inappropriate expenditures could be funded and in this case there are \$100,000 in questioned costs.

CITY OF WEST PALM BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

**SECTION III – FEDERAL AWARD AND STATE FINANCIAL ASSISTANCE
PROJECTS FINDINGS AND QUESTIONED COSTS (continued)**

Recommendation

We recommend the City implement internal controls and policies and procedures to ensure it performs the necessary “during-the-award” monitoring procedures as prescribed by the OMB Circular A-133 and the HOME programs compliance requirements including annual CHDO recertification procedures.

Views of Responsible Officials and Planned Corrective Actions

The City has taken steps to strengthen management oversight and internal controls over the operations of the Housing Department by employing a team of professionals with expertise in HOME programs. We have already begun a comprehensive review and developing policies and procedures to ensure compliance with all HOME program compliance requirement which includes annual CHDO recertification procedures.

SECTION IV – OTHER MATTERS

2011-06 Time and Attendance System

Observation

The City has encountered multiple instances of overpayment and improper adjustment of compensated absences due to errors in the adjustment of hours worked by employees. During our audit procedures and inquiries, we noted an instance in which the City identified and corrected an individual that was erroneously paid for six months while on military leave due to improper coding of time. In addition, the internal audit department issued three separate reports in which instances of noncompliance with the City’s Time and Attendance Policy resulted in compensation for employees without the proper reduction in compensated absences, whether vacation leave or sick leave. The City’s system does not provide for automated time cards and as such, relied on manual adjustments for overtime, sick, holiday and vacation time.

Recommendation

We recommend that the City consider using an automated time card system, which would calculate hours on a daily basis and accumulate pay cycle totals that could facilitate the department Director review of such time before processing. A review of daily hours would allow management to correct mistakes and review overtime, sick, holiday, and vacation time as it occurs. In addition, it would eliminate the possibility of an employee to be paid for time if not reporting to work. An additional benefit would be the elimination the manual adjustments currently required to adjust hours by employee, thus saving time and reducing the potential for

CITY OF WEST PALM BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

SECTION IV – OTHER MATTERS (continued)

errors. Also, the supervisors or managers, who will be generally knowledgeable about their employees' attendance, hours, and work assignments during the pay period, should sign each time card indicating review and approval of hours worked. The review would determine that the employees have recorded time only when it had actually been worked.

Views of Responsible Officials and Planned Corrective Actions

The City of West Palm Beach maintains controls over the payroll process that include auditing done prior to issuance of payments, required submission of timecard detail reports approved by direct supervisors and timely repayments of any over or under payments as soon as they are discovered. The City agrees that a more automated time entry system would provide a number of benefits including more accurate reporting of hours actually worked, elimination of all manual calculations done by time entry clerks and less manual processing, resulting in a saving of the employee time needed to process payroll.

2011-07 Computer Passwords

Criteria

Prudent business practice would dictate that complex passwords be used as well as requiring passwords to be changed on a regular basis to reduce the risk of access to computer files by unauthorized personnel. Employees should also be instructed to avoid obvious passwords that could be associated with them personally, such as their birth date, or their own, spouse's, or pet's name. They should be encouraged to make their passwords more robust, for instance, by creating a password of sufficient length and consisting of a combination of letters and numbers. Simply adding a number to a word can increase the difficulty of guessing the password.

Observation

We noted a lack of required expirations of passwords and very simple passwords are being established by the users.

Cause

The City explained that the reason why they do not require expirations or complex passwords is because there is a syncing issue between the Windows Active Directory passwords and Lotus Notes. Marcum is aware that this issue exists, however, there are resolutions that would resolve this problem. The client was directed to the following link that provides a potential fix to the password syncing issue.

<http://www.ibm.com/developerworks/lotus/library/domino-adsync/index.html>
http://publib.boulder.ibm.com/infocenter/domhelp/v8r0/index.jsp?topic=/com.ibm.notes85.help.doc/sec_pass_syncwind t.html

CITY OF WEST PALM BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2011

SECTION IV – OTHER MATTERS (continued)

Effect

Increased risk of computer files being accessed by unauthorized personnel.

Recommendation

In order to reduce the risk of access to computer files by unauthorized personnel, we recommend that the City institute a policy that requires passwords to be changed on a regular basis. The City may also wish to investigate building into its software automatic expiration of passwords to ensure that they are changed periodically. In addition, employees should also be instructed to avoid obvious passwords that could be associated with them personally, such as their birth date, or their own, spouse's, or pet's name. They should be encouraged to make their passwords more robust, for instance, by creating a password of sufficient length and consisting of a combination of letters and numbers. Simply adding a number to a word can increase the difficulty of guessing the password.

Views of Responsible Officials and Planned Corrective Actions

Oracle Financials (eBusiness Suite) has been configured to expire every 90 days. An Oracle notification is sent to end users to change their password. Oracle's requirement is for the password to be at least 5 characters long.

We have also spent considerable time researching the Microsoft Active Directory (AD) and Lotus Notes passwords integration issue. We have found this to be a complex issue that must consider multiple variables and scenarios including daily account administration, security, local and remote access, personnel changes, and password management including restoration. We are continuing to research this issue.



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EXHIBIT D: FEDERAL CERTIFICATIONS AND ASSURANCES

To ensure compliance with various federal requirements, sub-recipients of JARC and New Freedom funds are required to sign Federal Certifications and Assurances for FTA Assistance Programs as part of the application, and these are reviewed as part of the overall application review process. The Federal Register Notice is revised annually and is usually available around January 1 of each year. Applicants may obtain a copy of the current year document through http://www.fta.dot.gov/documents/2012_Certs_Appendix_A.pdf. If unable to access the form, applicants may contact SFRTA for assistance.

The last page (Appendix A) of the annual Federal Register Notice that applies to Federal Certifications and Assurances provides applicants with a signature page. An individual authorized by the applicant's governing board and its attorney must certify compliance with the requirements of the various Federal Transit Administration grants or cooperative agreements. The appropriate signed Federal certification/assurance form must be included in the application when it is submitted to the South Florida Regional Transportation Authority. Blue ink is suggested as it distinguishes an original signature from a photocopied signature.

The FY 2012 Certifications and Assurances for FTA Assistance Programs list 24 Groups. To make a single selection of certifications and assurances, place an "X" at the top of Appendix A next to the statement that reads: "The Applicant agrees to comply with applicable provisions of Groups 1-24."

APPENDIX A

**FEDERAL FISCAL YEAR 2012 CERTIFICATIONS AND ASSURANCES FOR
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**
(Signature page alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: CITY OF WEST PALM BEACH

The Applicant agrees to comply with applicable provisions of Groups 01 – 24.

OR

The Applicant agrees to comply with applicable provisions of the Groups it has selected:

| <u>Group</u> | <u>Description</u> | |
|--------------|--|-------|
| 01. | Assurances Required For Each Applicant. | _____ |
| 02. | Lobbying. | _____ |
| 03. | Procurement Compliance. | _____ |
| 04. | Protections for Private Providers of Public Transportation. | _____ |
| 05. | Public Hearing. | _____ |
| 06. | Acquisition of Rolling Stock for Use in Revenue Service. | _____ |
| 07. | Acquisition of Capital Assets by Lease. | _____ |
| 08. | Bus Testing. | _____ |
| 09. | Charter Service Agreement. | _____ |
| 10. | School Transportation Agreement. | _____ |
| 11. | Demand Responsive Service. | _____ |
| 12. | Alcohol Misuse and Prohibited Drug Use. | _____ |
| 13. | Interest and Other Financing Costs. | _____ |
| 14. | Intelligent Transportation Systems. | _____ |
| 15. | Urbanized Area Formula Program. | _____ |
| 16. | Clean Fuels Grant Program. | _____ |
| 17. | Elderly Individuals and Individuals with Disabilities Formula Program and Pilot Program. | _____ |
| 18. | Nonurbanized Area Formula Program for States. | _____ |
| 19. | Job Access and Reverse Commute (JARC) Program. | _____ |
| 20. | New Freedom Program. | _____ |
| 21. | Paul S. Sarbanes Transit in Parks Program. | _____ |
| 22. | Tribal Transit Program. | _____ |
| 23. | TIFIA Projects | _____ |
| 24. | Deposits of Federal Financial Funding to a State Infrastructure Banks. | _____ |

APPENDIX A

FEDERAL FISCAL YEAR 2012 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

(Required of all Applicants for FTA funding and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: CITY OF WEST PALM BEACH

Name and Relationship of Authorized Representative: GERALDINE MUÑOZ, MAYOR

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes and regulations, and follow applicable Federal directives, and comply with the certifications and assurances as indicated on the foregoing page applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2012.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances, should apply, as provided, to each project for which the Applicant seeks now, or may later seek FTA funding during Federal Fiscal Year 2012.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature Geraldine Muñoz Date: 1/31/13

Name GERALDINE MUÑOZ
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): CITY OF WEST PALM BEACH

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature Nancy D. Urcheck Date: 1-31-13

Name NANCY D. URCHECK, DEPUTY CITY ATTORNEY
Attorney for Applicant

Each Applicant for FTA funding and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

EXHIBIT E: CIVIL RIGHTS REQUIREMENTS

As a condition of receiving Federal Transit Administration Section 5316 or 5317 program funds through the South Florida Regional Transportation Authority (SFRTA), sub-recipients must comply with the requirements of the US Department of Transportation's Title VI regulations. The purpose of Title VI is to ensure that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Sub-recipients are also responsible for ensuring compliance of each third party contractor at any tier of the project.

REQUIREMENT TO DEVELOP TITLE VI PROGRAM

All successful sub-recipients must submit a Title VI program to the SFRTA. Please refer to the Title VI circular that can be found at http://www.fta.dot.gov/documents/FTA_Title_VI_FINAL.pdf for specific information on developing a Title VI program. Below are some of the elements that should be included in your TITLE VI program.

REQUIREMENT TO DEVELOP TITLE VI COMPLAINT PROCEDURES

Sub-recipients must develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request.

REQUIREMENT TO RECORD TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

Sub-recipients must prepare and maintain a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the sub-recipient that allege discrimination on the basis of race, color, or national origin.

REQUIREMENT TO PROVIDE MEANINGFUL ACCESS TO LIMITED ENGLISH PROFICIENCY PERSONS

Sub-recipients must take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). To this end sub-recipients may develop and carry out a language implementation plan. Certain sub-recipients, such as those serving very few LEP persons or those with very limited resources may choose not to develop a written LEP plan. However, the absence of a written LEP plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to a recipient's program or activities. Sub-recipients electing not to prepare a written language implantation plan should consider other ways to reasonably provide meaningful access.

REQUIREMENT TO NOTIFY BENEFICIARIES OF PROTECTION UNDER TITLE VI

Sub-recipients must provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI. Sub-recipients that provide transit service shall disseminate this information to the public through measures that can include but shall not be limited to a posting on the agency's Web site.

DISADVANTAGED BUSINESS ENTERPRISE REQUIREMENTS

It is the policy of SFRTA that Disadvantaged Business Enterprises (DBE), as defined in 49 CFR Part 26, shall have the maximum opportunity to participate in the performance of contracts. SFRTA will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

Sub-recipients are encouraged to take all necessary and reasonable steps to ensure that DBE's have the maximum opportunity to compete for and perform services on contracts, including participation in any subsequent supplemental contracts. If the sub-recipient intends to subcontract a portion of

the services on the project, sub-recipient is encouraged to seek out and consider DBE's as potential subcontractors, by soliciting their interest, capability, and qualifications.

CITY OF WEST PALM BEACH



TITLE VI COMPLAINT PROCEDURES

This section outlines the Title VI complaint procedures related to providing programs, services and benefits. However, it does not deny any individual the right to file formal complaints with the Federal Transit Administration ("FTA") or any other appropriate federal agency, or seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs receiving federal financial assistance. The City of West Palm Beach ("City") is actively committed to obeying and preventing all forms of discrimination prohibited by Title VI and all other applicable federal, state and local laws.

GENERAL

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with the City of West Palm Beach Human Resources Department, Attention Title VI Coordinator, P.O. Box 3366, West Palm Beach, Florida 33402. A form available for such complaints is available on the City of West Palm Beach's website, www.wpb.org.

The City strives to obtain early resolution of complaints. The option of informal meeting(s) between affected parties and the City's Title VI Coordinator/Administrator or their designee may be utilized for resolutions. The Title VI Coordinator/Administrator will notify FTA of all Title VI related complaints as well as all resolutions.

PROCEDURE

1. The complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s), preferably on the form provided on the City's website. In cases where Complainant is unable or incapable of providing a written statement, a verbal complaint may be made by calling (561) 494-1000. An EEO Specialist will interview the Complainant and assist the person in converting verbal complaints to writing. All complaints must be signed by the complainant or his/her representative; and
 - b. Include the date of the alleged act of discrimination, date when the Complainant became aware of the alleged act of discrimination; or the date on which that conduct was discontinued or the latest instance of conduct; and
 - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint; and

- d. complaints must be filed within 365 calendar days of the alleged incident.
2. Upon receipt of the complaint, the City will determine its jurisdiction, acceptability, need for additional information, as well as assign the complaint to an EEO Specialist to investigate the merit of the complaint.
3. The Complainant will be provided with a written acknowledgement that the City has either accepted or rejected the complaint.
4. A complaint must meet the following criteria for acceptance:
 - a. The complaint must be filed within 365 days of the alleged occurrence; and
 - b. The allegation must involve a covered basis such as race, color or national origin; and
 - c. The allegation must involve a City of West Palm Beach service of a Federal-aid recipient, sub-recipient or contractor.
5. A complaint may be dismissed for the following reasons:
 - a. The complaint fails to meet the criteria of items 1a. through d. or 4a. through c., above; or
 - b. The Complainant requests withdrawal of the complaint; or
 - c. The Complainant fails to respond to repeated requests for additional information needed to process the complaint; or
 - d. The Complainant cannot be located after reasonable attempts.
6. The investigation and resolution of the complaint will follow procedures outlined in the City's Code of Ordinances, Part II, Chapter 42, Article II, Equal Opportunity, at Sections 42-42 through 42-46, available through www.municode.com.

RECORDKEEPING REQUIREMENT

The Title VI Coordinator/Administrator and will ensure that all records relating to the City of West Palm Beach Title VI complaint process are maintained in the Human Resources Department in accordance with applicable law. Records will also be available for compliance review audits.

CITY OF WEST PALM BEACH



PROCEDIMIENTO DE QUERELLAS BAJO TITULO VI

Esta sección describe el procedimiento de querellas bajo el Título VI relacionados con la prestación de programas, servicios y beneficios. Sin embargo, no niega a cualquier persona el derecho a presentar querellas formales ante la Administración Federal de Tránsito ("FTA") o cualquier otra agencia federal correspondiente, o buscar un abogado privado para querellas de discriminación, intimidación o represalias de cualquier tipo prohibidas bajo la ley.

El Título VI de la Ley de Derechos Civiles de 1964 prohíbe la discriminación por motivos de raza, color u origen nacional en los programas que reciben asistencia financiera federal. La Ciudad de West Palm Beach ("Ciudad") se ha comprometido activamente a obedecer y prevenir toda forma de discriminación prohibida por el Título VI y otras leyes federales, estatales y locales aplicables.

GENERAL

Cualquier persona que cree que él o ella, individualmente o como miembro de una clase específica de personas, ha sido objeto de discriminación por motivos de raza, color u origen nacional, puede presentar una querella por escrito con el Departamento de Recursos Humanos, Ciudad de West Palm Beach, Atención Coordinador del Título VI, PO Box 3366, West Palm Beach, Florida 33402. El formulario para querellas se encuentra disponible en la página de internet de la Ciudad de West Palm Beach, www.wpb.org.

La Ciudad se esfuerza por lograr una pronta resolución de las querellas. La opción una reunión informal (s) entre las partes afectadas y el Coordinador/Administrador del Título VI de la Ciudad o su designado puede ser utilizado. El Coordinador/Administrador del Título VI notificará FTA de todas las querellas relacionadas con el Título VI, así como todas las decisiones.

PROCEDIMIENTO

1. La queja debe cumplir los siguientes requisitos:
 - a. La querella debe ser sometida por escrito y firmada por el demandante(s), preferiblemente utilizando el formulario provisto en la página de internet de la Ciudad. En caso que demandante no sea capaz de proporcionar una declaración por escrito, puede someter la querella verbalmente comunicándose al teléfono (561) 494-1000. Un Especialista de Igualdad de Oportunidades entrevistará al demandante y le ayudará a convertir la querella verbal en escrita. Todas las querellas deben ser firmadas por el demandante o su representante, y

- b. Debe incluir la fecha del supuesto acto de discriminación, fecha en que el demandante tuvo conocimiento del supuesto acto de discriminación, o la fecha en que se suspendió esa conducta o la última instancia de la conducta, y
 - c. Debe incluir una descripción detallada de la situación, incluyendo los nombres y cargos de las personas incluidas como parte de la querella, y
 - d. Las querellas deben ser presentadas dentro de 365 días calendario del alegado incidente.
2. Luego de recibir la querella, la Ciudad determinará su jurisdicción, aceptabilidad, necesidad de información adicional, como también asignar la querella a un Especialista de Igual de Oportunidades para investigar el mérito de la querella.
3. La Ciudad le indicará por escrito al demandante si la querella ha sido aceptada o denegada.
4. Una querella será aceptada si cumple con los siguientes requisitos:
 - a. La querella debe ser presentada dentro de los 365 días calendario del alegado incidente, y
 - b. La querella debe ser en base a raza, color u origen nacional, y
 - c. La querella debe involucrar el servicio provisto por un recipiente, sub-recipient or contratista de la Ciudad de West Palm Beach que se encuentre recibiendo ayuda financier federal.
5. Una querella puede ser desestimada por las siguientes razones:
 - a. La querella no cumple con los criterios indiciados en artículos. a – d ó 4a. - C,
 - b. El demandante solicita retirar la querella, o
 - c. El demandante no responde a las reiteradas solicitudes de información adicional necesaria para procesar la denuncia, o
 - d. El demandante no puede ser localizado después de varios intentos razonables.
6. La investigación y resolución de la querella seguirá el procedimiento descrito en el Código de Ordenanzas de la Ciudad, Parte II, Capítulo 42, Artículo II, de Igualdad de Oportunidades, a Secciones 42-42 a 42-46, disponible a través de www.municode.com.

REQUISITOS PARA MANEJO DE DOCUMENTOS

El Coordinador/Administrador del Título VI se asegurará de que todos los documentos relacionados al proceso de querellas bajo Título VI de la ciudad de West Palm Beach se mantengan en el Departamento de Recursos Humanos, de conformidad con la ley aplicable. Los documentos también estarán disponibles para las auditorías de revisión de cumplimiento.

The City of West Palm Beach



"The Capital City of the Palm Beaches"

TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires that "No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know. Complete and return this form to The Director of Human Resources, Title VI Coordinator, City Hall, P.O. Box 3366, West Palm Beach, Florida 33402.

1. Your Name _____

2. Your Address _____

3. Your City, State and Zip Code _____

4. Your Telephone Number: (home) _____ (work/other) _____

5. Person discriminated against (if someone other than yourself):

Name _____

Address _____

City, State and Zip Code _____

6. Agency and Department or program you allege engaged in discrimination:

7. Basis for alleged discrimination (check all that apply):

a. Race/Color _____

b. National Origin _____

8. What date did the alleged discrimination take place? _____

9. In your own words, describe the alleged discrimination as clearly as possible, why you believe it happened, and how you were discriminated against. Tell us who was involved, and who you believe was responsible. Be sure to include how other persons were treated differently from you. Please use additional sheets if necessary and attach a copy of written materials that you think supports your complaint.

10. Please list all witnesses with contact information who may help us investigate your claim:

11. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? _____ Yes _____ No If yes, check all that apply:

_____Federal agency _____ Federal court _____State agency _____State court
_____Local agency

12. Please provide information about a contact person at the agency/court where the complaint was filed:

Name _____

Address _____

City, State, and Zip Code _____

Telephone Number _____

13. We cannot accept a complaint if it has not been signed. Please sign and date this form on the lines shown below:

Signature

Date

Printed Name

FORMULARIO DE RECLAMACIÓN DE TÍTULO VI

El Título VI de la Ley de Derechos Civiles de 1964 estipula que "Ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, será excluida de participar en, será negado los beneficios de, o será sujeto a discriminación bajo cualquier programa o actividad que reciba asistencia financiera federal."

La siguiente información es necesaria para ayudarnos a procesar su querrela. En caso de necesitar ayuda para completar este formulario, por favor háganoslo saber. Usted debe completar y devolver este formulario al Director de Recursos Humanos, Coordinador del Título VI, Ciudad de West Palm Beach, PO Box 3366, West Palm Beach, FL 33402.

1. Nombre _____

2. Dirección _____

3. Ciudad, Estado y Codigo Postal _____

4. Número de teléfono: (Residencia) _____ (trabajo/otro) _____

5. Persona objeto de discriminación (si no es usted):

Nombre _____

Dirección _____

Ciudad, Estado y Codigo Postal _____

6. Agencia y departamento o programa que usted alega cometió el acto de discriminación:

7. Base para la supuesta discriminación (marque lo que corresponda):

a. raza/Color _____

b. Origen nacional _____

8. Fecha en que sucedió la alegada discriminación: _____

9. En sus propias palabras, describa la alegada discriminación lo mas claro posible, por qué cree que sucedió, y cómo se discriminó contra usted. Díganos quién estuvo involucrado, y quien usted considera fue responsable. Asegúrese de incluir cómo otras personas han sido tratadas de manera diferente de usted. Use hojas adicionales si es necesario, e incluya cualquier document escrito que usted entienda apoya a su querella.

10. Enumere todos los testigos que pueden ayudarnos a investigar su reclamo, incluya información para contactarlos

11. ¿Ha presentado usted esta querella alguna agencia federal, estatal o local; o en algún tribunal federal o estatal?

_____ Sí _____ No

Si contesto SI, marque todas las que corresponda:

Agencia Federal _____ Tribunal Federal _____ Agencia Estatal _____

Tribunal Estatal _____ Agencia Local _____

12. Por favor proporcione información sobre una persona de contacto en la agencia / tribunal donde se presentó la querrela:

Nombre _____

Dirección _____

Ciudad, Estado y Codigo Postal _____

Número de teléfono: _____

13. **No podemos aceptar una querrela que no se ha firmada. Por favor firme y coloque la fecha de esta forma en los espacios indicados a continuación:**

Firma

Fecha

Nombre impreso

THE FOLLOWING NOTICE HAS BEEN PLACED ON EVERY TROLLEY.

TITLE VI NOTICE

TITLE VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs & activities receiving Federal financial assistance (42 U.S.C. Section 2000d).

The City of West Palm Beach is committed to practicing non-discrimination. If you believe you have been subjected to discrimination you may file a complaint with the City of West Palm Beach Title VI Coordinator.

A Title VI Notice has also been placed in City of West Palm Beach Human Resources.

EL SIGUIENTE AVISO SE HA COLOCADO EN CADA CARRO.

AVISO DEL TITULO VI

El Título VI de la ley de derechos civiles de 1964 prohíbe la discriminación en base a raza, color, u origen nacional en programas y actividades que reciben asistencia financiera Federal (42 U.S.C. sección 2000d).

La ciudad de West Palm Beach se compromete a practicar no-discriminación. Si usted cree que ha sido víctima de discriminación puede presentar una querrela através del Coordinador de Título VI de la ciudad de West Palm Beach.

Un aviso del Título VI también se ha colocado en el Departamento de Recursos Humanos de la Ciudad de West Palm Beach.

EXHIBIT F: PROCUREMENT

FTA has developed Circular 4220.1F “Third Party Contracting Guidance” to assist its recipients and their sub-recipients in complying with the various Federal laws and regulations that affect their FTA-assisted procurements. This document is located at www.fta.dot.gov/documents/FTA_Circular_4220.1F.pdf.

FTA C 4220.1F sets forth the requirements a sub-recipient must adhere to in the solicitation, award and administration of its third party contracts. FTA encourages sub-recipients to review their written procurement policies to ensure that they are in compliance with FTA C 4220.1F.

Applicants should also reference FTA’s Best Practices Manual located at www.fta.dot.gov/grants/13054_6037.html.

EXHIBIT G: RESTRICTIONS ON LOBBYING

Pursuant to the Byrd Anti-Lobbying Amendment, 31 U.S.C. 1352, as amended by the Lobbying Disclosure Act of 1995, P.L. 104-65 [to be codified at 2 U.S.C. § 1601, et seq.] - Contractors who apply or bid for an award of \$100,000 or more shall file the certification required by 49 CFR part 20, "New Restrictions on Lobbying." Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on its behalf with non-Federal funds with respect to that Federal contract, grant or award covered by 31 U.S.C. 1352. Such disclosures are forwarded from tier to tier up to the recipient.

The applicants with project value exceeding \$100,000 must submit the certification regarding lobbying (see next page).

Exhibit G: Restrictions on Lobbying

As discussed with SFRTA Staff, the City of West Palm Beach already meets restrictions on Lobbying and does not need to fill out the "Certification Regarding Lobbying" as this certification does not apply to local governments.

EXHIBIT H: MILESTONE INFORMATION

Use the Milestone format below for bus (vehicle) purchases. This is the required FTA format for this activity and you should not change Milestone descriptions.

| Item Description or Purpose | Total Budget Amount |
|------------------------------|------------------------|
| Bus Purchase | \$ |
| <i>Milestone Description</i> | <i>Milestone Dates</i> |
| RFP/IFB Issued | |
| Contract Award Date | |
| First Vehicle Delivery | |
| All Vehicles Delivered | |
| Contract Complete Date | |

Use the format below to develop Milestones for all other budget items.

| Item Description or Purpose | Total Budget Amount |
|----------------------------------|--------------------------|
| DOWNTOWN WPB COMMUTER CIRCULATOR | \$ 598,260 ⁰⁰ |
| <i>Milestone Description</i> | <i>Milestone Dates</i> |
| RFP/IFB Issued | N/A |
| Contract Award Date | N/A |
| Contract Complete Date | N/A |
| Program Initiated | N/A |
| Program Review | N/A |
| Program Completed | N/A |
| Route Initiated | 2015 |
| Route Review | 2016 |
| Route Determination | 2017 |

Attachments

- Letters of Support
- Commuter Circulator Route Map
- Supplementary Budget Sheet for Question 28
- WPB Commuter Circulator Passenger Survey Results
- CRA Strategic Finance Plan: Trolley Funding Line Item



5450 NW 33rd Ave, Suite 109
Fort Lauderdale, FL 33309
Ph: (800) 234-RIDE (7433)
954-731-0062
Fax: 954-731-7319
Web: www.1800234RIDE.com

South Florida Regional Transportation Authority
Governing Board
800 NW 33rd Street
Pompano Beach, FL 33064

January 22, 2013

Re: **City of West Palm Beach application for JARC Grant Funding**

Dear Board Members:

I am writing to express our support for the City of West Palm Beach's application for funding under the FTA Job Access Reverse Commute (JARC) Program for the Downtown Commuter Circulator Route. This route provides service to the Tri-Rail Seaboard Station and the Palm Tran multimodal facility, as well as to other major destinations in the Downtown, filling a critical gap in commuter connections to employment, government offices, services, and basic shopping needs.

As the regional hub for business and government offices; and as the largest concentration of employment in the County, Downtown West Palm Beach has a significant commuter population. Currently this route provides the only viable transit connection between the Tri-Rail and Intermodal Stations and the rest of Downtown. Establishing this much-needed connection will provide service to populations that are currently left without adequate transportation options. Additionally, the thousands of residents in the Downtown area utilize this connection to the regional transit facilities served by the new route.

South Florida Commuter Services works with the City of West Palm Beach and the Florida Department of Transportation in implementing the City of West Palm Beach's Transportation Management Initiative (TMI) which focuses on efforts to persuade commuters to consider alternative commute modes to the single-occupancy vehicle. We believe that the Downtown Commuter Circulator Route which is the subject of this grant application is a great asset to the TMI.

I strongly urge you to consider this application as it will continue to provide significant benefits to commuters, employers, transit-dependent populations, residents, and other visitors to the Downtown area. Please feel free to contact me for any additional information you may need.

Kindest regards,

A handwritten signature in black ink that reads 'Jim Udvardy'.

Jim Udvardy
Project Director

• Carpooling • Vanpooling • Transit • Telecommuting

A Program of the Florida Department of Transportation



*St. Andrew's Residence
of the Palm Beaches, Inc.*

208 FERN STREET, WEST PALM BEACH, FLORIDA 33401
(561) 655-1504
FAX (561) 655-8037

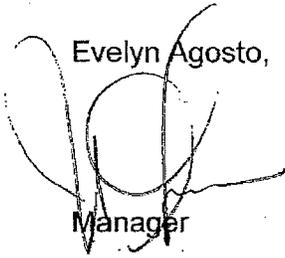
January 7, 2013

To Whom It May Concern/WPB Trolley Staff:

I am writing on behalf of the residents of St. James and St. Andrews' located in the beautiful West Palm Beach. Our buildings offer affordable living to 325 low-income seniors who depend on your trolley daily for transportation to meet grocery, banking, medical and entertainment needs. Your trolley service gives our seniors the ability to maintain their independence while staying connected to the surrounding communities. We are very lucky to have this service.

Thanks for filling this great transportation need!

Evelyn Agosto,



Manager





**SOUTH FLORIDA
REGIONAL
TRANSPORTATION
AUTHORITY**

800 NW 33rd Street | Pompano Beach, Florida 33064 | P 954/942-7245 | F 954/788-7878 | www.sfrta.fl.gov

January 28, 2013

Mr. Alex Hansen
Senior Planner
City of West Palm Beach Planning Department
401 Clematis Street, Second Floor
West Palm Beach, FL 33401

Dear Mr. Hansen:

Thank you for recently sharing ridership figures for the City of West Palm Beach Downtown Commuter Trolley Circulator (Green Route). Along with other SFRTA staff, I am very impressed with the strong performance of the Trolley Green Route in its first year of operation.

As you indicated, the Trolley Green Route carried 59,000 passengers during its first seven months and is on pace to carry more than 100,000 over the entire year. I am excited about your recent findings that approximately 1/3 of Green Route riders begin or end their trip at the West Palm Beach Intermodal Center/Tri-Rail (a.k.a. Seaboard) Station. It appears that the Green Route is providing an important and useful link between Tri-Rail and the multiple emerging nodes of Downtown West Palm Beach. It is also encouraging to know that the initial success of this route has prompted the City of West Palm Beach to consider a further increase in frequency of Green Route service during peak hours.

The implementation and success of the Trolley Green Route is another key step in multi-agency efforts to improve transit conditions and provide improved local access to the numerous longer distance transportation services at the West Palm Beach Intermodal Center/Tri-Rail Station. The City's recently completed Transportation Enhancement project on the east side of the station is a fine example of the multi-modal upgrades that have been pursued at this location. I am pleased that the Trolley Green Route is part of a comprehensive strategy to make the station area and entire downtown more livable and better connected to numerous transportation modes.

Again, thank you for providing SFRTA with ridership statistics for the Trolley Green Route. I am hopeful that the Green Route will continue to attract strong ridership and I wish you success in obtaining Federal grant funds to assist with its ongoing operating costs.

Sincerely,

Joseph Quinty, AICP
Transportation Planning Manager



Office of the CRA Executive Director

Geraldine Muoio
Mayor and Chair

Kimberly Mitchell
Commissioner

Shanon Materio
Commissioner

Keith James
Commissioner

Isaac "Ike" Robinson, Jr.
Commissioner

Sylvia Moffett
Commissioner

Kim Briesemeister
CRA Executive Director

Jeffrey Green
Treasurer

Hazeline F. Carson
Secretary

November 7, 2012

Mr. Joe Giuliatti, Executive Director
South Florida Regional Transportation Authority (SFRTA)
800 NW 33rd Street
Pompano Beach, FL 33064

Re: 2012 JARC application

Dear Mr. Giuliatti:

The City of West Palm Beach Community Redevelopment Agency ("CRA") continues to revitalize residential and commercial neighborhoods in the city through dedicated programs and services.

The CRA has identified the trolley service as an important component in linking the overall downtown community and continues to support this alternative transportation option through its 5-year Strategic Finance Plan and continued priority funding. Additionally, as recently as its CRA Board Meeting on September 4, 2012, the CRA Board of Directors approved partial funding of the complete trolley program through FY 2017.

The CRA strongly supports the City of West Palm Beach's JARC grant application for trolley services and requests your funding support.

Sincerely,



Kim Briesemeister
Executive Director



Monday, November 05, 2012

South Florida Regional Transportation Authority
Governing Board
800 NW 33rd Street
Pompano Beach, FL 33064

Re: **City of West Palm Beach application for JARC Grant Funding**

Dear Board Members:

I am writing to express my support for the City of West Palm Beach's application for funding under the FTA Job Access Reverse Commute (JARC) Program for the Downtown Trolley Route. This route provides service to the Tri-Rail and Intermodal stations and other major destinations in the Downtown, filling a critical gap in commuter connections to employment, government offices, services, shopping and entertainment.

Downtown West Palm Beach is the regional hub for business and government offices, and thus has the largest concentration of employment in the County. As a result, Downtown West Palm Beach has a significant commuter population. The trolley provides the only transit connection from the Tri-Rail and Intermodal Stations into the rest of Downtown and serves populations that would otherwise be without adequate transportation options.

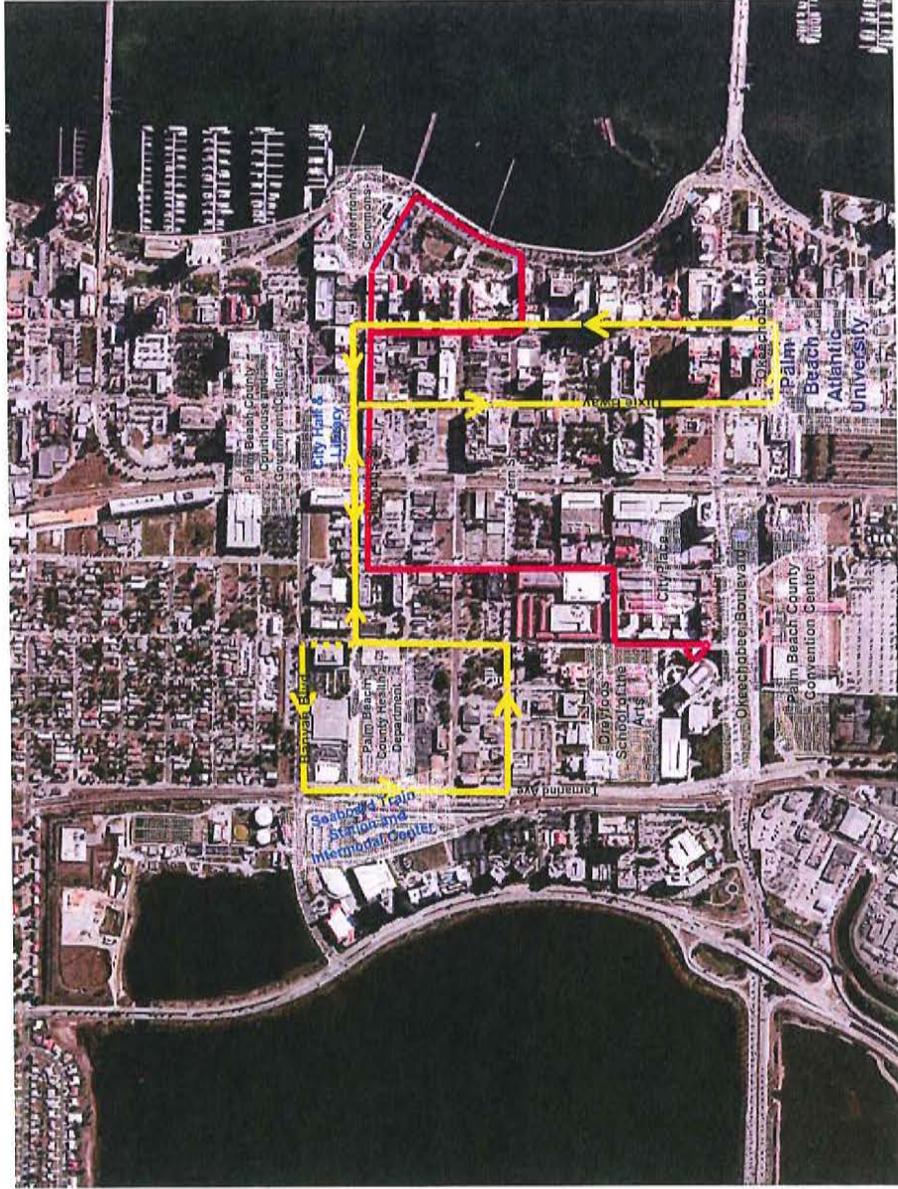
Additionally, the residential population of the Downtown area utilizes this connection to the regional transit facilities served by the new route.

I strongly urge you to consider this application as it will enable this system to continue to provide significant benefits to commuters, employers, transit-dependent populations, residents, and other visitors to the Downtown area. Please feel free to contact me for any additional information you may need.

Kindest regards,

Raphael Clemente
Executive Director

Downtown West Palm Beach Trolleys



CityPlace-Clematis Route **Downtown Commuter Circulator Route (JARC Route)**

SUPPLEMENTARY BUDGET SHEET FOR QUESTION #28

| | 12-month period | 24-month period (maximum allowable) |
|---|------------------------|--|
| Total Operating Cost (all eligible operating costs) | \$598,260 | \$1,196,520 |
| Less project revenues (Fare box) | \$(0) | \$(0) |
| Net project cost | \$598,260 | \$1,196,520 |
| Local Share requirement (50% of Net Project Cost) | \$299,130 | \$598,260 |
| Request for Operating Funding | \$299,130 | \$598,260 |

Assumptions for Commuter Circulator Annual Operating Costs:

Hours: Monday-Friday: 7:00 am -7:30 pm

Saturday: 9 am- 6 pm

Sunday: 11 am- 6 pm

78.5 Total Weekly Hours of operation for 2 vehicles

20 Total Weekly Hours of operation for 1 vehicle (Monday-Friday from 7 am to 9 am and from 5 pm to 7 pm)

78.5 Total Weekly Hours for 2 vehicles= 157 weekly hours + 20 Weekly Hours for 1 vehicle => 177 weekly hours

177 weekly hours x 52 weeks = 9204 annual hours of operation x \$65 per hour of operation = **\$598,260**

WPB Commuter Circulator Passenger Survey Results

(Survey conducted during week of Sept. 24, 2012)

What is the primary purpose of this trip?

217 Responses

| | |
|-----------------------------|-------|
| Commute to/from work | 35% |
| School (College/university) | 18% |
| Business related trip | 10% |
| Errands/Leisure | 27% |
| Medical | 4% |
| School (K-12) | 0.50% |
| Visit friends | 4% |
| Other | 1.50% |

How old are you?

208 Responses

| | |
|-------------|-----|
| Under 18 | 1% |
| 18 - 24 | 23% |
| 25 - 34 | 18% |
| 35 - 44 | 16% |
| 45 - 54 | 19% |
| 55 - 64 | 8% |
| 65 or older | 15% |

Are you ...?

203 Responses

| | |
|--------|-----|
| Male | 48% |
| Female | 52% |

Are you Spanish, Hispanic or Latino origin?

209 Responses

| | |
|-----|-----|
| Yes | 25% |
| No | 75% |

Which of the following best describes your race?

199 Responses

| | |
|----------------------------------|-----|
| African American | 32% |
| Caucasian / White | 47% |
| Asian / Pacific Islander | 3% |
| Native American / Alaskan Native | 1% |
| Other | 17% |

Were you born in the USA or another U.S. Territory? 205 Responses

| | |
|-----|-----|
| Yes | 68% |
| No | 32% |

Which of the following best describes you? 203 Responses

| | |
|---|-----|
| English is my first language | 72% |
| English is my second language but I am fluent | 24% |
| I find it difficult to speak / understand English | 3% |
| Necesito Ayuda con esta Forma | 1% |

Which of the following best describes you? 197 Responses

| | |
|---------------------|-----|
| Less than \$10,000 | 40% |
| \$10,000 - \$19,999 | 16% |
| \$20,000 - \$29,999 | 11% |
| \$30,000 - \$39,999 | 6% |
| \$40,000 - \$49,999 | 8% |
| \$50,000 or more | 19% |

Please Circle the Yellow Line Trolley Stops (Clematis Street - City Place Route) you MOST Frequent. 363 Responses

| | |
|-------------------------|-----|
| Tri Rail | 42% |
| Sapodilla / Fern Street | 3% |
| Post Office | 4% |
| 500 Block/Clematis | 6% |
| 400 Block/Clematis | 7% |
| Dixie Highway | 7% |
| Olive Avenue | 14% |
| 300 Block/Clematis | 8% |
| Rosemary / Banyan | 5% |
| Banyan Boulevard | 4% |

**West Palm Beach
Community Redevelopment Agency**

Prepared by:
Office of the Executive Director
401 Clematis Street
West Palm Beach, FL 33401
Phone (561) 822-1550
Fax (561) 822-1563
www.wpbkra.org

Strategic Finance Plan

for the Downtown/City Center CRA District



“Stimulating redevelopment activity in order to strengthen the economic base of the redevelopment area”



**West Palm Beach Community Redevelopment Agency
Downtown/City Center District
Strategic Finance Plan**

Summary Statement by Project (1),(2) (page 2 of 2)

| | Total | Proposed FY 2013 | Forecasted FY 2014 | Forecasted FY 2015 | Forecasted FY 2016 | Forecasted FY 2017 |
|--|----------------|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Use (Expenditures) | | | | | | |
| Expenditures continued | | | | | | |
| Debt Service | \$ 48,504,937 | \$ 11,780,650 | \$ 13,271,415 | \$ 8,055,474 | \$ 8,088,492 | \$ 7,308,906 |
| Target Area Initiatives | | | | | | |
| Consultants | \$ 145,000 | \$ 145,000 | \$ - | \$ - | \$ - | \$ - |
| Redevelopment Incentives | \$ 200,000 | 200,000 | - | - | - | - |
| Northwest Paint/Plant/Pave Program | \$ 110,000 | 110,000 | - | - | - | - |
| Workforce Housing, Property Acq. & Dev. Assistance | \$ 50,000 | 50,000 | - | - | - | - |
| Public Relations/Repositioning/Contractual | \$ 130,000 | 130,000 | - | - | - | - |
| 7th Street Square | \$ 450,000 | 450,000 | - | - | - | - |
| Security Services | \$ 200,000 | 200,000 | - | - | - | - |
| Parking Initiatives (Wayfinding Signage) | \$ - | - | - | - | - | - |
| Education Initiatives | \$ 200,000 | 200,000 | - | - | - | - |
| Trolley Transportation Program | \$ 1,350,000 | 270,000 | 270,000 | 270,000 | 270,000 | 270,000 |
| Digital Domain | \$ 3,000,000 | 2,000,000 | 1,000,000 | - | - | - |
| Waterfront Park & City Commons Project | | | | | | |
| Programming/Maintenance | \$ 3,400,000 | 400,000 | 750,000 | 750,000 | 750,000 | 750,000 |
| Infrastructure & Streetscape Improvements | \$ 140,000 | 140,000 | - | - | - | - |
| DDA Business Plan Funding | \$ 9,326,306 | 1,963,153 | 1,963,153 | 1,800,000 | 1,800,000 | 1,800,000 |
| Pass-Thru Lease Payments/Contributions | \$ 618,855 | 123,771 | 123,771 | 123,771 | 123,771 | 123,771 |
| Subtotal - Target Area Initiatives | \$ 19,320,161 | \$ 6,381,924 | \$ 4,106,924 | \$ 2,943,771 | \$ 2,943,771 | \$ 2,943,771 |
| Total Forecasted Expenditures | \$ 98,960,726 | \$ 24,256,065 | \$ 23,531,422 | \$ 17,223,032 | \$ 17,328,153 | \$ 16,622,054 |
| Reserve | | | | | | |
| Reserve for Target Area Initiatives | \$ 17,606,053 | \$ 3,000,000 | \$ (1,337,838) | \$ 4,795,467 | \$ 5,055,208 | \$ 6,093,216 |
| Total Forecasted Reserves | \$ 17,606,053 | \$ 3,000,000 | \$ (1,337,838) | \$ 4,795,467 | \$ 5,055,208 | \$ 6,093,216 |
| Total Uses | \$ 116,566,779 | \$ 27,256,065 | \$ 22,193,584 | \$ 22,018,499 | \$ 22,383,361 | \$ 22,715,270 |
| Surplus/(Deficit) | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |

Notes:

(1) Readers should refer to the Supporting Schedules for detailed information involving: tax increment revenue forecasts; miscellaneous operating expenditure forecasts; and Source & Use Statements for each Target Area that specify the individual sub-projects and associated funding sources.

(2) Readers should refer to the accompanying Fiscal Notes as they are an integral part of the Strategic Finance Plan.

