



Committee Members Present

John Byczek
Fran Davin
Ron Govin
David Mechanik
Mark Sharpe

Committee Members Absent

Kevin Beckner

Other Board Members Present

Wallace Bowers
Alison Hewitt
Karen Jaroch
Sandra Murman
Steven Polzin
Mike Suarez

Staff Present

Bob Atack
Sylvia Berrien
Katharine Eagan
Philip Hale
Marcia Mejia
Martha Milligan
Brenda Mowen
Rickey Kendall
Lena Petit
Mary Shavaliar
Michael Stephens
Randy Stribling
Kenneth Wagner

Others Present

Charles Fletcher, Gray Robinson
Ted Jackovics, The Tampa Tribune
Mitch Perry, Creative Loafing
Chad Lued..., HDR
Darcy Foster, Hillsborough County Aviation Authority
Michael Maurino, Tampa Bay Partnership
Chris Weber, Westshore Alliance

Sign-in sheets are attached

CALL TO ORDER

The meeting was called to order by Committee Chair Ron Govin at 9:03 a.m.

PLEDGE OF ALLEGIANCE

1. APROVAL OF MINUTES

Director Mechanik moved and Director Sharpe seconded approval of the July 18, 2011 Finance, Governance and Administration Committee meeting minutes. All Committee members present voted aye. The motion carried unanimously.

2. PUBLIC COMMENT

No one signed up to speak.

Chair Govin introduced Ms. Karen Jaroch who was appointed to the HART Board of Directors by the Hillsborough County Board of County Commissioners at its August 3, 2011, meeting and welcomed her to the HART Board.

3. PRESENTATIONS

a) Update on HART Liability

Mr. Michael Stephens, HART Director of Human Resources and Legal Services, presented an update on HART Liability, including self-insurance funding; workers compensation claims and reserves, general liability claims and reserves, risk management strategies, and future challenges and opportunities for the organization. A full copy of the presentation is on file and can be obtained from the Clerk of the Board at petitl@gohart.org.

Director Polzin asked if General Liability numbers include a mix of the claims, from customers and HART employees.

Mr. Stephens responded that General Liability claims are non-HART employees' claims.

Director Polzin asked if staff has information on how data on workers compensation and general liability claims compares HART to peers to see if it is performance-based or economy-driven.

Mr. Stephens said that one of the risk mitigation strategies proposed by staff is to start monitoring the data in comparison to HART peers.

Director Hewitt indicated that at a conference she attended recently, the Chair of the National Transportation Safety Board (NTSB) gave a presentation on Board members' role in system safety. She cited the Washington Metropolitan Area Transit Authority (WMATA) system and its members were cited for ineffective oversight as a result of a major accident. She asked if HART has a process to ensure that there is input from the HART Board on the system's safety plan and how the Board's responsibilities are determined.

Director Byczek arrived at 9:24 a.m.

Mr. Stephens responded that HART keeps the Board apprised of the results of the system safety audit, as well as a triennial evaluation.

Director Jaroch asked if HART liability is rated on an annual basis.

Mr. Stephens responded that it is an annual review process, an actuarial study that evaluates past claims history, present and potential exposure and recommends a certain amount set aside to cover HART liability.

b) Construction Update – 21st Avenue Rehab Project

Mr. Robert Atack, HART Project Manager, gave an overview of the rehabilitation of the 21st Avenue Administration and Operations building. A full copy of the presentation is on file and can be obtained from the Clerk of the Board at petitl@gohart.org.

Director Davin asked if Icynene spray foam insulation will be used as a part of the rehabilitation project to improve energy efficiency. She referred to her knowledge about the product and suggested that HART use this type of insulation.

Mr. Atack noted that insulation of the buildings is a major component of the project and that he would check if this specific type of insulation is planned to be used.

Director Byczek asked if staff plans for future growth while embarking on this major re-construction project.

Mr. Atack said any additional horizontal expansion of the building will impact parking for HART employees.

Chair Govin pointed out one of the objectives of this rehabilitation project is to accommodate staff currently in leased old and inefficient trailers. He noted that additional square footage will be added to the back of the building.

Director Polzin indicated that historically HART long-range plan projected an additional facility. He added that generally, when an agency grows, capacity is being spread as opposed to building upon a facility.

Mr. Hale stated that it is typical not to exceed 250-260 vehicles at one location. He said in a situation when HART expands past this capacity, a new facility needs to be sought. Mr. Hale noted that the disadvantage of an additional facility is the number of non-revenue or dead head miles increase.

Director Murman asked if the project required a percentage of minority business participation.

Mr. Atack responded that the DBE participation goal for the contract is 9 percent. He noted that sometimes in the course of a project the initially obligated/proposed percentage changes.

Director Murman expressed concern about the sustainability of temporary buildings during a hurricane. She noted the importance of bus service to the community during a natural disaster.

Mr. Atack said that HART hurricane evacuation plan provides that staff is evacuated from the trailers 24 hours prior to a storm's landfall. He added that all structures are built in accordance with the Miami-Dade wind code.

FY2012- FY2013 Budget Operating and Capital

Mr. Kenneth J Wagner, Director of Finance, gave an overview of the FY2012 and FY2013 proposed operating and capital budgets. A full copy of the presentation is on file and can be obtained from the Clerk of the Board at petitl@gohart.org.

Director Sharpe said he was concerned about the timing of the impasse hearing that is currently scheduled to be held after the September 26 budget hearing. He asked how staff would allocate additional savings that could become available.

Ms. Katharine Eagan, HART Chief Operating Officer, indicated that if additional funding becomes available, staff would recommend re-investing into service, for example, flex service, van-based service, or circulator service.

Director Sharpe asked if the impasse hearing could be scheduled prior to the budget hearing.

Mr. Fletcher, HART General Counsel, pointed out that the budget process needs to occur independently from the impasse hearing. He said both processes are scheduled close together and it could be challenging to mix them together.

Director Sharpe stated he wanted to make sure not to cross the line, but believes that this is important to address the impasse before adopting the budget. He praised staff for identifying savings of \$5 million in the FY2012 budget. Director Sharpe said staff needs to make sure that all available steps were taken, all options evaluated before HART would ask for a tax increase, although it is slight. He asked if it is feasible to modify the time of the impasse hearing.

Director Suarez arrived at 9:52 a.m.

Mr. Stephens responded that the Union is represented by an outside counsel and staff will need to contact him to coordinate this request.

Director Polzin requested a confirmation on the HART Board's ability to change its position on the budget between two budget hearings.

Mr. Fletcher stated that the vote on the millage rate made at the first budget hearing sets the maximum rate, after which it could be only decreased.

Director Polzin pointed out that he does not refer to the proposed millage rate as a millage increase, rather as restoration of a historical rate to the level since creation of the agency. He added that HART now collects less total dollars. Director Polzin spoke about the unstable economic and political environment that can further impact ad valorem.

Director Murman asked for clarification on the pay increase considered for the Union during this fiscal year. She said HART has to ask to increase millage to pay for the Union increases, and 3.4 cents increase per month would not go to the service. Director Murman said the HART Board has to be upfront and honest, and that is why it is important to have the discussion before the final decision on the budget is made.

Director Sharpe said it is important that the HART Board of Directors collectively agree to take every step possible to not to reduce service for people who depend on it to get to hospitals and jobs.

Chair Govin pointed out that by holding an impasse hearing on September 26, prior to the budget hearing, creates a timing issue since only the members of the public who will be attending the budget hearing on September 26 will have an opportunity to provide comment. He suggested that the impasse hearing be moved to a different day in September so that it would give staff time to make adjustments to the budget for a presentation to the Board and allow for public review and comment.

Director Davin expressed her concern that getting into a discussion between two budget hearings might result in potential legal problems to the Board. She remarked that, in her opinion, tactically these are two very separate hearings and issues. Director Davin indicated that at the impasse hearing the HART Board sits in quasi-judicial capacity, which has nothing to do with the budget adopting capacity.

Director Sharpe made a motion that the budget hearing and impasse hearing are to occur as two separate discussions; and that it is important that the impasse hearing occurs prior to the budget hearing; and that staff makes arrangements to establish an alternative day for the impasse hearing, as expeditiously as it could be, and prior to the September 12 budget hearing. Director Byczek seconded.

Mr. Fletcher said that holding the impasse hearing prior to a decision on the budget helps to debate the budget as a fully separate issue.

All Committee members present voted aye. The motion carried unanimously.

Director Murman brought to staff's attention the fact that the Tampa Port Authority will be holding its budget hearings on September 12, at the same time as HART.

4. COMMITTEE ACTION ITEMS

Authorize the Chief Executive Officer to Execute Necessary Documents for the Purchase of Properties Less than \$25,000 per Parcel that are Required for the Development of Stations for the MetroRapid North-South Project

Director Mechanik moved and Director Byczek seconded advancing this action item to the full HART Board of Directors on September 12, 2011. All Committee members present voted aye. The motion carried unanimously.



Director Polzin asked what share of the stations falls into this category.

Ms. Shavalier responded that 20 parcels are estimated to be under small purchases and those over \$25,000 will be brought individually for the HART Board's approval.

Director Polzin noted it is a precedent-setting action. He cautioned against perception that HART/transit does damage and impacts properties.

Ms. Shavalier said that HART will not have to pay for some land acquisitions due to partnerships with the state department of transportation.

Director Davin asked if HART has legal representation on this acquisition process.

Ms. Shavalier referred to the information item in the back of the package that addresses the legal representation.

Director Davin expressed concern about the costs of the stations.

Ms. Shavalier said that only major stations along the corridor will have TVMs, real-time passenger displays, and be larger in size. She said that HART does not have a lot of experience in acquisition of properties, and staff hopes that eminent domain process will not be necessary for acquisition of many properties. She noted that all acquisitions will be brought back to the Board's final approval.

Director Murman asked if HART staff works with the Hillsborough County Real Estate Department.

Ms. Shavalier responded that County staff has been providing great assistance to HART staff.

Authorize the Chief Executive Officer to Complete All Actions Necessary for Termination of the Tampa International Airport Transfer Center Project

Director Davin said the state department of transportation is working with a consultant on how to redesign a pathway across the bay. She pointed out that it is a critical time to have a conversation on a plan to deal with connecting the traffic that comes from across the bay, going to the airport and out. Director Davin remarked that discussion of intermodal plans should be held before HART turns back the Tampa Airport Transfer Center money and decides to re-deploy it.

Ms. Shavalier noted that Florida Department of Transportation (FDOT), Hillsborough Metropolitan Planning Organization (MPO) and Westshore Alliance have been studying an intermodal center at Westshore. She said staff could get an update on this project.

Director Davin stated that, in her opinion, HART is to be an active participant in such discussions and plan designs rather than merely receiving an update on the ongoing project.

Director Murman suggested HART send a letter to the Hillsborough MPO stating the need to be a part of the discussion.

Ms. Shavalier introduced a representative from the Hillsborough County Aviation Authority present in the audience.

Ms. Darsy Foster, Hillsborough County Aviation Authority Government Affairs Director, said the Aviation Authority is undertaking a master plan to look at the airport property as a whole. She indicated the airport requested of HART to remove the transfer center from the currently- planned location; however a new proposed location for the center is not known at this time and it may be premature to say it will not be on the airport campus. Ms. Foster thanked the HART Board and staff for cooperation in the matter and partnership with the airport. She noted that she is aware of discussions indicating that the community is in a reset mode on how to pursue an intermodal concept for local transportation.

Director Polzin asked if the Aviation Authority study is aimed at looking at the airport's immediate needs, which is independent from the Westshore Alliance efforts.

Ms. Foster stated that these are two independent studies. The Westshore Alliance looking at a method of providing transit to people who work in the area, while the scope of the airport master plan is to determine ways to accommodate people on campus, direct people who are coming from across the bay and downtown. She added that the plan needs to have an interface with the external world in the future.

Director Polzin expressed concern that on the one hand, there is no money to run service or timeframe for any projects; however, on the other hand, certain groups are spending real money planning and moving toward capital investment. He indicated that HART cannot diffuse its service to serve other intermodal centers because HART's main service is to move people. Director Polzin added that such facilities enable moving people, but are not their primary goal. He said he is in favor of the suggestion that HART being more proactive.

Director Davin said that public money should not be used without coordinating with other entities.

Director Sharpe moved and Director Davin seconded advancing this action item to the full HART Board of Directors on September 12, 2011. All Committee members present voted aye. The motion carried unanimously.

Director Davin moved and Director Sharpe seconded the motion to request that the full Board of Directors at the next Board meeting direct staff to communicate with the Hillsborough MPO that it is critical for HART, as operator of public transit, to be at the table during discussions on transit plans in the region and to encourage the MPO to coordinate the ongoing independent plans in terms of schedules and expectations of the projects. All Committee members present voted aye. The motion carried unanimously.

Director Murman suggested that staff draft a letter to the MPO to have it ready for the Board approval at the next full Board meeting.

Approval of the Operator's Agreement for the TECO Line Streetcar System

Ms. Brenda Mowen, HART Chief Administrative Officer, provided a summary of the changes to the proposed five-year streetcar operator's agreement.

Director Davin moved and Director Byczek seconded the motion advancing this action item to the full Board of Directors. All Committee members present voted aye. The motion carried unanimously.

Authorization for Board Member's Travel

Director Polzin stated that certain travel expenses would be covered through his employer, CUTR.

Director Suarez indicated that he would be using the City of Tampa travel budget to pay for the trip expenses.

Director Davin suggested scheduling discussion on Board travel on a quarterly basis and considering adopting an agreement that limits attendance to one Board member per a conference. She said she could not support multiple-member participation; however would agree that Director Suarez, as relatively new HART Board member, might benefit from attending the conferences under discussion.

Director Fran Davin moved and Director Mark Sharpe seconded the motion to advance this item to the full HART Board of Directors and recommend against authorizing HART Board Members travel.

Director Suarez indicated that, in his opinion, it is important that HART is represented at the APTA conference.

Director Jaroch asked if the registration fee includes meal expenses.

Mr. Hale responded that HART Board members receive per diem.

Director Hewitt explained that per diem amount can be adjusted for the days when meals are provided by the organizers of the conference. She reported that she attended the APTA Transit Board Members Seminar where she was elected Chair of the Transit Board Members Committee. Director Hewitt said the platform of 2011 APTA Annual conference will be economic sustainability, looking at ways to help making transit agencies run like a business. She remarked that several webinars will be set on the same subject and encouraged all Board members' participation.

Director Hewitt proposed to cover half of the travel expenses.

Director Bowers suggested that HART be represented at least by one Board member.



Director Byczek made a motion that HART will cover travel expenses in the amount of \$500.00 for each Board member. All travel expenses beyond this amount are to be covered by respective Board members. There was no second to the motion. The motion failed.

Director Polzin stated he would be willing to forego attending the APTA conference this year. He pointed out that APTA has a new Executive Director and indicated that it is his opinion that HART should be represented at the APTA annual conference.

The question was called on the motion by Directors Davin and Sharpe. All Committee members present voted aye. The motion carried unanimously.

4. ADJOURNMENT

The meeting adjourned at 11:10 a.m.