



Committee Members

Ron Govin, Chair

David Mechanik, Vice Chair

Kevin Beckner

John Byczek

Fran Davin

Mark Sharpe

HART Administrative Offices

1201 E. 7th Avenue, 3rd Floor

Florida Conference Room

Tampa, Florida 33605

Monday, August 22, 2011, at 9:00 a.m.

Information not viewable is available upon request through the Clerk of the Board phone: 813-223-6831, fax: 813-223-7976, or e-mail: petitl@goHART.org

TAB

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Minutes from the July 18, 2011, Finance, Governance, and Administration Committee meeting

PUBLIC COMMENT (3 MINUTES PER SPEAKER)

PRESENTATIONS

Update on HART Liability

Michael Stephens, Director of HR and Legal Services

Overview:

HART Staff will provide a presentation on HART current risk and liability exposure. The presentation will focus on HART historical and current risk reserves, current case exposure as well as strategies to mitigate the Authority's risk.

Construction Update – 21st Avenue Rehab Project

Bob Attack, P.E., Project Manager, Grants Management and Planning Department

Overview:

On June 6, 2011, the Board awarded a contract for the renovation of the 21st Avenue Administration and Operations building to the firm of Henkelman Construction, Inc. This presentation will include an overview of the project, the construction schedule, and the progress to-date.

Overview of the FY2012 Proposed and FY2013 Planned Budgets

Ken Wagner, Director of Finance

Overview:

This presentation will focus on the final version of the FY2012 Proposed and FY2013 Planned Operating and Capital Budgets. This budget update is scheduled to be the final presentation prior to the public hearings scheduled for September 12 and 26 and final adoption by the HART Board of Directors on September 26.

Continued...

COMMITTEE ACTION ITEMS

- a. **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**

Mary Shavaliar, Director of Grants Management and Planning

Overview:

HART is completing design work for development of the *MetroRapid* North-South project along Nebraska Avenue and Fletcher Avenue. Several stations along the route will require acquisition of small sections of private properties that are adjacent to the right-of-way.

Recommendation:

That the Finance, Governance, and Administration Committee review the action item authorizing the Chief Executive Officer to execute necessary documents to purchase individual properties with values less than \$25,000 per parcel that are required for the development of stations for the *MetroRapid* North-South project and advance this item to the full HART Board of Directors on September 12, 2011.

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

Mary Shavaliar, Director of Grants Management and Planning

Overview:

HART has been developing a transfer center at Tampa International Airport (TIA) since late 2008. Continuation of the project is challenged because of the TIA Master Plan Update that the Hillsborough County Aviation Authority (HCAA) will be undertaking over the next year. The Master Plan will be reviewing usage and future plans for real estate as well as transportation linkages.

Recommendation:

That the Finance, Governance, and Administration Committee review the action item authorizing the Chief Executive Officer to complete all actions necessary for termination of the Tampa International Airport Transfer Center project and advance this item to the full HART Board of Directors.

- c. **Approval of the Operator's Agreement for the TECO Line Streetcar System**

Brenda Mowen, Chief Administrative Officer

Overview:

HART contracts with Tampa Historic Streetcar, Inc. (THS) to operate the TECO Line Streetcar System. The current agreement expires September 30, 2011. The purpose of this item is to approve the renewal of a five-year agreement, effective October 1, 2011.

Recommendation:

That the Finance, Governance, and Administration Committee review the action item approving the Operator's Agreement for the TECO Line Streetcar System and advance this item to the full HART Board of Directors.

Finance, Governance, and Administration Committee Meeting

Continued...

- d. **Authorization for Board Member's Travel**
Philip R. Hale, Interim Chief Executive Officer

Overview:

The American Public Transportation Association (APTA) will hold its APTA EXPO 2011 & Annual Meeting on October 3-5, 2011, in New Orleans, Louisiana. The Florida Public Transportation Association (FPTA) will hold its annual conference on October 16-18 in Tampa, FL. HART is a host agency. Board members Hewitt, Polzin, and Suarez expressed their interest to attend the conferences and request authorization to travel to the events.

Recommendation:

That the Finance, Governance, and Administration Committee review the action item authorizing HART Board Members Hewitt, Polzin and Suarez to attend the events of interest and advance this item to the full HART Board of Directors

INFORMATION ITEMS

Legal Services for Property Acquisition for the MetroRapid North-South and Park and Ride Projects

Mary Shavalier, Director of Grants Management and Planning

Overview:

The purpose of this report is to advise the Committee on the responsibilities relating to the legal services required for property acquisitions related to the *MetroRapid* North-South and Park and Ride projects.

ADJOURNMENT



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Committee Members Present

Kevin Beckner
John Byczek
Ron Govin
David Mechanik

Committee Members Absent

Fran Davin
Mark Sharpe

Other Board Members Present

Wallace Bowers
Alison Hewitt

Staff Present

Sylvia Berrien
Katharine Eagan
Philip Hale
Rickey Kendall
Marcia Mejia
Brenda Mowen
Lena Petit
Gisela Rivera-Rios
Mary Shavalier
Kenneth Wagner

Others Present

Charles Fletcher, Gray Robinson
Ernest Coney Jr, CDC of Tampa
Randy Kranjec, Hillsborough MPO
Thomas Kongerslev, ATU
Bill Sharpe, South Tampa Community News
Charles Young, Jr, CDC of Tampa
Ted Jackovics, The Tampa Tribune

Sign-in sheets are attached

CALL TO ORDER

The July 18, 2011, Finance, Governance, and Administration Committee meeting was called to order by Committee Chair Ron Govin at 9:10 a.m.

Chair Govin announced that Director Sharpe was unable to attend the meeting due to a scheduling conflict.

1. APROVAL OF MINUTES

Director Byczek moved and Director Beckner seconded approval of the June 20, 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.

3. PRESENTATIONS

a) **Public Transportation Assists Those Seeking to Find Employment**
Ernest Coney, Chief Operations Officer, Corporation to Develop Communities of Tampa

Ms. Brenda Mowen, HART Chief Administrative Officer, introduced Mr. Ernest Coney, Jr, Chief Operations Officer, Corporation to Develop Communities (CDC) of Tampa.

Mr. Coney, spoke about public transportation as a means of sustaining an independent lifestyle and employment. He outlined functions and focus of CDC of Tampa in soft-skills training, interview management techniques, conflict resolution, and job readiness training. Mr. Coney pointed out that HART is pivotal in helping kids realize the value of education. He noted that CDC of Tampa welcomes cooperation with HART and will be working on leveraging opportunities.

b) **FY2012 and FY2013 Proposed Budgets Overview**

Ms. Katharine Eagan, Chief Operating Officer, presented updates to the proposed FY2012-2013 operating budget. A full copy of the presentation is on file and can be obtained from the Clerk of the Board at petitl@gohart.org.

Chair Govin said that the changes to the proposed budget were possible as a result of additional revenue sources identified by staff.

Director Mechanik moved and Director Beckner seconded the motion to recommend the proposed FY2012 and FY2013 operating budgets for consideration by the full Board of Directors. All Committee members present voted aye. The motion carried unanimously.

Capital Budget

Ms. Mary Shavalier, Director of Grants Management and Planning, presented the efforts underway to refine the capital budgets. She pointed out the objectives of the capital budgets, which include: maintaining infrastructure, fleet and facilities in a state of good repair; providing enhanced access to transit services; improving service reliability; and enhancing security and safety of passengers, employees and assets. Ms. Shavalier indicated that staff will be bringing more information on certain projects to the Finance, Governance and Administration Committee in August. She spoke about impact of the toll credit on future state-funded projects. Ms. Shavalier reported that HART is working with the Hillsborough MPO on securing funding for HART annual need for bus replacement.

Director Beckner inquired about the remaining unspent amounts previously allocated to two construction projects, TIA transfer center and Ybor administration facility

Ms. Shavalier explained that the funding for the Tampa Airport Transfer Center is a combination of state and federal money and staff is currently coordinating with the state to determine the future and possibility of reallocating those funds. She noted that the Ybor facility will require certain upgrades to the acoustics and air conditioning; and approximately \$350,000-\$400,000 could be saved and reallocated to other projects as a result of change in the scope of work.

Director Byczek moved and Director Beckner seconded the motion to recommend the proposed FY2012 and FY2013 capital budgets for consideration by the full Board of Directors. All Committee members present voted aye. The motion carried unanimously.

4. COMMITTEE ACTION ITEMS

Authorization to Implement the Proposed November 2011 Schedule Change

Director Beckner moved action item 4a, Authorization to Implement the Proposed November 2011 Schedule Change. Director Byczek seconded. All Committee members present voted aye. The motion carried unanimously.

Approval of FY2012 – FY2021 Transit Development Plan for Submittal to the Florida Department of Transportation

Ms. Shavalier described the Transit Development Plan (TDP) as a business plan for the agency looking at the issues facing HART now and anticipated 10 years ahead. She reported that FDOT requires this document to be established by eligible providers of public transportation and updated on an annual basis, with major updates every five years. Ms. Shavalier said the TDP looks at development patterns, ridership trends and issues affecting HART at local, state, and federal levels. She outlined the key elements of the TDP and two types of plans included in it, a needs plan and status quo plan presenting a snapshot of HART service levels if no additional revenue sources are available. Ms. Shavalier noted that rail, as a transportation mode, was not included into the next 10-year plan due to funding challenges. She pointed out that staff recognized the importance of the plan going beyond only bus service, looking at enhancing transit and other cost-effective measures.

Director Mechanik noted the recent media remarks about the plan and its lack of a rail component. He requested to confirm that the FDOT requires that the TDP contains financially feasible projects with reasonably foreseeable funding.

Ms. Shavalier pointed out that the TDP can be changed as opportunities arise. She said staff recognizes the importance of continuing to study other options to serve the needs of the community.

Director Bowers remarked the TDP is outlining various possibilities, so that HART is prepared for changes that might come in the future. He asked if the TDP precludes light rail.



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Director Beckner asked what other transit modes, beyond the current bus system, will be considered for the future funding sources.

Ms. Shavalier stated the plan is projecting more express routes, local routes, park and ride lots, additional Bus Rapid Transit in other corridors, High Occupancy Vehicle (HOV) lanes restricted to buses only, and High Occupancy Toll (HOT) lanes. She noted that the MPO is considering variations of light rail, such as diesel motor units.

Director Beckner requested confirmation that BRT is projected as a primary mode in addition to the existing bus service.

Ms. Shavalier responded that the BRT as well as HOT lanes are the main potential opportunities for future development. She continued to provide an overview of the TDP as a guide, a snap shot of challenges before HART in 2012-2013. Ms. Shavalier pointed out the importance of the action program addressing financial issues and community needs for transit. She said HART plans to work with private providers, the MPO, and other agencies on evaluating other modes of transit, enhancing convenience of use for transit-dependent customers and service development.

Director Mechanik moved to advance the action item 4b, Approval of FY2012 – FY2021 Transit Development Plan for Submittal to the Florida Department of Transportation for approval by the full Board of Directors. Director Byczek seconded. All Committee members present voted aye. The motion carried unanimously.

Authorize the Chief Executive Officer to Execute Resolution #R2011-08-XX – Amendment No. 3 Rescinding the prior Amendment, and Execute Resolution #R2011-08-XX – Amendment No. 4 Adding Funds (\$231,995) to Existing Agreement between the Hillsborough Transit Authority and the Pinellas County Metropolitan Planning Organization for the Job Access Reverse Commute Program

Mr. Ken Wagner, Director of Finance, introduced the request to rescind the existing agreement to reflect the correct funding amount of \$231,995.

Director Hewitt asked how many people are able to use the transit services supported by JARC funding. She indicated it is important to show the benefits, especially with ongoing talks about potential federal funding reductions.

Ms. Shavalier responded that staff will prepare such a report to the Board.

Director Mechanik moved to advance the action item 4c, Authorize the Chief Executive Officer to Execute Resolution #R2011-08-XX – Amendment No. 3 Rescinding the prior Amendment, and Execute Resolution #R2011-08-XX – Amendment No. 4 Adding Funds (\$231,995) to Existing Agreement between the Hillsborough Transit Authority and the Pinellas County Metropolitan Planning Organization for the Job Access Reverse Commute Program for approval by the full



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Board of Directors. Director Beckner seconded. All Committee members present voted aye. The motion carried unanimously.

Authorize the Chief Executive Officer to Dispose of Three (3) Revenue Vehicles in such a Manner to be Most Advantageous to HART

Director Byczek moved to advance the action item 4d, Authorize the Chief Executive Officer to Dispose of Three (3) Revenue Vehicles in such a Manner to be Most Advantageous to HART for approval by the full Board of Directors. Director Mechanik seconded. All Committee members present voted aye. The motion carried unanimously.

4. ADJOURNMENT

The meeting adjourned at 10:06 a.m.



COMMITTEE ACTION ITEM

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.

OVERVIEW

HART is completing design work for development of the *MetroRapid* North-South project along Nebraska Avenue and Fletcher Avenue. Several stations along the route will require acquisition of small sections of private properties that are adjacent to the right-of-way.

RECOMMENDATION

That the Finance, Governance and Administration Committee review the action item authorizing the Chief Executive Officer to execute necessary documents to purchase individual properties with values less than \$25,000 per parcel that are required for the development of stations for the *MetroRapid* North-South project and advance this item to the full HART Board of Directors on September 12, 2011.

FINANCIAL IMPACT

HART agreement with Hillsborough County for Bus Rapid Transit and park and ride facilities (December 15, 2010) includes funding for these acquisitions.

BACKGROUND

In 2008, HART was awarded \$40 million in capital funding from Hillsborough County for Bus Rapid Transit, park and ride facilities and Transit Signal Priority. Thirty one million dollars of this funding was allocated to the *MetroRapid* North-South project. The project extends from the Interstate 75 area, west along Fletcher Avenue, then south along Nebraska Avenue into downtown Tampa. Shelters along the route will include enhanced passenger amenities, with real time passenger information displays and off-vehicle Ticket Vending Machines. Traffic Signal Priority (TSP) at intersections will provide travel time savings. The project will be supported by a park-and-ride facility in the vicinity of Fletcher Avenue and I-75.

Since the funding award, project development and design work has been undertaken to finalize plans and designs for the various elements of the project, including the stations, transit signal priority as well as the project brand. The Project Development and Environmental (PD&E) study, completed in 2009, identified the proposed station locations with early estimates of sizes and costs.

Final design work has confirmed the specific property requirements for the development of the stations. Approximately 29 small parcels will be required along the route. All of the parcels are adjacent to the road right-of-way and range in size from 150 square feet to 1500 square feet.

HART is following procedures used by the Hillsborough County Real Estate Services Department to acquire property. The firm of American Acquisition Group (AAG) was retained (Resolution #R2011-01-01) to act as HART's agent in the acquisition of property. Services being undertaken by AAG include title searches, title work, appraisals, brokerage services, legal



services, coordination with property owners, and related real estate transaction services. A determination of the fair and reasonable land value for each parcel needed is made through the appraisal and review appraisal process which are conducted by separate firms. Additional purchase costs such as damages (severance and/or business) are developed and negotiated with each property owner as the need arises and will be added to the final purchase price of each parcel.

To facilitate the project implementation, staff is recommending that the CEO be authorized to execute documents required to purchase individual property needed for each station with a negotiated value under \$25,000. HART will update the Board on monthly basis for all preceding acquisitions that are under \$25,000. All acquisitions over this threshold will be presented to the Board for discussion and approval.

NEXT STEPS

Present the recommendation by the Finance, Governance and Administration Committee to the full HART Board of Directors at the September 12, 2011 regular Board meeting.

Prepared by: Mary Shavalier, Director of Grants Management and Planning

Reviewed by: Brenda Mowen, Chief Administrative Officer

Approved by: Philip R. Hale, Interim Chief Executive Officer

Attachment: Proposed Resolution

ATTACHMENT

RESOLUTION #R2011-09-XX

A RESOLUTION AUTHORIZING 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 *METRO RAPID* NORTH-SOUTH PROJECT.

WHEREAS, HART has been undertaking work to develop the *MetroRapid* North-South project on Nebraska Avenue and Fletcher Avenue; and

WHEREAS, final design work confirmed the need for acquisition of property for the development of approximately 30 stations along the corridor; and

WHEREAS, appraisals performed by the contractor retained for real estate services have estimated the value of many parcels to be less than \$25,000; and

WHEREAS funding for these acquisitions are available in the December 15, 2010 agreement between HART and Hillsborough County for bus rapid transit and park and ride facilities;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HILLSBOROUGH TRANSIT AUTHORITY THAT:

Section 1. The Chief Executive Officer is authorized 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

Section 2. Proper officers of HART are authorized to do all things necessary and required in order to implement the terms of the aforementioned contract.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE HILLSBOROUGH TRANSIT AUTHORITY ON SEPTEMBER 12, 2011.

**Alison A. Hewitt, Chair
HART Board of Directors**

ATTEST:

**Wallace Bowers, Secretary
HART Board of Directors**



COMMITTEE ACTION ITEM

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

OVERVIEW

HART has been developing a transfer center at Tampa International Airport (TIA) since late 2008. Continuation of the project is challenged because of the TIA Master Plan Update that the Hillsborough County Aviation Authority (HCAA) will be undertaking over the next year. The Master Plan will be reviewing usage and future plans for real estate as well as transportation linkages.

RECOMMENDATION

That the Finance, Governance, and Administration Committee review the action item authorizing the Chief Executive Officer to complete all actions necessary for termination of the Tampa International Airport Transfer Center project and advance this item to the full HART Board of Directors on September 12, 2011.

FINANCIAL IMPACT

The project budget is \$3.58 million, comprised of federal, state, and ad valorem funding. Approximately \$339,295 has been expended on the project to date, as shown in the table below.

Funding Description	Grant Number	Amount	Expended	Balance
State Intermodal Program (100%)	FPN 414594-19401	\$1,001,200.00	\$170,854.85	\$830,345.15
State Intermodal Program (50%)	FPN 416264-19401	\$600,000.00	\$82,260.50	\$517,739.50
HART Ad Valorem Funds-Match to State Grant	FPN 416264-19401	\$600,000.00	\$86,180.30	\$513,819.70
Federal Grant	FL-90-X714	\$998,800.00	\$0.00	\$998,800.00
Federal Grant	FL-90-X519-02	\$245,783.00	\$0.00	\$245,783.00
Federal Grant	FL-90-X584	\$127,494.00	\$0.00	\$127,494.00
Federal Grant	FL-90-X588	\$7,211.00	\$0.00	\$7,211.00
	TOTAL	\$3,580,488.00	\$339,295.65	\$3,241,192.35

*These expenses include approximately \$2,730.00 in lease payments paid to HCAA under HART's ad valorem funding source.

This does not include \$32,750.00 of federal funds spent on the feasibility study and site selection in 2008 and 2009.



HART is in the process of seeking reimbursement of the \$86,180.30 in expended ad valorem funding from HCAA. The ad valorem funding would be returned to the fund balance - HART's reserves.

Florida Department of Transportation (FDOT) has advised that since HART satisfied the terms of the Joint Participation Agreement (JPA) for the state funding, HART will be reimbursed for expenses attributed to the State grants, subject to the provisions in the two grant agreements. In terms of reprogramming the remaining State funding, the funding is Intermodal Program funding restricted to projects which provide intermodal access between seaports, airports, and other transportation terminals as well as projects that facilitate the intermodal movement of people and goods. Staff have contacted FDOT to explore the potential to reprogram the funding to two other projects: Marion Transit Center and Marion Transitway.

The federal funds can be reprogrammed to other capital projects, subject to the terms of the specific grants. It is anticipated that some of the funding may be needed to support the FY2012 operating budget to address potential reductions in federal transit funding.

Staff will update and seek the necessary approvals from the Board on the specific uses for the unexpended state and federal funding as well as update the Board on the outcome of negotiations with HCAA staff on the ad valorem funding reimbursements.

BACKGROUND

HART has been working toward developing a bus transfer center at TIA since 2008. In 2009, HART entered into a land lease agreement with HCAA for approximately 3.67 acres on the airport service road adjacent to the Spruce Street and O'Brien Street intersection. This agreement was approved by the HART Board in April 2009 (Resolution R2009-04-08) and the HCAA Board on June 4, 2009. Subsequent work was undertaken to secure the required environmental approvals from the Federal Aviation Administration (FAA) and Federal Transit Administration (FTA) in 2010.

On February 7, 2011 under Resolution R2011-02-02, the HART Board awarded the design contract for the transfer center project to Reynolds, Smith & Hills, Inc. (RS&H). Design work on the project has been underway since February, with close coordination with several agencies, including HCAA. The project is currently at 60% design.

On April 27, 2011, HART received a letter from HCAA staff expressing concerns about the project's impact on traffic conditions on the airport service road adjacent to the project site. At a subsequent meeting on June 3, 2011 with the Aviation Authority Chief Executive Officer, there was a discussion of the transfer center project in relation to the Airport Master Plan Update HCAA will be undertaking over the next year. The Master Plan Update will be reviewing and developing plans for real estate, transportation and infrastructure at the airport. As a result, the HART bus transfer center at Spruce Street and O'Brien Street may not be consistent with the development plans approved in the future airport Master Plan.



Staff are recommending that the transfer center project be terminated. Transfer connections between routes in the Westshore area would continue to be made at Westshore Plaza, at on-street bus stops, as well as at Tampa Bay Transfer Center (Himes Avenue and Ohio Avenue).

The associated actions with discontinuing the project include termination of the design contract with RS&H, termination of the lease with the Hillsborough County Aviation Authority, as well as redirecting project funding, subject to the conditions of the various grant agreements and securing the necessary approvals.

NEXT STEPS

Present the recommendation by the Finance, Governance, and Administration Committee to the full HART Board of Directors at the September 12, 2011 Regular Board meeting.

Prepared by: Mary Shavalier, Director of Grants Management and Planning

Reviewed by: Brenda Mowen, Chief Administrative Officer

Approved by: Philip R. Hale, Interim Chief Executive Officer

Attachment: Proposed Resolution

ATTACHMENT

RESOLUTION #R2011-09-XX

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO COMPLETE ALL ACTIONS NECESSARY FOR TERMINATION OF THE TAMPA INTERNATIONAL AIRPORT TRANSFER CENTER PROJECT

WHEREAS, HART entered into an agreement with the Hillsborough County Aviation Authority in June 2009 for a lease of property at Tampa International Airport (TIA) for a bus transfer center; and

WHEREAS, HART received state and federal funding in the amount of \$2,980,488 for development of the bus transfer center; and

WHEREAS, the HART Board of Directors awarded a contract to the firm of RS&H, Inc. on February 7, 2011 for design work on the transfer center; and

WHEREAS, Hillsborough County Aviation Authority staff recently advised that the transfer center may not be consistent with development plans approved in a future Airport Master Plan Update; and

WHEREAS, termination of the TIA bus transfer center project is in the best interests of the Authority;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HILLSBOROUGH TRANSIT AUTHORITY THAT:

Section 1. The Chief Executive Officer is authorized to complete all actions necessary for termination of the Tampa International Airport Transfer Center project

Section 2. Proper officers of HART are authorized to do all things necessary and required in order to terminate the aforementioned project.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE HILLSBOROUGH TRANSIT AUTHORITY ON SEPTEMBER 12, 2011.

**Alison A. Hewitt, Chair
HART Board of Directors**

ATTEST:

**Wallace Bowers, Secretary
HART Board of Directors**



COMMITTEE ACTION ITEM

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

OVERVIEW

Hillsborough Transit Authority (or HART) currently operates the TECO Line Streetcar System under an Operator's Agreement with Tampa Historic Streetcar, Inc. (THS). The current agreement expires September 30, 2011. The purpose of this item is to approve the renewal of a five-year agreement, effective October 1, 2011.

RECOMMENDATION

That the Finance, Governance, and Administration Committee review the action item approving an Operator's Agreement between HART and THS and advance the item to the full HART Board of Directors.

FINANCIAL IMPACT

Under this Operator's Agreement, HART continues to operate Streetcar Service and is compensated by THS on a vehicle-hour basis. HART submits an Annual Operations Budget to THS that specifies the days, hours and frequency of service, number of vehicle hours of service and payment rates.

BACKGROUND

The current Operator's Agreement was signed December 4, 2006 and expires on September 30, 2011. At the December 6, 2011 HART Board Meeting, a task force was set up for the renewal of the Operator's Agreement for the TECO Streetcar Line. The task force was made up of three members of the HART Board of Directors and three members of the THS Board of Directors. The task force met on January 3, 2011, May 18, 2011, June 15, 2011, July 18, 2011 and August 11, 2011 to discuss revisions and updates to the Operator's Agreement, including the Operations and Maintenance Plan, attached thereto. General Counsel for THS and HART were present and participated at these meetings.

On August 11, 2011, the task force asked that the attached "final" version of the Operator's Agreement be advanced to the THS Board of Directors and the HART Board of Directors for Approval.

NEXT STEPS

09/12/2011 HART Board of Directors approval
09/30/2011 Final deadline for execution by both parties (THS and HART)

Prepared by: Brenda Mowen, Chief Administrative Officer

Approved by: Philip R. Hale, Interim Chief Executive Officer

Attachments:

- I. Proposed Resolution
- II. Final Draft of the Operator's Agreement
- III. Marked-up Version of the Final Draft of the Operator's Agreement

ATTACHMENT I

RESOLUTION NO. #R2011-09-XX

A RESOLUTION APPROVING THE OPERATOR'S AGREEMENT BETWEEN THE HILLSBOROUGH TRANSIT AUTHORITY AND THE TAMPA HISTORIC STREETCAR, INC.

WHEREAS, the Hillsborough Transit Authority (HART) was established by charter to operate transit service; and

WHEREAS, the Tampa Historic Streetcar, Inc. (THS) is charged with overseeing the operation of the TECO Line Streetcar System; and

WHEREAS, THS has the right to select the operator of the TECO Line Streetcar System; and

WHEREAS, the Operator's Agreement has been negotiated that defines the streetcar services to be provided by HART and to be paid for by THS;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HILLSBOROUGH TRANSIT AUTHORITY THAT:

Section 1. The Operator's Agreement for the streetcar system is approved and the Chief Executive Officer is authorized to execute it.

Section 2. Proper officers of the Hillsborough Transit Authority are authorized to do all things necessary and required in order to implement the Operator's Agreement.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE HILLSBOROUGH TRANSIT AUTHORITY ON SEPTEMBER 12, 2011. .

ATTEST:

Alison A. Hewitt, Chair
HART Board of Directors

Wallace Bowers, Secretary
HART Board of Directors

ATTACHMENT II & III

These attachments will be provided separately.



COMMITTEE ACTION ITEM

Authorization for Board Member's Travel

OVERVIEW

The American Public Transportation Association (APTA) will hold its APTA EXPO 2011 & Annual Meeting on October 3-5, 2011, in New Orleans, Louisiana.

The Florida Public Transportation Association (FPTA) will hold its annual conference on October 16-18 in Tampa, FL. HART is a host agency.

Directors Polzin and Suarez indicated they would be interested to attend the FPTA annual conference. Directors Hewitt, Polzin, and Suarez expressed their interest to attend the APTA Annual conference.

RECOMMENDATION

That the Finance, Governance, and Administration Committee review the action item authorizing HART Board Members Hewitt, Polzin and Suarez to attend the events of interest and advance this item to the full HART Board of Directors.

FINANCIAL IMPACT

HART Board travel budget for the FY2012 is \$9,400. HART's cost for travel expenses for one Board member to attend the APTA EXPO 2011 & Annual Meeting is estimated to be \$2,181.02. Estimated cost for attending the FPTA conference is only registration fee of \$225.

BACKGROUND

APTA will hold its APTA EXPO 2011 & Annual Meeting on October 3-5, 2011 in New Orleans, Louisiana. This is the industry's premier event, and includes general sessions and forums focused on current issues facing public transportation and featuring first-rate professional speakers. This year's annual meeting will be held in conjunction with EXPO 2011, the world's largest public transportation trade show.

FPTA annual conference takes place this year in Tampa, FL, with HART as a host property. The conference will focus on the people that make the Florida public transit industry among the best in the nation -- our customers and our employees. "The Faces of Florida Transit" is the conference theme and many of the presentations will be highlighting those "faces." The program highlights sessions on planning, operations, maintenance, marketing, financial management and professional development. Important information will be presented by the partners from the Florida Department of Transportation and the Federal Transit Administration.

NEXT STEPS

Upon Committee approval, present to the full HART Board of Directors at the September 12, 2011, Regular Board meeting.

Prepared by: Lena Petit, HART Clerk of the Board

Approved by: Philip R. Hale, Interim Chief Executive Officer

Attachment: HART Travel Advance Request Form

ATTACHMENT
HILLSBOROUGH TRANSIT AUTHORITY
TRAVEL ADVANCE REQUEST FORM
FOR CLASS "A" AND "B" TRAVEL ONLY
(F.S. §112.061 (3k))

Employee Name: Payroll No.:

Department Name: Dept. #:

Department Location:

Travel Dates/Times: From: To:

Purpose of Travel:

Destination:

G.L. Account No.:

****PLEASE ATTACH ALL SUPPORTING DOCUMENTATION****

No.	Expense	Expense Estimate	Actual Expense	
			Credit Card Payment	Request for Payment (A/P)
1.	Registration Fee:	\$650.00	\$	\$
2.	Hotel 4 Nights X \$236.17 per night incl 13.0% tax and \$2.00 occupancy fee per day	\$944.68		
3.	Air Fare:	\$249.00	\$	
4.	Per Diem: \$71.00 per day (10/2/2011 - 1 qtr and 10/3-5 - 4 qtr each and 10/6/2011 - 1 qtr)	\$248.50		\$
5.	Personal Auto: _____ miles x \$.50 per mile	\$		\$
6.	HART Approved Vehicle Usage (Gas)	\$		\$
7.	Auto Rental (Use Purchase Requisition)	\$		
8.	Taxi Costs:	\$		\$
9.	Parking: _____ Days x _____ (Rate)	\$		\$
10.	Other/Incidental Expenses: (explain)	\$		\$
	Total	\$2,092.18	\$	\$

APPROVALS (BASED ON ESTIMATES COLUMN)

Board Member Signature:		Date:
Board Chairperson Signature:		Date:
Budget Approval:		Date:
C.F.O. Approval:		Date:
C.E.O. Signature:		Date:

ATTACHMENT
HILLSBOROUGH TRANSIT AUTHORITY
TRAVEL ADVANCE REQUEST FORM
FOR CLASS "A" AND "B" TRAVEL ONLY
(F.S. §112.061 (3k))

Employee Name: Payroll No.:

Department Name: Dept. #:

Department Location:

Travel Dates/Times: From: To:

Purpose of Travel:

Destination:

G.L. Account No.:

****PLEASE ATTACH ALL SUPPORTING DOCUMENTATION****

No.	Expense	Expense Estimate	Actual Expense	
			Credit Card Payment	Request for Payment (A/P)
1.	Registration Fee:	\$225.00	\$	\$
2.	Hotel per day	\$0.00		
3.	Air Fare:	\$0.00	\$	
4.	Per Diem:	\$0.00		\$
5.	Personal Auto: _____ miles x \$.50 per mile	\$		\$
6.	HART Approved Vehicle Usage (Gas)	\$		\$
7.	Auto Rental (Use Purchase Requisition)	\$		
8.	Taxi Costs:	\$		\$
9.	Parking: _____ Days x _____ (Rate)	\$		\$
10.	Other/Incidental Expenses: (explain)	\$		\$
	Total	\$225.00	\$	\$

APPROVALS (BASED ON ESTIMATES COLUMN)

Board Member Signature:		Date:
Board Chairperson Signature:		Date:
Budget Approval:		Date:
C.F.O. Approval:		Date:
C.E.O. Signature:		Date:



INFORMATION ITEM

Legal Services for Property Acquisition for the MetroRapid North-South and Park and Ride Projects.

OVERVIEW

The purpose of this report is to advise the Committee on the responsibilities relating to the legal services required for property acquisitions related to the *MetroRapid* North-South and Park and Ride projects.

BACKGROUND

In 2008, HART was awarded \$40 million in capital funding from Hillsborough County for Bus Rapid Transit, park and ride facilities and transit signal priority. The *MetroRapid* North-South extends from the I-75 area, west along Fletcher Avenue, then along Nebraska Avenue to downtown Tampa. Park and ride lots are being developed in the Fletcher/I-75 corridor and in the Brandon area.

The *MetroRapid* North-South and two park and ride projects will require the acquisition of private property. Approximately 30 of the 56 stations on the *MetroRapid* North-South line will require small sections of private property, ranging in size from approximately 150 square feet to 1500 square feet. Both park and ride facilities will require property in the range of 3 to 4 acres.

It is anticipated that most of the property will be acquired through negotiated settlement. The firm of the American Acquisition Group (AAG) was retained to assist in the acquisition process, with the specific services including title searches, title preparation work, appraisals, legal and brokerage services, coordination with property owners, and real estate transaction services.

For properties that cannot be acquired through a negotiated settlement, HART has the power under its charter to acquire real estate through eminent domain. AAG would provide legal services related to the eminent domain proceedings. Legal services required for any trial proceedings required after the Order of Taking hearing and settlement process would be performed by a separate trial litigation firm. Staff intends to issue procurement for these services later in the year.

Prepared by: Mary Shavalier, Director of Grants Management and Planning

Approved by: Philip R. Hale, Interim Chief Executive Officer