

Central Florida Commuter Rail Commission
Governing Board

Meeting Minutes

Date: Friday, January 28, 2011

Time: 1:30 p.m.

Location: METROPLAN Orlando
315 East Robinson Street, Suite 355
Orlando, Florida 32801

- Call to Order – Chairman Buddy Dyer called the meeting to order at 1:33 p.m.
- Pledge of Allegiance
- Confirmation of Quorum
 - Chairman Dyer welcomed Orange County Mayor Teresa Jacobs to the Governing Board
 - Commission Members in attendance were:
 - 1) Commission Chairman Buddy Dyer
 - 2) Commission Vice Chairman Teresa Jacobs
 - 3) Commission Secretary Carlton Henley
 - 4) Commissioner Frank Bruno
 - 5) Commissioner Brandon Arrington
 - No Commission members were absent
- Chairman’s Report – Chairman Dyer
 - Chairman Dyer said that the Commission did not meet as scheduled in December because there was quite a bit of project activity underway, which turned out to be all good news for SunRail. On December 4, Chairman Dyer said that he attended a meeting with U.S. DOT Secretary Raymond LaHood, U.S. Reps. John Mica and Corrine Brown, Amtrak President Joseph Boardman, FDOT Secretary Stephanie Kopelousos and several others. At that meeting, Mr. Boardman, on behalf of Amtrak, agreed to withdraw Amtrak’s objections with regard to liability issues on the rail line that the Florida Department of Transportation intends to purchase. Amtrak withdrew their objections that afternoon, as well, before the Surface Transportation Board, and the Surface Transportation Board ruled December 16, 2010 in favor of the sale of the tracks to FDOT going forward. Chairman Dyer said that FDOT performed a mountain of work during the month of December – about 3 feet worth of documents were submitted to the Federal Transit Administration. FDOT also closed on the transaction in escrow with CSX on December 22, 2010. On December 30, FDOT sent to the Federal Transit Administration all of the application back-up materials required for a Full Funding Grant Agreement. Chairman Dyer said that Federal Transit Administrator Peter Rogoff – at the urging of Representative Mica – committed to “fast-track” SunRail’s FFGA application at the December 4th meeting. Chairman Dyer said that

Administrator Rogoff is actually hoping to make SunRail a model in terms of taking a project through the FTA process. As a result, FDOT anticipates a fairly quick turnaround from the Federal Transit Administration in terms of obtaining a Full Funding Grant Agreement.

- Chairman Dyer said that Amtrak also approved the SunRail Operating Agreement last week. He explained that after the Federal Transit Administration approves a Full Funding Grant Agreement, there is a 60-day review period by Congress. It doesn't have to be 60 days, but if they sign-off in a shorter time frame, SunRail can start construction a little sooner. Congressman Mica and Congresswoman Brown have agreed to work the committees that need to be worked to try and get the Full Funding Grant Agreement approved in less than 60 days, Chairman Dyer said.
 - Chairman Dyer reported that newly elected Governor Rick Scott issued an executive order that requires all contracts in excess of \$1 million to be reviewed by the Office of Fiscal Accountability and Regulatory Reform (OFARR). Several of the SunRail contracts are now subject to that review.
 - Secretary Downs said that everything was on track for the review, and that she was looking forward to some good news in the future.
 - Chairman Dyer said that Secretary Downs will report on the SunRail Industry Forum scheduled for February 25, 2011. Ms. Olore will talk about planned Transit-Oriented Development workshops for SunRail stations. Metroplan Orlando Executive Director Harry Barley will brief the Commission on potential future rail connections. Chairman Dyer also congratulated Commissioner Arrington for obtaining federal funding to perform an Alternatives Analysis on the U.S. 192 corridor.
- Agenda Review – FDOT District 5 Secretary Noranne Downs
 - Secretary Downs said she was thankful for technology, given that the documents forwarded to the Federal Transit Administration by Dec. 30 were quite extensive. She said that the Federal Transit Administration is working extremely well with FDOT, and with the Central Florida Commuter Rail Commission. She said that everything is on schedule, and that FDOT looked forward to starting construction.
 - Chairman Dyer noted that Harry Harris was in the audience. Mr. Harris is a member of the Florida Statewide Passenger Rail Commission, and was appointed to the Commission by the Speaker of the Florida House of Representatives. He said that Mr. Harris has an extensive background in rail projects and invited Mr. Harris to say a few words.
 - Mr. Harris said he retired as the deputy commissioner and rail administrator for the State of Connecticut, responsible for two commuter rail operations – one, the largest in the country and one, the smallest in the country. He said he was responsible for the New Haven line of Metro-North, and the new Shoreline East service from New London to New Haven for 10 years. For many years before that, Mr. Harris said he was a

commuter on Metro North and creator of the Metro North Rail Commuter Council.

- o Chairman Dyer welcomed Mr. Harris to the Commission meeting, and said he was glad that someone with Mr. Harris' extensive experience had been selected to serve on the Florida Statewide Passenger Rail Commission.

ADOPTION OF MEETING MINUTES

1. Adoption of September 10, 2010 meeting minutes – Chairman Dyer
 - a. The meeting minutes were approved unanimously.

DISCUSSION ITEMS

1. Review of Full Funding Grant Agreement Checklist submission – Tawny Olore, P.E.
 - a. Ms. Olore said that Commission member have in their packets a checklist of materials that were provided to the Federal Transit Administration on December 30, 2010. She said that SunRail staff worked through the holidays to complete the submission, having been told of the deadline in a Dec. 10 letter from the FTA. The documents were provided in an electronic format, and FDOT also provided 13 three-inch binders of hard copy material to the FTA, as well. A follow-up Risk Assessment was held with the FTA's oversight consultant on January 13-14, which was important for the FTA to determine whether the Project was indeed ready for a Full Funding Grant Agreement. Ms. Olore said that the Project passed the risk assessment with flying colors. A full report by the FTA's consultant is due at the end of January.
2. Project Update – Mr. Hammerle and Ms. Olore
 - a. Procurement activities
 - i. FDOT also worked very hard to advance procurement activities. The Design Build Maintenance (DBM) contract has been negotiated and is pending execution. FDOT also has the Construction Engineering & Inspection (construction oversight) contract ready to execute and is in final negotiations for the purchase of locomotives, cab cars and coaches. Ms. Olore said that FDOT was able to get a final price for both Phase I and Phase II vehicle needs, which has been approved by the Federal Transit Administration.
 - ii. Ms. Olore said that FDOT plans to advertise a Public Involvement/Marketing contract within the next month or two. Contracts for ticket vending machines and the Design-Bid-Build contract for station finishes should be advertised toward the middle of 2011.

- b. CSXT
 - i. Ms. Olore said that the Surface Transportation Board did issue a favorable ruling on FDOT purchase of the CSXT corridor on December 16, 2010. The state closed in escrow on the corridor on December 22, and plans to take over corridor operations in the beginning of June – after the Full Funding Grant Agreement has been approved.
- c. Amtrak
 - i. Ms. Olore said that Amtrak withdrew its objections to the Project with regard to liability issues. FDOT and Amtrak also negotiated a favorable operating agreement for Amtrak operations on the SunRail corridor that was approved by the Amtrak Board, as well as an agreement for Amtrak to perform heavy maintenance and car wash activities at the Amtrak auto-train facility in Sanford.
- d. Federal Railroad Administration
 - i. Ms. Olore said that FDOT is also working with the Federal Railroad Administration (FRA) to perform hazard analyses at SunRail stations. She said that the FRA expressed concern that the 15-inch platforms required by the Federal Transit Administration would pose a safety hazard, so the platforms have been reduced to 8-inches above top of rail. That gives FDOT a bit more design leeway with station platforms, particularly for Phase II, she said.
- e. Right-of-Way acquisition/certification
 - i. Ms. Olore said that the Federal Transit Administration performed a real estate assessment on the Project last week, and FDOT passed with flying colors. The FTA looked through all of the Project's real estate files for three days and concluded that all of FDOT's procedures were in hand and they were comfortable with the right-of-way acquisition process. Right of way has been certified for the Sanford, DeBary, Lake Mary, Altamonte Springs, LYNX and Orlando Health stations, Ms. Olore said. FDOT currently plans to let two station finishes contracts – one that will be advertised later this year and the second, early next year, for some of the stations that are lagging in right-of-way acquisition, including Longwood, Maitland, Winter Park, Sand Lake Road and Church Street.
 - ii. Chairman Dyer asked whether one contractor would do both of the station contracts. Ms. Olore said that one contractor would build the Sanford, DeBary, Lake Mary, Altamonte Springs, LYNX and Orlando Health stations and a second contractor would do Longwood, Maitland, Winter Park, Sand Lake Road and Church Street.
 - iii. Commissioner Henley asked about the hold-up in Longwood. Ms. Olore said that FDOT agreed to extend the city's possession of its public works facility for six months. Commissioner Henley said that Longwood knew for a year that they would have to move from their current public works facility.

- iv. Ms. Olore said that FDOT also has been moving forward with Phase II. FDOT is currently preparing a base model for Phase II ridership development, and is preparing a schedule to perform the Phase II ridership analysis, as well as other potential rail projects. FDOT also is ready to acquire right-of-way in Kissimmee, and will be meeting with Orange County staff to talk about the Meadow Woods station, as well as with staff in Osceola County.
- 3. Joint Use Agreements – Mr. Hammerle and Ms. Olore
 - a. Ratification schedule
 - i. Ms. Olore said that Orlando unanimously approved Joint Use Agreement on January 10, and Seminole County did the same on January 11. Volusia County is expected to take up the agreements on February 17, and Orange County is scheduled for February 8. The Joint Use Agreements are an extension of responsibilities originally detailed in the Interlocal Agreements previously approved by local government partners.
- 4. Industry Forum – Secretary Downs
 - a. Secretary Downs said that FDOT will hold an Industry Forum on February 25, 2011, at the Sheraton Orlando Downtown Hotel. From 8:30 to noon, FDOT plans opening remarks, a new project video, a detailed presentation about SunRail contracts, information on doing business with FDOT and a presentation by Blackmon Roberts on how to work with FDOT. The afternoon session from 1:30 p.m. to 5 p.m. will be devoted to networking opportunities with those interested in becoming SunRail prime contractors and those interested in subcontracting or obtaining jobs. Blackmon Roberts will be there as well, to help out and answer questions. Secretary Downs asked interested participants to please pre-register for the Forum at www.sunrail.com.
 - b. Chairman Dyer asked whether there still were opportunities for local firms to work with Archer Western, the SunRail contractor that will perform work within the CSXT right of way. Secretary Downs said that Archer Western will have a booth at the Industry Forum, but that she was unaware of what the company's specific needs might be. Chairman Dyer said he was hopeful that Archer Western would be under contract by then.
- 5. Transit-Oriented Development Update – Ms. Olore
 - a. Ms. Olore said that FDOT held a series of meetings in 2006-2007 with local government officials on transit-oriented development opportunities around SunRail station stops, which resulted in production of a Transit-Oriented Development Sketchbook. She said that FDOT is now planning to update the sketchbook and has hired PB Placemaking of Portland, Oregon – the same firm that produced the original sketchbook. PB Placemaking will attend the February 2 Technical Advisory Committee meeting to kick off the effort. The goal is to determine what has been done

locally at each of the different stations, update the sketchbook, and provide “next steps” on what communities can do to prepare for transit-oriented development. In addition, PB Placemaking will produce an animated video of one station in each local funding partner’s jurisdiction to visualize what transit-oriented development might look like in the future. At the end of the day, Ms. Olore said that FDOT would like to present the updated information, three-dimensional imaging, and videos to elected officials. She said that FDOT will be working with Metroplan Orlando and the East Central Florida Regional Planning Council on this effort.

6. Alternatives Analyses update – Harry Barley, Metroplan Orlando

a. OIA Connector Refresh

- i. Mr. Barley welcomed Mayor Jacobs to the Commission. He said that it was important to remember that SunRail is the first piece of a larger regional transit system. He said that the Metroplan Orlando board approved a long-term vision for the evolution of rail transit in the region in the Long-Range Transportation Plan in August of 2009, which included not only SunRail, but two other cost-feasible projects. Those projects are the Orlando International Airport Connector and the Orange Blossom Express along the U.S. 441 corridor. He said it was time to move ahead on those projects.
- ii. Mr. Barley said that an Alternatives Analysis was performed for the OIA Connector in 2005, and the conclusion was to build a light rail network from the Orange County Convention Center east to SunRail’s Sand Lake Road station, and over to Orlando International Airport. Two significant things have happened since then, Mr. Barley said. Last year, Florida High Speed Rail was resurrected and changed opportunities in the area; and the “concept” of a Medical City in Lake Nona is now coming to fruition. So the old Alternatives Analysis was dated, and will be refreshed. A rail extension in Osceola County also will be included in the refresh study, he said.
- iii. Mr. Barley said that an application for \$1.7 million in federal grant money was made, but given the federal commitment to high speed rail, it was not successful. As a result, FDOT has agreed to pay 75 percent of the cost, and local governments will have to provide a 25 percent match. He said that consensus has been reached at the staff level to provide that 25 percent match. About 16 percent of the Project study area is located within the jurisdiction of the Greater Orlando Aviation Authority, Mr. Barley said, so GOAA has agreed to pay 16 percent of the cost. The balance will be equally divided between Osceola County, Orange County and the City of Orlando. Mr. Barley asked the Commission for their help in securing the local match with respective policy boards.

b. Orange Blossom Express

- i. Mr. Barley said that the second project is technically known as the 441 Corridor. An Alternatives Analysis is supposed to look at a variety of alternatives to serve the mobility needs in that corridor. It is the first step in the federal funding process. And technically, a variety of options must be examined to get to the Orange Blossom Express rail project. The study area includes downtown Orlando, south of LYNX Central Station, runs through Orlando into northwest Orange County and on into Lake County. Mr. Barley said that the Lake Sumter MPO is very enthused about the project, as well. Since that project also did not receive a federal grant, FDOT similarly will pay for 75 percent of the \$1.7 million study cost.
 - ii. Agreement also has been reached at the staff level to fund the 25 percent local match required, Mr. Barley said. Lake Sumter MPO will take 12.5 percent; and the city of Orlando/Orange County the city of Apopka will take 12.5 percent, with costs distributed based on boardings that had been done in an earlier feasibility study. Negotiations still are underway to determine how much Lake County cities might contribute, Mr. Barley said. Mr. Barley said that he would keep the Commission and the Metroplan Orlando Board posted on progress. Mr. Barley said that the agreements were a great reflection on continued regional cooperation and regional enthusiasm to build the next leg of rail in Central Florida.
7. Technical Advisory Committee update – Roger Neiswender, Chairman
 - a. Mr. Neiswender said that the Technical Advisory Committee met twice since the Commission last met in September. The October meeting focused on what local governments could do to assist with the federal funding process. FDOT worked closely with the TAC to provide documents, and agreements, to ensure continued progress.
 - b. In January, the TAC received reports about the success of the FFGA submission process, and obtaining federal clearance on the second Supplemental Environmental Assessment. Agreements with Amtrak also were concluded by the end of the year, which allowed FDOT to close in escrow on the corridor with CSXT. Mr. Neiswender said that FDOT worked very, very hard through the holidays on behalf of local governments to advance the project.
 - c. The TAC's emphasis since then has been on cleaning up right-of-way issues and station details so that those packages are ready to bid, Mr. Neiswender said. Tremendous progress has been made on right-of-way acquisitions. Mr. Neiswender said that there are some outstanding legal agreements and condemnations that still need to be negotiated, but the vast majority of properties have been acquired. He said that Joint Use Agreements have been signed by two jurisdictions and are ready to be signed by the others – a formality that commits local governments to cleaning stations and so forth. Mr. Neiswender said that TAC members are

now waiting for federal approval of the Full Funding Grant Agreement. He said it was a matter of following the FTA's established process, checking items off the list, and moving it through Congress.

- d. At present, Mr. Neiswender said, the TAC is reviewing key procurements and receiving regular updates from FDOT. A few are nearing completion and others will be advertised soon, which will reduce a lot of exposure on capital costs. He said that advanced right-of-way acquisition continues for Phase II stations. The TAC recognizes the interest of Volusia and Osceola counties to continue moving forward with Phase II efforts.
- e. One of the potential benefits of SunRail is the new economic development opportunities for communities. On Wednesday, following the regular TAC meeting, FDOT and PB Placemaking will host an introductory session for local government partners, as well as interested parties, to discuss potential transit-oriented development around SunRail stations. That will be followed up with charettes with each local government station host, Mr. Neiswender said. Mr. Neiswender said there was a lot to work on and a lot to get done, but that it seems to be going very, very well.

COMMITTEE MEMBER COMMENTS

1. Chairman Dyer introduced John Lewis, the new executive director of LYNX, who attended the Commission meeting. Mr. Lewis attended his first LYNX board meeting as executive director yesterday, Chairman Dyer said. Chairman Dyer also wished Chairman Bruno good luck with his upcoming State of the County Address.
2. Mayor Jacobs said that it was a pleasure to be back working in government, and that she was excited to be working with the Commission on SunRail to keep the project moving forward.
3. Commissioner Henley said he was pleased with the "amazing regional cooperation" associated with SunRail to get the project to this point. The regional harmony associated with SunRail generally doesn't happen as readily as it has with SunRail. He said that Ms. Olore and Secretary Downs have been great partners, and he was hopeful that the same amount of enthusiasm carries forward when discussions turn to local government assumption of SunRail operations costs. He said the Commission has "breathing room" at present, but that it's going to take a tremendous marketing effort to get a dedicated funding source to keep SunRail operating. Commissioner Henley urged the Commission to start developing plans now to share with the community in the same spirit of cooperation and enthusiasm.
4. Chairman Dyer noted how quickly eight years has passed, and that 2020 – when local government partners are expected to take over operations of SunRail – will be here before we know it. He agreed with Commissioner Henley that local government partners should prepare for that.
5. Commissioner Arrington expressed his appreciation for Chairman Dyer's diligent efforts, as well as FDOT's relentless efforts, to advance SunRail. He said that

Osceola County also was appreciative for being included in the OIA Connector Refresh Alternatives Analysis study.

PUBLIC COMMENTS

1. Ms. Joanne Counellis of Lake Mary said she could hardly wait to get SunRail, and hoped that it would operate on weekends and holidays, as well.

NEXT MEETING

1. Chairman Dyer said he would like to have the next Commission meeting after the Full Funding Grant Agreement is approved for funding.

ADJOURNMENT

1. The meeting was adjourned at 2:15 p.m.