

Central Florida Commuter Rail Commission
Governing Board

MEETING MINUTES

DATE: Friday, September 19, 2008

TIME: 1:30 p.m.

LOCATION: Metroplan Orlando
Board Room
One Landmark Center
315 East Robinson Street, Suite 355
Orlando, Florida 32801

- Call to Order – Chairman Dyer
 - a. Chairman Dyer called the meeting to order at 1:41 p.m.
- Pledge of Allegiance
- Confirmation of Quorum
 - a. A quorum was present
- Chairman’s Report – Chairman Dyer
 - a. Chairman Dyer said that the project has achieved several milestones since the last Commission meeting. The FTA authorized the project to proceed with Final Design, which is very good news. Plans for CSX Transportation’s new Integrated Logistics Center in Winter Haven are moving forward and recently were approved by the planning council by a 10-1 vote. Chairman Dyer said he has had several meetings with Lakeland Mayor Buddy Fletcher and the staff of the city of Lakeland, as well as a number of meetings with Sen. Paula Dockery, the latest of which was at a tailgate party. Chairman Dyer said that Sen. Dockery has not changed her position, but that he has had very productive conversations with her. He also has had meetings with others, including the Florida Department of Transportation, CSX, labor groups and the Trial Attorney Bar. He said he is reaching out to members of the Legislature and a team from the private sector is doing likewise to make sure we know who is with us and who is against us, and to ensure that the leadership on both sides of House and Senate are fully engaged. Chairman Dyer said it was important to make sure we get the message out and get the true facts out. He was particularly appreciative of a recent My Word Column in the Orlando Sentinel by Sam Starke, CEO of the Winter Park Chamber of Commerce, who pointed out some of the misstatements that had been made. When misstatements have been made, whether in Tampa or Lakeland, Mayor Dyer urged that they be corrected. He also urged that when opportunities arise to be proactive, that we are proactive. For example, he said, the importance of obtaining liability insurance required to operate the Central Florida project was

underscored by the recent tragedy in California. The statutory language in California is very similar to the language that we're trying to get through. This language we have apportions liability on a no fault basis depending on what train is involved: if it's a passenger train, it is apportioned to the state; if it's a freight train, it's apportioned totally to CSX, if it's an accident between a commuter train and a freight train, DOT is responsible for issues related to the commuter train and CSX is responsible for issues related to the freight company; if it's an outside party that is injured, responsibility is shared. The importance of that is injured parties will not have to go through fault and will receive compensation irrespective of that.

- b. Chairman Dyer introduced Emmanuel Tormes, Gov. Charlie Crist's Central Florida representative, and emphasized the importance of the governor's involvement in supporting the project. He asked Mr. Tormes to report back to the governor, and asked others in attendance to contact the governor's office and express how important the project is to Central Florida.
- c. Chairman Dyer thanked Commissioner Bill Lane for his service on the Commission and for his support of the Commuter Rail project. He said that Commissioner Lane was elected in 2004, and has been a transportation champion. Chairman Dyer presented Commissioner Lane with a plaque in appreciation of his service. Commissioner Lane said he was "not going very far" and pledged to continue his energetic support of commuter rail and other important projects in the Central Florida. Commissioner Lane said it was a privilege to serve on the Central Florida Commuter Rail Commission, and that he was proud of being an inaugural member.

- Agenda Review – FDOT District 5 Secretary Noranne Downs
 - a. Secretary Downs provided the agenda review.

ACTION ITEMS

1. Adoption of May 9, 2008 meeting minutes
 - a. The meeting minutes from May 9, 2008 were unanimously approved.

DISCUSSION ITEMS

1. Outreach Update – Chairman Dyer
 - a. Central Florida Partnership activities
 - i. Christine Kefauver of the City of Orlando said that the Partnership's goal, as the next legislative session approaches, is to make sure that we can move forward with the Central Florida Commuter Rail project so that all rail projects around the state also can move forward. The liability language we need is the same as the other communities will need in Jacksonville, Tampa and Miami

for expansion and inauguration of rail projects in those areas. Ms. Kefauver said those efforts include several components.

1. Messaging: The goal is effective communication to ensure that the Central Florida region is telling its story, getting the facts out and listening to concerns.
2. Business and Civic outreach: A group led by Jacob Stuart has more than 102 members engaged in moving this project forward, and it's their number one priority. They're out there as part of our group of advocates for this project.
3. Technical support: Communicating about the project with factual information is vitally important, and never have the facts failed us in the past.
4. Boots on the ground: (And fingers on the "send" button) reaching out to state lawmakers. Ms. Kefauver introduced Kathy Russell of the City of Orlando to talk about the outreach team that's been created to provide lawmakers with project information. She said the objective was to make sure that lawmakers have the information necessary to support the project, and that members of the outreach team have all the information they need to discuss project details, funding, environmental and economic development benefits and the need for Commuter Rail not only in Central Florida, but throughout the state.
5. Ms. Russell said that she has started to engage a lobbying team that includes several key players from Central Florida, including John Thrasher, Fred Leonhardt and Bill Peebles. She said the team is preparing for the upcoming legislative session and has started to make a list of specific assignments. For example:
 - a. The team will put together a comprehensive list of lobbyists this year. Many cities and counties have an in-house lobbyist, but she requested that each community provide a list of contract lobbyists, as well, to participate in a briefing session about Commuter Rail.
 - b. The team has been talking individually to project stakeholders, including Walt Disney World, Florida Hospital, Orlando Health, the Orlando Magic and others. Ms. Russell said all have been very supportive, and have provided names and contacts for their top contract lobbying teams in Tallahassee.
 - c. Ms. Russell said that while CSX Transportation and FDOT will be at the table, the goal of the group is to engage the community, community leaders and other community groups to make Commuter Rail a priority in Central Florida. Groups such as Audubon

of Florida, 1000 Friends of Florida, the League of Women Voters and others already have identified the project as a top priority for the upcoming legislative session.

- d. With the help of Mayor Dyer, a negotiating team could help with outreach to some labor unions and the Trial Attorney Bar and Sen. Dockery.
- e. The group also is reaching out to South Florida and Tampa lobbyists and community leaders, especially in South Florida.

2. Project Update – CFCRT Project Manager Tawny Olore, P.E.

a. Procurement activities

- i. Mr. Olore introduced Peter Turrell, the project's new Chief Operating Officer. She said that Mr. Turrell has an enormous wealth of experience in building and operating passenger rail, freight rail and start-up rail projects.
 - 1. Mr. Turrell said he started his rail career in 1969, following a stint in the U.S. Army. He has worked for a freight railroad, a regional railroad, a short-line haul railroad company, Amtrak, and has been involved in privatizing railroads in Argentina, Chile, Guatemala, and Australia as well starting up a high-speed rail system in Taiwan. He said that the goal of the Central Florida Commuter Rail project is to provide a transportation alternative to I-4 in Central Florida and improve the environment and economic development opportunities for the community.
- ii. FDOT is preparing an addendum for the Design-Build-Maintain contract for platform construction, and is working with Mr. Turrell to ensure a smooth transition of the corridor to state ownership.
- iii. The construction engineering & inspection oversight contract is expected to be released by the end of this year.
- iv. Once the DBM contract is awarded, FDOT expects to release a contract for long-lead items.
- v. Mr. Turrell is reviewing the operations and maintenance contract, which is expected to be awarded about one year prior to the start of service.
- vi. FDOT did have a bidder for vehicles – Colorado Railcar – and that proposal is now being evaluated.

b. Federal Transit Administration

i. Full Funding Grant Agreement status

- 1. FDOT was approved for entry we got into Final Design by the Federal Transit Administration. We are one of five systems in this country to be awarded entry into final design – with more than 300 projects in the FTA pipeline. That is an important achievement. We reached that

milestone in a year and four months – whereas the process usually takes at least three years. So we are working extensively with the FTA. We now will begin negotiations on our Full Funding Grant Agreement. We received a 4 ½ page approval letter for entry into Final Design, which was down from 8 pages when we were approved for entry into Preliminary Engineering. So we're on the right track.

- ii. We are working hard on securing right-of-way. Lake Mary is almost complete; Sanford is looking good. And we are starting to look at right-of-way for Phase II. We hope to close with a parcel in Kissimmee in Osceola County within next month.
 - c. CSX Transportation/Amtrak contracts
 - i. FDOT is meeting monthly with CSX Transportation to set the stage for our six-month transition period.
 - ii. FDOT is working on an operating agreement with Amtrak. We are also working on a contractual services agreement with Amtrak for vehicle overhaul.
 - d. Right-of-Way Acquisition
 - i. Station design and location activities
 - 1. The 60 percent plans for station designs will go out to local government partners in October. They are currently being prepared.
 - 2. Ms. Olore showed station concepts for DeBary, Longwood, Sand Lake Road and Florida Hospital and noted that many of the station sites are being examined as activity points in future development plans.
3. Logo/branding development and public involvement – Ms. Olore
- a. Ms. Olore said that FDOT is about to launch a campaign to name and brand the system. She introduced two new members of the Commuter Rail team, who will be leading that effort. Jim Bockstall will help with some of the logo design and Shelley Lauten of myRegion.org will help with logo development and community outreach.
 - b. Project overview; goals and time-line – Ms. Lauten
 - i. Ms. Lauten said that myRegion.org will seek to determine what matters most to citizens who live in Central Florida, and will use that information to help determine a name and logo design for the system.
 - ii. For the first six week, myRegion.org will go out and talk to residents in focus groups and research key attributes of public transportation and commuter rail and find out what resonates with citizens. MyRegion will do a similar outreach with community leaders. Once myRegion gathers the information, Mr. Bockstall will come up with key concepts that will be vetted and validated by community focus groups. By the beginning of the year or late this year, the team will present the Central Florida Commuter Rail

Commission some recommendations. Once a name and logo are selected, Ms. Lauten said it presents a great opportunity to bring this project to life in the first quarter of 2009.

1. Chairman Dyer noted that the name and logo should be settled by the time the legislative session starts, and asked Mr. Tormes to solicit the governor's input, as well.

4. Technical Advisory Committee – TAC Chairman Roger Neiswender
 - a. Mr. Neiswender said that TAC members go through considerable project details at their monthly meetings – including all the items in project development that Ms. Olore just provided the Commission. Each procurement, its status and how it unfolds is reviewed with the committee. Sometimes we have suggestions, and FDOT has been very good about open dialogue and discussions. The TAC also spends a lot of time on the schedule and conformance and keeping things moving forward, the receipt of the grant funding and the implementation of the system on a timely basis.
 - b. TAC members are now focused on getting through the 30 percent submission period. We're now working on 60 percent plans, and most of our effort has been on making sure the details of the various stations are resolved in a very timely manner. Typically, as soon as the meeting is over, Tawny and her team break into 5 or 6 groups and go over the details of each station. So we are really pushing hard to resolve the many, many details, from conformance to local signage to municipal review, to how big the signs will be and what color roof the canopies might have.
 - c. In addition, Mr. Neiswender said that the TAC has examined several items that involve the various legal agreements. We reported that we will have for your consideration amendments to the governance agreements, including creating voting alternates for the Commission and the TAC. The changes will be circulated to each funding partner and should be ready for Commission approval by December. Each jurisdiction should have a copy by the end of October.
 - i. In addition, there may be certain dates that need to be updated and revised. These will be presented to staffs and presented for local action.
 - d. Mr. Neiswender said that FDOT staff has been negotiating the terms of a Full Funding Grant Agreement with the Federal Transit Administration. If additional changes are needed to the inter-local agreements based upon those discussions, they may be included, as well. What we're trying to do is to be very efficient and amend the agreements as few times as necessary, but get the amendments done in as timely a fashion as possible, Mr. Neiswender said.
5. Update on status of Alternate CFCRC Board members – Chairman Dyer
 - a. Chairman noted that Mr. Neiswender discussed this issue in his report.

BOARD MEMBER COMMENTS

1. Board member comments
 - a. Chairman Dyer asked Commissioner Lane if he would like to say something, and Commissioner Lane said he already spoke.
 - b. Commissioner Henley said that he appreciated the work by the Technical Advisory Committee, and Chairman Dyer, as well. Commissioner Henley said that Chairman Dyer has contributed a tremendous amount of his schedule to advancing the Central Florida Commuter Rail project, and as one member, he appreciates it.

PUBLIC COMMENTS

1. Public comments
 - a. There were no public comments

NEXT MEETING

1. Review of meeting dates, times and location
 - a. Next meeting is expected to be in December for board action on the agreements.

ADJOURNMENT

The meeting was adjourned at 2:15 p.m. by unanimous consent.