



REGULAR BOARD OF DIRECTORS MEETING

Tuesday, June 21, 2022, 9:00 AM

Hybrid Format of Participation - In Person at

**HART Administrative Office, 1201 East 7th Ave, Florida Conference Room, Tampa, FL 33605
and**

Via Communication Media Technology

Information not viewable is available upon request through the Board Administrator via phone:

813-384-6517 or via e-mail: JacksonD2@goHART.org

AGENDA

MEMBERSHIP

Commissioner Kemp - Chair
Commissioner Overman - Vice Chair
Melanie Williams - Secretary
Mayor Castor
Rena Frazier
Tyler Hudson

Eric Johnson
Marvin Knight
Commissioner Myers
Councilmember Schisler
Commissioner Smith
Councilmember Viera

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

- 1.a. This meeting will be conducted in a hybrid format, see the attachment for the rules.
[Rules for Hybrid Meeting Participation](#)

2. PUBLIC COMMENT (3 MINUTES PER SPEAKER)

- 2.a. Attached are the Rules for Public Comment Participation
[Rules for Public Comment Participation](#)

3. APPROVAL OF MINUTES

- 3.a. **Board of Directors Meeting Minutes ~ April 4, 2022**
[Meeting Minutes](#)
- 3.b. **Board of Directors Meeting Minutes ~ May 16, 2022**
[Meeting Minutes](#)

4. CONSENT AGENDA

The Board of Directors considered and approved Consent Agenda items a - j at its May 16, 2022, regular Board Meeting held in a hybrid format, at which a quorum was in place, but not physically present.

Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee held a meeting in a hybrid format on May 16, 2022; reviewed the Action Items 4k through 4r, and recommended approval to the full Board of Directors.

Litigation and Claims Committee met on May 24, 2022, reviewed the Action Items 4s, and recommended approval to the full Board of Directors.

Finance and Audit Committee met on May 25, 2022, reviewed the Action Item 4t, and recommended approval to the full Board of Directors.

- 4.a. **Resolution #R2022-06-32 ~ Receive and File Fiscal Year Ending September 30, 2021, Annual Comprehensive Financial Report (ACFR)**
[Resolution #R2022-06-32 with Attachments I & II](#)
[Attachment III](#)
- 4.b. **Resolution #R2022-06-33 ~ Authorize Staff to Proceed with a Solicitation for Procurement of Revenue Vehicle Tire Lease Services Beginning Fiscal Year 2023**
[Resolution #R2022-06-33 with Attachments I & II](#)
- 4.c. **Resolution #R2022-06-34 ~ Authorize the Chief Executive Officer to Award a Contract to CoachCrafters, Inc for Body Shop Services in a Not-To Exceed Amount of \$736,800**
[Resolution #R2022-06-34 with Attachments I & II](#)
- 4.d. **Resolution #R2022-06-35 ~ Authorize the Chief Executive Officer to Execute a Modification to the Existing Contract for Program Management Services with Clevor Consulting Group in Support of the Regional Inter-Jurisdictional Mobility Project, a/k/a Flamingo Fares Project, to Extend the Contract for a Seven Month Period, Through December 30, 2022 with No Increase to the Contract Value**
[Resolution #R2022-06-35 with Attachments I & II](#)
- 4.e. **Resolution #R2022-06-36 ~ Authorize the Chief Executive Officer to Execute a Modification to the Existing Contract for The Tampa Arterial Bus Rapid Transit (BRT) Study with Alfred Benesch & Company (Formerly Tindale Oliver) to Pursue the Low-Cost Alternative Improvements in the Southern Portion of the Corridor, to Extend the Contract for an Eighteen Month Period, Through November 30, 2023, with no Increase to the Contract Value**
[Resolution #R2022-06-36 with Attachments I & II](#)
- 4.f. **Resolution #R2022-06-37 ~ Authorize the Chief Executive Officer to Execute a Joint Participation Agreement (JPA) Between the Hillsborough Transit Authority (HART) and the Florida Department of Transportation (FDOT) to Initiate Tasks 4 and 6 of the Bus Rapid Transit Corridor Design/Engineering Study Lower-Cost Alternative (LCA)**
[Resolution #R2022-06-37 with Attachments I & II](#)
- 4.g. **Resolution #R2022-06-38 ~ Authorize Staff to Seek Public Input for Setting the Three-Year Goal for the Hillsborough Transit Authority (HART) Disadvantaged Business Enterprise (DBE) Program and Submit the Three-Year Goal to the Federal Transit Administration (FTA) by August 1, 2022**
[Resolution #R2022-06-38 with Attachments I & II](#)

- 4.h. **Resolution #R2022-06-39 ~ Authorize the Chief Executive Officer to Extend the Vector Media Transit LLC Transit Advertising Contract, VC-000546, Up to Six Months with an End Date Not-to-Exceed December 31, 2022**
[Resolution #R2022-06-39 with Attachments I & II](#)
- 4.i. **Resolution #R2022-06-40 ~ Authorize the Chief Executive Officer to Award a Contract to AlphaVu for a Marketing and Communications Plan for a Not-To-Exceed Amount of \$306,000**
[Resolution #R2022-06-40 with Attachments I & II](#)
- 4.j. **Resolution #R2022-06-41 ~ Authorize the Chief Executive Officer to Execute a Joint Participation Agreement (JPA) Between the Hillsborough Transit Authority (HART) and the Florida Department of Transportation (FDOT) to Apply and Accept Urban Corridor Grants Funding for Routes 34 (Hillsborough Avenue) and 400 (Nebraska Avenue); and all other FY2022/FY2023 FDOT Grant Funding**
[Resolution #R2022-06-41 with Attachments I & II](#)
[Attachment III](#)
[Attachment IV](#)
- 4.k. **Resolution #R2022-06-42 ~ Authorize the Chief Executive Officer to Exercise Option Year Three of the Contract with Petroleum Traders Corporation, Palmdale Oil Company, and Mansfield Oil Company of Gainesville for the Delivery of Unleaded (UNL) and Diesel (ULSD) Fuel for Fiscal Year 2023**
[Resolution #R2022-06-42 with Attachments I & II](#)
- 4.l. **Resolution #R2022-06-43 ~ Authorize the Chief Executive Officer to Execute a Contract Modification with Reladyne Florida, LLC to Increase Bulk Fluid Prices**
[Resolution #R2022-06-43 with Attachments I & II](#)
- 4.m. **Resolution #R2022-06-44 ~ Authorize the Chief Executive Officer to Award a Contract to American Guard Services for Security Guard Services, Inc. in a Not-To-Exceed Amount of \$7,683,024**
[Resolution #R2022-06-44 with Attachments I & II](#)
- 4.n. **Resolution #R2022-06-45 ~ Authorize the Chief Executive Officer to Execute a Contract Modification to Add Task 4 to the InfraStrategies Contract VC00000912 in a Not-To-Exceed Amount of \$36,800 for a Total Contract Not-To-Exceed Amount of \$106,120**
[Resolution #R2022-06-45 with Attachments I & II](#)
- 4.o. **Resolution #R2022-06-46 ~ Authorize the Chief Executive Officer to Enter into an Interlocal Agreement with Hillsborough County and Hillsborough Transit Authority, (HART) for Distribution of Mobility Fees**
[Resolution #R2022-06-46 with Attachments I & II](#)
- 4.p. **Resolution #R2022-06-47 ~ Approve the Proposed Program of Projects (POP) and Authorize the Chief Executive Officer to Apply for and Accept All FY2022 Federal Transit Administration (FTA) Funding**
[Resolution #R2022-06-47 with Attachments I & II & III](#)
- 4.q. **Resolution #R2022-06-48 ~ Ratify the Labor Contract with the International Brotherhood of Teamsters Union (“Teamsters”) Local #79 and Authorize the**

Chairperson of the Hillsborough Transit Authority (HART) Board of Directors and the Chief Executive Officer (CEO) to Execute the Contract with Teamsters Local #79 Upon Ratification for the Period from October 1, 2021, to September 30, 202

[Resolution #R2022-06-48 with Attachments I & II](#)

- 4.r. **Resolution #R2022-06-49 ~ Ratify the Labor Contract with Amalgamated Transit Union (ATU) Local 1593 and Authorize the Chairperson of the Hillsborough Transit Authority (HART) Board of Directors and the Chief Executive Officer (CEO) to Execute the Contract with ATU Local 1593 for the Period from October 1, 2021, to September 30, 2024**

[Resolution #R2022-06-49 with Attachments I & II](#)

- 4.s. **Resolution #R2022-06-50 ~ Authorize an Increased Settlement Amount and Approval of the Settlement Agreement in the Case of Timothy McGowan v. HART (Case No: 20-CA-9244) for the Sum of \$120,000 for the Incident Occurring on August 23, 2019 on South Howard Avenue and West Horatio Street in Hillsborough County, Florida (Claim #909463)**

[Resolution #R2022-06-50 with Attachments I & II](#)

- 4.t. **Resolution #R2022-06-51 ~ Approve the Fiscal Year 2023 Proposed Budget and Authorize the Chief Executive Officer to Submit the Approved Proposed Budgets to the City of Tampa, Hillsborough County, and the City of Temple Terrace**

[Resolution #R2022-06-51 with Attachments I & II](#)

5. ACTION ITEM

- 5.a. **Resolution #R2022-06-52 ~ Approval of the First Amendment to the June 2002 Interlocal Shelter Agreement with Hillsborough County Extending the Term Through December 31, 2022**

[Resolution #R2022-06-52 with Attachment I](#)

[Attachment II](#)

[Attachment III](#)

6. SOLE SOURCE PROCUREMENT AND ONE-TIME DEVIATION FROM PROCUREMENT MANUAL

- 6.a. **Sole Source Awards and Deviation from Requirements of the Procurement Manual Report**

[Report](#)

7. CHIEF EXECUTIVE OFFICER'S REPORT

- 7.a. **Federal Grant Update**

[Presentation](#)

8. CHAIR'S REPORT

9. GENERAL COUNSEL'S REPORT

10. HART BOARD COMMITTEE REPORTS

- 10.a. **Joint Strategic Planning and External Relations, Operations and Safety, and Finance and**

Audit Committee Hybrid Meeting ~ May 16, 2022

[Meeting Minutes](#)

10.b. Auditor Selection Committee Hybrid Meeting ~ May 16, 2022

[Meeting Minutes](#)

10.c. Litigation and Claims Committee Hybrid Meeting ~ May 24, 2022

[Meeting Minutes](#)

10.d. Finance and Audit Committee Hybrid Meeting ~ May 25, 2022

[Meeting Minutes](#)

10.e. Auditor Selection Committee Hybrid Meeting ~ May 25, 2022

[Meeting Minutes](#)

11. REPORTS FROM HART BOARD REPRESENTATIVES

11.a. Tampa Bay Area Regional Transit Authority (TBARTA) Board of Directors - April 2022

Summary of activities of the Tampa Bay Area Regional Transit Authority (TBARTA) during their April 22, 2022 Board of Directors Meeting.

[April 22, 2022 meeting summary](#)

12. MONTHLY INFORMATION REPORTS

12.a. April 2022

[Report](#)

13. OLD BUSINESS

14. NEW BUSINESS

15. ADJOURNMENT

RULES FOR HYBRID MEETING PARTICIPATION

HART Board members, Employees, and Presenters

Thank you for your participation in this virtual workshop.

Please keep your devices and phones muted when not speaking. Muting the sound and microphone on your devices helps to avoid feedback. You may enable the video/camera on your devices, but please discontinue all personal conversations for the duration of the meeting. Note that the quality of your video will depend on your internet connection.

Please follow along with a copy of the meeting agenda and materials, all presentations will be shared on the screen while presented.

Roll call will be taken for attendance and voting by HART staff. Quorum and voting results will be announced.

There will be an opportunity for members of the public who have pre-registered with HART staff to provide comments. General Counsel will read into the record the Public Comment Participation Rules.

During the meeting, please wait until the Chair asks for comments or questions from the Board members for each agenda item as the meeting progresses through the agenda.

When you want to provide a comment or ask a question, please signal that you want to speak by activating the “HAND” button (in the white circle next to the name) on your screen. The “HAND” will turn blue when activated.

- The names of raised hands will be called on in order for the Chair to acknowledge, then the participant may unmute their device and speak. Please speak your name before your comment.

Please note that all presentations will be controlled by HART staff.

RULES FOR PUBLIC COMMENT PARTICIPATION

The Board welcomes public comments about any concerns and has made provisions to allow for virtual public comment. Public comments offered virtually will be afforded equal consideration as if they were offered in person. Anyone wanting to provide public comment for any HART Committee or Board meeting should contact Danielle Jackson, Board Administrator, at JacksonD2@gohart.org, or at 813-955-2426 with your name and phone number for pre-registration. Comments are due by 5pm the day previous of the meeting.

Speakers will be called by name in the order in which registrations were received. All callers will be muted upon calling and unmuted in the submission order after being recognized by name. Please state your full name and organization/address if desired. Up to three (3) minutes are allowed for each speaker and the speaker will be muted once time is up.

Thank you all for sharing your comments and participating in this meeting. The meeting can be listened and viewed on the HART YouTube Channel at www.youtube.com/user/harttransit.

Meeting Minutes

Pending Approval

Attendance in Person		
Board Members	(11) Staff	(18)
Mayor Jane Castor	Michael Bartholomew	
Rena Frazier	Sylvia Berrien	
Tyler Hudson	Dexter Corbin	
Eric Johnson	Lynda Crescentini	
Commissioner Pat Kemp	Christopher DeAnnuntis	
Marvin Knight	Scott Drainville	
Commissioner Gwen Myers	Wanda Dunnigan	
Commissioner Kimberly Overman	Bobby Edwards	
Councilmember Gil Schisler	Nikki Frenney	
Councilmember Luis Viera	Kemly Green	
Melanie Williams	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Le Grand	
	Jose Marquez	
	Dale Smith	
	Teri Wright	
	Cathy Zickefoose	
	Others Present	(6)
	Julia Mandell, HART Board General Counsel	
	David Adams, Bennett, Jacobs & Adams	
	Nada Haddad, Hillsborough County	
	Damien Miller, Benesch	
	Amanda Vandegrift, InfraStrategies	
	Ian Whitney, City of Tampa	
Attendance via Communications Media Technology (CMT)		
Board Member	(1) Staff	(0)
Commissioner Mariella Smith		
	Others Present	(8)
	Zac Atwood, HTV	
	Lisa Barkovic, Holland and Knight	
	James Brewer, HTV	
	Kimberly Case, Holland and Knight	
	Sharon Green, InfraStrategies	
	Christian Lampe, HTV	
	Scott Pringle, WSP	
	David Smith, HART Board General Counsel	

The April 4, 2022, Board of Directors meeting was held in a hybrid format with quorum physically present at the County Center, 601 East Kennedy Blvd, 26th Floor Conference Room, Tampa, FL

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33602, and the rest of the Board members were present via Communication Media Technology (CMT). The rules for participation in a hybrid meeting were included in the meeting packet.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

HART Board Chair Pat Kemp called the meeting to order at 9:03 a.m. Pledge of Allegiance followed.

Staff performed roll call for attendance. Directors Castor, Frazier, Hudson, Johnson, Kemp, Knight, Myers, Overman, Schisler, Smith, Viera and Williams were present. There was a physical quorum present to conduct business.

2. PUBLIC INPUT ON AGENDA ITEMS AND GENERAL CONCERNS (3 MINUTES PER SPEAKER)

There was no one pre-registered or present for public comment.

3. APPROVAL OF MINUTES

3.a Board of Directors Meeting Minutes ~ March 7, 2022

Director Overman moved and Director Schisler seconded approval of the meeting minutes from the March 7, 2022, Board of Directors Meeting. All Board members present voted aye. The motion carried unanimously.

4. CONSENT AGENDA

Chair Kemp announced that before an action was taken on the Consent Agenda, an Auditor Selection Committee must be appointed, either by the Chair or the whole Board, regarding item 4a. She explained that the Auditor Selection Committee must include at least one Board member, and staff could be used for review on the Committee. Chair Kemp noted that she agreed with the staff recommendation that a member of the Finance and Audit Committee be appointed and asked staff to provide more context on the appointment.

Ms. Loretta Kirk, Chief Financial Officer, explained that the Board was creating the Auditor Selection Committee as required by Florida statute and the Committee could contain staff or outsiders, but had to have at least one Board member. She added that it would be appropriate for the Finance and Audit Committee to take on the role of the Auditor Selection Committee Chair, but a Chair would have to be designated and then staff could support.

Director Overman stated that the only challenge with having the entire Finance and Audit Committee would be that the selection process would be a public meeting since more than one Board member would be present. She expressed her concern that making it a public meeting could delay the procurement process.

Chair Kemp asked the Board if they felt that the public meetings would be a concern. No one expressed concerns. She suggested that the Finance and Audit Committee Chair serve as the Chair of the Auditor Selection Committee as well.

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Director Overman inquired if item 4a should be removed from the Consent Agenda before continuing with a necessary action.

Director Overman moved and Director Johnson seconded the motion to remove the following action item from the Consent Agenda:

- 4a. Resolution #R2022-04-14 ~ Authorize Staff to Proceed with a Solicitation for Procurement of External Auditor Services

Staff performed a roll call vote. Directors Castor, Frazier, Hudson, Johnson, Kemp, Knight, Myers, Overman, Schisler, Smith, Viera and Williams voted aye. The motion carried unanimously.

Director Johnson moved and Director Schisler seconded the motion to approve the Consent Agenda with the following action items:

- 4b. Resolution #R2022-04-15 ~ Authorize Staff to Proceed with a Solicitation for the Procurement and Installation of Entrance and Exit Gates at the 21st Avenue Facility
- 4c. Resolution #R2022-04-16 ~ Authorize Staff to Proceed with a Solicitation for the Procurement of a Requirements Contract for the Supply of Natural Gas
- 4d. Resolution #R2022-04-17 ~ Authorize Staff to Proceed with a Solicitation for of a Contract for Cash Processing, Ticket Vending, Cash, and Change Machine Services at HART Facilities
- 4e. Resolution #R2022-04-18 ~ Authorize the Chief Executive Officer to Award Contracts and Task Orders to Flores Construction Co., American Construction Services, Inc of Tampa, and AJ General Construction Services Inc. for Bus Transit Infrastructure (BTI) Construction in a Collective Not-To-Exceed Amount of \$5,000,000
- 4f. Resolution #R2022-04-19 ~ Approve Revisions to HART Procurement Manual
- 4g. Resolution #R2022-04-20 ~ Authorizing Staff to Dissolve the Defective 401(a) Deferred Compensation Benefit Plan Created in 2008 Including Payment of Associated Costs, and Authorization for Staff to Take All Steps Necessary to Create a New and Valid 401(a) Deferred Compensation Benefit Plan
- 4h. Resolution #R2022-04-21 ~ Authorizing the Chief Executive Officer to Execute Tasks 4 and 6 of the Contract with Benesch (Formerly Tindale-Oliver) for the Tampa Arterial Bus Rapid Transit (BRT) Study to Pursue the Low-Cost Alternative Improvements in the Southern Portion of the Corridor

Staff performed a roll call vote. Directors Castor, Frazier, Hudson, Johnson, Kemp, Knight, Myers, Overman, Schisler, Smith, Viera and Williams voted aye. The motion carried unanimously.

Director Johnson moved the motion to approve the following action item from the Consent Agenda:

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4a. **Resolution #R2022-04-14 ~ Authorize Staff to Proceed with a Solicitation for Procurement of External Auditor Services**

and appoint the current HART Finance and Audit Committee as the Auditor Selection Committee with the Finance and Audit Committee Chair appointed as the Auditor Selection Committee Chair with staff participating as non-voting members. Director Overman seconded.

Director Overman referred to her previous experience using the Bonfire procurement platform. She suggested that the Chair of the Finance and Audit Committee participate in the selection committee and report progress at future meetings.

Chair Kemp asked General Counsel if other members should be appointed.

Ms. Julia Mandell explained that the statutory provisions required three members, so the Auditor Selection Committee could be made up of the whole Finance and Audit Committee, there could be three members of the Finance and Audit Committee, or one member of the Finance and Audit Committee and two others from another entity. She stressed that the procurement portion of the Sunshine Law would still have to be followed regardless of whether or not the Finance and Audit Committee was appointed or not. Ms. Mandell stated that it is appropriate to have the Finance and Audit Committee serve in this role but the meetings would have to be designated for that purpose.

Staff performed a roll call vote. Directors Castor, Frazier, Hudson, Johnson, Kemp, Knight, Myers, Overman, Schisler, Smith, Viera and Williams voted aye. The motion carried unanimously.

5. PRESENTATION

5a. HART Strategic Financial Advisory Services

Ms. Amanda Vandegrift from InfraStrategies presented the HART Strategic Financial Advisory Services presentation that estimated the Infrastructure Investment and Jobs Act (IIJA) federal funding increases, revised financial scenarios, key findings, and next steps. Ms. Sharon Green virtually attended to assist. A full copy of the presentation is available upon request from the Board Administrator at JacksonD2@gohart.org.

Director Hudson referred to slide 25, Leveraging Federal and State Funding, and inquired if the information showed funding sources newly eligible opposed to funding sources eligible with a surtax.

Ms. Vandegrift explained that funding sources were based on the projects contained in the unconstrained project list. She gave the example of a Bus Rapid Transit (BRT) project that would not advance under scenario one, but could advance under the scenario three with federal and state support because of a dedicated long-term revenue stream.

Director Viera noted that the federal funding for the Agency diminished due to COVID-19, but the federal government was able to provide funding to remedy much of the gap. He expressed his

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worry that a different philosophical change in the future could change that and cause the Agency to face the effects of economic changes without federal support. Director Viera spoke about the City of Tampa's dedication to the streetcar service and how important it was for the region having 10% of the total ridership of HART connecting people to where they wanted to go including work while also being a great brand for the City of Tampa and Hillsborough County. He stated that HART would need to demonstrate continued support for the streetcar in the coming years in all different financial and economic scenarios. Director Viera stressed that streetcar service was a critical need for the region and needed continued support from all partners.

Director Overman stated her appreciation for the information because it was critically important for the Board, who managed policy and revenues, to understand how to support the Agency as it moved forward. She requested that staff provide at a later date an understanding of how common it was for a transit agency to have excessive operating costs, if HART operating costs were out of line with other agencies, and what could be done to address the issue. Director Overman noted that she did not believe that HART was operating abnormally, but would still like to have data for the Board to consider and eliminate the perception that funding was spent improperly. She stressed the importance of having funds to complete projects from the Transit Development Plan (TDP) as some projects had used prior funding to start the projects but have not been completed. Director Overman mentioned the Transit Oriented Development (TOD) project, that had been underway for three years to increase TOD access to the highest area of need for ridership, had used quite a bit of funding already, but could not move forward without another revenue source. She explained that the Hillsborough County Board of County Commission (BOCC) was going to review results of the equity profile she requested to address the community needs and inequities not only of the past, but of the future. Director Overman stressed the importance that the Board have a clear understanding of how important policy decisions were at HART and how the decisions addressed the needs of Hillsborough County residents. She noted that it was obvious HART was not able to move forward without an additional revenue source and that while a transportation surtax would be a great tool for moving transit forward; there was also a need for proactive communication in the community about the costs required to generate a local match. Director Overman asked for a confirmation from Ms. Vandegrift that a significant amount of revenue would need to be generated to move forward with any expansion for the area, including projects already started.

Ms. Vandegrift answered affirmatively.

Director Overman stated that the presentation was a great transparent information for Board, but it was also important to ensure that the public was very aware of how best to serve the community, and what could be done to get that outreach to the community. She noted that one BOCC Commissioner asked for a list of HART projects for the next 30 years and while that may not be available, this financial information was a great starting point for future conversations regarding transit funding in Hillsborough County.

Chair Kemp asked for confirmation that it was a standard across the nation that approximately 70% of transit budgets were spent on operating costs which covered personnel, vehicles, maintenance, etc.

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Ms. Vandegrift confirmed that for the Agencies not in expansion mode operating costs were the primary budget item.

Chair Kemp referred to the expansion scenario that listed the operating expenses at 81% of total expenses and asked for further details.

Ms. Vandegrift explained that the percentage was specifically related to the list of projects in the HART TDP which had a heavy focus on service improvement leading to more operating costs than major capital construction projects costs.

Chair Kemp commented that the Agency had been on the edge of the fiscal cliff for the duration of her service on the Board and that the COVID-19 relief funding saved the Agency from going over the cliff. She spoke about the current operation costs for the dismal service provided using two-thirds of the current budget and stressed that HART was the most underfunded transit agency in the nation for a metro area of this size.

Director Schisler thanked Ms. Vandegrift for the tremendous opportunity to demonstrate to the Board the current state of affairs at the Organization because nothing could be done until the current state of affairs was known. He cautioned everybody that this was the beginning of the entire process and other than day-to-day expenses, the Agency did not have the opportunity to fix the situation. Director Schisler explained that the Board needed the opportunity to review the information, digest it, work out scenarios, and implement plans. He commented that an interactive financial tool was going to be phenomenal for the future as it would allow for the opportunity to leave a legacy for HART to stray from the financial cliff, and keep it in abeyance while leadership searched for additional revenue streams. He inquired how long the IJA funding was available.

Ms. Vandegrift responded that the IJA funding would be available in fiscal year 2022 to fiscal year 2026.

Director Schisler stressed that strategic planning would be critical when planning for IJA funding to seize the opportunity to complete projects possible and needed for the community.

Director Castor thanked Ms. Vandegrift for presenting the invaluable, although depressing, information. She agreed that the Agency needed to be very bold with the increased federal funding as Tampa was the third fastest growing city in the nation and the number one location for real estate. Director Castor stressed that the transit situation was a crisis that required all the entities to come together to ensure that there were solutions through increased funding, the critically needed surtax, and assurance that the community was aware of the need and benefits of transportation solutions. She explained that it was incumbent upon each Board member to ensure that information was distributed, especially during the difficult time when the cost for everything was rising. Director Castor stated her support for a new Maintenance facility that was way overdue for HART and the ferry system that would provide a transit solution for a number of people in the community. She underscored Director Viera's support of the streetcar service and stressed that it was the number one project for the City that was securing a funding source as a match for grants and to cover the operational costs to alleviate the burden on the HART budget. Director Castor

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spoke of the need for dramatic reduction in car traffic in the urban core which the streetcar served with ridership of just under a million riders, higher than Orlando's Sun Rail ridership that had 61 miles of track. She noted that the streetcar service would also attach to the bus systems connecting east and west Tampa with jobs that were growing in the community and county. Director Castor stressed that transit solutions were critical, especially as housing costs go up.

Director Williams echoed Directors Castor's and Viera's sentiments regarding the streetcar service and stressed the importance of how the streetcar service fit into the greater transportation plan for the county to assist with housing, parking, etc.

Director Smith echoed Director Schisler's comment that the presentation was a great starting point for the Board and now the Board had to put in the work to ensure that priority projects were funded. She noted that this presentation was an extended version of the presentation that was included in the packets and inquired if the Finance and Audit Committee saw an extended or an abbreviated presentation.

Chair Kemp indicated that the Finance and Audit Committee saw the shorter version of the presentation.

Director Smith noted that the operating cost, which was the biggest share, would be shared with the City for the streetcar service and the ferry operator for the ferry service. She stated that those items should not be included in the funding responsibilities for HART and that she looked forward to having the tool fine-tuned regarding those matters. Director Smith agreed with previous comments about priorities for the Agency.

Ms. Vandegrift indicated that Director Smith was correct that the revenue from the City and ferry operator were not assumed in the model, but that the model could be updated to include those revenue items.

Director Hudson stated his understanding that the operating costs were mostly controlled the budget, with the labor cost being the biggest portion of that expense, but public opinion was that the operating expense was based on fuel costs. He requested a presentation on the risks of fuel costs staying current or increasing the cost in the model for the future because fuel costs would affect the way HART delivered transit in the next three years. Director Hudson echoed Directors Castor's and Viera's comments about the City's growth noting that housing should have been developed with transit ten years ago, but it did not happen. He continued that housing and affordable housing were huge issues that benefitted from development in the areas where people could live and work without the use of car. Director Hudson stated that there were different areas of the service area where that could be done, but there was an immediate opportunity in the streetcar service area. He stressed the importance of continuing to support that service and partnered with the federal government, FDOT, the City, and HART.

Director Johnson stated that the information was a great catalyst for the Board to start the review process. He agreed with previous comments that the streetcar could be a huge driver for HART

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in the future. Director Johnson noted that there was previous discussion about the agreement between Tampa Historic Streetcar (THS) and HART and asked staff for an update on that process.

Ms. Le Grand stated that there were two different agreements currently under development, one was the Operator's Agreement that had been extended five previous times. She explained that staff was working on the contractual terms to understand what was needed to move forward with a new contract with THS. Ms. Le Grand noted that the other agreement was a Memorandum of Understanding (MOU) between the partners to advance the extension of the streetcar as required in the application submitted to the FTA. She explained that staff was actively engaged with the City and partners to put the document together, but the intention was to have it done soon so that the project could move forward when funding becomes available. Ms. Le Grand reminded the Board that it was the streetcar extension project that brought forward the need for the financial model even though the model was then extended to include all operations. She noted that from a modeling perspective, there was a very good understanding of the impact of the streetcar and the needs for the grant application. Ms. Le Grand outlined the next steps in the process as getting the MOU finalized for the next round of applications to move the streetcar expansion project forward.

Director Johnson, as a HART representative on the THS Board of Directors, spoke about the importance of developing an agreement that would be beneficial to HART sooner rather than later since it was overdue. He stated his concern that the THS Board had not met in a few months and wanted to ensure that everything was in place for when the agreement was ready since many future aspects were driven from the streetcar service.

Director Overman stated that, based on the discussion at the meeting, in order to make transit work, it would have to be tied to density and affordable housing, removing cars off the road, and giving people choices to ride the transit system. She explained that when addressing affordable housing needs in terms of transit availability, it was clear why the streetcar was so critically important because there were significant investments via the City and County in the dense urban core. Director Overman stressed that there was affordable housing all over the county, and agreed with Chair Kemp that the current service was the best HART could provide, but was still not adequate for the workforce. She stated that to avoid the fiscal cliff, the Agency had to plan for the future with expansion of the overall service in those underserved areas of affordable housing because it would be one of the most efficient ways to increase ridership and address operating costs. Director Overman commented that the streetcar allowed for the stellar ridership because of the route frequency and the density around the service. She continued that other parts of the County did not have that financial luxury nor the ability to do circulator services to tie to longer routes. Director Overman stressed that sufficient capital to utilize state and federal grants would make a significant difference in people's lives as it would address affordable housing, workforce, and economic mobility issues within the community. She commented that she was excited about the future, but it would require a lot of revenue stream. Director Overman asked for confirmation that the scenario discussing existing conditions with the IJA funds, the streetcar extension and the funded TDP projects currently laid out would create a \$1.5 billion shortfall. She inquired about the reason for the shortfall.

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Ms. Vandegrift explained that the \$1.5 billion shortfall was because the operating costs were higher than the operating revenue in the existing conditions. She stated that the inability to compete for additional capital grant opportunities due to lack of matching funds was also reason for the shortfall.

Director Overman spoke of the importance of exploring all revenue sources, including local funding resources, in the future.

Chair Kemp asked for slide 9, Example Fixed-Guideway Rail Project, to be displayed.

Ms. Le Grand clarified that the information on the slide was an example and did not reflect any specific project. She explained that the discussion from the March 21 committee meeting yielded a list of questions that Ms. Vandegrift tried to respond to. Ms. Le Grand stated that the BRT project, fixed guideway project, and existing bus improvements examples given in the presentation were addressing questions asked about operating impact if funding was spent on capital investments.

Chair Kemp inquired if multiple samples of service, such as fixed guideway rail, could be incorporated into the model as there could be very different costs. She gave the example that a new rail system would cost more than converting current freight rail to passenger rail.

Ms. Vandegrift explained that her presentation was just one general example already in the model that did not contain an specifics, such as miles. She agreed that costs could vary greatly depending on the corridor and a style of rail.

Chair Kemp stated her appreciation for the clarification and her belief that this financial tool would be great for the Agency as the tool puts HART finances in a perspective that has not been presented before. She again recapped previous budgetary issues of HART during her tenure on the Board. Chair Kemp stressed that the Agency faced serious choices without any new revenue in the future. She commented that while she was a big promoter of all the forms of transit, she wanted hour-long bus service to move to half-hour service and eventually five-minute routes or ten-minute service. Chair Kemp stated that the shorter frequencies should be prioritized moving forward because it was an equity issue.

Director Overman moved and Director Smith seconded a motion to have the final report and presentation sent to all Board members. Staff performed a roll call vote. Directors Castor, Frazier, Hudson, Johnson, Kemp, Knight, Myers, Overman, Schisler, Smith, Viera and Williams voted aye. The motion carried unanimously.

5b. State and Federal Legislative Update

Ms. Lisa Barkovic and Ms. Kim Case from Holland and Knight presented the State and Federal Legislative Update for Quarter 1 in 2022. A full copy of the presentation is available upon request from the Board Administrator at JacksonD2@gohart.org.

Director Castor left at 10:30 a.m.

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Director Johnson referred to the federal community projects grant and inquired if that grant could be used for the rebuilding of the Heavy Maintenance Facility and if decisions had been made about what the Agency would be advocating for with the local delegation.

Ms. Barkovic stated that the lobbyist along with staff would speak to the local delegation to seek input as no final decision was made. She explained that the parameters around the community project funding request was funding amounts lower than \$5 million. Ms. Barkovic noted that the funding award was not a complete guarantee and the upcoming elections could cause the Congress majority to change which could strip community project funding requests from the bill. She added that this funding provided for an opportunity for HART to seek the delegation's support, and request funding for a top priority. Ms. Barkovic explained that HART participated in this funding the previous year, but it was during the surface transportation reauthorization bill requests and the Members of Congress were limited to only ten requests. She continued that the Members took the strategy of putting transportation requests into the reauthorization process, but those projects fell out because of how the IIJA was constructed.

Director Johnson stated that he was okay with not having a project ready to submit, but wanted to ensure that HART had a request for the current cycle. He stated that he understood how competitive the individual appropriations could be. Director Johnson referred to the State of Florida job growth grant funds and inquired if those award amounts were expected to be in the \$2 to \$5 million range.

Ms. Case answered affirmatively noting that the average was around \$5 to \$6 million.

Director Johnson commended Ms. Le Grand on her diligent partnership with Hillsborough Community College to incorporate some of the needs at HART with college resources. He expressed that it was a great partnership and he was looking forward to working with the Organization again in the future on other ideas. Director Johnson requested confirmation that while there were no matching requirement on the grants, prioritization was given on applications that did contain a matching fund component.

Ms. Case answered affirmatively stating that it was not required, but favorably aligned.

Director Overman noted the seriousness of the issue associated with the sovereign immunity in Tallahassee and stated that the Board should prepare for that issue to be readdressed next year. She explained that the increase was only to adjust for cost of living, but staff should prepare that the legal reserves may need to be increased in future budgets. Director Overman stated that the Resilient Florida grant was funded from the Sadowski Coalition funding which was removed from affordable housing funding to increase sea level rise funding. She stressed that she would like to get as much of that money as possible since there was a need for additional resources and support to assist flooding issues for the heavy maintenance facility and shelters. Director Overman spoke about the bus shelter project at HART and the various grants that the project could potentially qualify for. She asked if the IIJA funding could be used for those grants if additional revenue was not available through a surtax.

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Ms. Barkovic explained that a funding request for a community project grant for a bus shelter program would require a 20% match, which could potentially come from a state funding.

Ms. Case explained that the local support grant program was a brand-new program meaning details, processes, and requirements had not yet been provided. She added that Holland and Knight staff were gathering the information to share with the federal lobbyist as well as HART staff for the ability to apply for grants.

Director Overman stated her appreciation for the Holland and Knight staff finding funding opportunities and gathering the information to complete the applications as soon as possible to meet the necessary deadlines. She recognized that any opportunity to advocate on behalf of HART was very helpful and offered her assistance if ever needed.

Ms. Barkovic explained that the April 15, 2022 grant deadline was for the receipt of a two-page application versus a longer application that would be necessary for the May grant deadline. She added that while the advocating would require substantial time, the paperwork would not be as labor intensive for the grant due April 15, 2022.

Director Knight left at 10:46 a.m.

Ms. Le Grand pointed out that while both the presentations from InfraStrategies, and Holland and Knight discussed potential grant opportunities, there was only one budget for local funding. She gave an illustrative example of how the local funding could be diminished with one grant award. Ms. Le Grand stated that the Agency would be bold and apply for all possible opportunities, but as soon as the Agency received the award, the bucket would likely be depleted and unavailable for other awarded opportunities. She spoke about the grants that did not require local match noting that the grants would still be competitive and if all applications other than HART had a local match, then HART would not receive the award. Ms. Le Grand referred to Ms. Barkovic's comment that many grants opportunities were open at the same time so applying for all the opportunities at the same time would commit the same local dollars for different grants. She continued that if the Agency was awarded more than one grant reliant on the local match funding at the same time, HART would be unable to move forward with more than one of them because of the lack of a local match.

Chair Kemp announced that the \$1.2 million local match funds for the ferry grant came from the County because HART was not able to secure the funding and that was the only way to receive the grant. She spoke about her experience at the American Public Transit Association (APTA) Legislative Conference in Washington, DC that she attended with Ms. Le Grand and noted that Ms. Barkovic was present during the conference too. Chair Kemp stated that she was part of meetings the Federal Transit Administration (FTA), and Congresswoman Castor who was very excited about the ferry grant and supportive of HART. She further noted that the conference also provided an understanding of how the Agency could successfully apply for what was needed for the future of HART such as the new Maintenance Facility which was the primary funding need since it was needed for maintaining and expanding the current service. Chair Kemp commented

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that the conference was a good opportunity to meet, review, and converse with other transit agencies across the country.

Ms. Le Grand echoed Chair Kemp's comments that she too thought the conference was a great opportunity to hear firsthand from the United States Department of Transportation, FTA, Federal Rail Administration, and all of the modal leaders to help the participants understand the impression of future months and years. She noted that one takeaway was that there was a political cycle occurring and opportunities currently available may not be available in the near future, so it was important to be as aggressive as possible to secure current opportunities. Ms. Le Grand stated that the conferences were open to all Board members who wanted to attend noting that the they contained very informative sessions and opportunities to meet firsthand with the leadership to advocate, get a better understanding of which grants were best to pursue for the different types of projects, and help navigate the process. She explained that the grant programs want to distribute the funding so it was in their best interest to teach transit authorities how to navigate the process for successful submissions. Ms. Le Grand noted that Board members attending the conference and meetings demonstrates commitment on moving projects forward which really helps the Agency because they would know that the money distributed in the Tampa Bay region would actually get spent. She stated that staff would continue to share upcoming meetings, and that the Board should not hesitate to speak with staff if there were any questions as staff was there to support the Board.

Director Overman moved and Director Schisler seconded a motion to receive the final report and have the presentation sent to all Board members. Staff performed a roll call vote. Directors Frazier, Hudson, Johnson, Kemp, Myers, Overman, Schisler, Smith, Viera and Williams voted aye. The motion carried unanimously.

6. SOLE SOURCE PROCUREMENT AND ONE-TIME DEVIATION FROM PROCUREMENT MANUAL

Ms. Le Grand referred to the report in the packet and noted that Section A showed that there were no sole source awards for the month of March. She pointed out the chart in Section B that captured all sole source awards for the fiscal year to-date which totaled approximately \$1 million. Ms. Le Grand reminded the Board that this report was included in every Board packet.

7. CHIEF EXECUTIVE OFFICER'S REPORT

Ms. Le Grand reported staff worked diligently to understand the current state of the Agency while also preparing to put future service on the street. She highlighted that staff was developing a five-year capital plan in conjunction with the budget as required by Board policy by ensuring that the plan encompassed the fiscal year 2023 budget plus four years of capital planning. Ms. Le Grand stated that the Board would receive an update in a couple of months. She reminded the Board of a presentation received two months ago from the firm assisting with the operations optimization plan, Nelson-Nygaard, and reported that the firm was moving forward on reviewing the existing system and resources, and how to incorporate efficiencies in optimizing the system. Ms. Le Grand stated that the firm should be prepared to return with an update on the Comprehensive Operational Analysis (COA) within the next two months. She explained that the output of the COA would give the Agency an opportunity to restructure the routes so they could be better operated with more

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efficiency and reliability. Ms. Le Grand lastly reported that staff was updating, in conjunction with the output from Nelson Nygaard, the TDP which was due for a major update. She noted that every five years, the TDP had to have a major update which staff was working on with the help of the financial modeling, the capital plan and the COA. Ms. Le Grand added that the first year of the TDP would match up with the first year of the five-year strategic plan, and summarized that all the current activities were done very deliberately to tie into the state, federal, and local requirements.

8. CHAIR'S REPORT

There was no Chair's Report as Chair Kemp provided her information in other sections of the meeting.

9. GENERAL COUNSEL'S REPORT

Ms. Mandell did not have a report.

Update on Hillsborough County Initiative Charter Amendment

Mr. David Smith, HART General Counsel, referenced a memorandum sent in March to the Board that was followed up by multiple emails and conference calls to make changes to the possible charter amendment up for a vote in November. He outlined the changes made based on all the correspondence. Mr. Smith explained that one change was to add a phrase after the definition of "agencies" that activity was by direction of the Board for the uses of the surtax shall be applied. He further explained that the language was added for litigation risk because one argument with the previous referendum was that the Board essentially surrendered legislative authority which was an improper use of the statute. Mr. Smith stated that another addition was the phrase "as contemplated by the state's surtax, the board is allocating" which clarified that it was an action by the BOCC. He suggested the section which recommended a review every five years be eliminated as it was added as a political concern that future Boards would not be favorably inclined to support transit and transportation needs in the future. Mr. Smith stressed that the Board needed the ability to review the surtax as it was important to the BOCC that they review their five-year plans and ensure they stay on top of the planning imperatives. He noted that some sections needed clarifying language which was made. Mr. Smith referenced the section relating to the Citizen Advisory Committee and noted that language was added that the committee would report their findings to the BOCC who shall have ultimate authority to oversee compliance with the initiative charter amendment to clarify that the committee was acting in an advisory capacity only. He explained that the last change was to ensure that the new charter initiative amendment language was similar to the original ballot initiative which was a primarily political consideration as the parties involved wanted to maximize the opportunity to obtain approval of this referendum. Mr. Smith explained that the language changes were nothing terribly substantive and almost all of the requests presented by the Agency were accepted as the BOCC heard from other municipalities and stakeholders. He explained that the next step was presenting the proposed initiative to the BOCC on April 6, 2022, for placement on an April 20, 2022, public hearing. Mr. Smith commented that he believed HART was in good shape and stated his hope that it would be acceptable to the public.

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Chair Kemp clarified that the BOCC was set to review the proposed Charter 1 on April 6, 2022 to set a public hearing expected on April 20, 2022 whether it be during the normal meeting time or an evening meeting and at the County Center or an alternate location. She explained that the draft ordinance approved by a vote of 6 to 1 of the BOCC was a one cent sales tax for 30 years with an allocation of 45% for HART, 0.05% for Transportation Planning Organization (TPO), and 54.5% to be divided by population between unincorporated county, Tampa, Temple Terrace and Plant City.

Director Overman referred to the comment about the five-year review noting that it involved a review of the charter amendment taking into consideration the long-range transportation plan, which would have all elements associated with the various different provisions in terms of how the funds should be allocated allowing for flexibility. She commented that she was very pleased with the direction of the language and that it was important to remember that the BOCC put this forward which would address some past challenges. Director Overman expressed that she was excited for the upcoming meeting and public hearing, and urged those invested in transit to attend the hearing and explain why transit was important to them as it would be beneficial.

Mr. Smith noted that there was a discussion held over the recent ruling by the Circuit Court Judge pursuant to separation of various provisions that upheld the original referendum. He continued that the Judge issued an order that the County, all the cities, and HART believed was premature as the included parties wanted to clarify some issues, so the next steps would be to possibly file a motion for reconsideration. Mr. Smith stated that the motion would not be technically correct because the included parties were not heard in the first place on the order but there were issues that need to be brought to the Court's attention and clarified that were not adequately addressed. He reminded the Board that those interested should call him directly for all the details because it would be unwise to release the legal strategy in the public forum.

10. HART BOARD COMMITTEE REPORTS

The materials were included in the packet.

11. REPORTS FROM HART BOARD REPRESENTATIVES

The materials were included in the packet.

Major Infrastructure Projects of Regional or National Significance Grant Application

Director Overman announced that the Tampa Bay Area Transit Authority (TBARTA) Board and the Transportation Management Association met recently and reported on conversations related to HART priority project involving the CSX tracks which ended with CSX no longer interested in selling the rights to the tracks for the Brooksville and Clearwater lines. She stressed that the conversations were not over as discussion were still happening over the best options for the utilization of that right of way whether it be passenger rail, shared rails, or an opportunity to lease the line. Director Overman reported that both groups also addressed the possible BRT line that would run from Wesley Chapel to Downtown, and noted that the project was met with resistance from Hillsborough County. She added that the TPO agreed to a policy not to expand Interstate

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275 north of certain areas that would be part of the BRT plan, but negotiations would need to continue as the BRT project moved forward.

Chair Kemp noted that she also served on the TBARTA Board and clarified that CSX did not agree to sell because TBARTA made it clear the sale was predicated on the tracks moving to a different location. She also clarified that the BRT project, according to TBARTA involved exclusive lanes on Fletcher Avenue to Wesley Chapel which would cost \$100 million or more, was under capacity for future decades, and was not included in the long-term transportation plan since the expansion of Fletcher Avenue had been removed from the Transportation Improvement Plan. Chair Kemp pointed out that any project completed by TBARTA would require funds from HART or the County to fund the operations meaning the project would be competing with priority projects at both HART and the County.

12. MONTHLY REPORTS

The materials were included in the packet.

13. OLD BUSINESS

There was no Old Business.

12. NEW BUSINESS

There was no New Business

13. ADJOURNMENT

The meeting adjourned at 11:17 a.m.

ATTEST

**Commissioner Pat Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**

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Attendance in Person		
Board Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilmember Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Crystal Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Le Grand	
	Jose Marquez	
	Daniel Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Cathy Zickefoose	
Board Members Absent	(3) Others Present	(1)
Commissioner Mariella Smith	Julia Mandell, HART Board General Counsel	
Councilmember Luis Viera		
Melanie Williams		
Attendance via Communications Media Technology (CMT)		
Board Member	(5) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	
Rena Frazier		
Commissioner Pat Kemp	Others Present	(2)
Commissioner Gwen Myers	Ron Conrad, Cherry Bekaert, LLP	
Commissioner Kimberly Overman	Raquel Valdez, Hillsborough County	

The May 16, 2022, Board of Directors meeting was held in a hybrid format with quorum physically present at the County Center, 601 East Kennedy Blvd, 26th Floor Conference Room, Tampa, FL 33602, and the rest of the Board members present via Communication Media Technology (CMT). The rules for participation in a hybrid meeting were included in the meeting packet.

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1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

HART Board Chair Pat Kemp called the meeting to order at 9:01 a.m. Pledge of Allegiance followed.

Staff performed roll call for attendance. Directors Castor, Frazier, Hudson, Johnson, Kemp, Knight, Overman, and Schisler, were present. Directors Myers, Smith, Viera, and Williams were absent. There was an overall quorum in place, but not a physical quorum present to conduct business.

Ms. Julie Mandell, HART General Counsel, stated that since there was no physical quorum present as required by the Florida Statutes, the Board could continue with the regular Board agenda, receive presentations from staff, review the action items and take a consensus vote as to whether or not to proceed with those items to be brought back with a resolution indicating approval by nunc pro tunc with a physical quorum present. She suggested only time sensitive items be approved this way. Ms. Mandell explained that it was her understanding that a physical quorum could not be achieved at the meeting.

Chair Kemp apologized for not being physically present as she was out of town.

2. PUBLIC INPUT ON AGENDA ITEMS AND GENERAL CONCERNS (3 MINUTES PER SPEAKER)

Mr. Mauricio Rojas was pre-registered to speak, but was not present at the meeting. No one else was pre-registered or present for public comment.

3. APPROVAL OF MINUTES

3.a Board of Directors Meeting Minutes ~ April 4, 2022

Approval of the meeting minutes from the April 4, 2022 Board of Directors Meeting was deferred to a meeting when a quorum will be physically present.

Director Myers joined the meeting virtually at 9:10 a.m.

4. PRESENTATION

4a. Audit Executive Summary

Mr. Ron Conrad, Senior Partner from Cherry Bekaert, LLP presented the HART Audit Results. A full copy of the presentation is available upon request from the Board Administrator at JacksonD2@gohart.org.

Director Overman noted that it was important to have the public's confidence in accounting methods and asked if HART had taken appropriate actions to correct the concerns addressed in the audit.

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Mr. Conrad stated that one requirement from the audit was for the Management to provide a corrective action plan which was included in the official document. He read the corrective action plan for the Board that discussed hiring recent employees while aggressively recruiting to fill vacant positions in the financial operations department, and updated procedures for properly recording transactions, completing monthly and annual closings, and reconciliation of accounts developed. Mr. Conrad noted that the proposed completion date was July 31, 2022.

Director Overman stated that the audit provided a snapshot of the current status of the Agency as well as where the Agency needed to go in the future. She inquired from HART staff if the vacant positions had been filled or if budgetary constraints were causing these issues.

Ms. Adelee Le Grand, Chief Executive Officer, stated that the Agency was actively recruiting and filling the vacant positions and confirmed that the positions were within the current budget, so there was no reason to wait.

Director Overman stated that was excellent news and noted that she wanted the public to see that HART was taking corrective action and had moved forward implementing recommendations.

Director Schisler stated that, for the edification of the Board, the Finance and Audit Committee was not notified of the concerns because the Committee had not met since they were developed. He indicated that, as the Finance and Audit Committee Chair, he met with Ms. Le Grand and Ms. Loretta Kirk, Chief Financial Officer, on the raised issues and reviewed the consecutive action plan. Director Schisler noted that there would be a Finance and Audit committee meeting following the current meeting and it was his intention to notify the rest of the Committee at that point that the progress of the corrective actions would be closely watched so that the Committee could prepare to report progress back to the Board.

5. CONSENT AGENDA

Chair Kemp stated for the record that a physical quorum was not present so the Board would only be able to agree through consensus to move action items forward. She asked if there were any objections on the Consent Agenda items.

Ms. Mandell suggested approving all the Consent Agenda items through consensus action and noted that all would be placed on the next meeting agenda with a nunc pro tunc resolution.

Chair Kemp suggested that the consensus be formed as motion with no action meaning there would be a motion and a second.

Director Overman stated that she wanted to pull items 5e and 5f off of the Consent Agenda unless they needed a consensus at the current meeting.

Director Overman moved and Director Schisler seconded a consensus to approve the Consent Agenda with the following action items:

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-
- 5.a. Resolution #R2022-05-22 ~ Receive and File Fiscal Year Ending September 30, 2021, Annual Comprehensive Financial Report (ACFR)
 - 5.b. Resolution #R2022-05-23 ~ Authorize Staff to Proceed with a Solicitation for Procurement of Revenue Vehicle Tire Lease Services Beginning Fiscal Year 2023
 - 5.c. Resolution #R2022-05-24 ~ Authorize the Chief Executive Officer to Award a Contract to CoachCrafters, Inc for Body Shop Services in a Not-To Exceed Amount of \$736,800
 - 5.d. Resolution #R2022-05-25 ~ Authorize the Chief Executive Officer to Execute a Modification to the Existing Contract for Program Management Services with Clevor Consulting Group in Support of the Regional Inter-Jurisdictional Mobility Project, a/k/a Flamingo Fares Project, to Extend the Contract for a Seven Month Period, Through December 30, 2022 with No Increase to the Contract Value
 - 5.g. Resolution #R2022-05-28 ~ Authorize Staff to Seek Public Input for Setting the Three-Year Goal for the Hillsborough Transit Authority (HART) Disadvantaged Business Enterprise (DBE) Program and Submit the Three-Year Goal to the Federal Transit Administration (FTA) by August 1, 2022

All Board members present agreed by signifying aye.

- 5.e. Resolution #R2022-05-26 ~ Authorize the Chief Executive Officer to Execute a Modification to the Existing Contract for The Tampa Arterial Bus Rapid Transit (BRT) Study with Alfred Benesch & Company (Formerly Tindale Oliver) to Pursue the Low-Cost Alternative Improvements in the Southern Portion of the Corridor, to Extend the Contract for an Eighteen Month Period, Through November 30, 2023, with no Increase to the Contract Value
- 5.f. Resolution #R2022-05-27 ~ Authorize the Chief Executive Officer to Execute a Joint Participation Agreement (JPA) Between the Hillsborough Transit Authority (HART) and the Florida Department of Transportation (FDOT) to Initiate Tasks 4 and 6 of the Bus Rapid Transit Corridor Design/Engineering Study Lower-Cost Alternative (LCA)

Director Overman stated that the Consent Agenda Items 5e and 5f were related, although, in her opinion, the items were presented at two different committee meetings on April 18, 2022. She explained that at the Strategic Planning and External Relations Committee meeting, there was a presentation of the Transit Oriented Development (TOD) study which was researching and planning TOD opportunities to identify the best way to adopt the necessary improvements to allow for a specific corridor to be effective for the BRT service in that area. Director Overman noted her understanding that a RAISE grant had been received for the BRT project. She stated that Resolutions #R2022-05-26 and #R2022-05-27 were contracting different companies to do planning and engineering work in the same corridor. Director Overman asked if the findings of the TOD study were in line with initiating Tasks 4 and 6 of the BRT corridor and whether the LCA was decided by the Board to move forward given the resources allocated for the next step. She further inquired if Resolutions #R2022-05-26 and #R2022-05-27 were the best solution. Director

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Overman asked if there had been any constraints, and if there had been, were there discussions about those constraints. She noted her understanding that the project could potentially address the flooding along the lower corridor that could compromise a BRT route traveling in that lane. Director Overman stated that she would like to know where the project was in planning and ensure that FDOT's desire to have a LCA did not mean that HART was not doing necessary actions to ensure the project was correctly completed.

Chair Kemp asked for an overview of the project before discussing Director Overman's concerns.

Mr. Chris DeAnnuntis, Senior Project Planner, explained that Resolution #R2022-05-26 was to authorize the vendor move forward with Tasks 4 and 6 which would address the lane segments from Downtown to Waters Avenue continuing to work with FDOT to look at lanes along the area; and Resolution #R2022-05-27 was a contract adjustment with FDOT to continue with the TOD study looking at zoning laws and issues along that same corridor.

Director Overman noted that various different elements of this process were shown at both HART and Transportation Planning Organization (TPO) meetings including differences in interior and exterior lanes which was the reason she had so many questions on these resolutions. She explained that she was trying to discern based on the research in the TOD study, which was exploring the best elements in addressing constraints such as buildings close to the road, skinny sidewalks, and flooding, if the Agency was in partnership with the City of Tampa's zoning laws working towards the best solution or if the Agency was seeking the cheapest way to implement the BRT service.

Ms. Le Grand explained that Resolution #R2022-05-26 would provide the opportunity to extend the contract for 18 months to study the best alternative which would uncover the concerns of whether this was the best alignment and alternative. She continued that it did specify a review for a low-cost improvement, but did not mean that staff would not ensure that it was the best improvement. Ms. Le Grand stated that since it was a planning study, it would provide the opportunity to understand what was available and what was the best alignment or alternative for the project. She referenced a presentation by the consultant on a LCA and stated that she would ensure that it was available on the HART website. Ms. Le Grand summarized that the intent of Resolution #R2022-05-26 was to obtain an extension of 18 months to continue the study with no additional funding needed.

Director Overman stated that she was happy with that response and noted that was the answer she anticipated. She stated that she had no objections, but did have a concern that Resolution #R2022-05-27 may not leave an opportunity for the best solution being that it is contracted using the LCA on the design engineering without necessarily figuring out the best solution for this same corridor currently the TOD study. She asked for confirmation that the TOD and BRT studies were exploring the same corridor.

Ms. Le Grand explained that Tasks 4 and 6 were in the original contract previously approved by the Board. She stressed that staff was not performing or adding anything new in the contract, but

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requesting approval to move forward with those two tasks. Ms. Le Grand stated that HART was fortunate to receive funding from FDOT which meant that staff needed to extend the duration of that agreement with FDOT to ensure that the consultant agreement, tied to funding, was also extended.

Director Overman stated that she was satisfied with the answer. She inquired if approval of Resolution #R2022-05-27 allowed for the BRT project to become a recommended project for the Transportation Improvement Plan (TIP) at the TPO's TIP amendment hearing scheduled for June 8. She noted that the amendment to the original project would line it up for prioritization.

Ms. Le Grand responded that the BRT project was already included in TIP and she was not aware of any additional requests for the TIP related to the BRT project. She inquired from Ms. DeAnnuntis if there were any additional requests for the TIP from the BRT project.

Mr. DeAnnuntis responded that he was not aware of any additional requests.

Ms. Le Grand stated that she will confirm there were no additional requests. She added that HART was updating the Transportation Development Plan (TDP) and this project was included in that document as well. Ms. Le Grand noted that approving Resolutions #R2022-05-26 and #R2022-05-27 would allow the Agency to complete the scope of work initiated years ago and finish the study. She stated that at the end of the study, there would be recommendations to implement.

Director Overman moved and Director Schisler seconded a consensus to approve the following action items from the Consent Agenda:

5.e. Resolution #R2022-05-26 ~ Authorize the Chief Executive Officer to Execute a Modification to the Existing Contract for The Tampa Arterial Bus Rapid Transit (BRT) Study with Alfred Benesch & Company (Formerly Tindale Oliver) to Pursue the Low-Cost Alternative Improvements in the Southern Portion of the Corridor, to Extend the Contract for an Eighteen Month Period, Through November 30, 2023, with no Increase to the Contract Value

5.f. Resolution #R2022-05-27 ~ Authorize the Chief Executive Officer to Execute a Joint Participation Agreement (JPA) Between the Hillsborough Transit Authority (HART) and the Florida Department of Transportation (FDOT) to Initiate Tasks 4 and 6 of the Bus Rapid Transit Corridor Design/Engineering Study Lower-Cost Alternative (LCA)

All Board members present agreed by signifying aye.

6. ACTION ITEMS

Chair Kemp stated for the record that a physical quorum was not present so the Board would only be able to agree through consensus to move the action items forward based on recommendation. She noted that the following three action items were not previously reviewed by a HART committee.

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6.a. **Resolution #R2022-05-29 ~ Authorize the Chief Executive Officer to Extend the Vector Media Transit LLC Transit Advertising Contract, VC-000546, Up to Six Months with an End Date Not-to-Exceed December 31, 2022**

Ms. Le Grand read the title of Resolution #R2022-05-29 and explained that this item was a contract brought before the Board at the end of the last calendar year where staff asked for permission to extend the contract for six months until the end of June with the intention of having a contract to help brand the Agency and remove advertisements from the vehicles to replace with HART specific branding. She noted that there were delays with the procurement process in securing a firm to help with the branding so there would not be time to have a new Agency brand by the expiration of the contract. Ms. Le Grand stated that staff would like to extend the existing contract to the end of the current calendar year with a not-to-exceed date of December 31, 2022, so that staff could continue with the current advertising scheme as the HART brand was developed.

Chair Kemp expressed that she was very anxious to see re-branding of HART.

Director Schisler moved and Director Castor seconded a consensus to approve Action Item 6a. Resolution #R2022-05-29 ~ Authorize the Chief Executive Officer to Extend the Vector Media Transit LLC Transit Advertising Contract, VC-000546, Up to Six Months with an End Date Not-to-Exceed December 31, 2022. All Board members present agreed by signifying aye.

6.b. **Resolution #R2022-05-30 ~ Authorize the Chief Executive Officer to Award a Contract to AlphaVu for a Marketing and Communications Plan for a Not-To-Exceed Amount of \$306,000**

Ms. Le Grand read the title of Resolution #R2022-05-30 and explained that this item was for a contract with a vendor who would help create the new brand for HART. She further explained that this would be done by the firm monitoring public opinion by real-time processing on social media using natural language processing, machine learning, and social network analysis which would help to capture the community's thoughts about the Agency overall, the current brand image, and the future of the brand image. Ms. Le Grand stated that part of gathering data was to develop a new brand reflective of what the community would like to see with HART as well as what the Agency would like to provide to the community. She noted that this project took longer to go through the procurement process, but the intention was to connect this work to the strategic planning effort to ensure that there was a communication and marketing plan to brand and market the strategic plan once completed.

Director Johnson moved and Director Castor seconded a consensus to approve Action Item 6b. Resolution #R2022-05-30 ~ Authorize the Chief Executive Officer to Award a Contract to AlphaVu for a Marketing and Communications Plan for a Not-To-Exceed Amount of \$306,000. All Board members present agreed by signifying aye.

Meeting Minutes

Pending Approval

6.c. **Resolution #R2022-05-31 ~ Authorize the Chief Executive Officer to Execute a Joint Participation Agreement (JPA) Between the Hillsborough Transit Authority (HART) and the Florida Department of Transportation (FDOT) to Apply and Accept Urban Corridor Grants Funding for Routes 34 (Hillsborough Avenue) and 400 (Nebraska Avenue); and all other FY2022/FY2023 FDOT Grant Funding**

Ms. Le Grand read the title of Resolution #R2022-05-31 and explained that this action item was to gain approval to receive \$345,007 in FDOT funding for Routes 34 and 400 with no local match required. She noted that this additional funding would be helpful toward the operations of those two routes.

Chair Kemp expressed that she was very pleased to hear this news as it was her opinion that it was really important for FDOT to assist in funding important high ridership routes, such as Route 34 on Hillsborough Avenue and Route 400 on Nebraska Avenue, with urban corridor grant funding.

Director Schisler moved and Directors Hudson and Myers seconded a consensus to approve Action Item 6c. Resolution #R2022-05-31 ~ Authorize the Chief Executive Officer to Execute a Joint Participation Agreement (JPA) Between the Hillsborough Transit Authority (HART) and the Florida Department of Transportation (FDOT) to Apply and Accept Urban Corridor Grants Funding for Routes 34 (Hillsborough Avenue) and 400 (Nebraska Avenue); and all other FY2022/FY2023 FDOT Grant Funding. All Board members present agreed by signifying aye.

7. **SOLE SOURCE PROCUREMENT AND ONE-TIME DEVIATION FROM PROCUREMENT MANUAL**

Ms. Le Grand referred to the report in the packet and noted that Section A showed that there was one sole source award for the month of April for InfraStrategies, the firm that developed the financial model. She pointed out the chart in Section B captured all sole source awards for the fiscal year to-date which totaled a little over \$1 million.

8. **CHIEF EXECUTIVE OFFICER'S REPORT**

Ms. Le Grand acknowledged that staff had been working tirelessly participating in several reviews, and audits from FDOT and the Federal Transit Administration (FTA). She stated that staff will combine all of the recommendations and information from the reviews and audits to bring to the next meeting so the Board could have some insight on what the team had been working on. Ms. Le Grand commended staff for performing their day-to-day job duties as well as assisting and being responsive to the various requests they have been asked to provide over the last couple months.

Ms. Le Grand noted that the recent ridership numbers continued to increase or hold steady which was a great sign. She indicated that recent ridership trends caused staff to ensure that service levels could be maintained and that there was engagement with the community. Ms. Le Grand reported that there would be a markup or service change in the next two weeks that should bring

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improvements in on-time performance. She noted that staff would provide updates as they monitor those improvements. Ms. Le Grand explained that this service change should assist staff in understanding if corrections put in place would provide the improvements desired, and allow the gathering of data to understand if there were other opportunities to make further improvements.

8. CHAIR'S REPORT

Chair Kemp reported that the American Public Transportation Association (APTA) would be hosting a seminar at the end of July in Salt Lake City, UT specifically designed for Board Members of transit organizations. She stated that she would work with Ms. Le Grand to get information out to the Board Members to share more about that opportunity. She spoke positively about her experience at the APTA Legislative Conference in Washington, DC in March, and other APTA opportunities where she gained information and ideas about how to move HART forward.

Ms. Le Grand stated that the conference Chair Kemp discussed was the APTA Transit Board Members (TBM) and Transit Board Administrators (TBA) Seminars which was solely focused toward Board Members and Board Administrators. She explained that the topics discussed would be the role of the Board, legislation the Board should know, opportunities to advance the agency, transportation referenda, and others beneficial to understand the role of the Board and how to advance messaging. Ms. Le Grand reported that while she had never attended this conference before, she had heard from other Board Members that it was a very meaningful conference to attend as there would be peers from other transit agencies. She stated that staff would send out information about this specific conference, and asked that Members contact staff if they are interested so that arrangements could be made.

Chair Kemp stated for the record that Director Smith wanted to attend the Board meeting, but had a previously scheduled Tampa Bay Water Board meeting.

9. GENERAL COUNSEL'S REPORT

Ms. Mandell did not have a report.

10. HART BOARD COMMITTEE REPORTS

The materials were included in the packet.

11. REPORTS FROM HART BOARD REPRESENTATIVES

The materials were included in the packet.

12. MONTHLY REPORTS

The materials were included in the packet.

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13. OLD BUSINESS

Director Overman asked for updates on the RAISE Grant due April 14, the Community Project funding request due April 15, and the Low-No Emissions Grant due May 31. She noted that the Board had previously been presented these grant applications earlier in the year and she was curious if the Agency applied and approved them.

Ms. Teri Wright, Chief Customer Experience Officer, reported that the Community Projects funding request was submitted on April 15 with the focus on bus stop improvements. She added that the funding request was accepted and HART was selected to receive funding of \$5 million. Ms. Wright referred to the RAISE Grant and stated that additional guidance led staff to passing on it this year so they could drill down and pick a project that would be approved. She noted that the RAISE Grant was different this year from the previous years, but would be offered for the next four years. Ms. Wright reported that staff was currently preparing for the Bus and Bus Facilities Grant, and the No/Low Emissions Grant due May 31. She indicated that the Agency would be requesting additional \$25 million for the Heavy Maintenance Facility. Ms. Wright explained there was also a component within the grants for additional funding for CNG vehicles that the Agency would be attempting to receive. She stated that she did not expect to hear the results of the grants until the end of the year.

Director Overman thanked Ms. Wright for the report. She asked about the hurdle regarding the RAISE Grant noting that she wanted to ensure that it was understood when going through strategic planning moving forward.

Ms. Wright explained that the RAISE Grant included a huge component of public feedback and analysis that needed to take place. She further explained that the Agency did not have that particular component ready in order to submit a competitive grant at this time. Ms. Wright noted that a lot of the RAISE Grants submitted were joint grants between transit agencies and cities because the structure of the grant was not just for public transit. She added that HART learned that a partnership would be needed and that the required analytics for that grant were not available to successfully apply based on received guidance. Ms. Wright restated that this was the first year it was modeled this way so there would be four more opportunities to apply.

Director Overman thanked Mr. Wright for the update noting that the City of Tampa and the TPO had done significant outreach, but she understood that the data was not from HART as it should be. She stated that she was looking forward to pursuing the RAISE Grant in the future because she had every confidence there was an opportunity to benefit from that when HART could be competitive with the necessary data.

Ms. Le Grand added that staff worked closely on these grants with a consultant from the firm HNTB who provided the guidance on which grants should be pursued versus those that would probably not result in award no matter the effort. She noted that she wanted to ensure that the Board members did not get an impression that staff was selecting which grants to apply for, it was based on the work with a consultant who helped navigate the grant process for staff to identify,

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pursue and win grants. Ms. Le Grand explained that the Project Manager at the firm used to work for the FTA and reviewed grants as her full-time job so staff felt good about her qualifications.

Director Overman stated that Hillsborough County contracted with HNTB for the very same purpose to be able to identify grants that the County would be pursuing. She commented that having a coordinated effort with a consultant looking at all grant applications that could potentially be achieved was terrific news.

Director Kemp expressed that she was pleased that HART was keeping the extremely needed Operations Facility at the top of the list for funding as it was the number one foundational need to enact a vision for HART. She noted that when she spoke with the FTA, they seemed surprised that HART was reaching out for funding of \$25 million for the Operations Facility instead of ordering new buses, but the facility was more important in her opinion. Director Kemp asked for the sequence of upcoming meetings involving the Board.

Ms. Le Grand outlined the following schedule:

- May 16, 2022
 - Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee Meeting
 - Auditor Selection Committee Meeting
- May 25, 2022
 - Finance and Audit Committee Meeting - focused on budget in keeping with regulations.
 - Auditor Selection Committee Meeting
- June 20, 2022
 - Regular Board of Directors Meeting
 - Joint Committee Meeting

Ms. Loretta Kirk stated that the budget process would start that day with a presentation of the Program of Projects (POP) at the following Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee meeting. She continued that staff would return on May 25 at the Finance and Audit Committee meeting with the initial presentation on the operating budget, the capital budget, and a five-year plan. Ms. Kirk stated that on June 20, the Board would approve the POP and continue discussions on the fiscal year 2023 budget. She stressed that the proposed budget had to be approved on June 20 to submit to funding authorities per the HART charter. Ms. Kirk reported that staff would also have to present to the Board in June a budget amendment for fiscal year 2022 because of union contracts and American Rescue Plan funding. She concluded that budget discussions would continue at every Board and committee meeting, until budget approval in September at the public hearing.

Chair Kemp stated that she wanted to ensure that the Board had this information since the meetings had to move out of sequence in accordance with the budget approval process.

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12. NEW BUSINESS

Director Myers stated that she would like the Board to address a number of emails that Board members received from employees expressing their concerns. She requested that the item be placed early on the agenda for discussion at the next meeting in June.

Director Schisler asked for further information on the emails received as he had not seen them.

Chair Kemp stated that employees retrieved the email addresses of Board members that are also County Commissioners and sent emails about individual employment issues. She noted that she was unaware of how much of the issue could be discussed since most of it would be protected information. Chair Kemp asked for General Counsel to review the emails to bring the issue to the Board.

Ms. Mandell stated that it would be appropriate for her to review the emails to ensure that they did not contain protected information, and place a discussion item on the next agenda for the extent that it would be appropriate. She noted that she had not yet reviewed the emails, but would need the opportunity to review them to shape whatever discussion allowed. Ms. Mandell stated that she would send the appropriate emails out to other Board members who do not have them to ensure all can participate in the discussion at the next meeting.

13. ADJOURNMENT

The meeting adjourned at 10:09 a.m.

ATTEST

**Commissioner Pat Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COMMISSIONER PAT KEMP, HART BOARD CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-32 ~ Receive and File Fiscal Year Ending September 30, 2021, Annual Comprehensive Financial Report (ACFR)*

The HART Board of Directors held a meeting in a hybrid format on May 16, 2022

Attendance in Person

Committee Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilman Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	

Attendance via Communications Media Technology (CMT)

Committee Members	(8) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	
Rena Frazier		
Commissioner Pat Kemp	Others Present	(2)
Commissioner Gwen Myers	Ron Conrad, Cherry Bekaert, LLP	
Commissioner Kimberly Overman	Raquel Valdez, Hillsborough County	
Commissioner Mariella Smith		
Councilmember Luis Viera		
Melanie Williams		



Board Action:

The Board of Directors considered and approved Resolution #R2022-05-29 at the May 16, 2022, Board meeting at which a quorum was in place, but not physically present.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-32
- III. Annual Comprehensive Financial Report



COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Receive and File Fiscal Year Ending September 30, 2021, Annual Comprehensive Financial Report (ACFR)

OVERVIEW

HART contracted with Cherry Bekaert, LLP in FY2017 to perform auditing activities and provide financial statements as required by law. Staff from Cherry Bekaert, LLP have worked with HART staff and have produced the attached draft document for review and acceptance.

RECOMMENDATION

That the Finance and Audit Committee Recommend the HART Board of Directors review the action item to receive and file fiscal year ending September 30, 2021, ACFR; and advance this item to the full Board of Directors at the May 2, 2022 regular Board meeting.

FINANCIAL IMPACT

The Management's Discussion and Analysis (MD&A) section in the financial report provides an overview of the financial activities for the fiscal year ending September 30, 2021. The auditor's comments and documentation are contained within the FY2021 ACFR.

BACKGROUND

State Law requires that all independent special districts publish a complete set of financial statements presented in conformity with Generally Accepted Accounting Principles (GAAP) and audited in accordance with auditing standards generally accepted in the United States by a firm of licensed Certified Public Accountants for each fiscal year.

NEXT STEPS

Present recommendation by the Finance and Audit Committee to the full Board of Directors at the May 2, 2022 regular Board meeting.

Prepared by: Laura Izzo, Manager of Accounting

Reviewed by: Loretta Kirk, Chief Financial Officer

ATTACHMENT II

RESOLUTION NO. #R2022-06-32

A RESOLUTION TO RECEIVE AND FILE FISCAL YEAR ENDING SEPTEMBER 30, 2021 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR)

WHEREAS, HART contracted with Cherry Bekaert, LLP under Resolution #R2017-06-24 approved by the Board on June 5, 2017 to perform external audit services; and

WHEREAS, Cherry Bekaert, LLP performed auditing activities and provided financial statements; and

WHEREAS, the Board of Directors reviewed and approved the subject matter of the Resolution #R2022-05-22 at its May 16, 2022, Board meeting at which a quorum was in place but not physically present; and

WHEREAS, this Resolution is being approved nunc pro tunc;

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

Section 1. The Board of Directors are to receive and file fiscal year ending September 30, 2021 ACFR.

Section 2. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE HILLSBOROUGH TRANSIT AUTHORITY ON MAY 16, 2022.

ATTEST:

Melanie Williams, Secretary
HART Board of Directors

Commissioner Patricia Kemp, Chairperson
HART Board of Directors

Julia Mandell, Esquire
HART Board General Counsel



**Moving
Hillsborough
*Together***

ANNUAL COMPREHENSIVE FINANCIAL REPORT

FOR FISCAL YEARS ENDED SEPTEMBER 30, 2021 AND 2020

Hillsborough Transit Authority
Tampa, FL

Hillsborough Transit Authority Tampa, Florida

Annual Comprehensive Financial Report

For Fiscal Years Ended September 30, 2021 and 2020

Mission Statement

**The mission of Hillsborough Transit Authority (HART)
is HART takes people to places that enhance their lives.**

Prepared by the Finance Department



FY2021 ANNUAL COMPREHENSIVE FINANCIAL REPORT
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SECTION I

INTRODUCTORY SECTION



Hillsborough Area Regional Transit Authority

1201 E. 7th Avenue • Tampa, Florida 33605

(813) 384-6600 • fax (813) 384-6284 • www.goHART.org



May 2, 2022

Commissioner Patricia Kemp, Board Chair and
Members of the Board of Directors of the Hillsborough Transit Authority and
Citizens of our Service Area

Dear Board Chair, Board Members and Citizens:

State law requires that each fiscal year all independent special districts publish each fiscal year a complete set of financial statements presented in conformity with Generally Accepted Accounting Principles in the United States (GAAP) and audited in accordance with auditing standards generally accepted in the United States by a firm of licensed certified public accountants. Pursuant to that requirement, we hereby issue the Annual Comprehensive Financial Report of the Hillsborough Transit Authority, for the fiscal year ended September 30, 2021.

This Annual Comprehensive Financial Report is indicative of Authority management's continued commitment to provide high quality, complete, concise, and reliable financial information on the Authority.

This report consists of management's representations concerning the finances of the Authority. Consequently, management assumes full responsibility for the completeness and reliability of all the information presented in this report. To provide a reasonable basis for making these representations, management of the Authority has established a comprehensive internal control framework that is designed both to provide the Authority's assets from loss, theft, or misuse and to compile sufficient reliable information for the preparation of the Authority's financial statements in conformity with GAAP. Because the cost of internal controls should not outweigh its benefit, the Authority's comprehensive framework of internal controls has been designed to provide reasonable rather than absolute assurance that the financial statements will be free from material misstatement. As management, we assert that, to the best of our knowledge and belief, this financial report is complete and reliable in all material respects.

The Authority's basic financial statements have been audited by Cherry Bekaert LLP, a firm of licensed certified public accountants. The goal of the independent audit was to provide reasonable assurance that the financial statements of the Authority for the fiscal year ended September 30, 2021, are free of material misstatement. The independent audit involved performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements; evaluating the appropriateness of accounting policies used and the reasonableness of significant estimates made and evaluating the overall financial statement presentation. The independent auditor concluded, based upon the audit, that there was reasonable basis for rendering an unmodified, "clean" opinion that the Authority's financial statements for the fiscal year ended September 30, 2021, are fairly

presented in conformity with GAAP. The report of the independent auditor is located at the front of the financial section of this report.

The independent audit of the financial statements of the Authority was part of a broader, mandated “Single Audit” designed to meet the special needs of federal and state grantor agencies. The standards governing Single Audit engagements require the independent auditors to report not only on the fair presentation of the financial statements, but also on the audited government’s internal controls and compliance with legal requirements, with special emphasis on internal controls and legal requirements involving the administration of federal and state grant awards. These reports are included in the Single Audit section of this report.

GAAP requires that management provide a narrative introduction, overview, and analysis to accompany the basic financial statements in the form of Management’s Discussion and Analysis (MD&A). This letter of transmittal is designed to complement the MD&A and should be read in conjunction with it. This year’s MD&A can be found immediately following the report of the independent auditor.

Profile of the Authority

The Hillsborough Transit Authority, operating and also known as Hillsborough Area Regional Transit Authority, or HART, was created as a body politic and corporate under Chapter 163, Part V, Sections 163.567, et seq., Florida Statutes, on October 3, 1979. HART operates under its Charter, as amended and is comprised of three (3) members, those being the County of Hillsborough, Florida, the City of Tampa, Florida and the City of Temple Terrace, Florida. Any county, municipality, or other political subdivision contiguous to a member of HART may apply to become a member of HART pursuant to the limitations imposed under Chapter 163 and the Amendment and Restatement of the Charter of the Hillsborough Transit Authority, dated January 21, 1980.

The Authority’s Board of Directors is comprised of two (2) directors appointed by the Governor of the State of Florida and a minimum of one (1) director from each member. Each member shall appoint one (1) additional Board Member for each 150,000 persons, or major fraction thereof, resident in that member’s jurisdictional limits. In no event shall the Board be composed of less than five (5) Board Members, including the two (2) appointed by the Governor. At a minimum, one (1) Board Member appointed by each local government member shall be either the public official elected to the chief executive office of the member (if the member has an elected chief executive officer) or a public official elected to the governing legislative body of the member if the elected chief executive officer does not serve. The Authority is governed by its 14-member Board of Directors (“Board”), which makes decisions, designates management, significantly influences operations, and maintains primary fiscal responsibility.

The Authority has been determined to be an “Independent Special District” as described in Section 189.403, Florida Statutes, and is authorized to levy an ad valorem tax of up to one-half mill (.50) on the taxable value of real and tangible personal property within the jurisdiction of its members. Chapter 165.570, Florida Statutes, allows the Authority to levy up to three mills, subject to public referendum. The Authority’s ad valorem taxes are reviewed as part of the annual assessment of

Hillsborough County, which levies its taxes November 1. Collection of taxes is scheduled November through the following March. Taxes become delinquent April 1 and tax certificates placing liens on the property are sold May 31.

Additional revenues and funding are received from passenger fares, other revenue services, and grants from the U.S. Government, the State of Florida, the City of Tampa, and the County of Hillsborough.

Located in Hillsborough County, Florida, on the west coast of the state, the Authority is a *regional* provider of mass transportation services primarily within Hillsborough County. The total area is 1,266 square miles and, according to the 2020 Census, has a population of 1,459,762.

Services and Ridership

The Authority provides virtually all public transportation services in this area. These services include fixed route, flex route, Paratransit, and streetcar. The Authority maintains 2,257 bus stops and 650 shelters (229 HART maintained; 351 vendor maintained), 6 transfer stations, 2 transit centers, and a fleet of 184 buses for fixed and flex routes, 107 vans for Paratransit, and 9 streetcars.

FY2021 ridership:

- Bus & Flex: 5,784,404 (a decrease of 30.67 percent compared to FY2020)
- Paratransit & Taxi: 147,186 (a decrease of 29.47 percent compared to FY 2020) *
- Streetcar: 712,693 (an increase of 9.10 percent compared to FY 2020)

*This ridership number includes 32,914 from the Taxi Voucher program.

Note: These statistics are reflective of the effects of the coronavirus which has had a significant impact on HART ridership and required changes to how HART delivered service.

Governing Board

The Authority is governed by a 14-member Board that establishes policies and sets direction for the Authority. The Board consists of a chair and 13 members; seven (7) appointed by the Hillsborough Board of County Commissioners, four (4) members appointed by the City of Tampa, one (1) appointed by the City of Temple Terrace, and two (2) members appointed by the Governor. All Board Members shall be appointed for 3-year terms and each Board Member shall hold office until their successor has been appointed and qualified. Said terms shall end on November 30 of the appropriate year or such other date designated by the member government. If a local government member's laws or procedures provide for a different appointment time frame for elected officials, said member may create its own procedure for appointing a replacement before the end of the term, in order to avoid a vacancy.

Management

The Authority is managed by a Chief Executive Officer who acts in accordance with the direction, goals and policies articulated by the Board. The Chief Executive Officer is responsible for the Authority's daily operations and directly supervises the core personnel who lead the organization: Chief Customer Experience Officer; Chief Financial Officer; Chief of Maintenance & Transportation; Director of Communications & Marketing; and Director of Legal Services. Additionally, there are departments that support these functions.

Budget

The Board is required to adopt an annual operating budget before the beginning of each fiscal year. The budget serves as a financial plan for the Authority. The process for developing the Authority's budget begins with budget review and planning in March through May. This is followed up with a series of meetings and analytical review which results in a balanced operating budget and a prioritized, balanced capital budget. The Authority may not spend more than the approved operating budget without an amendment and Board approval to increase the budget. The Chief Executive Officer and the Chief Financial Officer may permit movement of funds within the approved budget.

The HART Board's adopted FY2021 operating and capital budget totaled \$154,748,905.

Factors Affecting Financial Condition

Local economy. While there has been a slight upturn in property tax revenue over the last couple of years, the demand for service has also increased. As a result, the Authority is experiencing a continued increase in the cost to support that service. The Authority's ability to fund its operations along with this increased service demand is heavily dependent on a millage levy generated from property taxes. The Authority's millage rate has remained at .5000 since FY2012.

In addition, FY2021 presented an extraordinary challenge with the on-going Coronavirus pandemic. Initially it caused a decrease in passenger fare revenue; changed the physical workspace for some employees to work-from-home and required more space for social distancing; drove additional sanitation and personal protective gear expenditures and these expenditures have become the norm. Passenger fare revenues have not yet recovered to pre-pandemic levels. Health care expenditures have increased due to the additional care of employees combating COVID-19. Congress authorized The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) which was signed into law on March 27, 2020. The Federal Transit Administration (FTA) allocated CARES funding to urbanized and rural areas to cover expenditures incurred beginning on January 20, 2020 at 100-percent federal share, with no local match required, and is available to support capital, operating and other expenses generally eligible under the urbanized area formula programs. The Authority received a CARES Act grant through FTA's 5307 program in the award amount of \$39,865,488; of which \$23,309,264 was reimbursed by FTA in FY2021. In FY2021 the CARES grant was used solely for bus and paratransit operating costs in accordance with FTA guidelines.

Long-Range Financial Planning

The Authority has seen a significant challenge in maintaining the current level of service to the community due to increases in expenses to provide the service while operating under increased financial constraints to support that service. To ensure the Authority maintains and can support increased service demands in the future, prudent long-range financial planning is critical. In the coming year, the Authority will continue to look at solidifying and building its reserves, examine

a multi-year operating and capital budgeting process, and continue to work on reducing overall expenses through gains in efficiency and productivity.

In April, 2021 HART awarded a contract for the development of strategic financial advisory services and the development of a twenty-five-year financial plan. The project deliverables include a financial model that can be updated periodically that HART will use as a guide for future financial decisions.

Major Initiatives

Major initiatives undertaken in FY2021 include the following projects:

- **Heavy Maintenance Building:** The design and build of the new Heavy Maintenance (HM) building is HART's priority capital project. Rebuilding the Heavy Maintenance Facility will support HART's planned transition to an electric fleet by 2035, advance HART's partnership with Hillsborough Community College – housing a high-tech training facility on campus, and create a pipeline for frontline employees to fill jobs at HART.
- **Regional Fare Collection (Flamingo) Project:** HART is the lead agency for this project. Development of a regional fare collection system will allow interoperability within the respective regional systems for infrastructure and management support while providing seamless and common fare media for passengers throughout the Tampa Bay region. The project was initiated in FY2016 and will be completed with phased approach. The base system was fully tested and accepted on December 22, 2020. This included all functionality of extended use cards, mobile app for Android and Apple, IVR and website.
- **Accessibility Improvements:** Transit Infrastructure improvements in FY2021 included four (4) new bus bays, seven (7) new landing pads, and shelter pads, which were built by the Authority throughout the county. We also had one (1) new Parking and Ride, one (1) new landing pad, and a shelter pad constructed for the Transit Authority by developers.

The Authority maintains 2,257 bus stops and 650 shelters (299 HART maintained; 351 vendors maintained), 6 transfer stations, 2 transit centers, and a fleet of 184 buses for fixed and flex routes, 107 vans for Paratransit and 9 streetcars.

Awards and Acknowledgements

The Government Finance Officers Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to Hillsborough Transit Authority for its Annual Comprehensive Financial Report for the fiscal year ended September 30, 2020. This was the tenth year that the Authority has received this prestigious award. In order to be awarded a Certificate of Achievement, the government had to publish an easily readable and efficiently organized Annual Comprehensive Financial Report that satisfied both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that HART's current Annual Comprehensive Financial Report continues to meet the Certificate of Achievement

Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

The preparation of this report would not have been possible without the efficient and dedicated service of the entire staff of the Finance Department and the HART organization. We wish to express our appreciation to all members of the organization who assisted and contributed to the preparation of this report. Credit also must be given to the governing Board of Directors for its unfailing support for maintaining the highest standards of professionalism in the management of the Authority's finances.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Loretta Kirk". The signature is fluid and cursive, with the first name "Loretta" written in a larger, more prominent script than the last name "Kirk".

Loretta Kirk
Chief Financial Officer



Government Finance Officers Association

Certificate of
Achievement for
Excellence in
Financial
Reporting

Presented to

**Hillsborough Transit Authority
Florida**

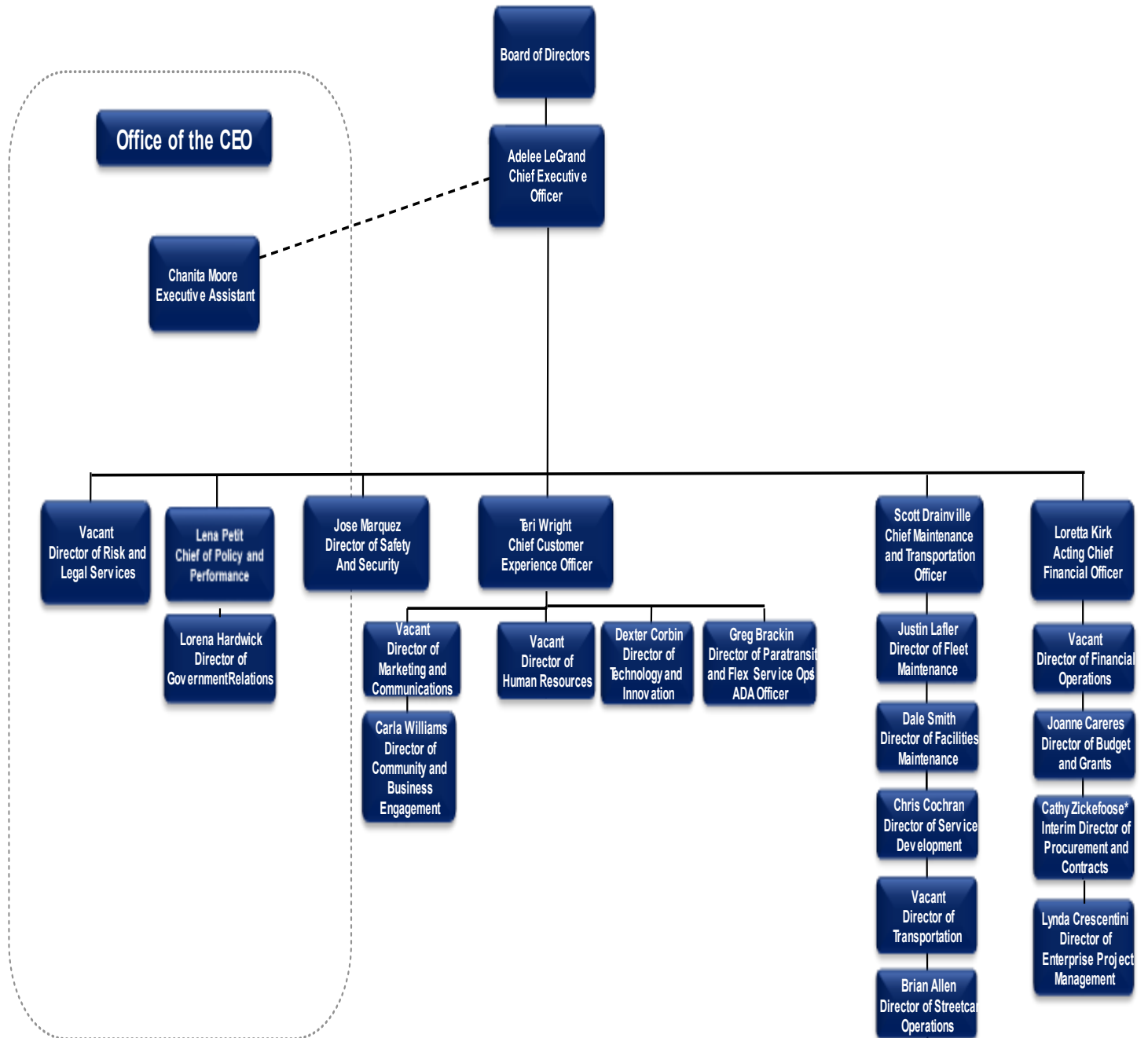
For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

September 30, 2020

Christopher P. Morill

Executive Director/CEO

ELECTED AND APPOINTED OFFICIALS (As of September 30, 2021)



ELECTED AND APPOINTED OFFICIALS
(As of September 30, 2021)

Board of Directors – Officers

Commissioner Mariella Smith, Chairperson
Melanie Williams, Vice Chair
Councilman Gil Schisler, Secretary

Hillsborough County

Commissioner Mariella Smith
Commissioner Patricia Kemp
Commissioner Kimberly Overman
Commissioner Gwen Myers
Eric Johnson
Marvin Ray Knight
Rena Upshaw-Frazier

City of Tampa

Mayor Jane Castor
Melanie Williams
Councilman Luis Viera
Tyler Hudson

State of Florida

Vacant

City of Temple Terrace

Councilman Gil Schisler

Chief Executive Officer

Adelee Marie Le Grand, AICP

General Counsel

David Smith, GrayRobinson

Independent Auditors

Cherry Bekaert, LLP

**DIRECTORY OF OFFICIALS
APPOINTED OFFICIALS
(As of September 30, 2021)**

Adelee Marie Le Grand, AICP, Chief Executive Officer

Teri Wright, Chief Customer Experience Officer

Scott Drainville, Chief of Maintenance and Transportation

Loretta Kirk, Interim Chief Financial Officer

Lynda Crescentini, Director of Enterprise Project Management

Gregory Brackin, Director of Operations Support – ADA Officer

Dale Smith, Director of Facilities Maintenance

Dexter Corbin, Director of Technology and Innovation

Jose Marquez, Director of Safety & Security

Cathy Zickefoose, Interim Director of Procurement & Contracts

SECTION II

FINANCIAL SECTION

Report of Independent Auditor

To the Board of Directors
Hillsborough Transit Authority
Tampa, Florida

Report on the Financial Statements

We have audited the accompanying financial statements of the Hillsborough Transit Authority, a/k/a Hillsborough Area Regional Transit Authority, or HART (the “Authority”), as of and for the years ended September 30, 2021 and 2020, and the related notes to the financial statements, which collectively comprise the Authority’s basic financial statements as listed in the table of contents.

Management’s Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor’s Responsibility

Our responsibility is to express opinions on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor’s judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity’s preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity’s internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation in the financial statements.

We believe the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Hillsborough Transit Authority, as of September 30, 2021 and 2020, and the respective changes in financial position and, where applicable, cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

OTHER MATTERS

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and the required supplementary information, as listed on the table of contents, in Section II pages 5 through 13 and 57 through 60, respectively, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audits of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audits were conducted for the purpose of forming opinions on the financial statements that collectively comprise the Authority's basic financial statements. The accompanying schedule of expenditures of federal awards and state financial assistance is presented for the purposes of additional analysis as required by Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance") and Chapter 10.550, *Rules of the Auditor General—Local Governmental Entity Audits*, respectively, and are also not a required part of the basic financial statements.

The schedule of expenditures of federal awards and state financial assistance is the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, such information is fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by *Government Auditing Standards*

In accordance with Government Auditing Standards, we have also issued our report dated May 2, 2022, on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Authority's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Authority's internal control over financial reporting and compliance.

Cherry Bekaert LLP

Tampa, Florida
May 2, 2022

HILLSBOROUGH TRANSIT AUTHORITY MANAGEMENT'S DISCUSSION AND ANALYSIS

The following Management's Discussion and Analysis (MD&A) of the Hillsborough Transit Authority's ("the Authority"), financial performance provides an overview of the financial activities for the fiscal years ended September 30, 2021, 2020 and 2019. Please read it in conjunction with the financial statements, which follow this section.

OVERVIEW OF THE FINANCIAL STATEMENTS

The financial section of this report consists of three parts: Management Discussion and Analysis (this section), the basic financial statements and notes to the financial statements, and other supplementary information.

The Authority's financial statements are prepared in conformity with accounting principles generally accepted in the United States of America as applied to an enterprise fund using an accrual basis of accounting. Under this basis, revenues are recognized in the period in which they are earned and expenses are recognized in the period in which they are incurred.

Included in the financial statements are the Statement of Net Position, the Statement of Revenues, Expenses and Changes in Net Position, the Statement of Cash Flows, and the related notes.

The Statement of Net Position presents information on the Authority's assets and deferred outflows of resources and the liabilities and deferred inflow of resources, of which the difference is net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial health of the Authority is improving or deteriorating.

The Statement of Revenues, Expenses, and Changes in Net Position present information on the Authority's operating revenues and expenses and non-operating revenues and expenses for the fiscal year. The net income or loss, when combined with capital grant revenue, determines the change in net position for the year. The change in net position is combined with the previous year-end's net position total to arrive at the net position total for this fiscal year.

The Statement of Cash Flows presents information on the Authority's cash and cash equivalent activities for the fiscal year resulting from operating activities, capital and related financing activities, non-capital financing activities and investing activities. The net result of these activities added to the beginning of the year cash balance reconciles to the cash and cash equivalent balance at the end of the current fiscal year.

FY2021 FINANCIAL HIGHLIGHTS

- Net position of the Authority increased by \$31,722,774 or 11.3%, of which \$5,921,543 represents a decrease in the amount invested in capital assets, \$21,497,915 represents an increase in restricted net position and \$(16,146,399) represents an increase in unrestricted net position.
- Operating expenses decreased by \$4,181,635 or 4.3%. Salary expense increased \$4,407,360 or 11.8%. Payroll taxes, fringe benefits and workers' compensation decreased \$5,353,311 or 17.6%. Fuel and Lubricants cost increased \$322,145 or 10.8%. Parts and supplies decreased \$1,234,988 or 22.0%. Contracted services decreased \$727,051 or 8.1%.

HILLSBOROUGH TRANSIT AUTHORITY MANAGEMENT'S DISCUSSION AND ANALYSIS

Claims costs decreased \$263,310 or 2.4%. Total decrease in others is \$2,332,480 due to: decrease in marketing expenses of \$765,000 decrease in utilities and miscellaneous expenses of \$295,093 and a decrease in expenditures reimbursed by grants of \$1,038,152.

FY2020 FINANCIAL HIGHLIGHTS

- Net position of the Authority increased by \$108,861,350 or 63.7%, of which \$9,797,697 represents a decrease in the amount invested in capital assets, \$111,728,947 represents an increase in restricted assets and \$6,930,100 represents an increase in unrestricted net assets.
- Operating expenses increased by \$5,965,095 or 6.6%. Salary expense decreased \$528,588 or 1.4%. Payroll taxes, fringe benefits and workers' compensation increased \$3,531,258 or 13.2%. Fuel and Lubricants cost decreased \$1,442,678 or 32.7%. Parts and supplies increased \$499,503 or 9.8%. Contracted services increased \$661,843 or 8.0%. Claims costs decreased \$79,554 or 2.4%. All other expenses increased \$3,323,311 due to: decrease in marketing expenses of \$188,030, increase in utilities and miscellaneous expenses of \$79,099 and an increase in expenditures reimbursed by grants of \$3,432,242.

FY2021 FINANCIAL ANALYSIS OF THE AUTHORITY

Statements of Net Position

- Net position serves as a measurement of the Authority's financial position over a period of time. The Authority's assets and deferred outflows exceeded liabilities and deferred inflows by \$311,428,217 and \$279,705,443 as of September 30, 2021 and 2020, respectively.
- A large portion of the Authority's net position each year represents its net investment in capital assets (i.e., land, buildings and improvements, buses, paratransit vans and non-revenue vehicles). The Authority uses these capital assets to provide services to its customers. As described above, net investment in capital assets as of September 30, 2021 was \$5,921,543 lower than September 30, 2020, primarily due to the impact of accumulated depreciation
- The Authority's restricted net position represents funds held in escrow for payment of general liability, workers compensation and medical self-insured claims, funds from private developers as well as FTA liability for assets with federal interest which were retired before their useful life was met. These restricted funds also include monies received from the Transportation Improvement Surtax (TIS) which HART began receiving in April 2019. Total collections made for HART through September 30, 2021 have totaled \$216,721,459. These funds will be held from HART's current use until authorization to utilize the funds are made available as well as direction on how the moneys are to be spent. All other restricted funds as of September 30, 2021 are \$2,130,425. The Authority's total restricted net position as of September 30, 2021 and 2020 is \$218,851,884 and \$197,353,969.
- The Authority's unrestricted net position as of September 30, 2021 was \$16,069,807 higher than September 30, 2020. The increase in net position was primarily a result of CARES Act funding allocated by the Federal Transit Administration for COVID-19 relief of which HART

HILLSBOROUGH TRANSIT AUTHORITY MANAGEMENT'S DISCUSSION AND ANALYSIS

received \$23,309,264 in 2021 and \$16,556,225 in FY2020. This increase was partially offset by a decrease in passenger fares of \$2,757,696 due to the effects the coronavirus had on ridership and the delivery of service.

- Additional information on the Authority's capital assets can be found in Note 4 to the financial statements.

FY2020 FINANCIAL ANALYSIS OF THE AUTHORITY

Statements of Net Position

- As noted earlier, net position serves as a measurement of the Authority's financial position over a period of time. The Authority's assets and deferred outflows exceeded liabilities and deferred inflows by \$279,705,443 and \$170,844,093 as of September 30, 2020 and 2019, respectively.
- A large portion of the Authority's net position each year represents its net investment in capital assets (i.e., land, buildings and improvements, buses, paratransit vans and non-revenue vehicles). The Authority uses these capital assets to provide services to its customers. As described above, net investment in capital assets as of September 30, 2020 was \$9,797,697 lower than September 30, 2019. There were no revenue vehicle and related equipment acquisitions in FY2020. In addition, construction work in progress (CIP) decreased \$1.6M due to several projects being completed or near completion in FY2020.
- The Authority's restricted net position represents funds held in escrow for payment of general liability, workers compensation and medical self-insured claims, funds from private developers as well as FTA liability for assets with federal interest which were retired before their useful life was met. These restricted funds also include money's received from the Transportation Improvement Surtax (TIS) which HART began receiving in April 2019. Total collections made for HART through September 30, 2020 have totaled \$195,708,912. These funds will be held from HART's current use until authorization to utilize the funds are made available as well as direction on how the moneys are to be spent. The Authority's restricted net position as of September 30, 2020 and 2019 is \$197,353,969 and \$85,625,022 respectively.
- The Authority's unrestricted net position as of September 30, 2020 was \$6,960,100 higher than September 30, 2019. The increase in net position was primarily a result of CARES Act funding allocated by the Federal Transit Administration for COVID-19 relief of which HART received \$16,556,225 in FY2020. This increase was partially offset by a decrease in passenger fares of \$3,382,910 due to the effects the coronavirus had on ridership and the delivery of service. In addition, HART did not receive the \$2.3M county contribution in FY2020 which also attributed to the offset of the increase.
- Additional information on the Authority's capital assets can be found in Note 4 to the financial statements.

HILLSBOROUGH TRANSIT AUTHORITY MANAGEMENT'S DISCUSSION AND ANALYSIS

Table 1
Condensed Statement of Net Position

	2021	2020	Increase (Decrease)	Percent Change 2020 to 2021	2019	Percent Change 2019 to 2020
Assets						
Current and other assets	\$ 262,564,020	\$ 226,139,506	\$ 36,424,514	16.1%	\$ 101,751,895	122.2%
Capital assets	104,384,887	110,306,430	\$ (5,921,543)	-5.4%	120,186,440	-8.2%
Total assets	366,948,907	336,445,936	30,502,971	51.6%	221,938,335	51.6%
Deferred outflows of resources						
Deferred outflows on pension and OPEB related amounts	13,425,823	16,063,147	\$ (2,637,324)	-16.4%	14,566,634	10.3%
Total deferred outflows of resources	13,425,823	16,063,147	(2,637,324)	-16.4%	14,566,634	10.3%
Liabilities						
Current liabilities	10,804,745	9,997,169	\$ 807,576	8.1%	10,523,074	-5.0%
Long-term liabilities	30,969,412	60,446,605	\$ (29,477,193)	-48.8%	50,813,691	19.0%
Total liabilities	41,774,157	70,443,774	(28,669,617)	-40.7%	61,336,765	14.8%
Deferred inflows of resources						
Deferred inflows on pension and OPEB related amounts	27,172,356	2,359,866	\$ 24,812,490	1051.4%	4,324,111	-45.4%
Total deferred inflows of resources	27,172,356	2,359,866	24,812,490	1051.4%	4,324,111	-45.4%
Net position:						
Net investment in capital assets	104,384,887	110,229,835	\$ (5,844,948)	-5.3%	120,027,532	-8.2%
Restricted	218,851,884	197,353,969	\$ 21,497,915	10.9%	85,625,022	130.5%
Unrestricted	(11,808,554)	(27,878,361)	\$ 16,069,807	-57.6%	(34,808,461)	-19.9%
Total net position	\$ 311,428,217	\$ 279,705,443	\$ 31,722,774	11.3%	\$ 170,844,093	63.7%

OPERATING FINANCIAL ACTIVITY OF THE AUTHORITY

Statements of Revenues, Expenses and Changes in Net Position

The Authority operates as a single enterprise fund providing public transportation to the community. User charges, in the form of passenger fares, as a percentage of total operating revenue were 75.9% for FY2021 and 93.1% for FY2020. User charges in the form of passenger fares as a percentage of operating and non-operating revenue were 4.9% for FY2021 and 9.0% for FY2020. The percentage calculations exclude the Transportation Surtax receipts as these funds were not available for use as noted earlier. The cost of providing the remainder of the service was subsidized by ad valorem tax revenue collections and federal, state, and local funding which included the CARES Act funding from FTA for coronavirus relief as described earlier. The Authority's millage rate for the 2021 and 2020 tax year was 0.5000 (the Authority's charter cap).

FY2021 Operating Results Compared to FY2020

FY2021 operating revenues decreased by 14.9% and operating expenses, prior to the recognition of depreciation, decreased by 4.3%.

- Passenger fares decreased \$2,757,696 or 30.5% in FY2021, from \$9,029,994 in FY2020 to \$6,272,298 in FY2021. The effects of the coronavirus had a significant impact on HART ridership and corresponding passenger fare revenue and required reductions in HART's

HILLSBOROUGH TRANSIT AUTHORITY MANAGEMENT'S DISCUSSION AND ANALYSIS

delivery of service. Ridership decreased 27.82%, from 9,205,278 in FY2020 to 6,644,283 in FY2021.

- Advertising income increased \$1,174,783 or 208.2% in FY2021, from \$564,256 in FY2020 to \$1,739,039 in FY2021.
- Other operating revenues increased \$141,389 or 134.7% in FY2021, from \$104,944 in FY2020 to \$246,383 in FY2021.
- Salaries and wages increased \$4,407,360 or 11.8% in FY2021 from FY2020
- Payroll taxes and fringe benefits decreased \$5,353,311 or 17.6% in FY2021 from FY2020.
- Fuel and lubricants increased \$322,145 or 10.8% in FY2021 from FY2020. This increase is primarily attributable due to the increase in fuel prices.
- Parts & Supplies decreased \$1,234,988 or 22% in FY2021 over FY2020. This decrease is primarily attributable to the retirement of aging vehicles.
- Contract services decreased \$727,051 or 8.1% in FY2021 over FY2020. This decrease was primarily due to Legal resolution of a prior year whistleblower complaint and ATU contract negotiations (\$434,180), Consultant fees (\$205,168), and a reduction in downtown circulator services (\$87,703).
- Operating expenses reimbursed by grants decreased \$1,038,152 in FY2021 due to a decrease in consulting projects (\$896,840) and a decrease in streetcar maintenance (\$141,312).
- Ad valorem distributions increased \$4,259,726 or 8.7% in FY2021. This is due to an increase in taxable assessed values from FY2020 to FY2021.
- Federal operating grants increased \$5,815,893 in FY2021. This is due to the CARES Act funding for coronavirus relief authorized by Congress and allocated by the Federal Transit Administration (FTA). The Authority was awarded \$39,865,488 of which \$23,309,264 was reimbursed by FTA in FY2021
- Federal Capital grants increased \$3,053,049 in FY2021. The increase is primarily due to the purchase of 53 (fifty-three) Paratransit Revenue Vehicles.

FY2020 Operating Results Compared to FY2019

FY2020 operating revenues decreased by 40.6% and operating expenses, prior to the recognition of depreciation, increased by 6.6%.

- Passenger fares decreased \$3,382,910 or 27.3% in FY2020, from \$12,412,904 in FY2019 to \$9,029,994 in FY2020. The effects of the coronavirus had a significant impact on HART

**HILLSBOROUGH TRANSIT AUTHORITY
MANAGEMENT'S DISCUSSION AND ANALYSIS**

ridership and corresponding fare revenue and required reductions in HART's delivery of service. Ridership decreased 30.1%, from 13,162,491 in FY2019 to 9,205,278 in FY2020.

- Advertising income decreased \$545,474 or 49.2% in FY2020, from \$1,109,730 in FY2019 to \$564,256 in FY2020. The reduction in service and buses on the road due to the coronavirus impact resulted in a decrease in advertising revenues to HART.
- Other operating revenues decreased \$2,712,588 or 96.3% in FY2020, from \$2,817,582 in FY2019 to \$104,994 in FY2020. HART did not receive the \$2.3M contribution from the county in FY2020 which we had received the previous two fiscal years.
- Salaries and wages decreased \$528,588 or 1.4% in FY2020 from FY2019. Due to the effects of the coronavirus, salaries stayed fairly level this year with no significant changes. While there was reduced service, HART was able to maintain staffing levels with no layoffs.
- Payroll taxes and fringe benefits increased \$3,531,258 or 13.2% in FY2020 over FY2019. The majority of this increase is attributed to the required recording of HART's state pension proportionate share of \$5,917,997.
- Fuel and lubricants decreased \$1,442,678 or 32.7% in FY2020 from FY2019 which is attributed to the reduction in service due to the impact of the coronavirus as well as a decrease in average diesel cost per gallon from \$2.06 in FY2019 to \$1.61 in FY2020.
- Parts & Supplies increased \$499,503 or 9.8% in FY2020 over FY2019 primarily due to an aging fleet as well as additional maintenance required on used buses acquired in FY2020.
- Contract services increased \$661,843 or 8.0% in FY2020 over FY2019. The major contributors for this increase are as follows. Security Services increased \$311,829 in FY2020 due to an increased presence and level of experience with our security officers in response to employee/patron security concerns following significant events during the previous year. Legal Fees increased \$247,761 in FY2020. This is a result of services provided related to the ATU contract negotiations as well as services needed for an unanticipated investigation of a whistleblower complaint against a former CEO.
- Marketing and Promotion decreased \$188,030 or 34.7% in FY2020 which is attributed to less promotional and marketing outreach conducted due to coronavirus restrictions.
- Operating expenses reimbursed by grants increased \$3,432,242 in FY2020. Consulting services for several projects totaled \$2,102,945. These projects were the Bus/Rapid Transit Study, Network Evaluation, Transit Development plan and the Flamingo project. Also, streetcar maintenance costs totaled \$1,023,977. These costs included motor rebuilds on some of the streetcars and three HVAC units installed as well as replacement of some of the railroad ties along the streetcar line.
- Ad valorem distributions increased \$4,035,695 or 9.0% in FY2020. This is due to an increase in taxable assessed values from FY2019 to FY2020.

HILLSBOROUGH TRANSIT AUTHORITY MANAGEMENT'S DISCUSSION AND ANALYSIS

- Federal operating grants increased \$16,743,182 in FY2020. This is due to the CARES Act funding for coronavirus relief authorized by Congress and allocated by the Federal Transit Administration (FTA). The Authority was awarded \$39,865,488 of which \$16,556,225 was reimbursed by FTA in FY2020.
- Federal Capital grants decreased \$6,598,992 in FY2020. The majority of this is due to a \$6.3 million bus purchase which occurred in FY2019 was closed out in FY2020 and there were no bus expenditures in FY2020.

Table 2
Condensed Statement of Revenues, Expenses and Changes in Net Position

	2021	2020	Increase (Decrease)	Percent Change 2020 to 2021	2019	Percent Change 2019 to 2020
Passenger fares	\$ 6,272,298	\$ 9,029,994	\$ (2,757,696)	-30.5%	\$ 12,412,904	-27.3%
Advertising	1,739,039	564,256	1,174,783	208.2%	1,109,730	-49.2%
Other operating revenues	246,383	104,994	141,389	134.7%	2,817,582	-96.3%
Total operating revenues	8,257,720	9,699,244	(1,441,524)	-14.9%	16,340,216	-40.6%
Salaries and wages	41,715,733	37,308,373	4,407,360	11.8%	37,836,961	-1.4%
Payroll taxes and fringe benefits	24,998,425	30,351,736	(5,353,311)	-17.6%	26,820,478	13.2%
Fuel and lubricants	3,296,975	2,974,830	322,145	10.8%	4,417,508	-32.7%
Parts and supplies	4,368,288	5,603,276	(1,234,988)	-22.0%	5,103,773	9.8%
Other Expenses	17,575,439	19,898,279	(2,322,840)	-11.7%	15,992,680	24.4%
Total operating expenses	91,954,860	96,136,495	(4,181,634)	-4.3%	90,171,400	6.6%
Operating loss before depreciation	(83,697,140)	(86,437,251)	(2,740,111)	-3.2%	(73,831,184)	17.1%
Depreciation	12,845,735	12,807,484	38,251	0.3%	12,353,469	3.7%
Operating loss	(96,542,875)	(99,244,735)	(2,701,860)	-2.7%	(86,184,653)	15.2%
Federal, state and local grants	43,391,451	37,911,699	5,479,752	14.5%	22,064,194	71.8%
Transportation Surtax-Local	21,012,547	111,409,428	(90,396,881)	-81.1%	84,299,484	32.2%
Other Federal Funds	944,142	1,985,705	(1,041,563)	-52.5%	-	100.0%
Property tax proceeds	53,130,355	48,870,629	4,259,726	8.7%	44,834,934	9.0%
Other Income	389,600	1,379,791	(990,191)	-71.8%	726,168	90.0%
Total non-operating revenues	118,868,095	201,557,252	(82,689,157)	-41.0%	151,924,780	32.7%
Net Gain(Loss) before capital contributions	22,325,220	102,312,517	(79,987,297)	-78.2%	65,740,127	55.6%
Capital grants	9,382,954	6,534,233	2,848,721	43.6%	12,382,394	-47.2%
Developer contributed assets	14,600	14,600	-	0.0%	-	100.0%
Increase (decrease) in net position	31,722,774	108,861,350	(77,138,576)	-70.9%	78,122,521	39.3%
Net position at beginning of year	279,705,443	170,844,093	108,861,350	63.7%	92,721,572	84.3%
Net Position at end of Year	\$ 311,428,217	\$279,705,443	\$ 31,722,773	11.3%	\$ 170,844,093	63.7%

Capital Assets and Long-Term Debt Administration

The Authority's net investment in capital assets for the fiscal year ending September 30, 2021 included: land, buildings and improvements, construction in progress, shelters, computer software and hardware, revenue and other vehicles and equipment net of accumulated depreciation. (See Note 4 to the financial statements for more detailed information.)

Specifically:

HILLSBOROUGH TRANSIT AUTHORITY MANAGEMENT'S DISCUSSION AND ANALYSIS

The Authority ordered and received fifty-three (53) gasoline fueled demand response vehicles for Paratransit service in FY2021. Additionally, eleven (11) maintenance vehicles and four (4) administrative vehicles were ordered and received in FY2021.

- Transit Infrastructure improvements in FY2021 included four (4) new bus bays, seven (7) new landing pads and shelter pads, which were built by the Authority throughout the county. We also had one (1) new Parking and Ride, one (1) new landing pad, and a shelter pad constructed for the Transit Authority by developers.
- The Authority has no long-term or short-term debt. Stringent capital funding and project implementation requirements have enabled the Authority to avoid issuing long-term debt instruments for the construction of capital projects.

CAPITAL ASSETS:

The Authority has invested \$104 million in capital assets (net of accumulated depreciation). 26% of the net investment represents buildings and improvements and 30% of the investment represents revenue vehicles at the close of the fiscal year, September 30, 2021.

Capital Assets, Net of Accumulated Depreciation

			Percent of Total		
	2021	2020	2021	2020	2019
Land	\$ 19,043,009	\$ 19,043,009	18.2%	17.3%	\$ 19,043,009
Construction work in progress	8,206,204	6,221,020	7.9%	5.6%	7,786,592
Buildings and improvements	27,580,334	30,107,401	26.4%	27.3%	30,876,991
Operating and transit related equipment	4,929,296	5,263,784	4.7%	4.8%	6,381,066
Other equipment, fixtures, and other vehicles	11,381,915	12,115,859	10.9%	11.0%	12,921,544
Computer equipment and software	1,128,207	1,949,206	1.1%	1.8%	1,298,006
Revenue Vehicles	32,115,922	35,606,151	30.8%	32.3%	41,879,232
Total	\$ 104,384,887	\$ 110,306,430	100%	100%	\$ 120,186,440

Additional information regarding capital assets can be found in Note 4 to the financial statements.

Economic Factors and Next Year's Budget and Rates

The Authority's primary source of funding is ad valorem property taxes. In addition, in FY2021 the Authority also received additional funding from the FTA for coronavirus relief. The FY2021 adopted budget was based on a .5000 millage rate which is unchanged from FY2020 and represents the Authority's charter cap.

The HART Board adopted the FY2022 budget on September 27, 2021. The total FY2022 adopted operating and capital budget of \$168,681,326 is \$13,932,421 greater than the FY2021 adopted

**HILLSBOROUGH TRANSIT AUTHORITY
MANAGEMENT'S DISCUSSION AND ANALYSIS**

budget, or an increase of 9.01%. The FY2022 adopted operating budget is \$105,635,020, which is \$6,399,630 or 6.45% greater than the FY2021 adopted budget. The annual Capital Improvement Program (CIP) budget for FY2022 is \$63,046,306, which is \$7,532,791 or 13.57% greater than the FY2021 adopted CIP budget. The FY2022 adopted millage rate remained at .5000.

REQUESTS FOR INFORMATION

This financial report is intended to provide an overview of the finances of the Authority for those with an interest in this organization. If you have questions concerning information contained within this report, contact Loretta Kirk, Chief Financial Officer, Hillsborough Transit Authority, Finance Division, 1201 East 7th Avenue, Tampa, Florida 33605.

BASIC FINANCIAL STATEMENTS

HILLSBOROUGH TRANSIT AUTHORITY
STATEMENT OF NET POSITION
SEPTEMBER 30, 2021 AND 2020

	2021	2020
ASSETS		
Current assets (Note 3)		
Cash and cash equivalents-unrestricted (Note 3)	\$ 32,357,767	\$ 22,596,459
Cash and cash equivalents-restricted	218,851,884	177,655,390
Accounts receivable		
Trade and other, net of allowance for uncollectible accounts of \$0 in 2021 and \$0 in 2020	674,160	569,053
Transportation Improvement Surtax receivable restricted	-	19,698,579
Delinquent Property Tax Receivable	37,717	84,131
Federal grants	3,226,257	1,771,783
State grants	3,767,495	1,076,633
Local grants	922,011	239,470
Inventory of replacement parts and supplies	2,160,769	1,939,187
Prepaid expenses	565,960	508,821
Total current assets	262,564,020	226,139,506
Capital assets (Note 4)		
Land	19,043,009	19,043,009
Construction in progress	8,206,207	6,221,020
Capital assets, net of accumulated depreciation	77,135,671	85,042,401
Total capital assets, net	104,384,887	110,306,430
Total assets	366,948,907	336,445,936
DEFERRED OUTFLOWS OF RESOURCES		
Deferred outflows on pension and OPEB related amounts	13,425,823	16,063,147
Total deferred outflows of resources (Note 5 & 8)	13,425,823	16,063,147

See accompanying notes to financial statements.

HILLSBOROUGH TRANSIT AUTHORITY
STATEMENT OF NET POSITION
SEPTEMBER 30, 2021 AND 2020

	2021	2020
LIABILITIES		
Current liabilities		
Accounts payable	5,562,044	4,510,817
Accrued expenses	2,228,657	1,617,934
Unearned revenue	184,962	6,264
Self insurance and loss contingencies due within one year (Note 9 & 10)	2,504,328	3,426,588
Environmental remediation due within one year (Note 10 & 12)	150,000	150,000
Compensated absences due within one year (Note 10)	91,095	116,809
Net pension liability due within one year (Note 5 & 10)	83,659	168,757
Total current liabilities	10,804,745	9,997,169
Long-term liabilities		
Self insurance and loss contingencies (Note 9 & 10)	3,197,683	2,833,552
Compensated absences (Note 10)	3,317,998	3,086,926
Net pension liability (Note 5 & 10)	22,887,291	53,099,259
Total OPEB liability (Note 8 & 10)	1,566,440	1,426,868
Total long-term liabilities	30,969,412	60,446,605
Total liabilities	41,774,157	70,443,774
DEFERRED INFLOWS OF RESOURCES		
Deferred inflows on pension and OPEB related amounts (Note 5 & 8)	27,172,356	2,359,866
Total deferred inflows of resources	27,172,356	2,359,866
NET POSITION		
Net investment in capital assets	104,384,887	110,229,835
Restricted (Note 11)	218,851,884	197,353,969
Unrestricted (Note 11)	(11,808,554)	(27,878,361)
Total net position	\$ 311,428,217	\$ 279,705,443

(Continued)
See accompanying notes to financial statements.

HILLSBOROUGH TRANSIT AUTHORITY
STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
SEPTEMBER 30, 2021 AND 2020

	2021	2020
Operating revenues		
Passenger fares	\$ 6,272,298	\$ 9,029,994
Advertising	1,739,039	564,256
Other revenues	246,383	104,994
Total operating revenues	8,257,720	9,699,244
Operating expenses		
Salaries and wages	41,715,733	37,308,373
Payroll taxes, fringe benefits and workers' compensation	24,998,425	30,351,736
Fuel and lubricants	3,296,975	2,974,830
Parts and supplies	4,368,288	5,603,276
Contracted services	8,203,097	8,930,148
Claims	2,970,319	3,233,629
Utilities	943,186	924,601
Marketing and promotion	355,111	354,346
Other	2,015,999	2,329,677
Operating expenses reimbursed by grants	3,087,727	4,125,879
Total operating expenses before depreciation	91,954,860	96,136,495
Operating (loss) before depreciation	(83,697,140)	(86,437,251)
Depreciation	12,845,735	12,807,484
Operating loss	(96,542,875)	(99,244,735)
Nonoperating revenues (expenses)		
Operating assistance grants		
Federal	35,072,557	29,256,664
State	6,787,687	7,189,103
Local	1,531,207	1,465,932
Transportation surtax-local	21,012,547	111,409,428
Other Federal Funds	944,142	1,985,705
Property tax proceeds	53,130,355	48,870,629
Investment income	389,600	1,379,791
Total nonoperating revenues	118,868,095	201,557,252
Net gain/(loss) before capital contributions	22,325,220	102,312,517

(Continued)

See accompanying notes to financial statements.

HILLSBOROUGH TRANSIT AUTHORITY
STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
YEARS ENDING SEPTEMBER 30, 2021 AND 2020

	2021	2020
Net gain/(loss) before capital contributions	35,072,557	29,256,664
Capital grants		
Federal	7,884,702	4,831,653
State	782,539	1,416,991
Local	715,713	285,589
Developer contributed assets	14,600	14,600
Total capital contributions	9,397,554	6,548,833
Increase/(decrease) in net position	31,722,774	108,861,350
Net position at beginning of year	279,705,443	170,844,093
Net position at end of year	\$ 311,428,217	\$ 279,705,443

(Continued)

See accompanying notes to financial statements.

**HILLSBOROUGH TRANSIT AUTHORITY
STATEMENTS OF CASH FLOWS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

	2021	2020
Cash flows from operating activities		
Cash received from customers	\$ 8,116,445	\$ 10,125,795
Cash paid to employees	(68,565,970)	(61,303,308)
Cash paid to suppliers	(25,185,425)	(29,172,916)
Other receipts	589,997	358,724
Net cash used in operating activities	(85,044,952)	(79,991,705)
Cash flows from noncapital financing activities		
Operating grants received	40,767,288	37,492,246
Property tax revenues received	53,176,769	48,842,393
Transportation surtax received	40,711,127	111,312,067
Other Federal Funds received	944,142	1,985,705
Net cash provided by financing activities	135,599,326	199,632,411
Cash flows from capital and related financing activities		
Purchase of capital assets	(7,423,716)	(3,176,765)
Capital assistance grants	7,357,939	7,101,562
Proceeds from the sale of revenue vehicles	79,605	10,161
Net cash provided by (used in) capital and related financing activities	13,828	3,934,958
Cash flows from investing activities		
Investment income	389,600	1,379,791
Net cash provided by investing activities	389,600	1,379,791
Net change in cash and cash equivalents	50,957,802	124,955,455
Cash and cash equivalents at beginning of year	200,251,849	75,296,394
Cash and cash equivalents at end of year	\$ 251,209,651	\$ 200,251,849

(Continued)

See accompanying notes to financial statements.

HILLSBOROUGH TRANSIT AUTHORITY
STATEMENTS OF CASH FLOWS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020

	<u>2021</u>	<u>2020</u>
Reconciliation of operating expenses in excess of operating revenues to net cash used in operating activities		
Operating loss	\$ (96,542,875)	\$ (99,244,735)
Adjustments to reconcile operating expenses in excess of operating revenues to net cash used in operating activities		
Add back depreciation	12,845,735	12,807,484
Add back pension expense adjustments	(2,791,943)	5,917,997
Add back OPEB expense adjustments	175,164	148,219
Add net gain/losses on capital assets	343,618	253,730
(Increase) decrease in accounts receivable	(105,107)	531,546
(Increase) decrease in inventories	(221,582)	17,029
(Increase) decrease in prepaid expenses	(57,142)	(5,187)
Increase (decrease) in accounts payable	1,051,228	56,860
Increase (decrease) in accrued expenses	610,723	(19,863)
Increase (decrease) in self insurance	(558,129)	(781,498)
Increase (decrease) in environmental remediation	-	16,266
Increase (decrease) in accumulated unused compensated absences	205,358	310,447
Total adjustments	11,497,923	19,253,030
Net cash used in operating activities	\$ (85,044,952)	\$ (79,991,705)

(Continued)

See accompanying notes to financial statements.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 1 – ORGANIZATION AND REPORTING ENTITY

General: Hillsborough Transit Authority, operating and also known as Hillsborough Area Regional Transit Authority, or HART (“the Authority”), was created as a body politic and corporate under Chapter 163, Part V, Sections 163.567, et seq., Florida Statutes, on October 3, 1979. It was chartered for the purpose of providing mass transit service to its two charter members, the City of Tampa (“the City”) and the unincorporated areas of Hillsborough County, Florida (“the County”). The Authority may admit to membership any county or municipality contiguous to a member of the Authority upon application and after approval by a majority vote of the entire Board of Directors.

The Authority’s Board of Directors is comprised of two directors appointed by the Governor of the State of Florida and a minimum of one director from each member of the Authority. Members are allowed an additional director for each 150,000 persons, or major fraction thereof, resident in those member’s jurisdictional limits.

Basis of Presentation: The Authority operates the transit system as a single enterprise fund with operational cost centers to account for costs of services: operations, maintenance, and administration. Ad valorem tax revenues, operating grants and other non-capital grant revenue are classified as non-operating revenue. Capital grants are separately presented in the statements of revenue, expenses and changes in fund net position.

The accompanying financial statements are reported on the accrual basis of accounting, under which, revenues are recognized when earned and measurable and expenses are recognized when incurred.

The Authority’s significant financial and accounting policies utilized in formulating these financial statements are as follows:

Cash and Cash Equivalents: The Authority’s cash and cash equivalents include: cash on hand, demand deposits, state surtax receipts and highly liquid investments which are readily convertible to cash. These are limited to assets with 90 days or less original maturity.

Investment Policy: Florida Statute 218.415 and the Authority’s investment policy authorize the Authority to invest surplus funds in the following:

- a. Negotiable direct obligations of, or obligations of which the principal and interest are unconditionally guaranteed by the U.S. Government;
- b. Interest bearing time deposits or savings accounts in qualified public depositories as defined in Section 280.02, Florida Statutes;
- c. Prime commercial paper with the highest credit quality rating from a nationally recognized agency;
- d. Tax exempt obligations rated “A” or higher and issued by state and local governments;
- e. Money market mutual funds; and
- f. Local government investment pools.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Authority invests funds throughout the year with the Local Government Surplus Funds Trust Fund Investment Pool, (“the Pool”), administered by the State Board of Administration (SBA) under the regulatory oversight of State of Florida, Chapter 19-7 of the Florida Administrative Code. The Authority has no investments measured at fair value.

Accounts Receivable: The Authority provides for an allowance for doubtful accounts based on the expected collectability of outstanding balances.

Inventory: Inventory, principally consisting of vehicle replacement parts and operating supplies, is stated at average cost.

Capital Assets: Capital assets are defined by the Authority as assets with an initial, individual cost of more than \$1,000. Such assets are recorded at cost and are depreciated using the straight-line method over the estimated useful lives as follows:

<u>Description</u>	<u>Useful Lives (Years)</u>
Building and improvements	5 to 40
Revenue vehicles (includes Streetcars)	4 to 30
Operating and transit related equipment	3 to 15
Other equipment, fixtures and other vehicles	3 to 7
Computer equipment and software	3 to 7

On an annualized basis, the Authority evaluates the useful lives of the capital assets and writes off net capitalized costs of assets with no future value.

Contributed capital assets are reported at acquisition value. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

Unearned Revenue: Unearned Revenue is considered a liability until it becomes relevant to the business at hand, such as payment received for work not performed or revenues received which have not been earned.

Compensated Absences: Vacation pay is accrued when earned. Vested or accumulated vacation leave, up to a maximum of 240 hours per employee, is reported as an expense and as a liability. Employees are required to transfer accumulated hours in excess of 240 to the sick leave and/or catastrophic sick leave banks. The Authority allows employees to accumulate unused sick leave which is payable to the employee at retirement or resignation. Eligibility is as follows: Amalgamated Transit Union (ATU), Teamsters and Non-Bargaining receive 50% of their balance if they have over 10 years of service and 100% if they have over 20 years of service.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

In accordance with GASB Statement No. 16, *Accounting for Compensated Absences*, the compensated absences liability is calculated based on the pay or salary rates in effect at the balance sheet date. Additionally, accruals have been made for salary-related payments associated with the payment of compensated absences, using the rates in effect at the balance sheet date.

The Authority is liable to pay the employee all accrued liabilities upon termination. Accordingly, the Authority has recognized 7.65% of the compensated absences liability, representing its share of the Social Security and Medicare taxes. An accrual is also made for the defined contribution pension cost related to the compensated absences amount due to the Authority's employees being covered under the Investment Plan of the Florida Retirement System (FRS).

Pensions: In the statement of net position, liabilities are recognized for the Authority's proportionate share of each pension plan's net pension liability. For purposes of measuring the net pension liability, deferred outflows/inflows of resources, and pension expense, information about the fiduciary net position of the FRS defined benefit plan and the Health Insurance Subsidy (HIS) and additions to/deductions from FRS's and HIS's fiduciary net position have been determined on the same basis as they are reported by the FRS and HIS plans. For this purpose, plan contributions are recognized as of employer payroll paid dates and benefit payments and refunds of employee contributions are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Other Post Employment Benefits (OPEB): In the statement of net position, a liability is recognized for the Authority's OPEB liability as determined by an actuarial review of the healthcare coverage purchased by retirees to continue participation in the Authority's self-insured health plan. The Authority is responsible for covering the excess of retiree claims over premium payments made by retirees to the Authority, which creates an other post employment benefit. OPEB expense is recognized immediately for changes in the OPEB liability resulting from current-period service cost, interest on the total OPEB liability and changes of benefit terms.

Deferred Outflows/Inflows of Resources: In addition to assets, the statement of financial position reports a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense) until then. The deferred outflows of resources reported in the Authority's statement of net position represent amounts that will be recognized as increases in pension and OPEB expense in future years.

In addition to liabilities, the statement of financial position reports a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The deferred inflows of resources reported in the Authority's statement of net position represent amounts that will be recognized as reductions in pension and OPEB expense in future years.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Net Position: The statement of net position presents the difference between assets & deferred outflows of resources and liabilities & deferred inflows of resources. Net position is reported as restricted when there are legal limitations imposed on use by laws or regulations of other governments or external restrictions by creditors, grantors or from external parties that require funds to be segregated and used only for specific purposes. Unrestricted net position may be designated for specific purposes as the option of the Authority's Board of Directors. If restricted and unrestricted net position is available for the same purpose, then restricted will be used before unrestricted.

Net Investment in Capital Assets: Capital assets, net of accumulated depreciation, less outstanding balances of any obligations or other payables that are attributable to the acquisition, construction or improvement of those assets, represents the Authority's investment in capital assets.

Passenger Fares: Passenger cash fares are recorded as revenue at the farebox. Multi-issue passes are recorded as revenue when sold.

Operating Revenue: Revenues resulting from the normal operations of the Authority such as fares and advertising are considered operating revenue.

Non-Operating Revenue: Income that the authority receives that is not part of normal business operations such as operating assistance grants, property tax revenue, and interest income are considered non-operating revenue.

Property Tax Revenue: The Authority has been determined to be an "Independent Special District" as described in Section 189.403, Florida Statutes, and is authorized to levy an ad valorem tax of up to one-half mill (.50) on the taxable value of real and tangible personal property within the jurisdiction of its members. Chapter 165.570, Florida Statutes, allows the Authority to levy up to a three mill levy, subject to public referendum. Property tax collections are governed by Chapter 197, Florida Statutes. The Hillsborough County Tax Collector bills and collects all property taxes levied within the County. Discounts of 4, 3, 2, and 1% are allowed for early payment in November, December, January, and February, respectively.

The Tax Collector remits collected taxes at least monthly to the Authority. The Authority recognizes property tax revenue on a cash basis as it is received from the Tax Collector throughout the fiscal year. An estimate is then accrued at the end of the year for current fiscal year taxes not yet received.

Property taxes are levied annually based on the value of real property and tangible personal property as assessed on January 1 and are collected from November through the following March. Accordingly, these revenues are recognized in the same fiscal period in which payment is collected.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Property tax calendar:

Valuation Date	January 1
Levy Date	October 1
Due Date	November 1
Delinquent Date	April 1
Tax Certificate Sale	On or before June 1

Transportation Surtax Revenue: Revenues received from HART's portion of a 1% Transportation Improvement Surtax. These funds are currently being held from current use until HART receives authorization to utilize the funds as well as direction on how the moneys are to be spent.

Other Federal Funds: Revenues received from the federal government for Alternative Fuel Credits based on HART's Compressed Natural Gas (CNG) usage.

Operating Expenses: Operating expenses include the cost of providing transit service and administrative support which includes wages, benefits, supplies, purchased services, utilities, and other expenses.

Estimates: The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires the use of estimates that affect certain reported amounts and disclosures. These estimates are based on management's knowledge and experience. Accordingly, actual results could differ from these estimates.

NOTE 3 – CASH, CASH EQUIVALENTS, AND INVESTMENTS

The carrying value of the Authority's cash, cash equivalents, and investments as of September 30, 2021 and 2020 are as follows:

	2021	2020
Cash, cash equivalents and investments		
Cash on hand	\$ 31,916	\$ 43,624
Demand Deposits	3,527,637	3,569,906
Florida State Board of Administration - Florida PRIME	246,720,098	195,708,319
Imprest Accounts	930,000	930,000
Total	\$ 251,209,651	\$ 200,251,849

A portion of the total cash, cash equivalents are identified as Restricted on our Statement of Net Position which is identified below:

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 3 – CASH, CASH EQUIVALENTS, AND INVESTMENTS (continued)

	FY 2021	FY 2020
Restricted for Risk Auto/General Liability	\$ 180,000	\$ 180,000
Restricted for Workers Compensation	125,000	125,000
Restricted for Self-Insured Medical	625,000	625,000
Restricted for Private Developers	107,807	107,807
Restricted for FTA Liability	1,092,618	607,250
Restricted for Surtax Spending	216,721,459	176,010,333
Total	<u>\$ 218,851,884</u>	<u>\$ 177,655,390</u>

The Federal Deposit Insurance Corporation (FDIC) insures the balances up to \$250,000 for each banking relationship. The remaining balances are collateralized pursuant to Chapter 280, Florida Statutes. The Authority's procedures have been to replenish the bank accounts with transfers from the interest bearing accounts at the Florida State Board of Administration Local Government Surplus Trust Fund Investment Pool to cover cash needs.

State Board of Administration (SBA): The SBA manages Florida PRIME, a 2a-7-like pool, carried at an amortized cost. A 2a-7-like pool is not registered with the Securities and Exchange

Commission (SEC) as an investment company, but has a policy that it operates in a manner consistent with the SEC's Rule 2a-7 of the Investment Company Act of 1940, which regulates money market funds. Therefore, Florida PRIME operates essentially as a money market fund and the Authority's position in Florida PRIME is considered to be equivalent to its fair value.

Regulatory oversight of the SBA is provided by three state of Florida elected officials designated as trustees: the Governor serves as Chairman of the SBA; the Chief Financial Officer serves as Treasurer of the SBA; and the Attorney General serves as Secretary of the SBA. External oversight of the State Board of Administration is provided by the Investment Advisory Council, which reviews investment performance, strategy and decision-making, provides insight, advice and counsel on these and other matters when appropriate. Audit oversight is also provided by the state of Florida Auditor General.

Qualifying local government investment pools (LGIPs) in the state of Florida must comply with applicable Florida statutory requirements. Chapter 218.409(8)(a), Florida Statutes, states that the principal balance within a LGIP trust fund is subject to withdrawal at any time. However, the Executive Director may, in good faith, on the occurrence of an event that has a material impact on liquidity or operations of the trust fund, for 48 hours limit contributions to or withdrawals from the trust fund to ensure that the Board can invest in the monies entrusted to it in exercising its fiduciary responsibility. Such action must be immediately disclosed to all participants, the Trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council, and the Participant Local Government Advisory Council.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 3 – CASH, CASH EQUIVALENTS AND INVESTMENTS (continued)

With regard to liquidity fees, Chapter 218.409(4) provides authority for a LGIP to impose penalties for early withdrawal, subject to disclosure in the enrollment materials of the amount and purpose of such fees. At present, no such disclosure has been made by the SBA.

At September 30, 2021 and 2020, there were no redemption fees or maximum transaction amounts, or any other requirements that serve to limit a participant's daily access to 100% of their account value within Florida PRIME.

Custodial Risk: For an investment, custodial risk is the risk that, in the event of the failure of the counterparty, the Authority will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. As authorized by the Authority's investment policy, the Authority invests its surplus funds with the Local Government Surplus Funds Trust Fund Investment Pool administered by the State Board of Administration (SBA) under the regulatory oversight of State of Florida, Chapter 19-7 of the Florida Administrative Code.

Credit Risk: Credit risk is the risk that a security or a portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to repay its debt. Per the Authority's investment policy, the Authority invests in the investment pool administered by the SBA. As part of the SBA, Florida Prime is rated by Standard & Poor's with an 'AAAm' rating.

Interest Rate Risk: The dollar weighted average days to maturity (WAM) of Florida PRIME at September 30, 2021 and 2020 was 49 days and 48 days, respectively. The weighted average life (WAL) of Florida PRIME at September 30, 2021 and 2020 was 64 days and 63 days, respectively. The Authority's investment policy does not set limits for investment maturities. As of September 30, 2021, all of the Authority's excess cash was invested with the State Board of Administration Local Government Surplus Trust Funds Investment Pool.

Foreign Currency Risk: Florida PRIME was not exposed to any foreign currency risk during FY2021.

Concentration of Credit Risk: Concentration of credit risk is the risk associated with a government's investment in a single issuer. HART's investment policy allows for the Authority to be 100% invested in external local government investment pools. The Authority is entirely invested in the SBA's Florida PRIME.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 4 – CAPITAL ASSETS

Capital asset activity and balance for the years ending September 30, 2021 and 2020 are summarized below:

Description	Balance Oct. 1, 2020	Additions and Reclasses	Deletions	Balance Sep. 30, 2021
Non-depreciable capital assets				
Land	\$ 19,043,009	\$ -	\$ -	\$ 19,043,009
Construction work in progress *	6,221,020	2,261,585	276,398	8,206,207
Total non-depreciable capital assets	25,264,029	2,261,585	276,398	27,249,216
Depreciable assets				
Buildings and improvements	77,675,625	29,402	44,757	77,660,270
Operating and transit related equipment	29,209,804	880,335	269,882	29,820,257
Other equipment, fixtures, and other vehicles	24,740,809	18,486	3,010	24,756,285
Computer equipment and software	13,506,155	201,038	87,048	13,620,145
Revenue vehicles	87,326,544	4,232,967	4,765,974	86,793,537
Total depreciable capital assets	232,458,937	5,362,228	5,170,671	232,650,494
Less accumulated depreciation				
Buildings and improvements	47,568,224	2,548,336	36,622	50,079,938
Operating and transit related equipment	23,946,020	1,185,560	240,618	24,890,962
Other equipment, fixtures, and other vehicles	12,624,950	752,430	3,010	13,374,370
Computer equipment and software	11,556,949	1,022,037	87,048	12,491,938
Revenue vehicles	51,720,393	7,337,372	4,380,150	54,677,615
Total accumulated depreciation	147,416,536	12,845,735	4,747,448	155,514,823
Total depreciable assets, net	85,042,401	(7,483,507)	423,223	77,135,671
Total capital assets, net	\$ 110,306,430	\$ (5,221,922)	\$ 699,621	\$ 104,384,887

* The construction work in progress at September 30, 2021 is primarily related to the regional fare collection system, buildings and various facility renovations.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 4 – CAPITAL ASSETS (continued)

Description	Balance Oct. 1, 2019	Additions and Reclasses	Deletions	Balance Sep. 30, 2020
Non-depreciable capital assets				
Land	\$ 19,043,009	\$ -	\$ -	\$ 19,043,009
Construction work in progress *	7,786,592	3,194,602	4,760,174	6,221,020
Total non-depreciable capital assets	26,829,601	3,194,602	4,760,174	25,264,029
Depreciable assets				
Buildings and improvements	75,824,360	1,851,265	-	77,675,625
Operating and transit related equipment	30,228,123	309,575	1,327,894	29,209,804
Other equipment, fixtures, and other vehicles	24,759,446	-	18,637	24,740,809
Computer equipment and software	11,813,600	1,720,131	27,576	13,506,155
Revenue vehicles	87,595,175	873,112	1,141,743	87,326,544
Total depreciable capital assets	230,220,704	4,754,083	2,515,850	232,458,937
Less accumulated depreciation				
Buildings and improvements	44,947,369	2,620,855	-	47,568,224
Operating and transit related equipment	23,847,058	1,165,819	1,066,857	23,946,020
Other equipment, fixtures, and other vehicles	11,837,901	805,686	18,637	12,624,950
Computer equipment and software	10,515,594	1,068,931	27,576	11,556,949
Revenue vehicles	45,715,943	7,146,193	1,141,743	51,720,393
Total accumulated depreciation	136,863,865	12,807,484	2,254,813	147,416,536
Total depreciable assets, net	93,356,839	(8,053,401)	261,037	85,042,401
Total capital assets, net	\$120,186,440	\$ (4,858,799)	\$ 5,021,211	\$ 110,306,430

* The construction work in progress at September 30, 2020 is primarily related to the regional fare collection system, buildings and various facility renovations. During the year ended September 30, 2020, HART wrote off construction work in progress in the amount of \$475,286 as it is no longer moving forward with the project.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 5 – DEFINED BENEFIT PENSION PLANS

Background

The Florida Retirement System (FRS) was created in Chapter 121, Florida Statutes, to provide a defined benefit pension plan for participating public employees. The FRS was amended in 1998 to add the Deferred Retirement Option Program under the defined benefit plan and amended in 2000 to provide a defined contribution plan alternative to the defined benefit plan for FRS members effective July 1, 2002. This integrated defined contribution plan is the FRS Investment Plan, which is administered by the State Board of Administration. Chapter 112, Florida Statutes, established the Retiree Health Insurance Subsidy (HIS) Program, a cost-sharing multiple-employer defined benefit pension plan, to assist retired members of any State-administered retirement system in paying the costs of health insurance.

Essentially all regular employees of the Authority are eligible to enroll as members of the State-administered FRS. Provisions relating to the FRS are established by Chapters 121 and 122, Florida Statutes; Chapter 112, Part IV, Florida Statutes; Chapter 238, Florida Statutes; and FRS Rules, Chapter 60S, Florida Administrative Code; wherein eligibility, contributions, and benefits are defined and described in detail. Such provisions may be amended at any time by further action from the Florida Legislature. The FRS is a single retirement system administered by the Florida Department of Management Services, Division of Retirement, and consists of the two cost-sharing, multiple-employer defined benefit plans and other nonintegrated programs. An annual comprehensive financial report of the FRS, which includes its financial statements, required supplementary information, actuarial report, and other relevant information, is available from the Florida Department of Management Services' website (www.dms.myflorida.com).

The Authority's pension expense totaled \$1,856,926 and \$9,562,074 for both the FRS Pension Plan and HIS Plan for the fiscal year ended September 30, 2021 and 2020, respectively.

The Authority's deferred outflows totaled \$13,050,930 and \$15,638,604 for both the FRS Pension Plan and HIS plan for the fiscal year ended September 30, 2021 and 2020, respectively.

The Authority's deferred inflows totaled \$26,703,191 and \$1,876,643 for both the FRS Pension Plan and HIS plan for the fiscal year ended September 30, 2021 and 2020, respectively.

The Authority's net pension liability totaled \$22,970,950 and \$53,268,016 for both the FRS Pension and HIS plan for the fiscal year ended September 30, 2021 and 2020, respectively.

Florida Retirement System Pension Plan

Plan Description

The Florida Retirement System Pension Plan (FRS Plan) is a cost-sharing multiple-employer defined benefit pension plan, with a Deferred Retirement Option Program (DROP) for eligible employees. There are five (5) classes of membership, as follows:

- *Regular Class* – Members of the FRS who do not qualify for membership in the other classes.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 5 – DEFINED BENEFIT PENSION PLANS (Continued)

- *Senior Management Service Class (SMSC)* – Members in senior management level positions in state and local governments as well as assistant state attorneys, assistant statewide prosecutors, assistant public defenders, assistant attorneys general, deputy court administrators, assistant capital collateral representatives, and judges of compensation claims. Members of the Elected Officers’ Class may elect to withdraw from the FRS or participate in the SMSC in lieu of the Elected Officers’ Class.
- *Special Risk Class* – Members who are employed as law enforcement officers, firefighters, firefighter trainers, fire prevention officers, state fixed-wing pilots for aerial firefighting surveillance, correctional officers, emergency medical technicians, paramedics, community-based correctional probation officers, youth custody officers (from July 1, 2001, through June 30, 2014), certain health-care related positions within state forensic or correctional facilities, or specified forensic employees of a medical examiner’s office or a law enforcement agency, and meet the criteria to qualify for this class.
- *Special Risk Administrative Support Class* – Former Special Risk Class members who are transferred or reassigned to nonspecial risk law enforcement, firefighting, emergency medical care, or correctional administrative support positions within an FRS special risk-employing agency.
- *Elected County Officers Class (EOC)* – Members who are elected state and county officers and the elected officers of cities and special districts that choose to place their elected officials in this class.

Employees enrolled in the FRS Plan prior to July 1, 2011, vest at six (6) years of creditable service and employees enrolled in the FRS Plan on or after July 1, 2011, vest at eight (8) years of creditable service. All vested members, enrolled prior to July 1, 2011, are eligible for normal retirement benefits at age 62 or at any age after 30 years of service, except for members classified as special risk who are eligible for normal retirement benefits at age 55 or at any age after 25 years of service. All members enrolled in the FRS Plan on or after July 1, 2011, once vested, are eligible for normal retirement benefits at age 65 or any time after 33 years of creditable service, except for members classified as special risk who are eligible for normal retirement benefits at age 60 or at any age after 30 years of service. Employees enrolled in the FRS Plan may include up to four (4) years of credit for military service toward creditable service. The FRS Plan also includes an early retirement provision; however, there is a benefit reduction for each year a member retires before his or her normal retirement date. The FRS Plan provides retirement, disability, death benefits, and annual cost-of-living adjustments to eligible participants.

Deferred Retirement Option Program (DROP), subject to provisions of Section 121.091, Florida Statutes, permits employees eligible for normal retirement under the FRS Plan to defer receipt of monthly benefit payments while continuing employment with an FRS participating employer. An employee may participate in DROP for a period not to exceed 60 months after electing to participate, except that certain instructional personnel may participate for up to 96 months. During the period of DROP participation, deferred monthly benefits are held in the FRS Trust Fund and

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 5 – DEFINED BENEFIT PENSION PLANS (Continued)

accrue interest. The net pension liability does not include amounts for DROP participants, as these members are considered retired and are not accruing additional pension benefits.

Benefits Provided

Benefits under the FRS Plan are computed on the basis of age and/or years of service, average final compensation, and service credit. Credit for each year of service is expressed as a percentage of the average final compensation. For members initially enrolled before July 1, 2011, the average final compensation is the average of the five highest fiscal years' earnings; for members initially enrolled on or after July 1, 2011, the average final compensation is the average of the eight highest fiscal years' earnings. The total percentage value of the benefit received is determined by calculating the total value of all service, which is based on the retirement plan and/or class to which the member belonged when the service credit was earned. The following chart shows the percentage value for each year of service credit earned:

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)

	% Value (per year of service)
<u>Regular Class members initially enrolled before July 1, 2011</u>	
Retirement up to age 62 or up to 30 years of service	1.60
Retirement at age 63 or with 31 years of service	1.63
Retirement at age 64 or with 32 years of service	1.65
Retirement at age 65 or with 33 or more years of service	1.68
<u>Regular Class members initially enrolled on or after July 1, 2011</u>	
Retirement up to age 65 or up to 33 years of service	1.60
Retirement at age 66 or with 34 years of service	1.63
Retirement at age 67 or with 35 years of service	1.65
Retirement at age 68 or with 36 or more years of service	1.68
<u>Special Risk Class</u>	
Service from December 1, 1970 through September 30, 1974	2.00
Service on and after October 1, 1974	3.00
<u>Special Risk Administrative Support Class members initially enrolled before July 1, 2011</u>	
(With six or more years of special risk service, the service in this class counts towards special risk normal retirement; otherwise, Regular Class requirements apply.)	
Retirement up to age 55; or up to 25 total years special risk service; or at age 52 with 25 years (if total service includes wartime military service)	1.60
Retirement at age 56; or with 26 total years special risk service; or at age 53 with 26 years (if total service includes wartime military service)	1.63
Retirement at age 57; or with 27 total years special risk service; or at age 54 with 27 years (if total service includes wartime military service)	1.65
Retirement at age 58; or with 28 total years special risk service; or at age 55 with 28 years (if total service includes wartime military service)	1.68
<u>Special Risk Administrative Support Class members initially enrolled on or after July 1, 2011</u>	
(With eight or more years of special risk service, the service in this class counts towards special risk normal retirement; otherwise, Regular Class requirements apply.)	
Retirement up to age 60; or up to 30 total years special risk service	1.60
Retirement at age 61; or with 31 total years special risk service	1.63
Retirement at age 62; or with 32 total years special risk service	1.65
Retirement at age 63; or with 33 total years special risk service	1.68
<u>Elected Officers' Class</u>	
Service as Supreme Court Justice, district court of appeal judge, circuit court judge, or county court judge	3.33
Service as Governor, Lt. Governor, Cabinet Officer, Legislator, state attorney, public defender, elected county officer, or elected official of a city or special district that chose EOC membership for its elected officials	3.00
<u>Senior Management Service Class</u>	2.00

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
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NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)

As provided in Section 121.101, Florida Statutes, if the member is initially enrolled in the FRS before July 1, 2011, and all service credit was accrued before July 1, 2011, the annual cost-of-living adjustment is 3% per year. If the member is initially enrolled before July 1, 2011, and has service credit on or after July 1, 2011, there is an individually calculated cost-of-living adjustment. The annual cost-of-living adjustment is a proportion of 3% determined by dividing the sum of the pre-July 2011 service credit by the total service credit at retirement multiplied by 3%. FRS Plan members initially enrolled on or after July 1, 2011, will not have a cost-of-living adjustment after retirement.

Contributions

The Florida Legislature establishes contribution rates for participating employers and employees. Effective July 1, 2011, all FRS Plan members (except those in DROP) are required to make 3% employee contributions on a pretax basis. The employer contribution rates by job class for the periods from October 1, 2020 through June 30, 2021 and from July 1, 2021 through September 30, 2021, respectively, were applied to employee salaries as follows: Regular – 10.00% and 10.82%; Special Risk Administrative Support – 35.84% and 37.76%; Special Risk – 24.45% and 25.89%; Senior Management Service – 27.29% and 29.01%; Elected Officers’ – 49.18% and 51.42%; and DROP participants – 16.98% and 18.34%. These employer contributions rates include the appropriate retirement contribution rate, HIS contribution rate of 1.66% for both 2021 and 2020, administrative/educational fee of 0.06% for both 2021 and 2020 and any applicable UAL rates. The Authority’s contributions to the FRS Plan were \$3,954,965 and \$2,942,778 for the years ended September 30, 2021 and 2020, respectively.

Pension Costs

At September 30, 2021 and 2020, the Authority reported a liability of \$7,275,622 and \$37,975,550, respectively, for its proportionate share of the FRS Plan’s net pension liability. The net pension liability was measured as of June 30, and the total pension liability used to calculate the net pension liability was determined by an annual actuarial valuation as of July 1. The Authority’s proportion of the net pension liability was based on the Authority’s contributions received by FRS during the measurement period for employer payroll paid dates from July 1 through June 30, relative to the total employer contributions received from all of FRS’s participating employers. At June 30, 2021, the Authority’s proportion was 0.0963%, which was an increase of 0.0087% from its proportion measured as of June 30, 2020. At June 30, 2020, the Authority’s proportion was 0.0876%, which was a decrease of 0.0002% from its proportion measured as of June 30, 2019.

For the year ended September 30, 2021, the Authority recognized pension expense of \$507,747 for its proportionate share of FRS’s pension expense. In addition, the Authority reported its proportionate share of FRS’s deferred outflows of resources and deferred inflows of resources from the following sources:

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
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NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)

Description	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences Between Expected and Actual Economic	\$ 1,247,053	\$ -
Changes in Actuarial	4,978,341	-
Net Difference Between Projected and Actual Earnings	-	25,382,815
Differences Between Authority Contributions and Proportionate Share of Contributions	2,772,714	357,111
Authority Contributions Subsequent to the Measurement	1,110,093	-
Total	<u>\$ 10,108,201</u>	<u>\$ 25,739,926</u>

\$1,110,093 reported as deferred outflows of resources related to pensions resulting from Authority contributions to the FRS Plan subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending September 30, 2022. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized as an increase (decrease) in pension expense as follows:

Year End September 30:	Amount
2022	(3,374,103)
2023	(3,934,517)
2024	(5,211,720)
2025	(6,678,454)
2026	41,373
Thereafter	2,415,603
Total	<u>(16,741,818)</u>

For the year ended September 30, 2020, the Authority recognized pension expense of \$8,081,253 for its proportionate share of FRS's pension expense. In addition, the Authority reported its proportionate share of FRS's deferred outflows of resources and deferred inflows of resources from the following sources:

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)

Description	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences Between Expected and Actual Economic Experience	\$ 1,453,402	\$ -
Changes in Actuarial Assumptions	6,874,783	-
Net Difference Between Projected and Actual Earnings on Pension Plan Investments	2,261,101	-
Changes in Proportion and Differences Between Authority Contributions and Proportionate Share of Contributions	776,098	568,769
Authority Contributions Subsequent to the Measurement Date	824,373	-
Total	<u>\$ 12,189,757</u>	<u>\$ 568,769</u>

Actuarial Assumptions

The total pension liability in the July 1, 2021 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.40% per year
Salary Increases	3.25%, Average, Including Inflation 6.80%, Net of Pension Plan
Investment Rate of Return	Investment Expense, Including Inflation

Mortality rates were based on the PUB-2010 projected generationally with Scale MP-2018. The actuarial assumptions used in the July 1, 2021 valuation were based on the results of an actuarial experience study for the period July 1, 2013 through June 30, 2018.

The long-term expected rate of return on pension plan investments was not based on historical returns, but instead is based on a forward-looking capital market economic model. The allocation policy's description of each asset class was used to map the target allocation to the asset classes shown below. Each asset class assumption is based on a consistent set of underlying assumptions, and includes an adjustment for the inflation assumption. The target allocation, as outlined in the FRS Plan's investment policy, and best estimates of arithmetic and geometric real rates of return for each major asset class are summarized in the following table:

HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020

NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)

Asset Class	Target Allocation	Annual Arithmetic Return	Compound Annual (Geometric) Return	Standard Deviation
Cash	1.0%	2.1%	2.1%	1.1%
Fixed Income	20.0%	3.8%	3.7%	3.3%
Global Equity	54.2%	8.2%	6.7%	17.8%
Real Estate (Property)	10.3%	7.1%	6.2%	13.8%
Private Equity	10.8%	11.7%	8.5%	26.4%
Strategic Investments	3.7%	5.7%	5.4%	8.4%
Totals	100%			
Assumed Inflation - Mean			2.4%	1.2%

The total pension liability in the July 1, 2020, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.40% per year
Salary Increases	3.25%, Average, Including Inflation 6.80%, Net of Pension Plan
Investment Rate of Return	Investment Expense, Including Inflation

Mortality rates were based on the PUB-2010 projected generationally with Scale MP-2018. The actuarial assumptions used in the July 1, 2020 valuation were based on the results of an actuarial experience study for the period July 1, 2013 through June 30, 2018.

The long-term expected rate of return on pension plan investments was not based on historical returns, but instead is based on a forward-looking capital market economic model. The allocation policy's description of each asset class was used to map the target allocation to the asset classes shown below. Each asset class assumption is based on a consistent set of underlying assumptions, and includes an adjustment for the inflation assumption. The target allocation, as outlined in the FRS Plan's investment policy, and best estimates of arithmetic and geometric real rates of return for each major asset class are summarized in the following table:

HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020

NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)

Asset Class	Target Allocation	Annual Arithmetic Return	Compound Annual (Geometric) Return	Standard Deviation
Cash	1.0%	2.2%	2.2%	1.2%
Fixed Income	19.0%	3.0%	2.9%	3.5%
Global Equity	54.2%	8.0%	6.7%	17.1%
Real Estate (Property)	10.3%	6.4%	5.8%	11.7%
Private Equity	11.1%	10.8%	8.1%	25.7%
Strategic Investments	4.4%	5.5%	5.3%	6.9%
Totals	100%			

Assumed Inflation - Mean	2.4%	1.7%
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Discount Rate

The discount rate used to measure the total pension liability in the July 1, 2021 and 2020 actuarial valuation was 6.80% for the FRS Plan. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rate specified in statute. Based on that assumption, each of the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Pension Liability Sensitivity

The following presents the Authority's proportionate share of the net pension (asset) liability for the FRS Plan for fiscal year 2021, calculated using the discount rate disclosed in the preceding paragraph, as well as what the Authority's proportionate share of the net would be if it were calculated using a discount rate one percentage point lower or one percentage point higher than the current discount rate:

Description	1% Decrease	Current Discount Rate	1% Increase
FRS Plan Discount Rate	5.8%	6.8%	7.8%
Entity's Proportionate Share of the FRS Plan Net Pension Liability (Asset)	32,537,067	7,275,622	(13,840,115)

The following presents the Authority's proportionate share of the net pension liability for the FRS Plan for fiscal year 2020, calculated using the discount rate disclosed in the preceding paragraph,

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
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NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)

as well as what the Authority's proportionate share of the net pension liability would be if it were calculated using a discount rate one percentage point lower or one percentage point higher than the current discount rate:

Description	1% Decrease	Current Discount Rate	1% Increase
FRS Plan Discount Rate	5.80%	6.80%	7.80%
Entity's Proportionate Share of the FRS Plan Net Pension Liability	\$ 60,640,572	\$ 37,975,550	\$ 19,045,626

Pension Plan Fiduciary Net Position

Detailed information about the FRS Plan's fiduciary's net position is available in a separately-issued FRS Pension Plan and Other State-Administered Systems Annual Comprehensive Financial Report. That report may be obtained through the Florida Department of Management Services website (www.dms.myflorida.com).

Payables to the Pension Plan

At September 30, 2021 and 2020 HART reported no payables for outstanding amounts of contributions to the pension plan.

Retiree Health Insurance Subsidy Program**Plan Description**

The Retiree Health Insurance Subsidy Program (HIS Plan) is a cost-sharing multiple-employer defined benefit pension plan established under Section 112.363, Florida Statutes, and may be amended by the Florida Legislature at any time. The benefit is a monthly payment to assist retirees of State-administered retirement systems in paying their health insurance costs and is administered by the Florida Department of Management Services, Division of Retirement.

Benefits Provided

For the fiscal years ended June 30, 2021 and June 30, 2020, eligible retirees and beneficiaries received a monthly HIS payment of \$5 for each year of creditable service completed at the time of retirement, with a minimum HIS payment of \$30 and a maximum HIS payment of \$150 per month, pursuant to Section 112.363, Florida Statutes. To be eligible to receive a HIS Plan benefit, a retiree under one of the state-administered retirement systems must provide proof of health insurance coverage, which may include Medicare.

Contributions

The HIS Plan is funded by required contributions from FRS participating employers as set by the

**HILLSBOROUGH TRANSIT AUTHORITY
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NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)

Florida Legislature. Employer contributions are a percentage of gross compensation for all active FRS members. For the fiscal years ended June 30, 2021 and 2020, the contribution rates were 1.66% of payroll pursuant to section 112.363, Florida Statutes. The Authority contributed 100% of its statutorily required contributions for the current and preceding three (3) years. HIS Plan contributions are deposited in a separate trust fund from which payments are authorized. HIS Plan benefits are not guaranteed and are subject to annual legislative appropriation. In the event the legislative appropriation or available funds fail to provide full subsidy benefits to all participants, benefits may be reduced or canceled. The Authority's contributions to the HIS Plan were \$784,810 and \$700,464, respectively, for the years ended September 30, 2021 and 2020, respectively.

Pension Costs

At September 30, 2021 and 2020, the Authority reported a liability of \$15,695,328 and 15,292,466 respectively, for its proportionate share of the HIS Plan's net pension liability. The net pension liability was measured as of June 30, and the total pension liability used to calculate the net pension liability was determined by annual actuarial valuations as of July 1. The Authority's proportion of the net pension liability was based on the Authority's contributions received during the measurement period for employer payroll paid dates from July 1 through June 30, relative to the total employer contributions received from all participating employers. At June 30, 2021, the Authority's proportion was 0.1280%, which was an increase of 0.0027% from its proportion measured as of June 30, 2020. At June 30, 2020, the Authority's proportion was 0.1252%, which was an increase of 0.0025% from its proportion measured as of June 30, 2019.

For the year ended September 30, 2021, the Authority recognized pension expense of \$1,349,179 for its proportionate share of HIS's pension expense. In addition, the Authority reported its proportionate share of HIS's deferred outflows of resources and deferred inflows of resources from the following sources:

Description	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences Between Expected and Actual		
Economic Experience	\$ 525,205	\$ 6,574
Changes in Actuarial Assumptions	1,233,301	646,687
Net Difference Between Projected and Actual		
Earnings on HIS Program Investments	16,362	-
Changes in Proportion and Differences Between		
Authority Contributions and Proportionate Share		
of Contributions	965,199	310,004
Authority Contributions Subsequent to the		
Measurement Date	202,662	-
Total	<u>2,942,729</u>	<u>963,265</u>

HILLSBOROUGH TRANSIT AUTHORITY
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NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)

\$202,662 reported as deferred outflows of resources related to pensions resulting from Authority contributions to the FRS Plan after the measurement date of the net pension liability but before the end of the reporting period will be recognized as a reduction of the net pension liability in the subsequent fiscal period rather than in the current fiscal period. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized as an increase (decrease) in pension expense as follows:

Year Ending June 30	Amount
2022	\$ 308,928
2023	98,416
2024	203,060
2025	269,536
2026	201,582
Thereafter	695,280

For the year ended September 30, 2020, the Authority recognized pension expense of \$1,480,821 for its proportionate share of HIS's pension expense. In addition, the Authority reported its proportionate share of HIS's deferred outflows of resources and deferred inflows of resources from the following sources:

Description	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences Between Expected and Actual		
Economic Experience	\$ 625,555	\$ 11,797
Changes in Actuarial Assumptions	1,644,376	889,197
Net Difference Between Projected and Actual		
Earnings on HIS Program Investments	12,210	-
Changes in Proportion and Differences		
Between Authority Contributions and		
Proportionate Share of Contributions	996,747	406,880
Authority Contributions Subsequent to the		
Measurement Date	169,959	-
Total	<u>\$ 3,448,847</u>	<u>\$ 1,307,874</u>

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
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NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)**Actuarial Assumptions**

The total pension liability in the July 1, 2021, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement.

Inflation	2.40% per year
Salary Increases	3.25%, Average, Including Inflation
Municipal Bond Rate	2.16%

Mortality rates were based on the Generational PUB-2010 with Projection Scale MP-2018. The actuarial assumptions used in the July 1, 2021 valuation were based on the results of an actuarial experience study for the period July 1, 2013 through June 30, 2018.

The total pension liability in the July 1, 2020, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement.

Inflation	2.40% per year
Salary Increases	3.25%, Average, Including Inflation
Municipal Bond Rate	2.21%

Mortality rates were based on the Generational PUB-2010 with Projection Scale MP-2018. The actuarial assumptions used in the July 1, 2020 valuation were based on the results of an actuarial experience study for the period July 1, 2013 through June 30, 2018.

Discount Rate

The discount rate used to measure the total pension liability in the July 1, 2021 and 2020 actuarial valuation was 2.16% and 2.21% respectively for the HIS Plan. In general, the discount rate for calculating the total pension liability is equal to the single rate equivalent to discounting at the long-term expected rate of return for benefit payments prior to the projected depletion date. Because the HIS benefit is essentially funded on a pay-as-you-go basis, the depletion date is considered to be immediate, and the single equivalent discount rate is equal to the municipal bond rate selected by the HIS Plan sponsor. The Bond Buyer General Obligation 20-Bond Municipal Bond Index was adopted as the applicable municipal bond index.

Pension Liability Sensitivity

The following presents the Authority's proportionate share of the net pension liability for the HIS Plan for FY2021, calculated using the discount rate disclosed in the preceding paragraph, as well as what the Authority's proportionate share of the net pension liability would be if it were calculated using a discount rate one percentage point lower or one percentage point higher than the current discount rate:

**HILLSBOROUGH TRANSIT AUTHORITY
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NOTE 5 – DEFINED BENEFIT PENSION PLANS (continued)

Description	1% Decrease	Current Discount Rate	1% Increase
HIS Plan Discount Rate	1.16%	2.16%	3.16%
Authority's Proportionate Share of the HIS Plan Net Pension Liability (Asset)	\$18,145,319	\$15,695,328	\$13,688,108

The following presents the Authority's proportionate share of the net pension liability for the HIS Plan for FY2020, calculated using the discount rate disclosed in the preceding paragraph, as well as what the Authority's proportionate share of the net pension liability would be if it were calculated using a discount rate one percentage point lower or one percentage point higher than the current discount rate:

Description	1% Decrease	Current Discount Rate	1% Increase
HIS Plan Discount Rate	1.21%	2.21%	3.21%
Authority's Proportionate Share of the HIS Plan Net Pension Liability (Asset)	\$17,677,408	\$15,292,466	\$13,340,398

Pension Plan Fiduciary Net Position

Detailed information about the HIS Plan's fiduciary's net position is available in a separately-issued FRS Pension Plan and Other State-Administered Systems Annual Comprehensive Financial Report. That report may be obtained through the Florida Department of Management Services website (www.dms.myflorida.com).

Payables to the HIS Plan

At September 30, 2021 and 2020 HART reported no payables for outstanding amounts of contributions to the HIS plan.

NOTE 6 – DEFINED CONTRIBUTION PLAN

The Florida State Board of Administration (SBA) administers the defined contribution plan officially titled the FRS Investment Plan (Investment Plan). The Investment Plan is reported in the SBA's annual financial statements and in the State of Florida Annual Comprehensive Financial Report. As provided in Section 121.4501, Florida Statutes, eligible FRS members may elect to participate in the Investment Plan in lieu of the FRS defined benefit plan. Authority employees

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
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NOTE 6 – DEFINED CONTRIBUTION PLAN (continued)

participating in DROP are not eligible to participate in the Investment Plan. Employer and employee contributions, including amounts contributed to individual member's accounts, are defined by law, but the ultimate benefit depends in part on the performance of investment funds. Benefit terms, including contribution requirements, for the Investment Plan are established and may be amended by the Florida Legislature. The Investment Plan is funded with the same employer and employee contribution rates that are based on salary and membership class (Regular Class, Elected County Officers, etc.), as the FRS defined benefit plan. Contributions are directed to individual member accounts, and the individual members allocate contributions and account balances among various approved investment choices. Costs of administering the plan, including the FRS Financial Guidance Program, are funded through an employer contribution of 0.04 % of payroll and by forfeited benefits of plan members. Allocations to the investment member's accounts during the 2019-20 fiscal year, as established by Section 121.72, Florida Statutes, are based on a percentage of gross compensation, by class, were as follows: Regular class 6.30%, Special Risk Administrative Support class 7.95%, Special Risk class 14.00%, Senior Management Service class 7.67% and County Elected Officers class 11.34%. These allocations include a required employee contribution of 3% of gross compensation for each member class.

For all membership classes, employees are immediately vested in their own contributions and are vested after 1 year of service for employer contributions and investment earnings. If an accumulated benefit obligation for service credit originally earned under the FRS Pension Plan is transferred to the Investment Plan, the member must have the years of service required for FRS Pension Plan vesting (including the service credit represented by the transferred funds) to be vested for these funds and the earnings on the funds. Non-vested employer contributions are placed in a suspense account for up to 5 years. If the employee returns to FRS-covered employment within the 5-year period, the employee will regain control over their account. If the employee does not return within the 5-year period, the employee will forfeit the accumulated account balance. For the years ended September 30, 2021 and 2020, the information for the amount of forfeitures was unavailable from the SBA; however, management believes that these amounts, if any, would be immaterial to the Authority.

After termination and applying to receive benefits, the member may rollover vested funds to another qualified plan, structure a periodic payment under the Investment Plan, receive a lump-sum distribution, leave the funds invested for future distribution, or any combination of these options. Disability coverage is provided; the member may either transfer the account balance to the FRS Pension Plan when approved for disability retirement to receive guaranteed lifetime monthly benefits under the FRS Pension Plan, or remain in the Investment Plan and rely upon that account balance for retirement income.

The Authority's Investment Plan pension expense totaled \$548,325 and \$478,592 for the years ended September 30, 2021 and 2020, respectively. Employee contributions to the Investment Plan totaled \$132,092 and \$131,127 for the years ended September 30, 2021 and 2020, respectively.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
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NOTE 7 – OTHER PENSION PLANS

Deferred Compensation Plan: All full time employees are eligible to participate in the Authority's Deferred Compensation Plan. The deferred compensation plan is governed by the Internal Revenue Code (IRC) 457 savings plan authorized by Congress. Under the plan, an employee contributes a set sum each pay period to an investment account in the employee's name. Deferred compensation is a voluntary, payroll-deducted retirement program which offers the opportunity of setting aside a portion of income on a pre-tax basis and investing those monies into one or more funds selected by the employee. Contributions to the investment account are made out of pretax income and the earnings of the account are not taxed until they are withdrawn, usually at retirement. In an effort to encourage employees to save for their retirement, the company will match the employee's contribution dollar for dollar up to the equivalent of three and one-half (3 ½) percent of the employee's salary on an annual basis. The Authority's contribution for FY 2021 was \$720,777, and for FY2020 was \$690,125. This contribution is included in the payroll taxes, fringe benefits and workers' compensation in the accompanying Statements of Revenues, Expenses, and Changes in Net Position.

City of Tampa Pension Plan: The Authority is required by the City of Tampa to pay retirement benefits to employees that transitioned from the City to the Authority on March 1, 1980, but chose to remain in the City of Tampa Pension Fund. The Authority's contribution for FY 2021 was \$61,071, and for FY2020 was \$67,332. This contribution is included in the payroll taxes, fringe benefits, and workers' compensation in the accompanying Statements of Revenues, Expenses, and Changes in Net Position.

NOTE 8 – POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS

As required by Florida Statute 112.0801, the Authority allows retirees to purchase healthcare coverage at the same group insurance rates that current employees are charged, but it is incumbent upon the retiree to pay for this coverage. This practice results in an implicit rate subsidy and creates an OPEB liability based on the theory that retirees have higher utilization of health care benefits than active employees. Unless the premium rate for retirees is set to fully recover their health costs, the premium for active employees is implicitly overstated to subsidize utilization by retirees. Similarly, unless the premium rate for retirees is set to fully recover their health costs, the premium for retirees is understated. The difference creates an implicit rate subsidy. This rate subsidy is considered a benefit that should be included in OPEB valuations.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
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NOTE 8 – POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS (continued)

Plan Description

The Authority administers the Hillsborough Area Regional Transit Post-Retirement Medical Plan. The plan is a single-employer defined benefit healthcare plan and does not issue a separate financial statement. The plan provides medical insurance benefits to its employees and their eligible dependents. In accordance with Section 112.0801 of the Florida Statutes, because the Authority provides a medical plan to active employees of the Authority and their eligible dependents, the Authority is also required to provide retirees with the opportunity to participate in the plan. Retirees and their dependents are charged the full premium for coverage through the plan. The benefits are covered by a comprehensive medical plan which includes hospital, medical, dental and prescription coverage and is provided through Cigna. Vision coverage is provided through Humana. The number of participating retirees purchasing health insurance coverage from the Authority in FY2021 and FY2020 were five (5) and two (2) respectively.

Eligibility

Employees are eligible to continue the group insurance coverage after retirement for themselves, their spouses and dependent children provided that the following requirements are met. Employees hired prior to July 1, 2011 and retired at age 62 with at least 6 years of service or 30 years of creditable service. Employees hired on or after July 1, 2011 and retired at age 65 with at least 8 years of service or 33 years of creditable service. The surviving spouses and dependent children who are covered under any of HART sponsored health plans do not have the right to continue coverage upon the death of the HART employee/retiree.

Participant Data

The actuarial valuation was based on personnel information as of October 1, 2019 as this was a roll-forward year. Following are some of the pertinent characteristics from the personnel data as of that date. Both age and service have been determined using years and months as of the valuation date.

Active Participants	
Number	706
Average Age	49
Average Service	9
Inactive Participants	
Retirees and Surviving Spouses	2
Average Age	62
Covered Spouses	0
Average Age	<u>N/A</u>
Total Participants	<u>708</u>

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
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NOTE 8 – POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS (continued)

Contributions

Current Pre 65/Post 65 retirees who retired from active employment contribute 100% of the following premiums:

Tier	2020 Retiree Premium Paid Monthly
Retiree Only	\$801.92
Retiree + Spouse	\$1,632.01
Retiree + Child(ren)	\$1,399.92
Family	\$2,294.34

Actuarial Assumptions

The total OPEB liability was determined by an actuarial valuation as of October 1, 2019 using the following actuarial assumptions:

Inflation	2.50%
Salary Increases	4.50%
Discount Rate as of September 30, 2020	2.21% (based on the municipal bond rate)
Discount Rate as of September 30, 2021	2.26% (based on the municipal bond rate)

Health Care Participation Rate

Future Retirees

The assumption was made that 30% of current active employees not yet age 65 would elect coverage by retirement age and 10% of current active employees age 65 and over would elect coverage by retirement age.

Health Care Cost Trend Rates	Year	Medical w/Rx	
		Pre-65	Post-65
	2019 to 2020	7.00%	8.00%
	2020 to 2021	6.81%	7.81%
	2021 to 2022	6.53%	7.40%
	2022 to 2023	6.25%	6.99%
	2023 to 2024	5.96%	6.58%
	2024 to 2025	5.67%	6.17%
	2025 to 2026	5.38%	5.75%
	2026 to 2027	5.09%	5.34%
	2027 to 2028	4.79%	4.92%
	2029+	4.50%	4.50%

**HILLSBOROUGH TRANSIT AUTHORITY
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NOTE 8 – POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS (continued)

Mortality Rates - Healthy & Disabled

Base table: PUB-2010, "General" Classification,
amounts-weighted mortality tables

Projection: Mortality rates are projected
generationally from 2010 using Scale MP-2020

Changes in Assumptions or Other Inputs Since Prior Measurement Date

Method Changes

There have been no method changes in the financial accounting valuation since the prior year.

Assumption Changes

The financial accounting valuation reflects the following assumption changes:

- The discount rate increased from 2.21% as of September 30, 2020 to 2.26% as of September 30, 2021 to reflect changes in the Bond Buyer GO 20-Bond Municipal Bond Index.
- The base mortality table changed from the aggregate 2006 base rates from the RP-2014 mortality study to the PUB-2010, "General" Classification, amounts-weighted mortality tables.
- Health care claims were updated to reflect more recent experience.
- The healthcare trend rates were updated as of September 30, 2021 to be based on national average information from a variety of sources, including S&P Healthcare Economic Index, NHCE data, plan renewal data, and vendor Rx reports, with adjustments based on the provisions of the benefits sponsored by HART. In addition, the healthcare trend rates were updated to remove the Health Care Reform excise tax adjustment.
- Retirement, withdrawal and disability rates were updated to be in-line with the most recent experience published in the 2020 FRS experience study.

Total OPEB Liability

The method used to calculate the service cost and accumulated post-retirement benefit obligation for determining OPEB expense is the entry age normal cost method. Under this cost method, the actuarial accrued liability is based on a prorated portion of the present value of all benefits earned to date over expected future working life time as defined by GASB. The proration is determined

**HILLSBOROUGH TRANSIT AUTHORITY
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NOTE 8 – POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS (continued)

so that the cost with respect to service accrued from date of hire is recognized as a level percentage of pay each year. The normal cost is equal to the prorated cost for the year of valuation. Since this is a single employer benefit plan and does not have a special funding situation, it is required to recognize a liability equal to the total OPEB liability.

Shown below are details regarding the total OPEB liability for the Measurement Period from October 1, 2020 to September 30, 2021:

Description	Total OPEB Liability
Balance Recognized at 9/30/2020 (Based on 9/30/2020 Measurement Date)	\$ 1,426,868
Changes Recognized for the Fiscal Year:	
Service Cost	158,994
Interest on the Total OPEB Liability	35,022
Changes of Benefit Terms	
Differences Between Expected and Actual	(48,446)
Changes of Assumptions	(3,649)
Benefit Payments	(2,349)
Net Changes	139,572
Balance Recognized at 9/30/2021 (Based on 9/30/2021 Measurement Date)	\$ 1,566,440

Shown below are details regarding the total OPEB liability for the Measurement Period from October 1, 2019 to September 30, 2020:

Description	Total OPEB Liability
Balance Recognized at 9/30/2019 (Based on 9/30/2019 Measurement Date)	\$ 1,182,510
Changes Recognized for the Fiscal Year:	
Service Cost	110,011
Interest on the Total OPEB Liability	34,578
Changes of Benefit Terms	
Differences Between Expected and Actual	(278,215)
Changes of Assumptions	363,040
Benefit Payments	14,944
Net Changes	244,358
Balance Recognized at 9/30/2020 (Based on 9/30/2020 Measurement Date)	\$ 1,426,868

HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
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NOTE 8 – POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS (continued)

OPEB Expense and Deferred Outflows and Inflows of Resources Related to OPEB

For the year ended September 30, 2021, the Authority recognized OPEB expense of \$177,514. In addition, the Authority reported deferred outflow of resources and deferred inflow of resources from the following sources:

Description	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences Between Actual and Expected Experience	\$ 8,293	\$ 452,837
Assumption Changes	366,600	16,328
Total	<u>\$ 374,893</u>	<u>\$ 469,165</u>

Amounts recognized in the deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in the OPEB expenses as follows:

Year End September 30:

2022	(16,502)
2023	(16,502)
2024	(16,502)
2025	(16,502)
2026	(16,502)
Thereafter	(11,762)

For the year ended September 30, 2020, the Authority recognized OPEB expense of \$133,275. In addition, the Authority reported deferred outflow of resources and deferred inflow of resources from the following sources:

Description	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences Between Actual and Expected Experience	\$ 10,161	\$ 467,244
Assumption Changes	414,382	15,979
Total	<u>\$ 424,543</u>	<u>\$ 483,223</u>

**HILLSBOROUGH TRANSIT AUTHORITY
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NOTE 8 – POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS (continued)

Interest Rate Sensitivity

The following table illustrates the impact of interest rate sensitivity on the total OPEB liability for fiscal year ended September 30, 2021:

	1% Decrease 1.26%	<u>2021</u> Current Rate 2.26%	1% Increase 3.26%
Total OPEB Liability	\$1,653,432	\$1,566,440	\$1,511,249

The following table illustrates the impact of interest rate sensitivity on the total OPEB liability for fiscal year ended September 30, 2020:

	1% Decrease 1.21%	Current Rate 2.21%	1% Increase 3.21%
Total OPEB Liability	\$1,494,993	\$1,426,868	\$1,357,763

Healthcare Cost Trend Sensitivity

The following table illustrates the impact of healthcare cost trend sensitivity on the total OPEB Liability for fiscal year ended September 30, 2021:

	1% Decrease	Trend Rate	1% Increase
Total OPEB Liability	\$1,396,011	\$1,566,440	\$1,804,108

The following table illustrates the impact of healthcare cost trend sensitivity on the total OPEB Liability for fiscal year ended September 30, 2020:

	1% Decrease	Trend Rate	1% Increase
Total OPEB Liability	\$1,260,109	\$1,426,868	\$1,623,667

**HILLSBOROUGH TRANSIT AUTHORITY
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NOTE 9 – SELF INSURANCE AND LOSS CONTINGENCIES

The Authority is exposed to various risks of loss related to tort; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. During 1987, the Authority established a self-insurance program for general liability claims. During 1990, the Authority established a self-insurance program for its workers' compensation claims. The Authority also established a medical self-insured program effective January 1, 2012. Workers' compensation and medical insurance claims are administered internally by the Authority and a third-party administrator.

The liabilities currently provided are based upon an actuarial study which is performed annually by an outside professional.

Self-insured claims, liability limitations and methods used to limit the exposures are as follows:

General Liability Claims: The Authority's exposure for general liability, including vehicle, property and bodily injury, is subject to the State of Florida sovereign immunity laws, which provide loss limits of \$200,000 per person and \$300,000 per occurrence.

Workers' Compensation Claims: The Authority has excess coverage provided by Safety National Insurance Company subject to a \$600,000 per occurrence deductible.

Property Damage Insurance Coverage: The Authority has an insurance policy for property damage with a \$25,000 deductible per occurrence for all perils; with a three percent Total Insured Value (TIV) subject to a minimum of \$35,000 for named wind storms.

Unemployment Compensation: The Authority is fully self-insured and payments are made quarterly, based on actual claims, to the Florida Department of Revenue, Florida Unemployment Compensation Fund.

Group Medical: Effective January 1, 2012, the Authority transitioned to self-insured coverage for health care insurance benefits. To mitigate against substantial claims exposure, HART has contracted for stop-loss coverage for claims in excess of \$150,000.

The liability as of September 30, 2021 was \$5,702,011, and as of September 30, 2020, was \$6,260,140, and as of September 30, 2019 it was \$7,041,638. These are based on the requirements of GASB Statement No. 10, *Accounting and Financial Reporting for Risk Financing and Related Insurance Issues*, which requires liability for claims to be reported if information prior to the issuance of the financial statements indicates that it is probable that a liability has been incurred at the date of the financial statements and the amount of the loss can be reasonably estimated.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
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NOTE 9 – SELF INSURANCE AND LOSS CONTINGENCIES (continued)

Changes in the claim's liability amount:

Description	<u>2021</u>	<u>2020</u>	<u>2019</u>
Beginning balance	\$ 6,260,140	\$ 7,041,638	\$ 8,010,952
Current year claims and changes in estimate	\$ 10,488,194	\$ 10,574,030	\$ 10,201,456
Claims payments	<u>\$ (11,046,323)</u>	<u>\$ (11,355,528)</u>	<u>\$ (11,170,770)</u>
Ending balance	<u>\$ 5,702,011</u>	<u>\$ 6,260,140</u>	<u>\$ 7,041,638</u>
Amount due within one year	<u>\$ 2,504,328</u>	<u>\$ 3,426,588</u>	<u>\$ 3,915,661</u>

NOTE 10 – CHANGES IN LONG-TERM LIABILITIES

Long-term liability activity for the years ended September 30, 2021 and September 30, 2020:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Deletions</u>	<u>Ending Balance</u>	<u>Due Within One Year</u>	<u>More than One Year</u>
<u>Balance at September 30, 2021</u>						
Self insurance and loss contingencies	\$ 6,260,140	\$ 10,488,194	\$ 11,046,323	\$ 5,702,011	\$ 2,504,328	\$ 3,197,683
Environmental remediation	150,000	-	-	150,000	150,000	-
Compensated Absences	3,203,735	3,409,094	3,203,735	3,409,094	91,905	3,317,998
Net Pension Liability	53,268,016	-	30,297,066	22,970,950	83,659	22,887,291
Total OPEB Liability	<u>1,426,868</u>	<u>194,016</u>	<u>54,444</u>	<u>1,566,440</u>	<u>-</u>	<u>1,566,440</u>
Total long-term liabilities	<u>\$ 64,308,759</u>	<u>\$ 14,091,304</u>	<u>\$ 44,601,568</u>	<u>\$ 33,798,495</u>	<u>\$ 2,829,892</u>	<u>\$ 30,969,412</u>

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Deletions</u>	<u>Ending Balance</u>	<u>Due Within One Year</u>	<u>More than One Year</u>
<u>Balance at September 30, 2020</u>						
Self-insurance and loss contingencies	\$ 7,041,638	\$ 10,574,030	\$ 11,355,528	\$ 6,260,140	\$ 3,426,588	\$ 2,833,552
Environmental remediation	133,734	150,000	133,734	150,000	150,000	-
Compensated Absences	2,893,288	3,203,735	2,893,288	3,203,735	116,809	3,086,926
Net Pension Liability	43,985,400	9,282,616	-	53,268,016	168,757	53,099,259
Total OPEB Liability	<u>1,182,510</u>	<u>522,573</u>	<u>278,215</u>	<u>1,426,868</u>	<u>-</u>	<u>1,426,868</u>
Total long-term liabilities	<u>\$ 55,236,570</u>	<u>\$ 23,732,954</u>	<u>\$ 14,660,765</u>	<u>\$ 64,308,759</u>	<u>\$ 3,862,154</u>	<u>\$ 60,446,605</u>

NOTE 11 – UNRESTRICTED AND RESTRICTED NET POSITION

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NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

The Authority's unrestricted net position deficit as of September 30, 2021 was \$(11,808,554), and as of September 30, 2020 was (\$27,878,361). The Authority's restricted net position as of September 30, 2021 was \$218,851,884, and as of September 30, 2020 was \$197,353,969.

	FY 2021	FY 2020
Restricted for Risk Auto/General Liability	\$ 180,000	\$ 180,000
Restricted for Workers Compensation	125,000	125,000
Restricted for Self-Insured Medical	625,000	625,000
Restricted for Private Developers	107,807	107,807
Restricted for FTA Liability	1,092,618	607,250
Restricted for surtax spending	216,721,459	195,708,912
	<u>\$ 218,851,884</u>	<u>\$ 197,353,969</u>

NOTE 12 – COMMITMENTS AND CONTINGENCIES

Legacy Contamination

Areas of HART's 21st Avenue Facility site that require remediation and/or monitoring to address soil and groundwater contamination resulting from historical reported spills/releases were identified as the Fueling bypass Lane, Area of Concern 1 (AOC-1), and Area of Concern 2 (AOC-2).

January 2017 Reported spill/release in Fueling Bypass Lane

- Estimated 400-500 gallons diesel, current above ground storage tank (AST) area; HART Tank #3, aka: FDEP Tank #18

During FY-2020, remediation activities were undertaken at the Fueling Bypass Lane that involved removal of contaminated soil and replacement with clean soil, sampling/analysis of area soil and groundwater, and submission of reports to the Environmental Protection Commission of Hillsborough County (EPCHC). The submitted reports were reviewed by the EPCHC. As of September 30, 2021 HART was in the process of responding to EPCHC comments.

Potential sources of soil and groundwater contamination in AOC-1 and AOC-2:

Historical reported spills/releases in AOC-1

- April 1985 – estimated 400 gallons unleaded gasoline, leak from former underground fuel line between former underground storage tank (UST) and former dispensing station. Early Detection Incentive (EDI) Program eligible.
- December 1987 – estimated 100 gallons diesel, former UST area
- February 1988 – estimated 333 gallons diesel, former UST area

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

NOTE 12 – COMMITMENTS AND CONTINGENCIES (continued)

- December 2003 – estimated 109 gallons diesel, former UST area
- May 2013 – estimated 25 gallons diesel, current AST area

During FY-2020, a Limited Contamination Assessment Report (LCAR) and Site Rehabilitation Funding Allocation (SRFA) was prepared for AOC-1 and submitted to the EPCHC. The submitted reports were reviewed by the EPCHC and a site rehabilitation funding allocation agreement has been agreed upon between Florida Department of Environmental Protection (DEP) and HART.

Historical reported spills/releases in AOC-2

- October 1995 – unknown gallons automatic transmission fluid (ATF) / hydraulic fluid; leak from former above ground storage tanks, pumps, underground piping and system leakages associated with vehicle hydraulic lift cylinders in service bay area within Main Shop.

During FY2021, HART continued monthly monitoring of groundwater wells in AOC-2 for water levels and free-product levels, with quarterly reporting to the EPCHC. This monitoring and reporting to EPCHC is required until remediation and/or monitoring efforts are undertaken at AOC-2.

Transportation Improvement Surtax (TIS): In April 2019 HART began receiving TIS monies. Pending ongoing litigation, these funds have been recorded as restricted cash and receivables and restricted net position on the statement of net position. At September 30, 2021 and 2020 such amounts totaled \$216,721,459 and \$195,708,912, respectively. On February 25, 2021 the Florida Supreme Court struck down this sales tax and ruled it unconstitutional. There is no clear precedent that has been found regarding the collected funds. As such, there is no clear answer at this time about what must be done with them. For this reason, these already collected funds will remain in the restricted cash and net position until further guidance is received.

Legal Actions: In the opinion of management there are no legal actions which would have a significant effect on the financial statements of the Authority.

NOTE 13 – SUBSEQUENT EVENTS

Subsequent events were evaluated through the report date and there were none found that need to be disclosed.

**HILLSBOROUGH TRANSIT AUTHORITY
SCHEDULE OF PROPORTIONATE SHARE OF NET PENSION LIABILITY**

REQUIRED SUPPLEMENTARY INFORMATION

HILLSBOROUGH TRANSIT AUTHORITY
SCHEDULE OF PROPORTIONATE SHARE OF NET PENSION LIABILITY

Florida Retirement System Pension Plan	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Authority's Proportion of the Net Pension Liability	0.096316563%	0.087619426%	0.087846167%	0.084403818%	0.088678260%	0.083875483%	0.087636522%	0.084919178%
Authority's Proportionate Share of the Net Pension Liability	\$ 7,275,622	\$ 37,975,550	\$ 30,252,997	\$ 25,422,868	\$ 26,230,434	\$ 21,178,625	\$ 11,319,432	\$ 5,181,319
Authority's Covered Payroll	\$ 41,373,772	\$ 35,835,279	\$ 35,264,645	\$ 32,844,936	\$ 34,349,769	\$ 32,152,579	\$ 28,576,273	\$ 27,170,675
Authority's Proportionate Share of the Net Pension Liability (Asset) as a Percentage of Covered Payroll	17.59%	105.97%	85.79%	77.40%	76.36%	65.87%	39.61%	19.07%
Plan Fiduciary Net Position as a Percentage of the total Net Pension Liability	96.40%	78.85%	82.61%	84.26%	83.89%	84.88%	92.00%	96.09%

Note: The Amounts Presented for Each Fiscal Year were Determined as of June 30.

Note: Information is required to be presented for 10 years. However, until a full 10-year trend is compiled, the Authority will present information for only those years for which information is available.

Retiree Health Insurance Subsidy Program	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Authority's Proportion of the Net Pension Liability	0.127952745%	0.125247093%	0.122731291%	0.117813858%	0.124699170%	0.119854302%	0.115730222%	0.111865048%
Authority's Proportionate Share of the Net Pension Liability	\$ 15,695,328	\$ 15,292,466	\$ 13,732,403	\$ 12,469,551	\$ 13,333,411	\$ 13,968,522	\$ 11,802,662	\$ 10,459,655
Authority's Covered Payroll	\$ 45,776,824	\$ 43,548,361	\$ 41,091,798	\$ 38,496,059	\$ 39,250,189	\$ 37,260,356	\$ 35,063,188	\$ 33,294,462
Authority's Proportionate Share of the Net Pension Liability (Asset) as a Percentage of Its Covered Payroll	34.29%	35.12%	33.42%	32.39%	33.97%	37.49%	33.66%	31.42%
Plan Fiduciary Net Position as a Percentage of the total Net Pension Liability	3.56%	3.00%	2.63%	2.15%	1.64%	0.97%	0.50%	0.99%

Note: The Amounts Presented for Each Fiscal Year were Determined as of June 30.

Note: Information is required to be presented for 10 years. However, until a full 10-year trend is compiled, the Authority will present information for only those years for which information is available.

HILLSBOROUGH TRANSIT AUTHORITY SCHEDULE OF CONTRIBUTIONS

Florida Retirement System Pension Plan	2021	2020	2019	2018	2017	2016	2015	2014
Contractually Required Contribution	\$ 3,954,965	\$ 2,942,778	\$ 2,810,946	\$ 2,508,308	\$ 2,305,879	\$ 2,191,784	\$ 2,120,448	\$ 1,920,319
Contributions in Relation to the Contractually Required Contribution	<u>\$ (3,954,965)</u>	<u>\$ (2,942,778)</u>	<u>\$ (2,810,946)</u>	<u>\$ (2,508,308)</u>	<u>\$ (2,305,879)</u>	<u>\$ (2,191,784)</u>	<u>\$ (2,120,448)</u>	<u>\$ (1,920,319)</u>
Contribution Deficiency (Excess)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Authority's Covered Payroll	\$38,244,143	\$34,183,924	\$35,792,529	\$33,169,710	\$34,937,134	\$33,369,552	\$28,972,948	\$27,298,037
Contributions as a Percentage of Payroll	10.34%	8.61%	7.85%	7.56%	6.60%	6.57%	7.32%	7.03%

Note: The Amounts Presented for Each Fiscal Year were Determined as of September 30.

Note: Information is required to be presented for 10 years. However, until a full 10-year trend is compiled, the Authority will present information for only those years for which information is available.

SCHEDULE OF CONTRIBUTIONS

Retiree Health Insurance Subsidy Program	2021	2020	2019	2018	2017	2016	2015	2014
Contractually Required Contribution	\$ 784,810	\$ 700,464	\$ 696,320	\$ 644,240	\$ 669,012	\$ 639,553	\$ 480,410	\$ 382,210
Contributions in Relation to the Contractually Required Contribution	<u>\$ (784,810)</u>	<u>\$ (700,464)</u>	<u>\$ (696,320)</u>	<u>\$ (644,240)</u>	<u>\$ (669,012)</u>	<u>\$ (639,553)</u>	<u>\$ (480,410)</u>	<u>\$ (382,210)</u>
Contribution Deficiency (Excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Authority's Covered Payroll	\$43,770,929	\$42,223,521	\$42,009,042	\$38,846,705	\$39,797,742	\$38,767,502	\$35,487,167	\$33,795,904
Contributions as a Percentage of Payroll	1.79%	1.66%	1.66%	1.66%	1.68%	1.65%	1.35%	1.13%

Note: The Amounts Presented for Each Fiscal Year were Determined as of September 30.

Note: Information is required to be presented for 10 years. However, until a full 10-year trend is compiled, the Authority will present information for only those years for which information is available.

HILLSBOROUGH TRANSIT AUTHORITY
SCHEDULE OF CHANGES IN OPEB
YEARS ENDING SEPTEMBER 30, 2021 AND 2020

	Fiscal Year Ended					
	9/30/2021	9/30/2020	9/30/2019	9/30/2018	9/30/2017	9/30/2016
Total OPEB Liability						
Service Cost	158,994	110,011	90,448	102,296	111,561	100,373
Interest Cost	35,022	34,578	45,568	43,885	33,711	36,603
Changes in Benefit Terms	0	0	0	0	0	0
Differences Between Expected and Actual Experiences	(48,446)	(278,215)	(11,186)	(262,813)	17,633	(40,345)
Changes in Assumptions	(3,649)	363,040	72,488	20,913	(27,727)	27,186
Benefit Payments	(2,349)	14,944	(28,711)	12,475	(55,835)	(5,960)
Net change in Total OPEB Liability	139,572	244,358	168,607	(83,244)	79,343	117,857
Total OPEB Liability (Beginning)	1,426,868	1,182,510	1,013,903	1,097,147	1,017,804	899,947
Total OPEB Liability (Ending)	1,566,440	1,426,868	1,182,510	1,013,903	1,097,147	1,017,804
Covered -employee payroll	41,373,771	34,117,868	27,458,002	24,563,703	26,113,584	24,565,983
Total OPEB Liability as a percentage of covered-employee payroll	3.79%	4.18%	4.31%	4.13%	4.20%	4.14%

Notes to Schedule:

Changes of benefit terms: There are no changes of benefit terms.

Changes of assumptions: The financial accounting valuation reflects the following assumption changes:

- The discount rate increased from 2.21% as of September 30, 2020 to 2.26% as of September 30, 2021 to reflect changes in the Bond Buyer GO 20-Bond Municipal Bond Index.
- The base mortality table changed from the aggregate 2006 base rates from the RP-2014 mortality study to the PUB-2010, “General” Classification, amounts-weighted mortality tables.
- The mortality improvement scale changed from MP-2017 projected generationally from 2006 to MP-2020 projected generationally from 2010.
- Health care claims were updated to reflect more recent experience.
- The healthcare trend rates were updated as of September 30, 2021 to be based on national average information from a variety of sources, including S&P Healthcare Economic Index, NHCE data, plan renewal data, and vendor Rx reports, with adjustments based on the provisions of the benefits sponsored by HART. In addition, the healthcare trend rates were updated to remove the Health Care Reform excise tax adjustment.
- Retirement, withdrawal and disability rates were updated to be in-line with the most recent experience published in the 2020 FRS experience study.

**HILLSBOROUGH TRANSIT AUTHORITY
SCHEDULE OF CHANGES IN OPEB
YEARS ENDING SEPTEMBER 30, 2021 AND 2020**

Note: Information is required to be presented for 10 years. However, until a full 10-year trend is compiled, the Authority will present information for only those years for which information is available.

OTHER SUPPLEMENTAL INFORMATION

**HILLSBOROUGH TRANSIT AUTHORITY
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE
YEAR ENDING SEPTEMBER 30, 2021**

<u>GRANTOR / PROGRAM TITLE</u>	<u>Federal Assistance Listing Number</u>	<u>Federal Grant Number</u>	<u>FY 2021 Program Expenditures</u>	<u>FY 2021 Transfers to Subrecipients</u>
Direct Federal Grantor Grants				
U.S. Department of Transportation - Federal Transit Administration				
Capital Investment Grants				
State of Good Repair HM Rehab/Renov	20.500	FL-04-0167	(22,938)	-
Transit Oriented Development Planning Pilot Program 2018	20.500	FL-2019-081	276,444	-
Total Federal Transit Capital Investment Grants			253,506	-
Urbanized Area Formula Program				
FY18 Urbanized Area Formula Program	20.507	FL-2018-095	465,093	-
FY19 Urbanized Area Formula Program	20.507	FL-2019-066	3,210	-
COVID - 19	20.507	FL-2020-038	23,309,264	-
FY20 Urbanized Area Formula Program	20.507	FL-2020-066	150,319	-
FY21 Urbanized Area Formula Program	20.507	FL-2021-073	11,686,950	-
Surface Transportation Block Program	20.507	FL-2020-024	140,081	-
Surface Transportation Block Program	20.507	FL-2021-010	3,378,162	-
Total Urbanized Area Formula Program			39,133,079	-
U.S. Department of Transportation - Federal Transit Administration				
State of Good Repair Grants Program				
State of Good Repair Fixed Guideway	20.525	FL-2016-062	72,981	-
State of Good Repair Fixed Guideway	20.525	FL-2020-062	1,012,143	-
State of Good Repair Fixed Guideway	20.525	FL-1096-000	170,499	-
Total State of Good Repair Grants Program			1,255,623	-
Total Bus & Bus Facilities Formula Program				
Bus Formula Grant	20.526	FL-2017-065	46,304	-
Bus Formula Grant	20.526	FL-2019-095	789,856	-
Bus Formula Grant	20.526	FL-1096-2020	648,663	-
Bus Formula Grant	20.526	FL-1096-000	16,496	-
Total Bus & Bus Facilities Formula Program			1,501,319	-
Total Federal Transit Cluster	20.500, 20.507, 20.525, 20.526		42,143,527	-
Total Innovations in Transit Public Safety Program				
Total Innovations in Transit Public Safety Program	20.530	FL-2021-065	72,824	-
			72,824	-
Total Direct Federal Grantor Awards			\$ 42,216,351	\$ -

**HILLSBOROUGH TRANSIT AUTHORITY
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE
YEAR ENDING SEPTEMBER 30, 2021**

GRANTOR / PROGRAM TITLE	Federal ALN Number	Federal Grant Number	FY 2021 Program Expenditures	FY 2021 Transfers to Subrecipients
<i>Pass-through federal grantor awards</i>				
<i>Florida Department of Transportation (pass through from the Federal Transit Administration)</i>				
Transportation Regional Incentive Program Regional Mobility Fare Collection (G0S03)	20.205	436677-19401	7,956	-
Transportation Regional Incentive Program Regional Mobility Fare Collection (G1936)	20.205	436677-19401	(11,339)	-
Total Transportation Regional Incentive Regional Mobility Fare Collection			(3,383)	
Enhanced Mobility of Seniors and Individuals with Disabilities (FAIN 1001-2019-9)	20.513	435210-79317	288,900	
Enhanced Mobility of Seniors and Individuals with Disabilities (FAIN 1001-2020-9)	20.513	435210-79316	270,000	-
Enhanced Mobility of Seniors and Individuals with Disabilities (G1I26)	20.513	438958-18404	30,551	-
Enhanced Mobility of Seniors and Individuals with Disabilities (G1T51)	20.513	438958-18405	111,384	-
Total Enhanced Mobility of Seniors and Individuals with Disabilities			700,835	-
Total Pass Through Federal Assistance			697,452	-
Total Expenditures of Federal Awards			\$ 42,913,803	\$ -

(Continued)

See accompanying notes to schedule of expenditures of federal awards and state financial assistance.

**HILLSBOROUGH TRANSIT AUTHORITY
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE
YEAR ENDING SEPTEMBER 30, 2021**

GRANTOR / PROGRAM TITLE	State CSFA Number	State Project Number	FY 2021 Program Expenditures
Direct state financial assistance			
State of Florida Department of Transportation			
Public Transit Block Grant Program (G1S10)	55.001	402251-18420	5,415,165
			<u>5,415,165</u>
Commuter Assistance Program - Downtowner (G1C13)	55.012	443425-18401	192,013
Service Development Program - Streetcar Free Fares	55.012	443963-18419	809,046
			<u>1,001,059</u>
Transit Corridor Development Program - (20X/275LX) (G1C10)	55.013	43032-218420	85,549
Transit Corridor Development Program - (20X/275LX) (G1T04)	55.013	430322-18421	285,915
			<u>371,464</u>
Intermodal Development Program - Autonomous Mobility Service (G0I81)	55.014	422799-39401	486,058
			<u>486,058</u>
Transportation Regional Incentive Program - Regional Mobility Fare Collection (G0S03)	55.026	436677-19401	5,838
Transportation Regional Incentive Program - Regional Mobility Fare Collection (G1936)	55.026	436677-19401	(11,339)
			<u>(5,501)</u>
Total state grantor awards			<u><u>\$ 7,268,245</u></u>
Total Expenditures of Federal Awards and State Financial Assistance			<u><u>\$ 50,182,048</u></u>

See accompanying notes to schedule of expenditures of federal awards and state financial assistance.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE
YEAR ENDING SEPTEMBER 30, 2021**

NOTE 1 – BASIS OF PRESENTATION

The accompanying Schedule of Expenditures of Federal Awards and State Financial Assistance includes federal and state activity of the Authority and is presented on the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of 2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)* and the Florida Single Audit Act, and Chapter 10.550, Rules of the Auditor General of the State of Florida.

NOTE 2 – CONTINGENCIES

The federal programs and state projects shown in the Schedule of Expenditures of Federal Awards and State Financial Assistance are subject to financial and compliance audits by grantor agencies, which, if instances of material noncompliance are found, may result in disallowable expenditures, and affect the Authority's continued participation in specific programs. The amount, if any, of expenditures which may be disallowed by the grantor agencies cannot be determined at this time, although the Authority expects such amounts, if any, to be immaterial.

NOTE 3 – INDIRECT COSTS

The Authority has elected not to use the 10-percent de minimis indirect cost rate as is allowed under the Uniform Guidance. Instead the Authority derives its cost rate using a Cost Allocation Plan (CAP) to develop a fully allocated rate based on total eligible operating costs to total vehicle hours.

NOTE 4 – NEGATIVE EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE

The negative expenditure of \$22,938 reported in the Schedule of Expenditures of Federal Awards for the Capital Investments Grants, State of Good Repair HM Rehab/Renovation, federal ALN Number 20.500, grant number FL-04-0167 is based on an estimated accrued expense, where the expenses were less than the accrual.

The Schedule of Expenditures of State Awards for the Transportation Regional Incentive Program Regional Mobility Fare Collection State grant number G1936 is a Federal Pass-through which consists of 50% Federal FTA Funds and 50% State FDOT Funds.

The negative expenditure of \$11,339 reported under, federal ALN Number 20.205 is based on an estimated accrued expense, where the expenses were less than the accrual.

The negative expenditure of \$11,339 reported under, state CSFA Number 55.026 is based on an estimated accrued expense, where the expenses were less than the accrual.

**HILLSBOROUGH TRANSIT AUTHORITY
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE
YEAR ENDING SEPTEMBER 30, 2021**

NOTE 4 – (continued)

The negative expenditure of \$11,339 reported under, state CSFA Number 55.026 is based on an estimated accrued expense, where the expenses were less than the accrual.

Although the current expenditures on a grant may be negative, the total of all expenditures on the grant is expected to be positive over its entire period of performance.

SECTION III

STATISTICAL SECTION

STATISTICAL SECTION

This part of the Authority's annual comprehensive financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the government's overall financial health.

Financial Trends

These schedules contain trend information to help the reader understand how the Authority's financial performance and well-being have changed over time.

Revenue Capacity

These schedules contain information to help the reader assess the Authority's most significant local revenue source, the property tax.

Demographic and Economic Information

These schedules offer demographic and economic indicators to help the reader understand the environment within which the Authority's financial activities take place.

Operating Information

These schedules contain service and infrastructure data to help the reader understand how the information in the government's financial report relates to the services the Authority provides and the activities it performs.

Note: The statistical section contains "Unaudited" data.

Statistical Section

Financial Trends

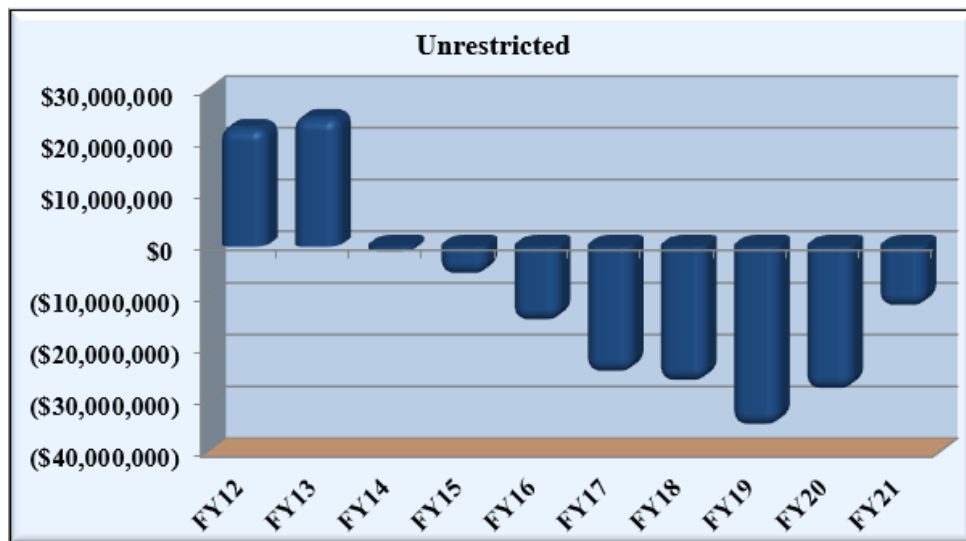
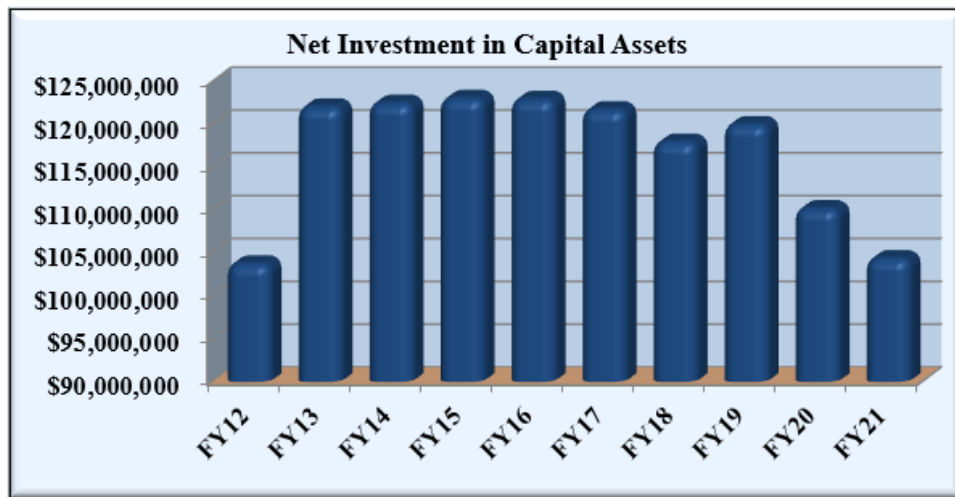
- Net Position by Component (FY2012 to FY2021)
- Statement of Assets, Deferred Outflows, Liabilities, Deferred Inflows & Net Position (FY2012 to FY2016)
- Statement of Assets, Deferred Outflows, Liabilities, Deferred Inflows & Net Position (FY2017 to FY2021)
- Statement of Revenues, Expenses, & Changes in Net Position (FY2012 to FY2016)
- Statement of Revenues, Expenses, & Changes in Net Position (FY2017 to FY2021)

Note: The statistical section contains “Unaudited” data.

**NET POSITION BY COMPONENT
FY2012 to FY2021**

	FY2012	FY2013	FY2014	FY2015	FY2016
NET POSITION					
	RESTATED				
Net Investment in Capital Assets	\$103,777,430	\$122,087,138	\$122,526,409	\$123,085,260	\$122,976,936
Restricted	\$445,000	\$445,000	\$445,000	\$700,000	\$610,800
Unrestricted	\$22,952,856	\$24,894,805	(\$1,304,949)	(\$5,632,905)	(\$14,589,739)
Total Net Position	\$127,175,286	\$147,426,943	\$121,666,460	\$118,152,355	\$108,997,997

	FY2017	FY2018	FY2019	FY2020	FY2021
NET POSITION					
Net Investment in Capital Assets	\$121,766,602	\$117,985,314	\$120,027,532	\$110,229,835	\$104,384,887
Restricted	\$1,037,807	\$1,037,807	\$85,625,022	\$197,353,969	\$218,851,884
Unrestricted	(\$24,544,597)	(\$26,301,549)	(\$34,808,461)	(\$27,878,361)	(\$11,808,554)
Total Net Position	\$98,259,812	\$92,721,572	\$170,844,093	\$279,705,443	\$311,428,217



STATEMENT OF ASSETS, DEFERRED OUTFLOWS, LIABILITIES, DEFERRED INFLOWS & NET POSITION FY2012 to FY2016					
	FY2012	FY2013	FY2014	FY2015	FY2016
ASSETS			RESTATED		
Cash & Cash Equivalents-Unrestricted	\$20,887,852	\$22,012,439	\$20,711,606	\$15,775,962	\$10,137,998
Cash & Cash Equivalents-Restricted	\$445,000	\$445,000	\$445,000	\$700,000	\$425,000
Investments	\$424,845	\$232,135	\$0	\$0	\$0
Trade Receivable, net	\$780,427	\$1,166,770	\$683,225	\$778,787	\$756,015
Surtax Receivable	\$0	\$0	\$0	\$0	\$0
Delinquent Property Tax Receivable	\$239,002	\$62,276	\$39,591	\$65,759	\$79,845
Federal Grants Receivable	\$5,961,187	\$6,746,845	\$11,195,043	\$11,667,050	\$11,275,149
State Grants Receivable	\$4,436,569	\$463,334	\$175,814	\$146,098	\$1,623,079
Local Grants Receivable	\$2,596,166	\$7,216,827	\$437,953	\$318,397	\$61,215
Inventory of Parts & Supplies	\$1,541,486	\$1,401,416	\$1,471,430	\$1,513,189	\$1,503,769
Prepaid Expenses	\$560,824	\$659,289	\$377,293	\$323,797	\$372,462
Total Current Assets	\$37,873,358	\$40,383,646	\$35,536,955	\$31,289,039	\$26,234,532
Long Term Assets:					
Land	\$15,416,271	\$18,260,818	\$18,260,818	\$19,040,309	\$19,040,309
Construction in Progress	\$9,319,239	\$20,033,244	\$16,523,147	\$540,588	\$3,378,211
Capital Assets, net	\$79,041,920	\$85,679,116	\$88,481,029	\$103,904,284	\$101,647,794
Total Long Term Assets	\$103,777,430	\$123,973,178	\$123,264,994	\$123,485,181	\$124,066,314
Total Assets	\$141,650,788	\$164,356,824	\$158,801,949	\$154,774,220	\$150,300,846
DEFERRED OUTFLOWS					
Deferred Outflows on pension and OPEB related amounts	\$0	\$462,335	\$2,515,349	\$4,724,263	\$12,704,894
LIABILITIES					
Current Liabilities:					
Accounts Payable	\$3,973,641	\$5,476,526	\$2,517,083	\$1,866,153	\$3,500,875
Accrued Expenses	\$1,652,953	\$2,024,834	\$1,991,514	\$2,384,932	\$1,088,320
Unearned Revenue	\$726,836	\$826,607	\$181,703	\$177,300	\$1,946
Self-Insurance & Contingency	\$2,541,207	\$2,518,300	\$3,826,224	\$3,337,878	\$2,808,134
Environmental Remediation	\$122,883	\$282,427	\$49,708	\$119,000	\$138,136
Compensated Absences	\$127,000	\$190,000	\$246,000	\$82,432	\$84,823
Capital Lease Obligation	\$0	\$0	\$0	\$73,949	\$306,249
Net Pension Liability	\$0	\$0	\$371,057	\$450,452	\$430,446
Net OPEB Liability	\$0	\$0	\$0	\$0	\$0
Total Current Liabilities	\$9,144,520	\$11,318,694	\$9,183,289	\$8,492,096	\$8,358,929
Self-Insurance & Contingency	\$2,731,011	\$3,233,700	\$3,867,110	\$4,653,651	\$6,283,924
Environmental Remediation	\$209,691	\$0	\$0	\$0	\$0
Compensated Absences	\$2,390,280	\$2,377,487	\$2,366,586	\$2,231,413	\$2,438,666
Capital Lease Obligation	\$0	\$0	\$0	\$325,972	\$479,238
Net Pension Liability	\$0	\$0	\$15,269,917	\$22,671,642	\$34,716,701
Net OPEB Liability	\$0	\$0	\$0	\$0	\$1,017,804
Total Long Term Liabilities	\$5,330,982	\$5,611,187	\$21,503,613	\$29,882,678	\$44,936,333
Total Liabilities	\$14,475,502	\$16,929,881	\$30,686,902	\$38,374,774	\$53,295,262
DEFERRED INFLOWS					
Deferred Inflows on pension and OPEB related amounts	\$0	\$0	\$8,963,936	\$2,971,354	\$712,481
NET POSITION					
Net Investment in Capital Assets	\$103,777,430	\$122,087,138	\$122,526,409	\$123,085,260	\$122,976,936
Restricted	\$445,000	\$445,000	\$445,000	\$700,000	\$610,800
Unrestricted	\$22,952,856	\$24,894,805	(\$1,304,949)	(\$5,632,905)	(\$14,589,739)
Total Net Position	\$127,175,286	\$147,426,943	\$121,666,460	\$118,152,355	\$108,997,997

STATEMENT OF ASSETS, DEFERRED OUTFLOWS, LIABILITIES, DEFERRED INFLOWS & NET POSITION FY2017 to FY2021					
	FY2017	FY2018	FY2019	FY2020	FY2021
ASSETS					
Cash & Cash Equivalents-Unrestricted	\$12,768,003	\$14,052,908	\$9,272,590	\$22,596,459	\$32,360,767
Cash & Cash Equivalents-Restricted	\$1,037,807	\$1,037,807	\$66,023,804	\$177,655,390	\$218,848,884
Investments	\$0	\$0	\$0	\$0	
Trade Receivable, net	\$2,298,457	\$748,588	\$1,100,599	\$569,053	\$674,160
Surtax Receivable	\$0	\$0	\$19,601,218	\$19,698,579	\$0
Delinquent Property Tax Receivable	\$62,134	\$47,059	\$55,895	\$84,131	\$37,717
Federal Grants Receivable	\$1,764,141	\$517,258	\$2,211,812	\$1,771,783	\$3,226,257
State Grants Receivable	\$315,322	\$1,759,924	\$865,935	\$1,076,633	\$3,767,495
Local Grants Receivable	\$155,885	\$50,543	\$160,192	\$239,470	\$922,011
Inventory of Parts & Supplies	\$1,628,946	\$1,411,075	\$1,956,216	\$1,939,187	\$2,160,769
Prepaid Expenses	\$382,913	\$620,634	\$503,634	\$508,821	\$565,960
Total Current Assets	\$20,413,608	\$20,245,796	\$101,751,895	\$226,139,506	\$262,564,020
Long Term Assets:					
Land	\$19,040,309	\$19,043,009	\$19,043,009	\$19,043,009	\$19,043,009
Construction in Progress	\$4,469,892	\$5,736,827	\$7,786,592	\$6,221,020	\$8,206,207
Capital Assets, net	\$98,256,401	\$93,205,478	\$93,356,839	\$85,042,401	\$77,135,671
Total Long Term Assets	\$121,766,602	\$117,985,314	\$120,186,440	\$110,306,430	\$104,384,887
Total Assets	\$142,180,210	\$138,231,110	\$221,938,335	\$336,445,936	\$366,948,907
DEFERRED OUTFLOWS					
Deferred Outflows on pension and OPEB related amounts	\$15,993,288	\$14,577,121	\$14,566,634	\$16,063,147	\$13,425,823
LIABILITIES					
Current Liabilities:					
Accounts Payable	\$3,898,479	\$3,547,234	\$4,453,958	\$4,510,817	\$5,562,045
Accrued Expenses	\$1,468,902	\$1,228,463	\$1,637,797	\$1,617,934	\$2,228,657
Unearned Revenue	\$5,659	\$10,109	\$8,440	\$6,264	\$184,962
Self-Insurance & Contingency	\$3,016,930	\$2,391,880	\$3,915,661	\$3,426,588	\$2,504,328
Environmental Remediation	\$207,233	\$308,019	\$133,734	\$150,000	\$150,000
Compensated Absences	\$115,127	\$91,239	\$110,894	\$116,809	\$91,095
Capital Lease Obligation	\$0	\$0	\$0	\$0	\$0
Net Pension Liability	\$374,957	\$318,652	\$262,590	\$168,757	\$83,659
Net OPEB Liability	\$46,963	\$0	\$0	\$0	\$0
Total Current Liabilities	\$9,134,250	\$7,895,596	\$10,523,074	\$9,997,169	\$10,804,745
Self-Insurance & Contingency	\$5,407,660	\$5,619,072	\$3,125,977	\$2,833,552	\$3,197,683
Environmental Remediation	\$0	\$0	\$0	\$0	-
Compensated Absences	\$2,735,005	\$2,789,154	\$2,782,394	\$3,086,926	\$3,317,998
Capital Lease Obligation	\$0	\$0	\$0	\$0	-
Net Pension Liability	\$39,188,888	\$37,573,767	\$43,722,810	\$53,099,259	\$22,887,291
Net OPEB Liability	\$1,050,184	\$1,013,903	\$1,182,510	\$1,426,868	\$1,566,440
Total Long Term Liabilities	\$48,381,737	\$46,995,896	\$50,813,691	\$60,446,605	\$30,969,412
Total Liabilities	\$57,515,987	\$54,891,492	\$61,336,765	\$70,443,774	\$41,774,157
DEFERRED INFLOWS					
Deferred Inflows on pension and OPEB related amounts	\$2,397,699	\$5,195,167	\$4,324,111	\$2,359,866	\$27,172,356
NET POSITION					
Net Investment in Capital Assets	\$121,766,602	\$117,985,314	\$120,027,532	\$110,229,835	\$104,384,887
Restricted	\$1,037,807	\$1,037,807	\$85,625,022	\$197,353,969	\$218,851,884
Unrestricted	(\$24,544,597)	(\$26,301,549)	(\$34,808,461)	(\$27,878,361)	(\$11,808,554)
Total Net Position	\$98,259,812	\$92,721,572	\$170,844,093	\$279,705,443	\$311,428,217

STATEMENT OF REVENUES, EXPENSES, & CHANGES IN NET POSITION FY2012 to FY2016					
	FY2012	FY2013	FY2014	FY2015	FY2016
OPERATING REVENUES:			RESTATED		
Passenger Fare Revenues	\$14,187,514	\$15,536,071	\$16,420,800	\$16,593,816	\$15,155,608
Advertising Revenues	\$770,772	\$770,830	\$903,308	\$1,033,518	\$1,144,644
Other Revenues	\$76,325	(\$15,031)	\$392,061	\$116,589	\$237,079
Total Operating Revenues	\$15,034,611	\$16,291,870	\$17,716,169	\$17,743,923	\$16,537,331
OPERATING EXPENSES:					
Salaries & Wages	\$27,633,742	\$28,866,836	\$30,141,573	\$31,819,094	\$34,095,944
Fringe Benefits	\$12,774,304	\$12,783,267	\$13,960,033	\$16,912,330	\$18,670,787
Fuel & Oil	\$7,367,311	\$8,118,427	\$8,139,358	\$7,206,460	\$4,389,479
Parts & Supplies	\$2,941,767	\$3,621,651	\$3,415,413	\$4,150,983	\$4,178,489
Purchased Services	\$2,952,228	\$3,442,716	\$2,971,681	\$3,300,141	\$4,033,881
Insurance	\$1,745,966	\$2,738,407	\$4,528,743	\$3,000,607	\$4,277,254
Utilities	\$681,797	\$693,489	\$710,147	\$761,274	\$1,022,155
Marketing & Printing	\$493,667	\$391,819	\$313,093	\$339,870	\$354,185
Other Expenses	\$2,029,073	\$1,802,389	\$1,778,298	\$2,741,421	\$3,551,218
Expenses Reimbursed by Grants	\$3,732,246	\$3,070,237	\$1,595,894	\$1,793,741	\$1,440,203
Total Operating Expenses	\$62,352,101	\$65,529,238	\$67,554,233	\$72,025,921	\$76,013,595
Total Operating Gain (Loss)	(\$47,317,490)	(\$49,237,368)	(\$49,838,064)	(\$54,281,998)	(\$59,476,264)
Depreciation Expense	\$12,292,280	\$11,635,161	\$10,578,252	\$11,671,433	\$11,652,527
Net Operating Gain (Loss)	(\$59,609,770)	(\$60,872,529)	(\$60,416,316)	(\$65,953,431)	(\$71,128,791)
NON-OPERATING REVENUES:					
Federal Operating Grants	\$11,456,242	\$11,410,293	\$11,508,660	\$10,726,311	\$9,893,280
State Operating Grants	\$4,689,055	\$5,351,617	\$5,295,505	\$4,906,810	\$5,205,625
Local Operating Grants	\$817,880	\$812,018	\$1,273,864	\$770,884	\$903,640
State Operating rebates - CNG	\$0	\$0	\$0	\$0	\$0
Local Transportation Surtax	\$0	\$0	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0	\$0	\$0
Property Tax Proceeds	\$30,028,084	\$28,603,229	\$30,171,450	\$32,398,546	\$34,869,378
Interest Revenue	\$189,196	\$101,034	\$20,823	\$84,466	\$60,899
Total Non-Operating Revenues	\$47,180,457	\$46,278,191	\$48,270,302	\$48,887,017	\$50,932,822
Gain (Loss) before Capital Grants	(\$12,429,313)	(\$14,594,338)	(\$12,146,014)	(\$17,066,414)	(\$20,195,969)
CAPITAL GRANT REVENUES:					
Federal Capital Grants	\$6,816,240	\$15,801,857	\$6,759,290	\$13,088,152	\$9,744,445
State Capital Grants	\$280,489	\$300,171	\$730,031	\$89,406	\$1,857,575
Local Capital Grants	\$5,365,203	\$18,708,777	\$1,907,899	\$341,726	\$339,538
Developer Contributed Assets	\$124,991	\$35,190	\$36,408	\$33,025	\$0
Total Capital Contribution Revenue	\$12,586,923	\$34,845,995	\$9,433,628	\$13,552,309	\$11,941,558
Increase (Decrease) in Net Position	\$157,610	\$20,251,657	(\$2,712,386)	(\$3,514,105)	(\$8,254,411)
Net Position, Beginning Year	\$127,017,676	\$127,175,286	\$124,378,846	\$121,666,460	\$117,252,408
Net Position, End of the Year	\$127,175,286	\$147,426,943	\$121,666,460	\$118,152,355	\$108,997,997

STATEMENT OF REVENUES, EXPENSES, & CHANGES IN NET POSITION FY2017 to FY2021					
	FY2017	FY2018	FY2019	FY2020	2021
OPERATING REVENUES:					
Passenger Fare Revenues	\$14,148,572	\$12,576,581	\$12,412,904	\$9,029,994	\$6,272,298
Advertising Revenues	\$1,072,635	\$1,089,898	\$1,109,730	\$564,256	\$1,739,039
Other Revenues	\$405,193	\$3,150,349	\$2,817,582	\$104,994	\$246,383
Total Operating Revenues	\$15,626,400	\$16,816,828	\$16,340,216	\$9,699,244	\$8,257,720
OPERATING EXPENSES:					
Salaries & Wages	\$36,305,701	\$35,122,040	\$37,836,961	\$37,308,373	\$41,715,733
Fringe Benefits	\$23,405,926	\$21,257,654	\$26,820,478	\$30,351,736	\$24,998,425
Fuel & Oil	\$4,065,775	\$4,262,223	\$4,417,508	\$2,974,830	\$3,296,975
Parts & Supplies	\$4,281,705	\$4,481,531	\$5,103,773	\$5,603,276	\$4,368,288
Purchased Services	\$5,948,106	\$6,494,192	\$8,268,305	\$8,930,148	\$8,203,097
Insurance	\$2,407,661	\$2,812,076	\$3,313,183	\$3,233,629	\$2,970,319
Utilities	\$1,140,717	\$993,158	\$933,400	\$924,601	\$943,186
Marketing & Printing	\$346,738	\$340,216	\$542,376	\$354,346	\$355,111
Other Expenses	\$3,061,563	\$2,829,903	\$2,241,779	\$2,329,677	\$2,015,999
Expenses Reimbursed by Grants	\$1,750,812	\$2,477,298	\$693,637	\$4,125,879	\$3,087,727
Total Operating Expenses	\$82,714,704	\$81,070,291	\$90,171,400	\$96,136,495	\$91,954,860
Total Operating Gain (Loss)	(\$67,088,304)	(\$64,253,463)	(\$73,831,184)	(\$86,437,251)	(\$83,697,140)
Depreciation Expense	\$12,164,514	\$12,194,544	\$12,353,469	\$12,807,484	\$12,845,735
Net Operating Gain (Loss)	(\$79,252,818)	\$76,448,007	(\$86,184,653)	(\$99,244,735)	(\$96,542,875)
NON-OPERATING REVENUES:					
Federal Operating Grants	\$12,409,977	\$12,038,587	\$12,513,482	\$29,256,664	\$35,072,557
State Operating Grants	\$5,085,689	\$6,041,652	\$8,399,287	\$7,189,103	\$6,787,687
Local Operating Grants	\$1,053,973	\$1,146,219	\$1,151,425	\$1,465,932	\$1,531,207
State Operating rebates-CNG	\$250,000	\$0	\$0	\$0	\$0
Local Transportation Surtax	\$0	\$0	\$84,299,484	\$111,409,428	\$21,012,547
Other Federal Funds	\$0	\$0	\$0	\$1,985,705	\$944,142
Property Tax Proceeds	\$37,509,439	\$40,801,680	\$44,834,934	\$48,870,629	\$53,130,355
Interest Revenue	\$122,610	\$288,659	\$726,168	\$1,379,791	\$389,600
Total Non-Operating Revenues	\$56,431,688	\$60,316,797	\$151,924,780	\$201,557,252	\$118,868,095
Gain (Loss) before Capital Grants	(\$22,821,130)	(\$16,131,210)	\$65,740,127	\$102,312,517	\$22,325,220
CAPITAL GRANT REVENUES:					
Federal Capital Grants	\$11,283,930	\$9,398,143	\$11,430,645	\$4,831,653	\$7,884,702
State Capital Grants	\$562,907	\$1,108,304	\$641,910	\$1,416,991	\$782,539
Local Capital Grants	\$171,420	\$86,523	\$309,839	\$285,589	\$715,713
Developer Contributed Assets	\$64,688	\$0	\$0	\$14,600	\$14,600
Total Capital Contribution Revenues	\$12,082,945	\$10,592,970	\$12,382,394	\$6,548,833	\$9,397,554
Increase (Decrease) in Net Position	(\$10,738,185)	(\$5,538,240)	\$78,122,521	\$108,861,350	\$31,722,774
Net Position, Beginning Year	\$108,997,997	\$98,259,812	\$92,721,572	\$170,844,093	\$279,705,443
Net Position, End of the Year *	\$98,259,812	\$92,721,572	\$170,844,093	\$279,705,443	\$311,428,217

* Refer to Note 7 regarding restatement of FY2014 beginning net position per application of GASB 68, Net Pension Liability, and GASB 71, Deferred Outflow of Resources.

Statistical Section

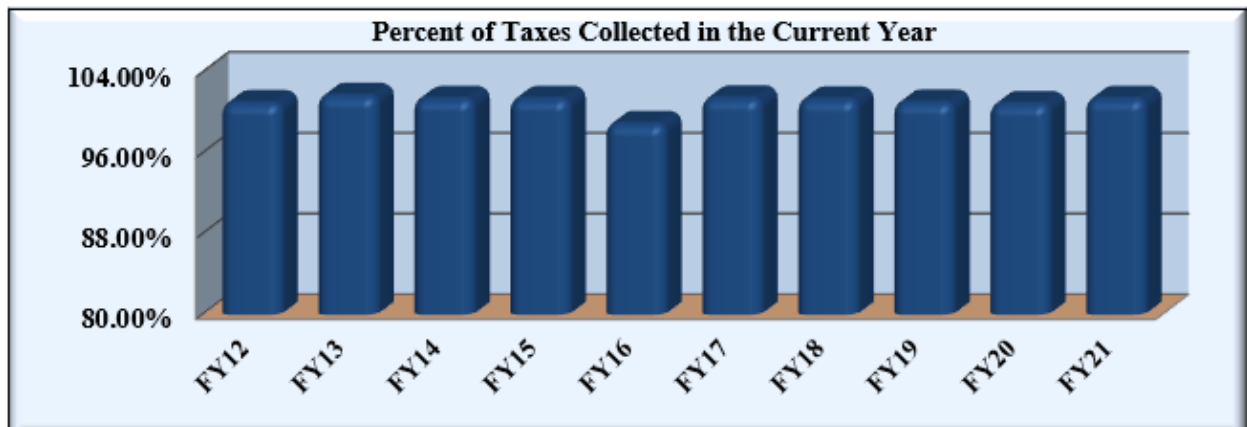
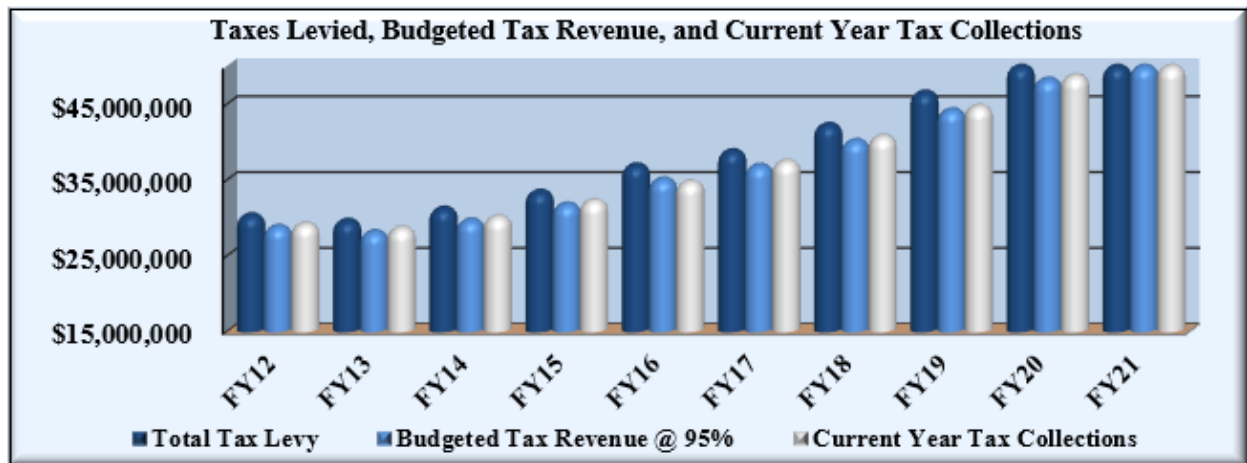
Revenue Capacity

- Hillsborough Transit Authority, Property Tax Levies and Collections (FY2012 to FY2021)
- Hillsborough County, FL, Taxable Assessed Value and Actual Value of Property (FY2006 to FY2021)
- Single Family Taxable Values and Levies (2007 to 2022)
- Millage Rates (2012 to 2021)
- Taxable Sales (2006 to 2021)
- Revenues by Source (FY2012 to FY2021)
- Property Tax Revenue Used for Operations (FY2012 to FY2021)

Note: The statistical section contains “Unaudited” data.

**HILLSBOROUGH TRANSIT AUTHORITY
PROPERTY TAX LEVIES AND COLLECTIONS
FY2012 to FY2021**

Fiscal Year	Total Tax Levy	Budgeted Tax Revenue @ 95%	Current Year Tax Collections	Percent of Current Year to Budget	Other Net Collections during the Year	Total Collections	Percent of Total Collections to Tax Levy	Millage Rate
FY2012	\$30,418,828	\$28,897,887	\$29,184,561	100.99%	\$354,946	\$29,539,507	97.11%	0.5000
FY2013	\$29,680,363	\$28,196,345	\$28,677,987	101.71%	\$101,968	\$28,779,955	96.97%	0.5000
FY2014	\$31,293,062	\$29,728,409	\$30,145,483	101.40%	\$48,651	\$30,194,134	96.49%	0.5000
FY2015	\$33,519,856	\$31,843,863	\$32,292,256	101.41%	\$80,123	\$32,372,379	96.58%	0.5000
FY2016	\$36,989,171	\$35,139,712	\$34,762,497	98.93%	\$92,795	\$34,855,292	94.23%	0.5000
FY2017	\$38,872,885	\$36,929,241	\$37,465,915	101.45%	\$61,234	\$37,527,149	96.54%	0.5000
FY2018	\$42,329,206	\$40,212,746	\$40,757,120	101.35%	\$59,635	\$40,816,755	96.43%	0.5000
FY2019	\$46,594,680	\$44,264,946	\$44,725,221	101.04%	\$100,876	\$44,826,097	96.20%	0.5000
FY2020	\$50,858,236	\$48,315,324	\$48,742,386	100.88%	\$100,007	\$48,842,393	96.04%	0.5000
FY2021	\$ 55,104,336	\$52,349,119	\$53,086,515	101.41%	\$50,457	\$53,136,972	96.43%	0.5000



HILLSBOROUGH COUNTY, FLORIDA TAXABLE ASSESSED VALUE AND ACTUAL VALUE OF TAXABLE PROPERTY 2006 to 2021

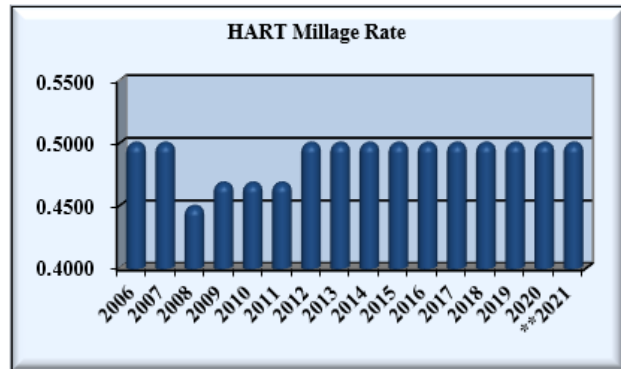
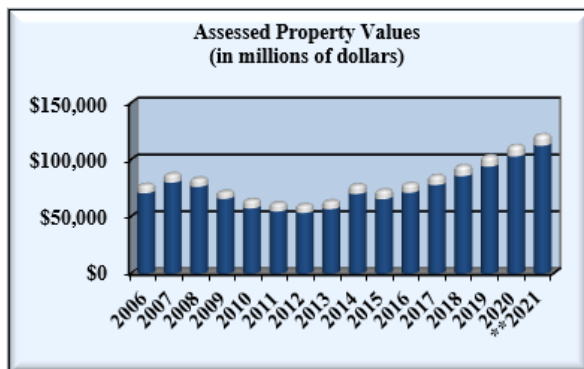
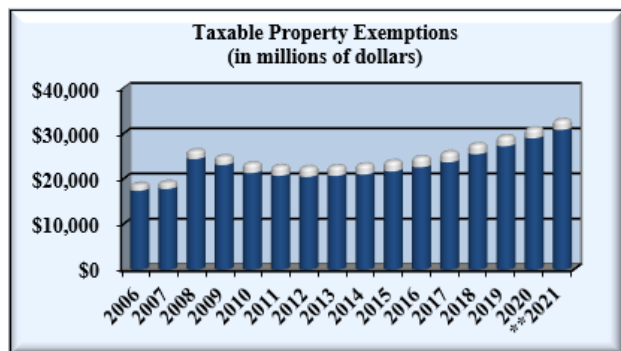
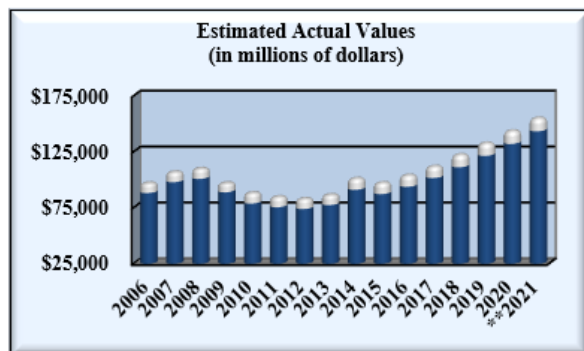
Year	Estimated Actual Value*		Exemptions*		Assessed Value*		HART's
	Real Property	Personal Property	Real Property	Personal Property	Real Property	Personal Property	Millage Rate
2006	\$88,280	\$8,774	\$17,445	\$1,455	\$70,835	\$7,319	0.5000
2007	\$97,915	\$8,988	\$17,866	\$1,432	\$80,049	\$7,556	0.5000
2008	\$100,896	\$9,120	\$24,489	\$1,905	\$76,407	\$7,215	0.4495
2009	\$88,961	\$8,054	\$23,168	\$1,899	\$65,793	\$6,155	0.4682
2010	\$78,832	\$9,453	\$21,393	\$2,143	\$57,439	\$7,310	0.4682
2011	\$75,558	\$9,255	\$20,775	\$2,148	\$54,783	\$7,107	0.4682
2012	\$73,961	\$9,073	\$20,528	\$2,154	\$53,433	\$6,919	0.5000
2013	\$77,492	\$9,048	\$20,761	\$2,153	\$56,731	\$6,895	0.5000
2014	\$91,169	\$10,066	\$21,066	\$2,238	\$70,103	\$7,828	0.5000
2015	\$87,291	\$10,117	\$21,742	\$2,281	\$65,549	\$7,836	0.5000
2016	\$93,867	\$10,182	\$22,655	\$2,258	\$71,212	\$7,924	0.5000
2017	\$101,712	\$10,376	\$23,773	\$2,221	\$77,939	\$8,155	0.5000
2018	\$111,308	\$11,288	\$25,553	\$2,218	\$85,755	\$9,070	0.5000
2019	\$121,507	\$11,418	\$27,296	\$2,210	\$94,211	\$9,208	0.5000
2020	\$132,181	\$11,742	\$29,073	\$2,169	\$103,108	\$9,573	0.5000
**2021	\$143,472	\$11,846	\$30,941	\$2,175	\$112,531	\$9,671	0.5000

Notes: * Values in millions

**2021 Preliminary

Source:

Florida Department of Revenue



HILLSBOROUGH COUNTY, FLORIDA SINGLE FAMILY TAXABLE VALUES AND LEVIES 2007 to 2022

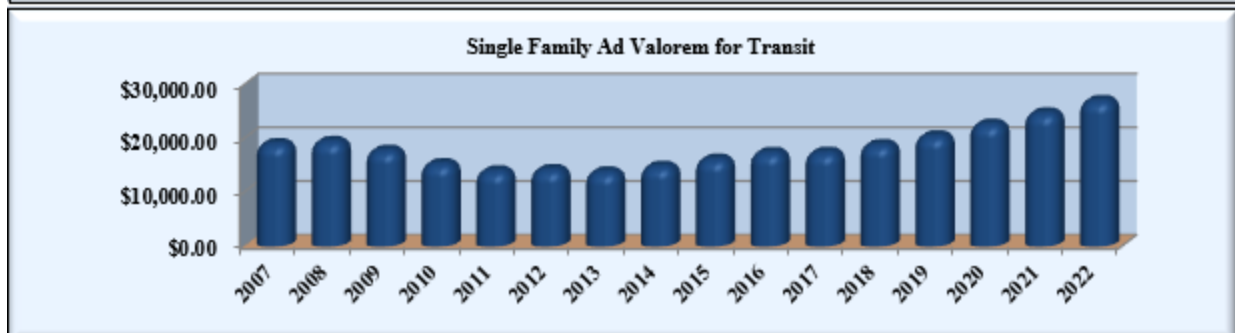
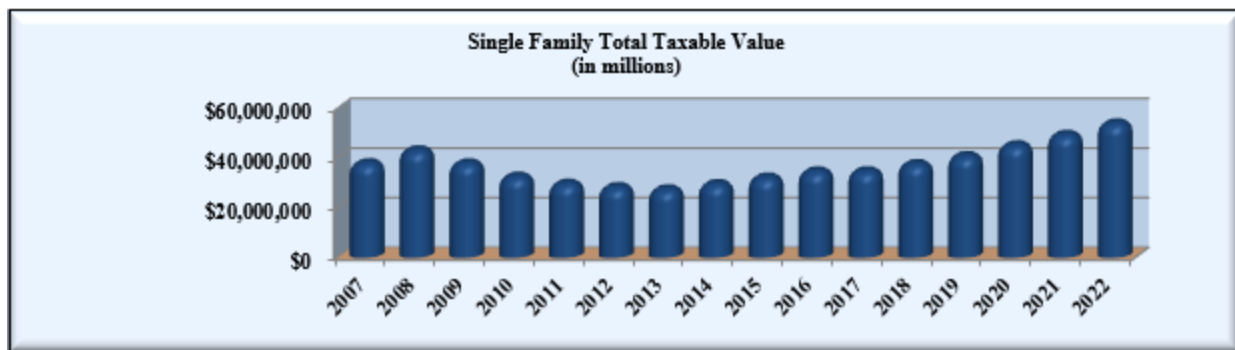
Fiscal Year	Tax Year	Single Family Taxable Values (000's)	HART's Millage Rate	Single Family Ad Valorem for Transit	Percent Change
2007	2006	\$38,181,152	0.5000	\$19,090.58	
2008	2007	\$43,386,630	0.4495	\$19,502.29	2.2%
2009	2008	\$38,109,677	0.4682	\$17,842.95	-8.5%
2010	2009	\$32,798,590	0.4682	\$15,356.30	-13.9%
2011	2010	\$29,953,254	0.4682	\$14,024.11	-8.7%
2012	2011	\$28,528,801	0.5000	\$14,264.40	1.7%
2013	2012	\$27,669,609	0.5000	\$13,834.80	-3.0%
2014	2013	\$29,759,828	0.5000	\$14,879.91	7.6%
2015	2014	\$32,413,326	0.5000	\$16,206.66	8.9%
2016	2015	\$34,873,178	0.5000	\$17,436.59	7.6%
2017	2016	\$34,943,064	0.5000	\$17,471.53	0.2%
2018	2017	\$37,817,808	0.5000	\$18,908.90	8.2%
2019	2018	\$41,073,218	0.5000	\$20,536.61	8.6%
2020	2019	\$45,434,858	0.5000	\$22,717.43	10.6%
2021	2020	\$49,606,553	0.5000	\$24,803.28	9.2%
2022	2021	\$54,215,674	0.5000	\$27,107.84	9.3%

Source:

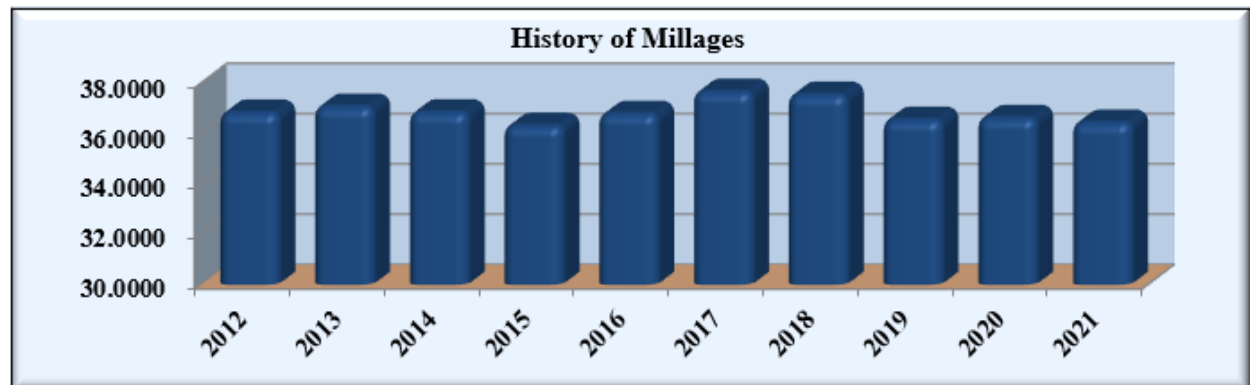
Hillsborough County Property Appraiser

U.S. Census Bureau

Preliminary Assessment Rolls Reports for Tax Years 2003 to 2018 (or HART Fiscal Years 2004 to 2019)



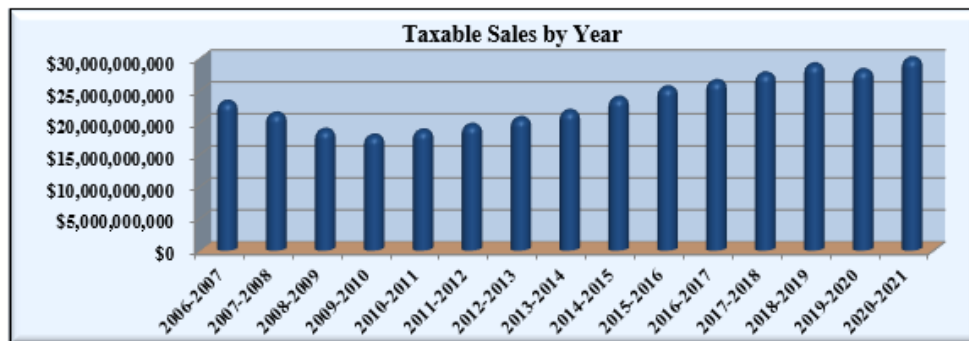
HILLSBOROUGH COUNTY, FLORIDA MILLAGE RATES 2012 to 2021										
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
District School Board:										
Local Required Effort	5.6650	5.6290	5.4420	5.1050	4.9990	4.6580	4.3480	4.1660	3.8810	3.7050
Discretionary Local	0.7480	0.7480	0.7480	0.7480	0.7480	0.7480	0.7480	0.7480	0.7480	0.7480
Supplemental Discretionary	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Debt Service	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Capital Improvements	1.5000	1.5000	1.5000	1.5000	1.5000	1.5000	1.5000	1.5000	1.5000	1.5000
Total District School Board	7.9130	7.8770	7.6900	7.3530	7.2470	6.9060	6.5960	6.4140	6.1290	5.9530
Other County-Wide:										
Board of County Commissioners	5.7995	5.7978	5.7960	5.7943	5.7322	5.7322	5.7309	5.3614	5.7309	5.7309
Tampa Port Authority	0.1900	0.1850	0.1750	0.1650	0.1550	0.1450	0.1300	0.1150	0.1050	0.1050
Children's Board	0.5000	0.5000	0.4828	0.4599	0.4589	0.4589	0.4589	0.4589	0.4589	0.4589
S.W. Florida River Water Mgt.	0.3928	0.3928	0.3818	0.3488	0.3488	0.3317	0.3131	0.2801	0.2801	0.2669
Total Other County-Wide	6.8823	6.8756	6.8356	6.7680	6.6949	6.6678	6.6329	6.2154	6.5749	6.5617
Total County-Wide	14.7953	14.7526	14.5256	14.1210	13.9419	13.5738	13.2289	12.6294	12.7039	12.5147
Non County-Wide:										
Public Library Service	0.5583	0.5583	0.5583	0.5583	0.5583	0.5583	0.5583	0.5583	0.5583	0.5583
Municipal Service Tax	4.3745	4.3745	4.3745	4.3745	4.3745	4.3745	4.3745	4.3745	4.3745	4.3745
Parks & Recreation (Unincorporated)	0.0259	0.0259	0.0259	0.0259	0.0259	0.0259	0.0259	0.0259	0.0259	0.0259
Independent Special Districts:										
SWFWMD										
Alafia River Basin	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hillsborough River Basin	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
N.W. Hillsborough River Basin	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Transit Authority	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000
Tampa Palms C.D.D.	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Municipalities:										
Tampa	5.7326	5.7326	5.7326	5.7326	5.7326	5.7326	6.2076	6.2076	6.2076	6.2076
Plant City	4.7157	4.7157	4.7157	4.7157	4.7157	5.7157	5.7157	5.7157	5.7157	5.7157
Temple Terrace	6.1500	6.4300	6.4300	6.3050	6.9550	7.2050	6.9550	6.5550	6.5550	6.5550
Grand Total Millages	36.8523	37.0896	36.8626	36.3330	36.8039	37.6858	37.5659	36.5664	36.6409	36.4517
Source: Hillsborough Tax Collector										





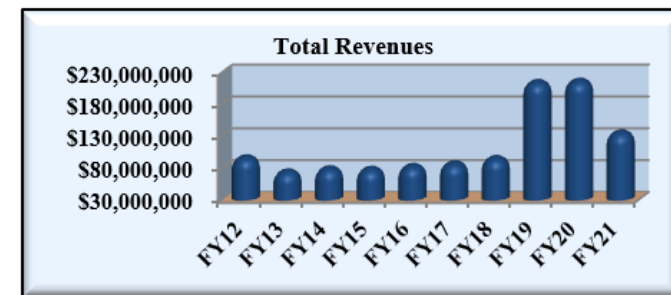
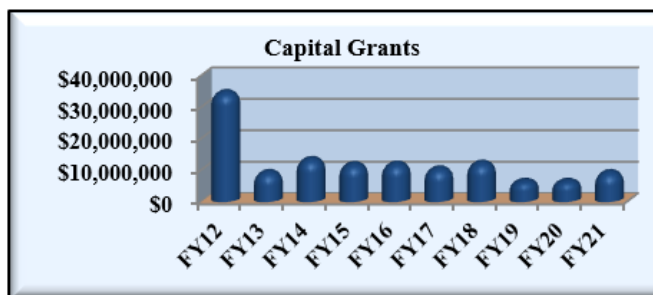
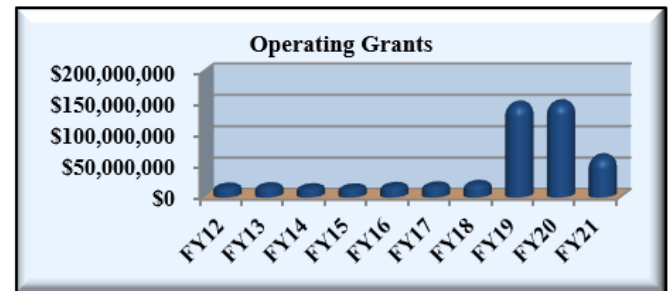
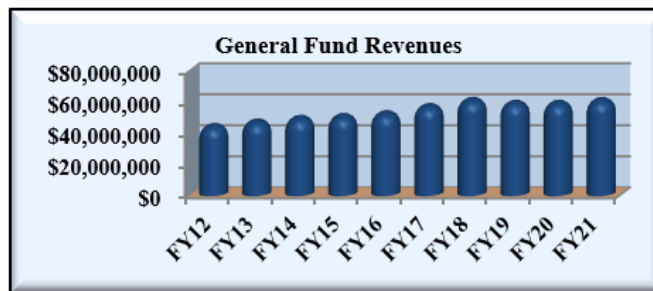
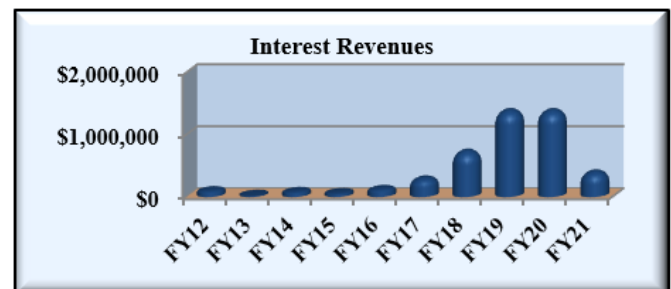
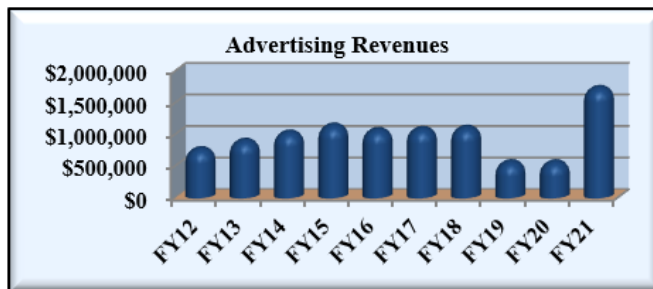
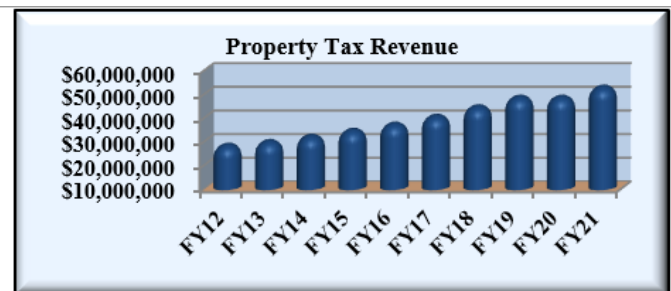
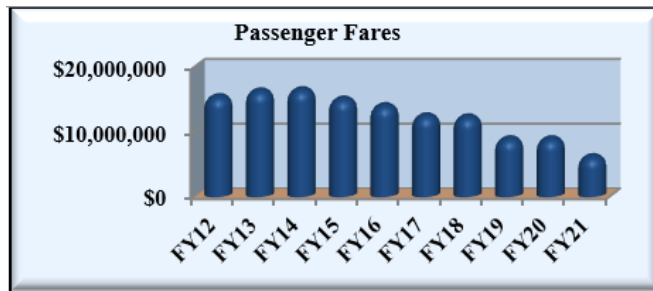
HILLSBOROUGH COUNTY, FLORIDA TAXABLE SALES 2006 to 2021					
State Fiscal Year	Hillsborough Taxable Sales	Annual Growth	Half Cent	Full Cent	Seven Cent
2006-2007	\$23,207,999,348		\$116,039,997	\$232,079,993	\$1,624,559,954
2007-2008	\$21,377,893,474	-7.9%	\$106,889,467	\$213,778,935	\$1,496,452,543
2008-2009	\$18,831,222,537	-11.9%	\$94,156,113	\$188,312,225	\$1,318,185,578
2009-2010	\$17,929,543,843	-4.8%	\$89,647,719	\$179,295,438	\$1,255,068,069
2010-2011	\$18,730,240,925	4.5%	\$93,651,205	\$187,302,409	\$1,311,116,865
2011-2012	\$19,600,504,529	4.6%	\$98,002,523	\$196,005,045	\$1,372,035,317
2012-2013	\$20,668,297,980	5.4%	\$103,341,490	\$206,682,980	\$1,446,780,859
2013-2014	\$21,779,534,595	5.4%	\$108,897,673	\$217,795,346	\$1,524,567,422
2014-2015	\$23,846,559,173	9.5%	\$119,232,796	\$238,465,592	\$1,669,259,142
2015-2016	\$25,472,830,434	6.8%	\$127,364,152	\$254,728,304	\$1,783,098,130
2016-2017	\$26,452,915,372	3.8%	\$132,264,577	\$264,529,154	\$1,851,704,076
2017-2018	\$27,638,248,195	4.5%	\$138,191,241	\$276,382,482	\$1,934,677,374
2018-2019	\$29,062,457,106	5.2%	\$145,312,286	\$290,624,571	\$2,034,371,997
2019-2020	\$28,172,187,699	-3.1%	\$140,860,938	\$281,721,877	\$1,972,053,139
2020-2021	\$33,169,100,373	17.7%	\$165,845,502	\$331,691,004	\$2,321,837,026

Source:
Florida Department of Revenue



REVENUES BY SOURCE FY2012 to FY2021					
	FY2012	FY2013	FY2014	FY2015	FY2016
GENERAL FUND REVENUES:					
Passenger Fare Revenues	\$14,187,514	\$15,536,071	\$16,420,800	\$16,593,816	\$15,155,608
Property Tax Proceeds	\$30,028,084	\$28,603,229	\$30,171,450	\$32,398,546	\$34,869,378
Advertising Revenues	\$770,772	\$770,830	\$903,308	\$1,033,518	\$1,144,644
Interest Revenues	\$189,196	\$101,034	\$20,823	\$84,466	\$60,899
Other Income (Loss)	\$76,325	(\$15,031)	\$392,061	\$116,589	\$237,079
Total General Funds	\$45,251,891	\$44,996,133	\$47,908,442	\$50,226,935	\$51,467,608
OPERATING GRANT REVENUES:					
Federal Operating Grants	\$11,456,242	\$11,410,293	\$11,508,660	\$10,726,311	\$9,893,280
State Operating Grants	\$4,689,055	\$5,351,617	\$5,295,505	\$4,906,810	\$5,205,625
Local Operating Grants	\$817,880	\$812,018	\$1,273,864	\$770,884	\$903,640
Local Transportation Surtax	\$0	\$0	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0	\$0	\$0
Total Operating Grants	\$16,963,177	\$17,573,928	\$18,078,029	\$16,404,005	\$16,002,545
CAPITAL GRANT REVENUES:					
Federal Capital Grants	\$6,816,240	\$15,801,857	\$6,759,290	\$13,088,152	\$9,744,445
State Capital Grants	\$280,240	\$300,171	\$730,031	\$89,406	\$1,857,575
Local Capital Grants	\$5,365,203	\$18,708,777	\$1,907,899	\$341,726	\$339,538
Developer Contributed Assets	\$124,991	\$35,190	\$36,408	\$33,025	\$33,025
Total Capital Revenues	\$12,586,923	\$34,845,995	\$9,433,628	\$13,552,309	\$11,974,583
Total Revenue	\$74,801,991	\$97,416,056	\$75,420,099	\$80,183,249	\$79,444,736
	FY2017	FY2018	FY2019	FY2020	FY 2021
GENERAL FUND REVENUES:					
Passenger Fare Revenues	\$14,148,572	\$12,576,581	\$12,412,904	\$9,029,994	\$6,272,298
Property Tax Proceeds	\$37,509,439	\$40,801,680	\$44,834,934	\$48,870,629	\$53,130,355
Advertising Revenues	\$1,072,635	\$1,089,898	\$1,109,730	\$564,256	\$1,739,039
Interest Revenues	\$122,610	\$288,659	\$726,168	\$1,379,791	\$389,600
Other Income (Loss)	\$405,193	\$3,150,349	\$2,817,582	\$104,994	\$246,383
Total General Funds	\$53,258,449	\$57,907,167	\$61,901,318	\$59,949,664	\$61,777,675
OPERATING GRANT REVENUES:					
Federal Operating Grants	\$12,409,977	\$12,038,587	\$12,513,482	\$29,256,664	\$35,072,557
State Operating Grants	\$5,335,689	\$6,041,652	\$8,399,287	\$7,189,103	\$6,787,687
Local Operating Grants	\$1,053,973	\$1,146,219	\$1,151,425	\$1,465,932	\$1,531,207
Local Transportation Surtax	\$0	\$0	\$84,299,484	\$111,409,428	\$21,012,547
Other Federal Funds	\$0	\$0	\$0	\$1,985,705	\$944,142
Total Operating Grants	\$18,799,639	\$19,226,458	\$106,363,678	\$151,306,832	\$65,348,140
CAPITAL GRANT REVENUES:					
Federal Capital Grants	\$11,283,930	\$9,398,143	\$11,430,645	\$4,831,653	\$7,884,702
State Capital Grants	\$562,907	\$1,108,304	\$641,910	\$1,416,991	\$782,539
Local Capital Grants	\$171,420	\$86,253	\$309,839	\$285,589	\$715,713
Developer Contributed Assets	\$64,688	\$0	\$0	\$14,600	\$14,600
Total Capital Revenues	\$12,082,945	\$10,592,700	\$12,382,394	\$6,548,833	\$9,397,554
Total Revenue	\$84,141,033	\$87,726,325	\$180,647,390	\$217,805,329	\$136,523,369

REVENUES BY SOURCE FY2012 to FY2021



Notes:

Passenger Fares are the fees HART charges its riders for riding: Fixed Route Buses, Flex Vans, Paratransit Vans or Streetcars.

Property Tax Revenues is the revenue collected based on a millage rate and the taxable value of real and personal property within Hillsborough County. On an annual basis, Hillsborough County Tax Collector collects property tax proceeds and then remits these proceeds to HART on a real-time basis. These proceeds are based on taxable values established by Hillsborough County Property Appraiser and the millage rate which is adopted by the HART Board of Directors.

Advertising Revenues related to advertising by various companies on HART vehicles and facilities. HART has entered into agreements with outside Marketing Agencies to sell Advertising space.

Interest Revenues is the interest earned on idle cash reserves from HART banking partners and state banking agency.

General Fund Revenues include: Passenger Fares, Property Tax Revenues, Advertising Revenues, Interest Revenues and Other Revenues. The General Fund Revenues do not have a stated purpose, other than to provide funding to the authority for operating activities.

Operating Grant Revenues are revenues earned related to operating activities. The sources of these revenues are Federal, State and Local government agencies. These revenues are earned at the time of the activity and are reimbursed to HART after the fact.

Local Transportation Surtax are revenues received from a 1% transportation improvement surtax. These revenues are currently being held from current use until HART receives authorization to utilize the funds as well as direction on how the moneys are to be spent.

Capital Grant Revenues are revenues earned related to the capital projects and some operating projects of the authority. The sources of these revenues are Federal, State and Local government agencies. These revenues are earned at the time of the activity and are reimbursed to HART after the fact.

Total Revenues include General Fund Revenues, and Operating and Grant Revenues.

PROPERTY TAX REVENUE USED FOR OPERATIONS FY2012 to FY2021					
Fiscal Year	Property Tax Revenue	Percent Change	Bus & Paratransit Revenue	Percent of Total	Millage Rate
FY2012	\$30,028,084		\$57,450,769		0.4682
FY2013	\$28,603,229	-4.75%	\$60,703,030	47.12%	0.5000
FY2014	\$30,171,450	5.48%	\$61,170,429	54.06%	0.5000
FY2015	\$32,398,546	7.38%	\$64,504,989	57.55%	0.5000
FY2016	\$34,869,378	7.63%	\$65,181,172	61.89%	0.5000
FY2017	\$37,509,439	7.57%	\$65,930,367	63.71%	0.5000
FY2018	\$40,801,680	8.78%	\$70,374,803	50.23%	0.5000
FY2019	\$44,834,934	9.89%	\$81,718,165	54.87%	0.5000
FY2020	\$48,870,629	9.00%	\$97,294,382	50.23%	0.5000
FY2021	\$53,130,355	8.72%	\$83,393,014	63.71%	0.5000

Statistical Section

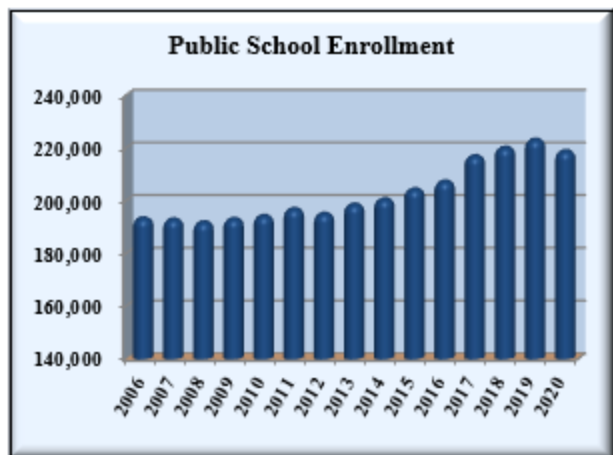
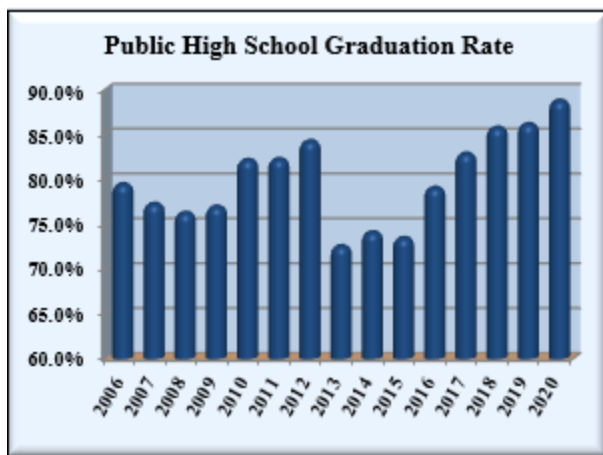
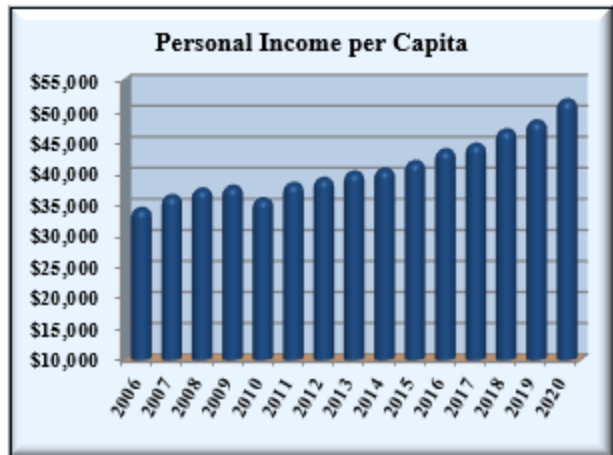
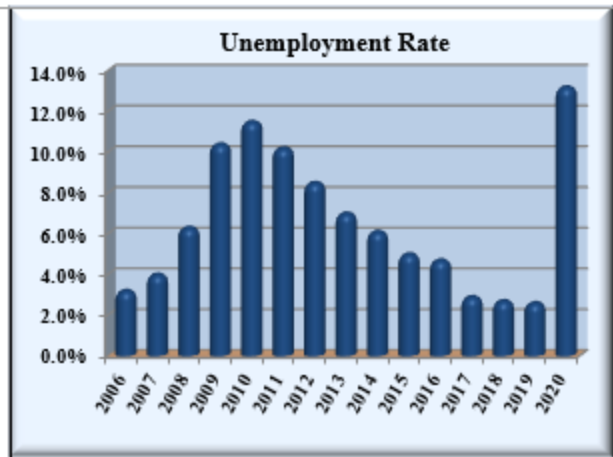
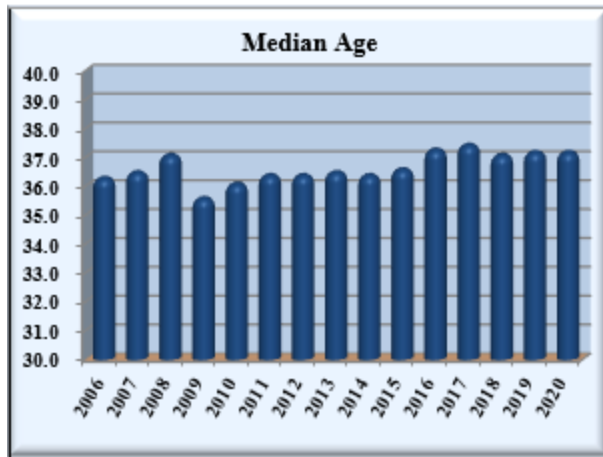
Demographic and Economic Information

- Hillsborough County, Demographic and Economic Statistics (2006 to 2020)
- Principal Employers (2011 and 2020)

Note: The statistical section contains “Unaudited” data.

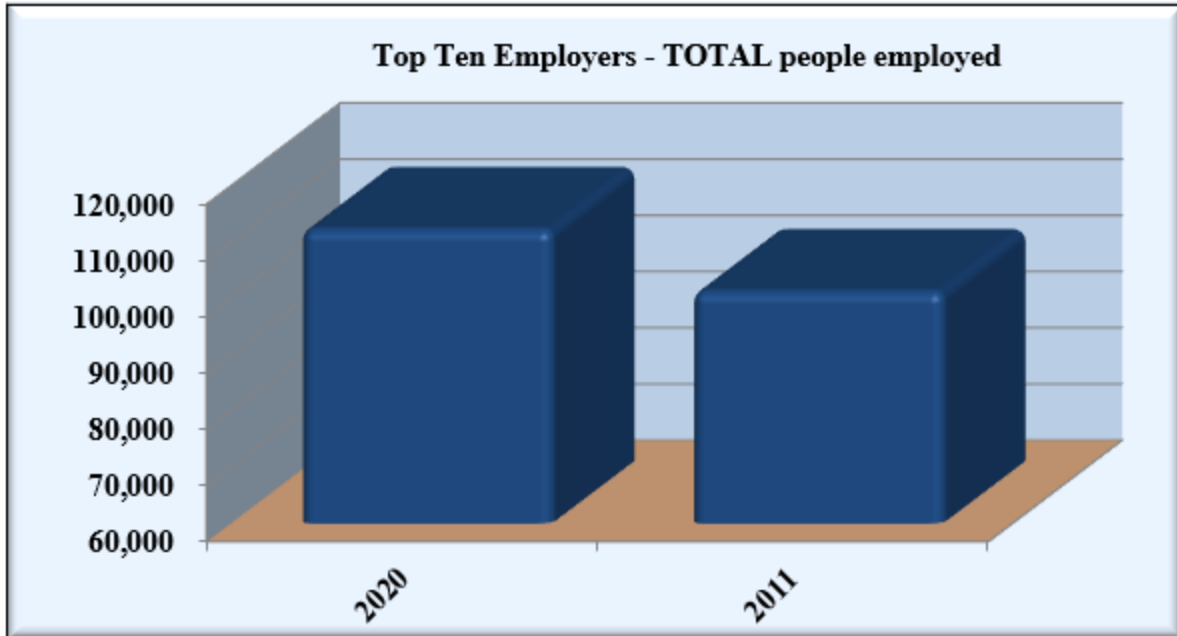
HILLSBOROUGH COUNTY, FLORIDA DEMOGRAPHIC AND ECONOMIC STATISTICS 2006 to 2020							
Year	Population	Median Age	Unemployment Rate	Personal Income (millions)	Personal Income (per capita)	Public High School Graduation Rate	Total Public School Enrollment
2006	1,171,826	36.3	3.2%	\$42,277	\$34,343	79.5%	193,480
2007	1,184,686	36.5	4.0%	\$43,827	\$36,417	77.3%	193,062
2008	1,196,773	37.1	6.3%	\$45,364	\$37,473	76.3%	191,965
2009	1,214,050	35.6	10.4%	\$46,692	\$37,923	77.0%	193,239
2010	1,233,900	36.1	11.5%	\$47,336	\$35,914	82.2%	194,353
2011	1,269,354	36.4	10.2%	\$48,477	\$38,382	82.3%	197,001
2012	1,277,746	36.4	8.5%	\$51,284	\$39,180	84.3%	195,198
2013	1,291,578	36.5	7.0%	\$52,321	\$40,206	72.6%	198,659
2014	1,316,298	36.4	6.1%	\$55,156	\$40,680	74.1%	200,684
2015	1,349,050	36.6	5.0%	\$58,569	\$41,902	73.5%	204,491
2016	1,350,910	37.3	4.7%	\$60,283	\$43,803	79.1%	207,469
2017	1,389,374	37.5	2.9%	\$62,976	\$44,709	82.9%	217,072
2018	1,436,888	37.1	2.7%	\$67,533	\$47,000	85.8%	220,257
2019	1,471,970	37.2	2.6%	\$71,320	\$48,452	86.2%	223,314
2020	1,459,762	37.2	13.2%	\$77,666	\$51,848	88.8%	218,943
	(A)	(A)	(B)	(C)	(D)	(E)	(E)
Sources:							
A. United States Census Bureau, American Fact Finder							
B. U.S. Bureau of Labor Statistics, Unemployment Rate in Hillsborough County, FL retrieved from FRED, Federal Reserve Bank of St. Louis							
C. U.S. Bureau Economic Analysis, Personal Income in Hillsborough County, FL retrieved from FRED, Federal Reserve Bank of St. Louis							
D. U.S. Bureau Economic Analysis, Per Capita Personal Income in Hillsborough County, FL retrieved from FRED, Federal Reserve Bank of St. Louis							
E. Florida Department of Education - Hillsborough County District School							

HILLSBOROUGH COUNTY, FLORIDA DEMOGRAPHIC AND ECONOMIC STATISTICS 2006 to 2020



HILLSBOROUGH COUNTY, FLORIDA PRINCIPAL EMPLOYERS 2011 and 2020					
	2020 Rank	2020	2020 Percentage to Total	2011	2011 Percentage
Hillsborough County School District	1	25,574	22.8%	29,603	29.2%
University of South Florida	2	16,310	14.5%	8,353	8.2%
MacDill Air Force Base	3	15,000	13.4%	15,485	15.3%
Tampa International Airport	4	10,500	9.3%	8,060	8.0%
Hillsborough County Govt	5	10,272	9.1%	9,328	9.2%
Publix Super Markets	6	8,918	7.9%	5,823	5.7%
Tampa General Hospital	7	7,548	6.7%	6,900	6.8%
Baycare Health System	8	6,800	6.1%	4,400	4.2%
H.Lee Moffitt Cancer Center	9	6,700	6.0%	-	-
James A Haley Veterans Hospital	10	4,700	4.2%	-	-
Verizon Information Technologies		-	-	9,065	8.9%
City of Tampa		-	-	4,274	4.2%
Grand Totals		112,322	100.0%	101,291	100.0%
Source: <i>Hillsborough County Annual Comprehensive Financial Report</i>					

HILLSBOROUGH COUNTY, FLORIDA PRINCIPAL EMPLOYERS 2011 and 2020



Statistical Section

Operating Information

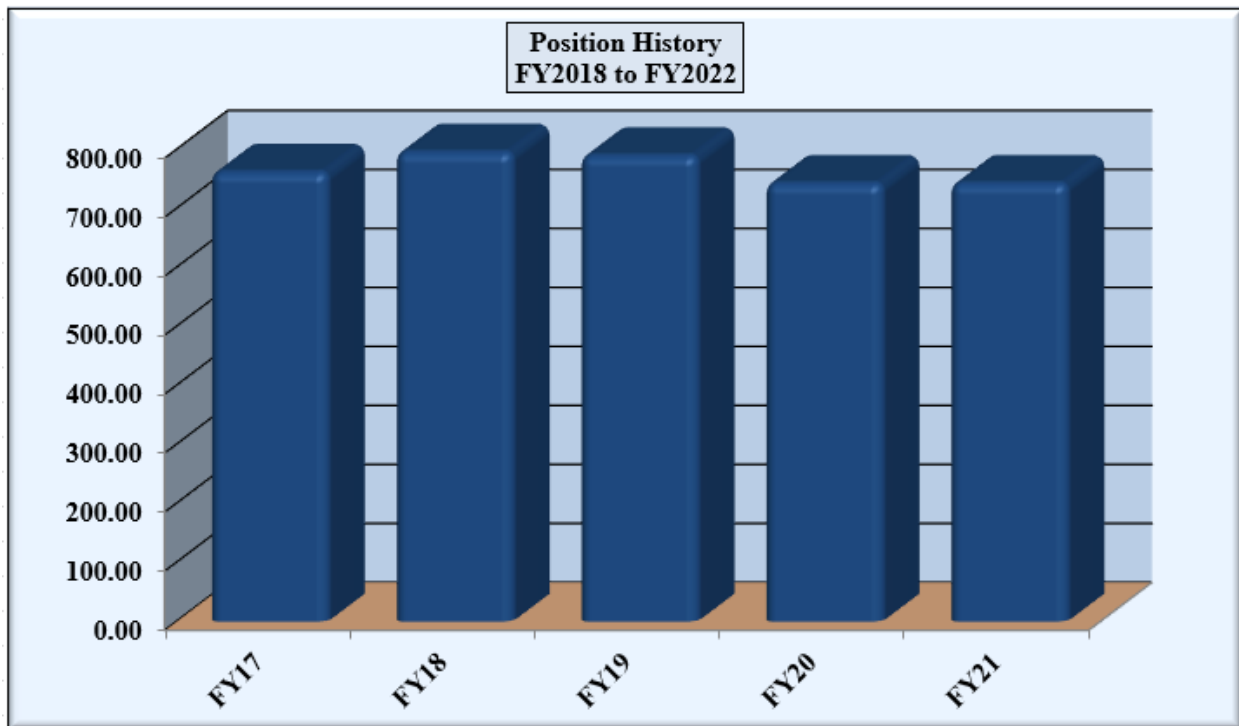
- Miscellaneous HART Statistics
- Staffing – Position Count by Unit (FY2018 to FY2022)
- Bus Service Trends (FY2012 to FY2021)
- Paratransit Service Trends (FY2012 to FY2021)
- Streetcar Service Trends (FY2012 to FY2021)
- Expenses by Program (FY2012 to FY2021)

Note: The statistical section contains “Unaudited” data.

MISCELLANEOUS HART STATISTICS	
Date Authority Created	October 3, 1979
Date Authority Began Operations	March 1980
Form of Government	Board of Directors, Chief Executive Officer
Board of Directors	12
Total Square Miles	1266 Square miles **
Type of Tax Support	Property Tax
Property Tax (Millage/Rate) (2015 Adopted Budget)	.5 mil (0.50)
Services	<p>Fixed Route = 27 local routes, 1 MetroRapid route, and 4 limited express routes. 100% wheelchair/bicycle accessible buses and vans</p> <p>Flex Service = 1 Flex route</p> <p>Paratransit = Door-to-door van services for disabled persons</p> <p>Streetcar = Streetcar service operated and maintained under contract to Tampa Historic Streetcar, Inc. (THS)</p>
Bus Stops / Shelters	2257 bus stops; 650 shelters of which 299 are maintained by the Authority and 351 are maintained by a vendor
Transit Fleet	<p>Fixed Route and Flex Service: 178 buses and 6 fixed route flex vans</p> <p>Paratransit: 107 vans</p> <p>Streetcar: 9</p>
Facilities	<ul style="list-style-type: none"> ◦ 21st Avenue Operations and Maintenance Facility ◦ 13 park-and-ride lots ◦ 2 transit centers (Marion Transit Center and University Area Transit Center) ◦ 6 transfer centers (Britton Plaza, Westshore Plaza, Northwest, Netpark, West Tampa, Yukon) ◦ Marion Street Transit Parkway ◦ The Raymond C. Miller Building / Streetcar Barn / Ybor Station (streetcar operations, streetcar maintenance facility, and administrative staff) ◦ Dick Greco Southern Transportation Plaza, 11 Streetcar Stations (including Dick Greco)

** per 2020 census

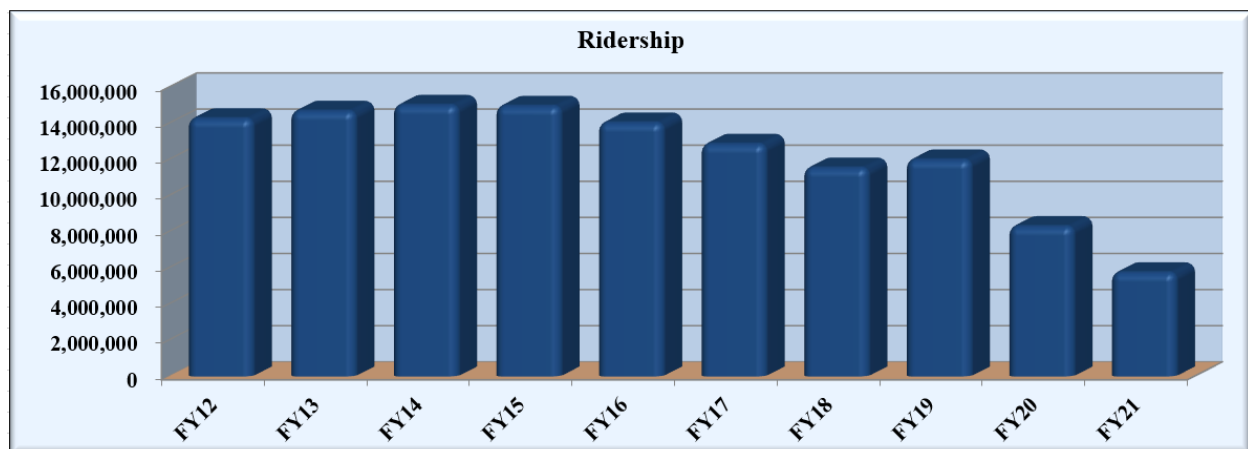
STAFFING - POSITION COUNT BY UNIT						
UNIT	FY2018 Actual	FY2019 Actual	FY2020 Actual	FY2021 Actual	FY2022 Proposed	FY2022 Incr (Decr) FY2021
ATU	594.50	598.00	598.00	563.00	585.00	22.00
Teamster	48.00	53.00	54.00	53.00	53.00	0.00
Non-Bargaining	120.50	146.00	139.00	128.00	135.50	7.50
Total Positions	763.00	797.00	791.00	744.00	773.50	29.50





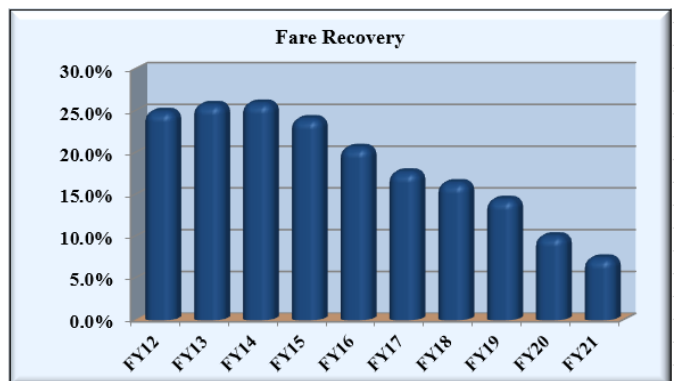
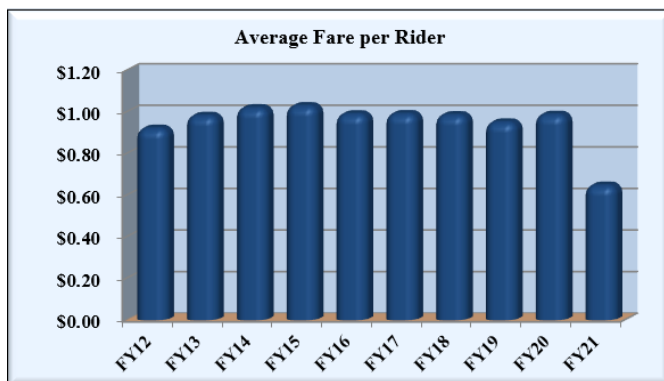
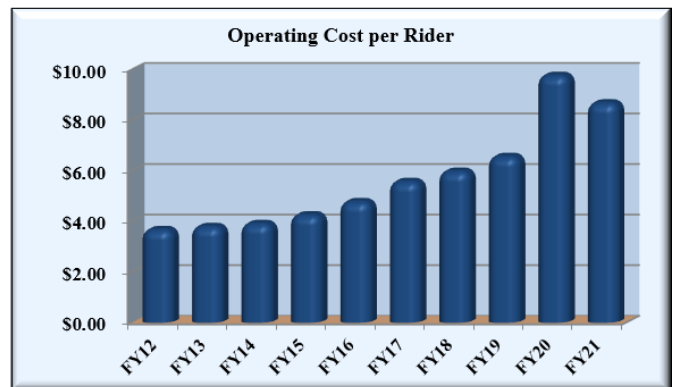
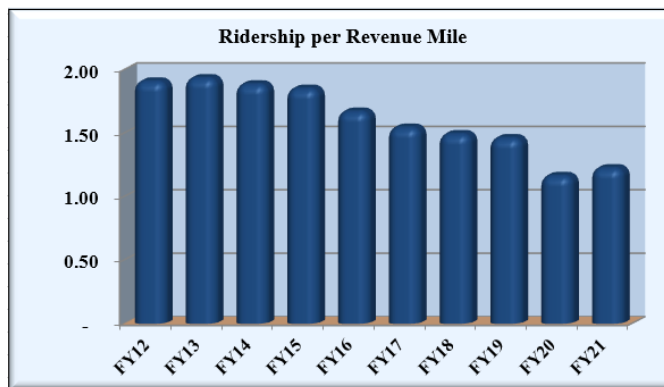
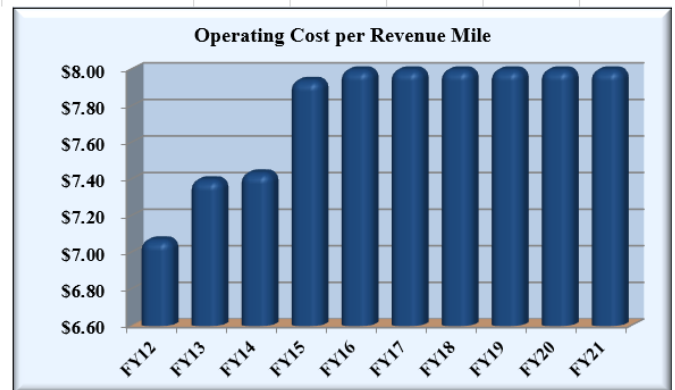
HILLSBOROUGH TRANSIT AUTHORITY TREND OF BUS SERVICE FY2012 to FY2016					
	FY2012	FY2013	FY2014	FY2015	FY2016
STATISTICS					
Total Miles	8,432,411	8,516,695	8,908,643	9,052,316	9,378,111
Revenue Miles	7,477,638	7,594,914	7,961,048	8,078,542	8,400,733
Total Hours	630,109	645,804	678,449	686,304	703,706
Revenue Hours	586,224	602,876	635,945	646,097	661,137
Vehicle Trips	546,065	552,869	574,636	581,113	604,196
Ridership	14,314,610	14,732,525	15,056,967	15,003,289	14,081,260
Positions	655.8	670.5	679.3	676.5	698.0
REVENUES					
Passenger Fares	\$13,224,477	\$14,517,590	\$15,393,039	\$15,484,564	\$13,981,071
Ad Valorem	\$27,327,502	\$25,574,942	\$26,815,634	\$29,583,129	\$31,576,314
Operating Grant Revenues	\$14,829,001	\$15,402,438	\$15,825,431	\$14,238,190	\$13,477,832
Other Revenues	\$1,035,955	\$856,438	\$1,264,650	\$1,219,233	\$1,465,920
Total Operating Revenues	\$56,416,935	\$56,351,408	\$59,298,754	\$60,525,116	\$60,501,137
EXPENSES					
Total Operating Expenses	\$52,871,104	\$56,195,624	\$59,204,422	\$64,165,322	\$67,549,582
KEY OPERATING INDICATORS					
Operating Cost per Total Mile	\$6.27	\$6.60	\$6.65	\$7.09	\$7.20
Operating Cost per Revenue Mile	\$7.07	\$7.40	\$7.44	\$7.94	\$8.04
Ridership per Revenue Mile	1.91	1.94	1.89	1.86	1.68
Operating Cost per Rider	\$3.69	\$3.81	\$3.93	\$4.28	\$4.80
Average Fare per Rider	\$0.92	\$0.99	\$1.02	\$1.03	\$0.99
Percentage of Passenger Fare to Operating Cost (Fare Recovery)	25.0%	25.8%	26.0%	24.1%	20.7%

HILLSBOROUGH TRANSIT AUTHORITY TREND OF BUS SERVICE FY2017 to FY2021					
	FY2017	FY2018	FY2019	FY2020	FY21
STATISTICS					
Total Miles	9,294,792	8,450,701	9,056,592	7,713,928	7,652,872
Revenue Miles	8,324,037	7,730,066	8,199,394	7,135,272	7,187,617
Total Hours	696,251	660,283	692,964	595,430	602,434
Revenue Hours	656,116	631,317	662,198	574,098	584,719
Vehicle Trips	599,725	694,737	681,158	590,513	596,336
Ridership	12,901,178	11,586,334	12,032,360	8,343,331	5,784,404
Positions	684.0	646.0	677.0	640.0	624.0
REVENUES					
Passenger Fares	\$12,825,045	\$11,455,183	\$11,477,437	\$8,265,314	\$5,746,646
Ad Valorem	\$33,967,084	\$36,958,839	\$40,760,104	\$46,435,486	\$49,135,127
Operating Grant Revenues	\$14,898,215	\$15,118,795	\$16,829,916	\$30,800,393	\$36,100,159
Other Revenues	\$1,599,991	\$4,528,343	\$4,652,989	\$4,037,992	\$3,229,204
Total Operating Revenues	\$63,290,335	\$68,061,160	\$73,720,446	\$89,539,185	\$94,211,136
EXPENSES					
Total Operating Expenses	\$72,191,976	\$69,518,173	\$79,232,697	\$81,694,363	\$76,963,257
KEY OPERATING INDICATORS					
Operating Cost per Total Mile	\$7.77	\$8.23	\$8.75	\$10.59	\$10.06
Operating Cost per Revenue Mile	\$8.67	\$8.99	\$9.66	\$11.45	\$10.71
Ridership per Revenue Mile	1.55	1.50	1.47	1.17	0.80
Operating Cost per Rider	\$5.60	\$6.00	\$6.58	\$9.79	\$13.31
Average Fare per Rider	\$0.99	\$0.99	\$0.95	\$0.99	\$0.99
Percentage of Passenger Fare to Operating Cost (Fare Recovery)	17.8%	16.5%	14.5%	10.1%	7.5%
Note: Total bus operating revenues does not include transportation surtax revenue as it is not available for use pending litigation. Total bus operating expenses include salaries, fringes, fuel & lubricants, parts & supplies, contracted services, claims, utilities, marketing and other miscellaneous expenses which are not directly attributable to paratransit or streetcar. It does not include operating expenses reimbursed by grants or depreciation.					



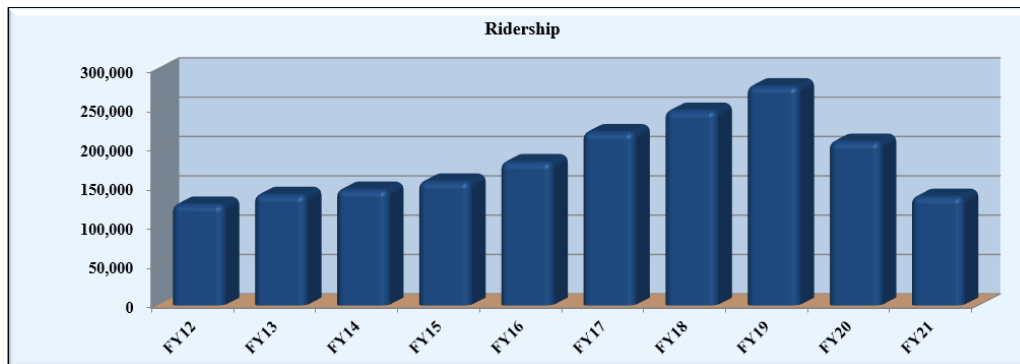
*This information only represents the most recent ten years.
The information above has not been audited.*

**HILLSBOROUGH TRANSIT AUTHORITY
TREND OF BUS SERVICE
FISCAL YEARS 2011 to 2020**

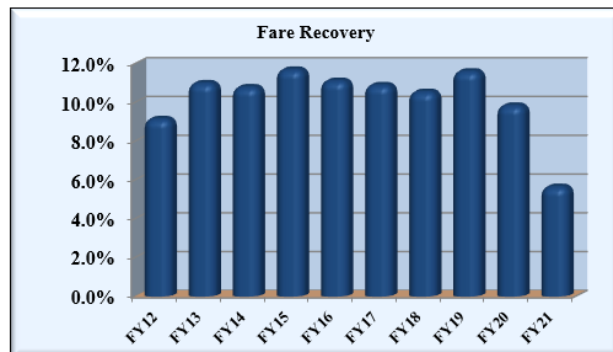
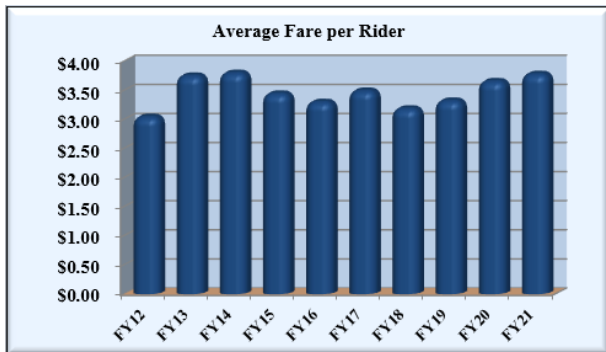
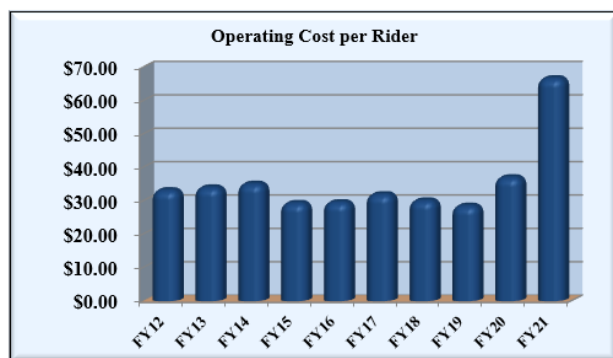
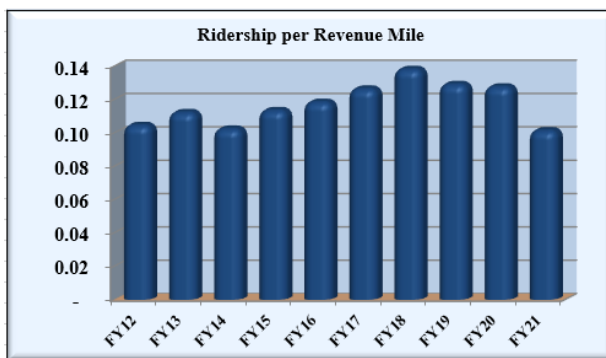
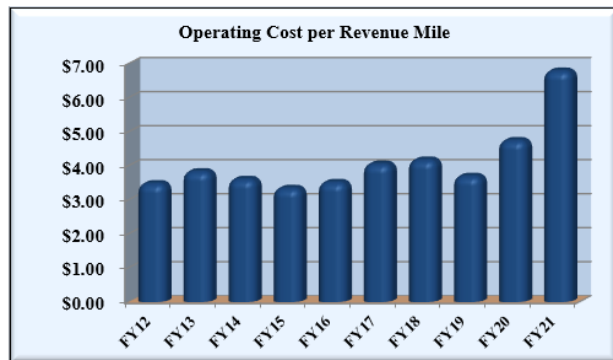
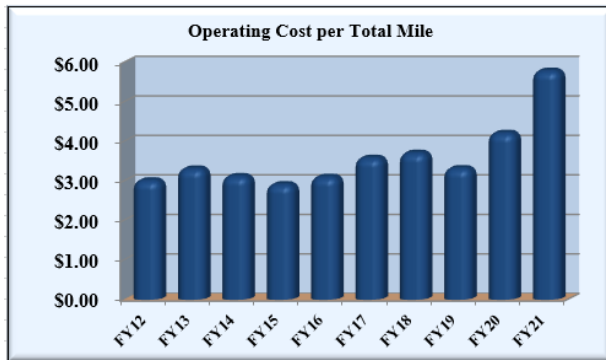


HILLSBOROUGH TRANSIT AUTHORITY TREND OF PARATRANSIT SERVICE FY2012 to FY2021					
	FY12	FY13	FY14	FY15	FY16
STATISTICS					
Total Miles	1,418,818	1,451,139	1,664,147	1,593,096	1,745,008
Revenue Miles	1,226,759	1,253,168	1,438,299	1,387,828	1,538,575
Total Hours	95,102	104,730	108,904	108,920	113,010
Revenue Hours	78,600	84,429	90,492	93,469	96,861
Vehicle Trips	113,912	124,442	134,488	141,198	167,318
Ridership	128,780	141,219	147,828	158,090	182,883
Positions	66.0	75.0	86.0	79.0	99.0
REVENUES					
Passenger Fares	\$392,903	\$530,893	\$562,749	\$545,456	\$604,772
Ad Valorem	\$2,700,582	\$3,028,287	\$3,355,816	\$2,815,417	\$3,293,064
Operating Grant Revenues	\$1,192,296	\$1,253,472	\$1,287,491	\$1,294,931	\$1,531,073
Other Revenues	\$314	\$368	\$179	\$252	\$321
Total Operating Revenues	\$4,286,095	\$4,819,020	\$5,206,235	\$4,656,056	\$5,429,230
EXPENSES					
Total Operating Expenses	\$4,286,095	\$4,819,020	\$5,206,235	\$4,656,056	\$5,429,230
KEY OPERATING INDICATORS					
Operating Cost per Total Mile	\$3.02	\$3.32	\$3.13	\$2.92	\$3.11
Operating Cost per Revenue Mile	\$3.49	\$3.85	\$3.62	\$3.35	\$3.53
Ridership per Revenue Mile	0.10	0.11	0.10	0.11	0.12
Operating Cost per Rider	\$33.28	\$34.12	\$35.22	\$29.45	\$29.69
Average Fare per Rider	\$3.05	\$3.76	\$3.81	\$3.45	\$3.31
Percentage of Passenger Fare to Operating Cost (Fare Recovery)	9.2%	11.0%	10.8%	11.7%	11.1%

HILLSBOROUGH TRANSIT AUTHORITY TREND OF PARATRANSIT SERVICE FY2017 to FY2021					
	FY17	FY18	FY19	FY20	FY21
STATISTICS					
Total Miles	1,972,566	2,016,025	2,402,235	1,836,848	1,599,966
Revenue Miles	1,741,816	1,790,463	2,155,760	1,629,486	1,363,101
Total Hours	141,802	116,736	138,070	108,036	120,912
Revenue Hours	123,641	98,390	120,621	93,127	100,864
Vehicle Trips	206,914	231,467	175,867	126,483	129,316
Ridership	220,922	248,133	279,278	208,715	147,186
Positions	88.0	93.0	91.0	121.0	95.0
REVENUES					
Passenger Fares	\$773,229	\$792,382	\$929,626	\$764,680	\$525,652
Ad Valorem	\$3,542,355	\$3,842,841	\$4,074,830	\$2,435,143	\$3,995,228
Operating Grant Revenues	\$2,768,455	\$2,861,444	\$2,992,853	\$4,555,374	\$4,751,039
Other Revenues	\$429	\$448	\$410	\$0	\$409
Total Operating Revenues	\$7,084,468	\$7,497,115	\$7,997,719	\$7,755,197	\$9,272,328
EXPENSES					
Total Operating Expenses	\$7,084,468	\$7,497,115	\$7,997,719	\$7,755,197	\$9,272,328
Operating Cost per Total Mile	\$3.59	\$3.72	\$3.33	\$4.22	\$5.80
Operating Cost per Revenue Mile	\$4.07	\$4.19	\$3.71	\$4.76	\$6.80
Ridership per Revenue Mile	0.13	0.14	0.13	0.13	0.11
Operating Cost per Rider	\$32.07	\$30.21	\$28.64	\$37.16	\$63.00
Average Fare per Rider	\$3.50	\$3.19	\$3.33	\$3.66	\$3.57
Percentage of Passenger Fare to Operating Cost (Fare Recovery)	10.9%	10.6%	11.6%	9.9%	5.7%
Note : <i>Total paratransit operating expenses include those expenses directly attributable to paratransit service which include salaries, fringes, fuel & lubricants, parts & supplies, contracted services, claims, utilities, marketing and other miscellaneous expenses. It does not include operating expenses reimbursed by grants or depreciation. Ridership includes the Taxi Voucher Program.</i>					

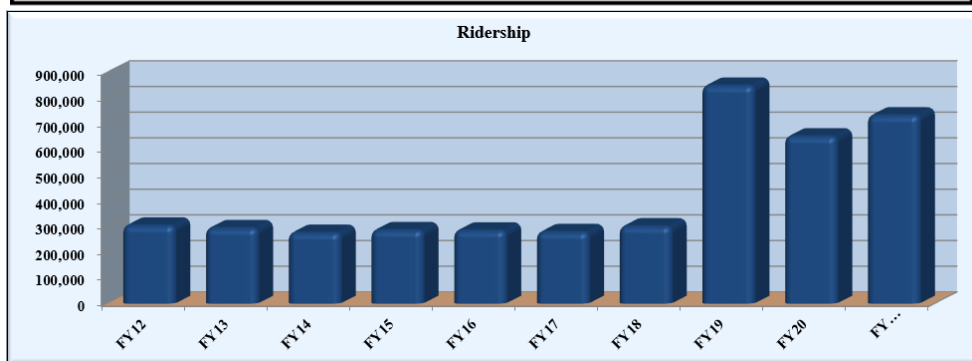


**HILLSBOROUGH TRANSIT AUTHORITY
TREND OF PARATRANSIT SERVICE
FISCAL YEARS 2012 to 2021**

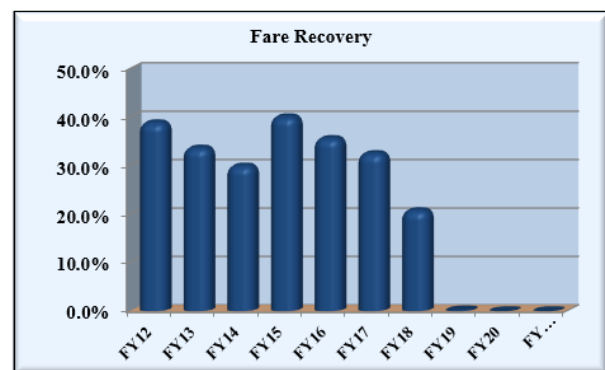
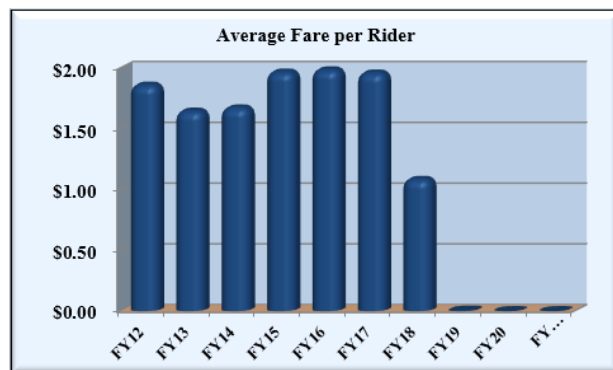
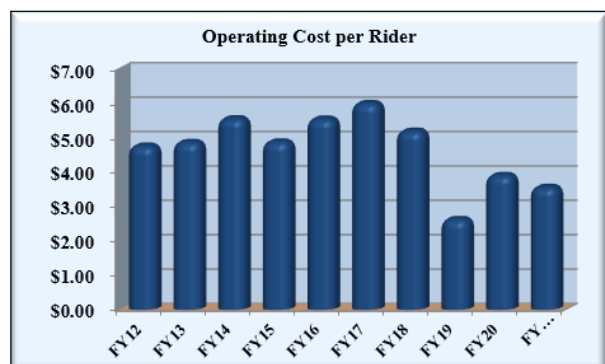
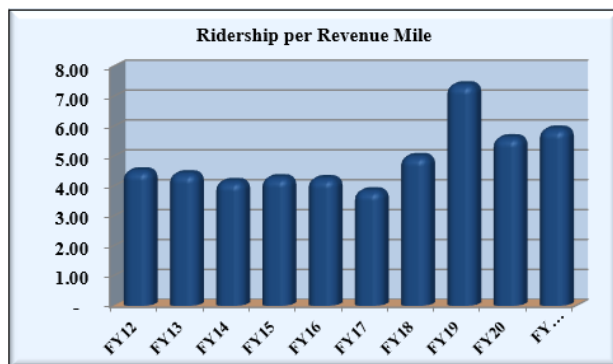
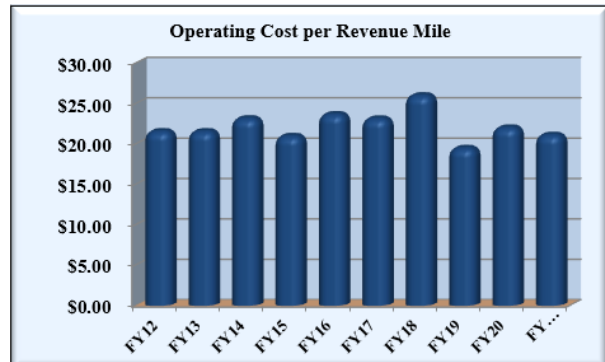
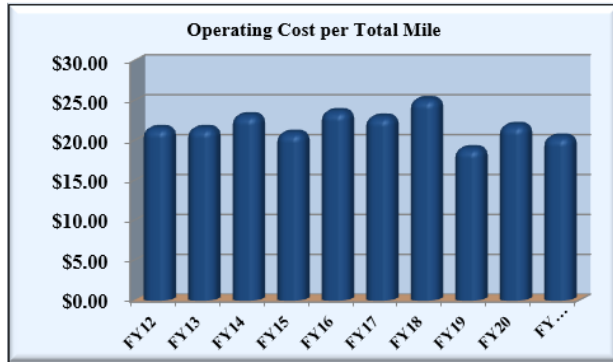


HILLSBOROUGH TRANSIT AUTHORITY TREND OF STREETCAR SERVICE FY2012 to FY2016					
	FY12	FY13	FY14	FY15	FY16
STATISTICS					
Total Miles	67,621	66,779	66,611	67,041	67,156
Revenue Miles	67,539	66,757	66,587	67,018	67,134
Total Hours	12,634	12,476	12,446	12,525	12,547
Revenue Hours	12,561	12,404	12,373	12,463	12,475
Vehicle Trips	26,733	26,400	26,334	26,504	26,921
Ridership	306,247	295,916	277,806	288,131	286,685
Positions	17.0	16.5	17.0	19.0	18.0
REVENUES					
Passenger Fares	\$570,134	\$487,588	\$465,012	\$567,297	\$569,765
Ad Valorem	\$0	\$0	\$0	\$0	\$0
Operating Grant Revenues	\$941,880	\$912,018	\$965,107	\$870,884	\$993,640
Other Revenues	\$24	\$27	\$51,363	\$11,587	-\$23,619
Total Operating Revenues	\$1,512,038	\$1,399,633	\$1,481,482	\$1,449,768	\$1,539,786
EXPENSES					
Total Operating Expenses	\$1,462,656	\$1,444,357	\$1,547,682	\$1,410,802	\$1,594,582
KEY OPERATING INDICATORS					
Operating Cost per Total Mile	\$21.63	\$21.63	\$23.23	\$21.04	\$23.74
Operating Cost per Revenue Mile	\$21.64	\$21.64	\$23.24	\$21.05	\$23.75
Ridership per Revenue Mile	4.53	4.43	4.17	4.30	4.27
Operating Cost per Rider	\$4.78	\$4.88	\$5.57	\$4.90	\$5.56
Average Fare per Rider	\$1.86	\$1.65	\$1.67	\$1.97	\$1.99
Percentage of Passenger Fare to Operating Cost (Fare Recovery)	39.0%	33.8%	30.0%	40.2%	35.7%

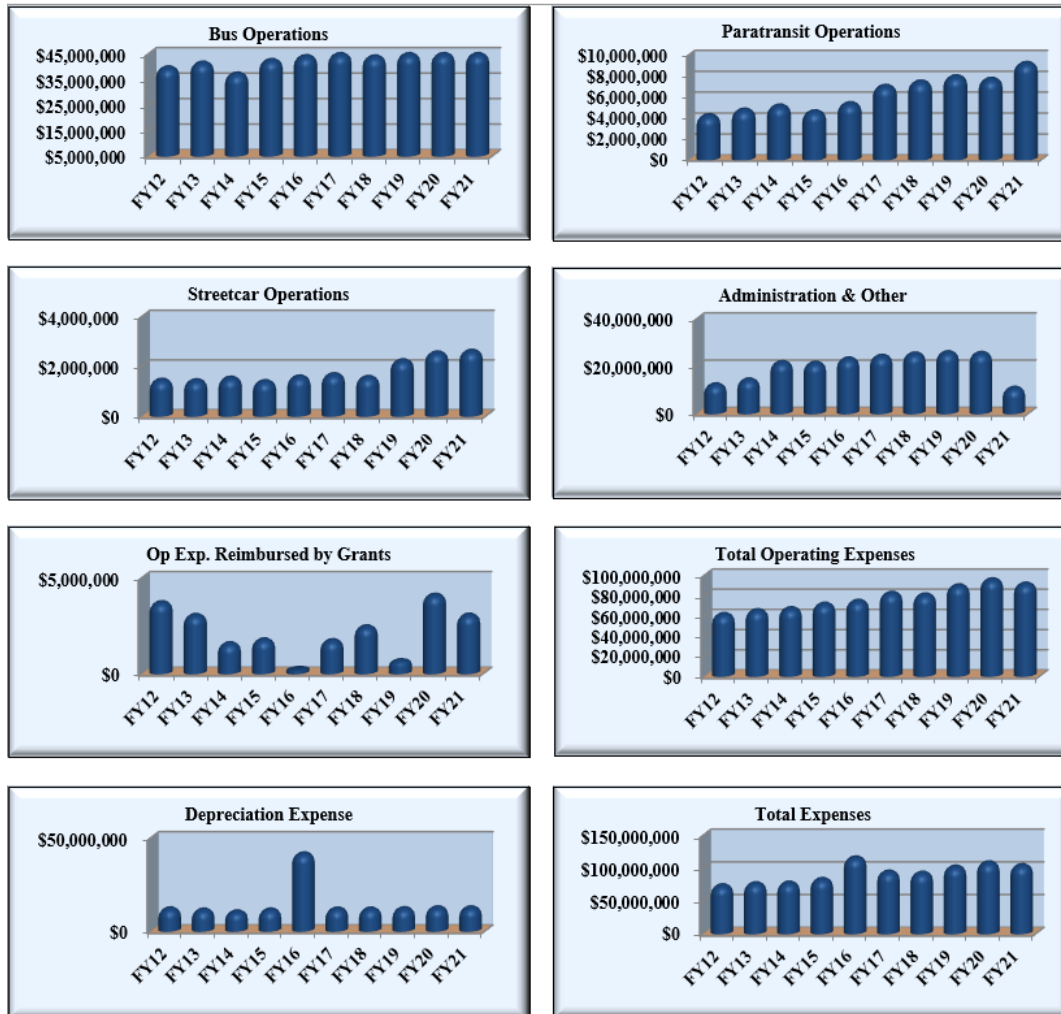
HILLSBOROUGH TRANSIT AUTHORITY TREND OF STREETCAR SERVICE FY2017 to FY2021					
	FY17	FY18	FY19	FY20	FY 2021
STATISTICS					
Total Miles	73,183	62,460	117,636	116,357	127,879
Revenue Miles	72,666	60,468	114,855	115,874	124,055
Total Hours	13,659	11,575	21,982	21,960	23,620
Revenue Hours	13,576	11,508	20,758	21,842	23,564
Vehicle Trips	28,760	24,984	43,539	44,424	48,862
Ridership	280,601	302,872	850,853	653,232	712,693
Positions	19.0	24.0	29.0	30.0	25.0
REVENUES					
Passenger Fares	\$550,298	\$329,016	\$5,841	\$0	\$0
Ad Valorem	\$0	\$0	\$0	\$0	\$0
Operating Grant Revenues	\$1,132,969	\$1,246,219	\$2,241,425	\$2,555,932	\$2,540,253
Other Revenues	\$18	\$115	\$81	-\$3,246	\$89,550
Total Operating Revenues	\$1,683,285	\$1,575,350	\$2,247,347	\$2,552,686	\$2,629,803
EXPENSES					
Total Operating Expenses	\$1,687,448	\$1,577,705	\$2,247,347	\$2,561,056	\$2,629,803
KEY OPERATING INDICATORS					
Operating Cost per Total Mile	\$23.06	\$25.26	\$19.10	\$22.01	\$20.56
Operating Cost per Revenue Mile	\$23.22	\$26.09	\$19.57	\$22.10	\$21.20
Ridership per Revenue Mile	3.86	5.01	7.41	5.64	5.74
Operating Cost per Rider	\$6.01	\$5.21	\$2.64	\$3.92	\$3.69
Average Fare per Rider	\$1.96	\$1.09	\$0.01	\$0.00	\$0.00
Percentage of Passenger Fare to Operating Cost (Fare Recovery)	32.6%	20.9%	0.3%	0.0%	0.0%
Note: <i>Total streetcar operating expenses include those expenses directly attributable to streetcar service which include salaries, fringes, fuel & lubricants, parts & supplies, contracted services, claims, utilities, marketing and other miscellaneous expenses. It does not include operating expenses reimbursed by grants or depreciation. Through a grant from Florida Department of Transportation, starting October 2018 free fares are now offered on the streetcar. While there is still a small amount of special event revenue taken in, this schedule shows the sharp drop in Passenger Fares while the ridership and other statistical data reflects a sharp increase.</i>					



**HILLSBOROUGH TRANSIT AUTHORITY
TREND OF STREETCAR SERVICE
FISCAL YEARS 2011 to 2020**



**HILLSBOROUGH TRANSIT AUTHORITY
EXPENSES BY PROGRAM
FY2012 to FY2021**



SECTION IV

COMPLIANCE REPORTS



**Report of Independent Auditor on Internal Control over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial Statements
Performed in Accordance with *Government Auditing Standards***

To the Board of Directors
Hillsborough Transit Authority
Tampa, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Hillsborough Transit Authority, a/k/a Hillsborough Area Regional Transit Authority, or HART (the "Authority") as of and for the year ended September 30, 2021, and the related notes to the financial statements, which collectively comprise the Authority's financial statements, and have issued our report thereon dated May 2, 2022.

Internal Control over Financial Reporting

In planning and performing our audits of the financial statements, we considered the Authority's internal control over financial reporting ("internal control") as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control.

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

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that have not been identified. We did identify a certain deficiency in internal control, described in the accompanying schedule of findings and questioned costs as item 2021-001, that we consider to be a material weakness.

Compliance and Other Matters

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

The Authority's Response to Findings

The Authority's response to the finding identified in our audit is described in the accompanying schedule of findings and questioned costs. The Authority's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Cherry Bekaert LLP

Tampa, Florida
May 2, 2022



**Report of Independent Auditor on Compliance for Each Major Federal Program and
State Financial Assistance Project and on Internal Control over Compliance
Required by the Uniform Guidance and Chapter 10.550, Rules of the Auditor
General**

To the Board of Directors
Hillsborough Transit Authority
Tampa, Florida

Report on Compliance for Each Major Federal Program and State Financial Assistance Project

We have audited the Hillsborough Transit Authority's, a/k/a Hillsborough Area Regional Transit Authority, or HART (the "Authority") compliance with the types of compliance requirements described in the *OMB Compliance Supplement* and the requirements described in the Florida Department of Financial Services, *State Projects Compliance Supplement* that could have a direct and material effect on its major federal programs and state financial assistance projects for the year ended September 30, 2021. The Authority's major federal programs and state financial assistance projects are identified in the summary of the auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with federal and state statutes, regulations, and terms and conditions of its federal and state awards applicable to its federal programs and state assistance projects.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the Authority's major federal programs and state financial assistance projects based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"); and Chapter 10.550, Rules of the Auditor General. Those standards, the Uniform Guidance, and Chapter 10.550, Rules of the Auditor General, require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program or state financial assistance project occurred. An audit includes examining, on a test basis, evidence about the Authority's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe our audit provides a reasonable basis for our opinion on compliance for each major federal program and state financial assistance project. However, our audit does not provide a legal determination on the Authority's compliance.

Opinion on Each Major Federal Program and State Financial Assistance Project

In our opinion, the Authority complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major federal programs and state financial assistance projects for the year ended September 30, 2021.

Report on Internal Control over Compliance

Management of the Authority is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the Authority's internal control over compliance with requirements that could have a direct and material effect on each major federal program and state financial assistance project to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and state financial assistance project and to test and report on internal controls over compliance in accordance with the Uniform Guidance and Chapter 10.550, but not for the purpose of expressing our opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program and state financial assistance project on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program and state financial assistance project will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program and state financial assistance project that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that have not been identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance and Chapter 10.550. Accordingly, this report is not suitable for any other purpose.

Cherry Bekaert LLP

Tampa, Florida
May 2, 2022

HILLSBOROUGH TRANSIT AUTHORITY

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

YEAR ENDED SEPTEMBER 30, 2021

Part I – Summary of Auditor’s Results

Financial Statement Section

Type of report the auditor issued on whether the financial statements audited were prepared in accordance with GAAP:

Unmodified

Internal control over financial reporting:

Material weakness(es) identified?

☒ yes

☐ no

Significant deficiency(ies) identified not considered to be material weakness(es)?

☐ yes

☒ none reported

Noncompliance material to financial statements noted

☐ yes

☒ no

Federal Awards Programs and State Projects Section

Internal control over major programs:

Material weakness(es) identified?

☐ yes

☒ no

Significant deficiency(ies) identified not considered to be material weakness(es)?

☐ yes

☒ none reported

Type of auditor's report on compliance for major federal programs:

Unmodified

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200 516(a) and Chapter 10.550

☐ yes

☒ no

Identification of major federal programs and state projects:

Federal programs:

Assistance Listing Numbers	Name of Program or Cluster
20.500, 20.507, 20.525, 20.526	Federal Transit Cluster

State projects:

CSFA Numbers	Name of Project
55.010	Public Transit Block Grant Program
55.012	Public Transit Service Development Program

SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

YEAR ENDED SEPTEMBER 30, 2021

Part I – Summary of Auditor’s Results (continued)

Dollar threshold used to determine Type A programs:

Federal programs

\$ 1,287,414

State projects

\$ 750,000

Auditee qualified as low-risk auditee for federal purposes?

 x yes no**Part II – Schedule of Financial Statement Findings**

This section identifies the significant deficiencies, material weaknesses, and instances of noncompliance related to the financial statements that are required to be reported in accordance with *Government Auditing Standards*.

Finding 2021-001 Material Weakness in Internal Control over Financial Reporting

Criteria: The Authority’s finance department should have the necessary staff to properly record, reconcile and report all financial transactions in a timely manner.

Condition: During the year ended September 30, 2021 and subsequent to year end, the Authority had several changes in finance staff. This included 5 different Chief Financial Officers (4 total individuals served as Chief Financial Officer, 1 individual served at two separate times) and the vacancy of the Director of Financial Operations and the Director of Budgets & Grants positions. We experienced that the absence of finance staff put a strain on the current personnel to complete their responsibilities in an accurate and timely manner. For example, we noted that there was a significant increase in the time required to close the year-end books. During the fiscal year 2021 audit, the auditor discovered it was necessary for management to record several post-closing journal entries to various accounts in order to properly reflect transactions of the fiscal period.

- A post-closing entry was made to properly balance the financial statements. Finance staff was unable to determine the cause for the unbalance and thus, an entry was made to decrease inventory and decrease net position for approximately \$159,000. At September 30, 2021, inventory is understated by approximately \$159,000.
- Finance staff incorrectly posted the journal entry to adjust the net pension liability for the year ended September 30, 2021, resulting in an understatement of expenses and deferred inflow of resources – pension, and related net position in the amount of \$25,383,000. This error was corrected.
- After finance staff’s preparation of the Annual Comprehensive Financial Report the auditor discovered that the Schedule of Expenditure of Federal Awards and State Financial Assistance

SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)

YEAR ENDED SEPTEMBER 30, 2021

-
- Projects ("SEFA") did not reconcile to the basic financial statements. Finance staff then revised the SEFA to reflect an additional \$361,000 in federal expenditures that had not previously been reported.
 - After finance staff's reconciliation of the accounts receivable balances in the general ledger to the amounts recorded in the financial statements it was discovered that state grants accounts receivable and State operating assistance grants revenue are overstated for the year ended September 30, 2021, in the amount of approximately \$387,000

Cause: Insufficient staffing levels and/or increased responsibilities of the finance department's personnel. Due to the level of staffing and increased responsibilities of the employees, formal closing procedures and reconciliations were not properly/timely prepared and reviewed.

Effect: Financial reports and related reconciliations were not prepared, reviewed, and recorded in a timely manner, which resulted in amounts not being accurately reported as noted above.

Recommendation: We recommend that the Authority assess the number of personnel needed by the finance department to accurately and timely complete its interim and year-end financial reporting. In the absence of proper staffing, management should reevaluate roles and responsibilities to ensure that staff can perform their duties and maintain a segregation of duties.

Management's Response: We agree with the finding.

Part III – Findings and Questioned Costs – Major Federal Award Programs

This section identifies the significant deficiencies, material weaknesses, and instances of noncompliance, including questioned costs, related to the audit of major federal programs, as required to be reported by the Uniform Guidance.

There were no findings required to be reported in accordance with the Uniform Guidance.

Part IV – Findings and Questioned Costs – Major State Financial Assistance Projects

This section identifies the significant deficiencies, material weaknesses, and instances of noncompliance, including questioned costs, related to the audit of major federal programs, as required to be reported by the Chapter 10.550, Rules of the Auditor General.

There were no findings required to be reported in accordance with Chapter 10.550, Rules of the Auditor General.

Summary of Prior Audit Findings

A schedule of prior year audit findings is not necessary since there were no prior year audit findings.



Hillsborough Transit Authority

1201 E. 7th Avenue • Tampa, Florida 33605

(813) 384-6600 • fax (813) 384-6284 • www.goHART.org

May 2, 2022

Cherry Bekaert LLP
401 East Jackson Street, Suite 1200
Tampa, Florida 33629

Below is the correction action plan for Finding 2021-001 identified during the audit for the Fiscal Year ended September 30, 2021.

**HILLSBOROUGH TRANSIT AUTHORITY
CORRECTIVE ACTION PLAN**

For the Year Ended September 30, 2021

Finding 2021-001: Material Weakness in Internal Control over Financial Reporting

Name of Contact Person: Loretta Kirk, Chief Financial Officer

Corrective Action:

Management concurs with the finding. HART has filled several positions and is aggressively recruiting to fill the vacant positions in the Financial Operations department. The positions of Chief Financial Officer, Accountant, Manager of Accounting and Sr. Budget & Grants Analyst have been filled since the year ended September 30, 2021. We are currently recruiting for the positions of Director of Financial Operations, Finance and Treasury Specialist, Director of Budget and Grants and Accountant.

Updated procedures for properly recording transactions, completing monthly and annual closings, and reconciliation of accounts are currently being developed.

Proposed Completion Date: July 31, 2022

Sincerely,

A handwritten signature in black ink that reads 'Loretta Kirk'.

Loretta Kirk
Chief Financial Officer



Independent Auditor's Management Letter

To the Board of Directors
Hillsborough Transit Authority
Tampa, Florida

Report on the Financial Statements

We have audited the financial statements of the Hillsborough Transit Authority, a/k/a Hillsborough Area Regional Transit Authority, or HART (the "Authority"), as of and for the year ended September 30, 2021, and have issued our report thereon dated May 2, 2022.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance"); and Chapter 10.550, Rules of the Auditor General.

Other Reporting Requirements

We have issued our Report of Independent Auditor on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*; Report of Independent Auditor on Compliance for Each Major Federal Program and State Financial Assistance Project and on Internal Control over Compliance Required by the Uniform Guidance and Chapter 10.550, Rules of the Auditor General; Schedule of Findings and Questioned Costs; and Report of Independent Accountant on Compliance with Local Government Investment Policies, regarding compliance in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports and schedule, which are dated May 2, 2022, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no findings or recommendations made in the preceding financial audit report.

Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The Authority was established pursuant to the constitution and laws of Florida, particularly Chapter 91-368, Laws of Florida, as amended, revising and consolidating Chapter 31263, Special Laws of Florida, 1955. There were no component units related to the Authority.

Financial Condition and Management

Section 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor General, require us to apply appropriate procedures and communicate the results of our determination as to whether or not the Authority has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific condition(s) met. In connection with our audit, we determined that the Authority did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.554(1)(i)5.b. and 10.556(8), Rules of the Auditor General, we applied financial condition assessment procedures for the Authority. It is management's responsibility to monitor the Authority's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Specific Information

As required by Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)6, Rules of the Auditor General, the (name of district) reported:

Specific Information

As required by Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)6, Rules of the Auditor General, the Authority reported (unaudited):

- a. The total number of district employees compensated in the last pay period of the district's fiscal year as 699.
- b. The total number of independent contractors to whom nonemployee compensation was paid in the last month of the district's fiscal year as none.
- c. All compensation earned by or awarded to employees, whether paid or accrued, regardless of contingency as \$39,033,830.
- d. All compensation earned by or awarded to nonemployee independent contractors, whether paid or accrued, regardless of contingency as \$49,868.
- e. Each construction project with a total cost of at least \$65,000 approved by the district that is scheduled to begin on or after October 1 of the fiscal year being reported, together with the total expenditures for such project as follows:
 - a. VC00000850, Orange Grove Dr Bus Bay & ADA Shelter & Landing Pads: \$71,539.
 - b. VC00000863, Orient Rd @ Fairgrounds Bus Bay: \$129,363.
 - c. VC00000866, BTI 22nd St. @ Hillsborough Ave.: \$69,850.
 - d. VC00000880, SR 60 @ Strawberry Ridge: \$127,555.
 - e. VC00000897, UATC ADA Sidewalk Improvements: \$0

f. A budget variance based on the budget adopted under Section 189.016(4), Florida Statutes, before the beginning of the fiscal year being reported if the district amends a final adopted budget under Section 189.016(6), Florida Statutes, as \$0.

As required by Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)7, Rules of the Auditor General, the Authority.

- g. The mileage rate or rates imposed by the district as 0.5.
- h. The total amount of ad valorem taxes collected by or on behalf of the district as \$53,143,421.
- i. The total amount of outstanding bonds issued by the district and the terms of such bonds as none.

Additional Matters

Section 10.554(1)(i)3., Rules of the Auditor General, requires us to communicate noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

Purpose of this Letter

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, HART board members, and applicable management and is not intended to be, and should not be, used by anyone other than these specified parties.

Cherry Bekaert LLP

Tampa, Florida
May 2, 2022



**Report of Independent Accountant on Compliance with Local Government
Investment Policies**

To the Board of Directors
Hillsborough Transit Authority
Tampa, Florida

We have examined the Hillsborough Transit Authority's, a/k/a Hillsborough Area Regional Transit Authority, or HART (the "Authority") compliance with the local government investment policy requirements of Section 218.415, Florida Statutes, during the year ended September 30, 2021. Management of the Authority is responsible for the Authority's compliance with the specified requirements. Our responsibility is to express an opinion on the Authority's compliance with the specified requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Authority complied, in all material respects, with the specified requirements referenced above. An examination involves performing procedures to obtain evidence about whether the Authority complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgement, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe the evidence obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

Our examination does not provide a legal determination on the Authority's compliance with the specified requirements.

In our opinion, the Authority complied, in all material respects, with the local investment policy requirements of Section 218.415, Florida Statutes, during the year ended September 30, 2021.

The purpose of this report is to comply with the audit requirements of Section 218.415, Florida Statutes, and Rules of the Auditor General.

Cherry Bekaert LLP

Tampa, Florida
May 2, 2022



HART

www.goHART.org



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COMMISSIONER PAT KEMP, HART BOARD CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-33 ~ Authorize Staff to Proceed with a Solicitation for Procurement of Revenue Vehicle Tire Lease Services Beginning Fiscal Year 2023*

The HART Board of Directors held a meeting in a hybrid format on May 16, 2022

	Attendance in Person	
Committee Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilman Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	

Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	

Attendance via Communications Media Technology (CMT)

Committee Members	(8) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	
Rena Frazier		
Commissioner Pat Kemp	Others Present	(2)
Commissioner Gwen Myers	Ron Conrad, Cherry Bekaert, LLP	



Commissioner Kimberly Overman
Commissioner Mariella Smith
Councilmember Luis Viera
Melanie Williams

Raquel Valdez, Hillsborough County

Board Action:

The Board of Directors considered and approved Resolution #R2022-05-29 at the May 16, 2022, Board meeting at which a quorum was in place, but not physically present.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-33

COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize Staff to Proceed with a Solicitation for Procurement of Revenue Vehicle Tire Lease Services Beginning Fiscal Year 2023

OVERVIEW

This solicitation and resulting contract will result in a contractor to supply, manage, and maintain tires for all revenue vehicles the Authority operates. The contractor is required to provide two (2) full-time tire service personnel to mount and balance tires, perform tire maintenance, dismount tires from rims and perform proper tire disposal.

RECOMMENDATION

That the Finance and Audit Committee review the action item to recommend the HART Board of Directors authorize staff to proceed with a solicitation for procurement of Revenue Vehicle Tire Lease Services Beginning Fiscal Year 2023; and advance this document to the full Board of Directors at the May 2, 2022 regular Board meeting.

FINANCIAL IMPACT

The period of performance for the resulting contract will be three (3) year base with two (2) one-year options. The estimated cost for this service is Not to Exceed \$3,500,000.00.

At the conclusion of the solicitation submittal period and after vendor responsibility review, the resulting contract will be presented to the Board for final review and approval prior to execution.

The solicitation and resulting contract will not contain a DBE goal or SBE set aside requirement, however all responding firms will be encouraged to use D/W/MBE firms for subcontracting opportunities, to the greatest extent practicable.

This solicitation will be conducted using an Invitation for Bid (IFB) process with the resulting contract awarded to the lowest responsive, responsible bidder.

Funding for the first-year base will be allocated in the FY23 Operating Budget. Funding for future years is contingent on the annual appropriation for this expenditure.

BACKGROUND

HART operates a fleet of 162 Gillig Low Floor 40ft buses and 83 Paratransit vans built by Goshen. The current contract for revenue vehicle tire lease service and tire personnel expires on September 30, 2022.

NEXT STEPS

1. Present recommendation by the Finance and Audit Committee to the full Board of Directors at the May 2, 2022 regular Board meeting.
2. Initiate the solicitation process in May 2022.



3. Conclusion of the solicitation process and determining the successful vendor(s) anticipated in June 2022.
4. Present contract award information to the Finance and Audit Committee on June 20, 2022.
5. Pending advancement from the Committee, present contract award recommendation to the full Board of Directors on July 18, 2022.

Prepared by: Cathy Zickefoose, Director of Procurement and Contracts

Reviewed by: Juston Lafler, Director of Maintenance

Approved by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-33

A RESOLUTION AUTHORIZING STAFF TO PROCEED WITH A SOLICITATION FOR PROCUREMENT OF REVENUE VEHICLE TIRE LEASE SERVICES BEGINNING FISCAL YEAR 2023

WHEREAS, Hillsborough Transit Authority (HART) requires Revenue Tire Lease Services; and

WHEREAS, a new contract is required to support HART's Maintenance and Transportation Departments; and

WHEREAS, the value of the resulting contract is estimated Not to Exceed \$3,500,000.00; and

WHEREAS, funding for the first-year base will be allocated in the FY23 Operating Budget. Future year funding is contingent on the annual appropriation for this expenditure; and

WHEREAS, the period of performance of the resulting contract will be for a three-year base with two one-year options; and

WHEREAS, the resulting contract does not have a DBE participation or SBE set-aside requirement; and

WHEREAS, the solicitation will be conducted using the Invitation for Bid method; and

WHEREAS, the Board of Directors reviewed and approved the subject matter of the Resolution #R2022-05-23 at its May 16, 2022, Board meeting at which a quorum was in place but not physically present; and

WHEREAS, this Resolution is being approved nunc pro tunc;

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

Section 1. Staff is authorized to proceed with a solicitation for procurement of Revenue Vehicle Tire Lease Services Beginning Fiscal Year 2023.

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

ATTACHMENT II

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 MAY 16, 2022.**

ATTEST:

**Melanie Williams, Secretary
HART Board of Directors**

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COMMISSIONER PAT KEMP, HART BOARD CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-34 ~ Authorize the Chief Executive Officer to Award a Contract to CoachCrafters, Inc for Body Shop Services in a Not-To Exceed Amount of \$736,800*

The HART Board of Directors held a meeting in a hybrid format on May 16, 2022

	Attendance in Person	
Committee Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilman Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	

Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	

Attendance via Communications Media Technology (CMT)

Committee Members	(8) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	
Rena Frazier		
Commissioner Pat Kemp	Others Present	(2)
Commissioner Gwen Myers	Ron Conrad, Cherry Bekaert, LLP	



Commissioner Kimberly Overman
Commissioner Mariella Smith
Councilmember Luis Viera
Melanie Williams

Raquel Valdez, Hillsborough County

Board Action:

The Board of Directors considered and approved Resolution #R2022-05-29 at the May 16, 2022, Board meeting at which a quorum was in place, but not physically present.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-34

COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize the Chief Executive Officer to Award a Contract to CoachCrafters, Inc for Body Shop Services in a Not-To Exceed Amount of \$736,800

OVERVIEW

The contractor will provide body shop services for major/minor accident repairs and paint services on HART buses. Task orders will be issued on an as-needed basis.

RECOMMENDATION

That the Finance and Audit Committee review the action item to recommend the HART Board of Directors authorize the Chief Executive Officer to award a contract to CoachCrafters, Inc for Body Shop Services in a Not-To Exceed Amount of \$736,800; and advance this item to the full Board of Directors at the May 2, 2022, regular Board meeting.

FINANCIAL IMPACT

The total not-to-exceed value of the contract to CoachCrafters is \$736,800.00 for a three-year base with two additional one-year optional periods for a total of five years.

The contract does not contain a DBE goal or SBE set aside requirements. CoachCrafters is a Florida registered Disadvantaged Business Enterprise.

The majority of the service costs are recovered by HART's Third Party Administrator for automotive claims. Funding for non-recoverable costs the first year base is allocated in the FY22 Operating Budget; future years funding is contingent on the annual appropriation for this expenditure.

BACKGROUND

On December 6, 2021, the HART Board of Directors approved the Resolution #R2021-12-53 authorizing staff to proceed with a solicitation for the procurement of body shop services for restoration of damaged buses, vans and non-revenue vehicles.

PROCUREMENT CONSIDERATIONS

IFB-46321 was issued for Body Shop Services on February 4, 2022, and was open to the public for response from all interested parties. The solicitation notice was posted to HART's website and DemandStar and published on Bonfire on February 4, 2022. Sixteen vendors downloaded the solicitation and of the sixteen vendors who downloaded, one was a DBE.

On February 25, 2022, seven timely bids were received and reviewed by Procurement for responsiveness. All seven bids were determined to conform to essential requirements in the bid submittal. The low bidder for vans and non-revenue vehicles was greater than 40% below the next low bidder's labor rate and determined not to be reasonable. Further, a site visit was conducted of their shop and found the facility was not equipped to perform the services and the bid was rejected.

CoachCrafters, Inc was the low bidder for Lot 1 (buses), W&W Auto Collision Center, Inc was the low bidder for Lot 2 (vans) and Xtreme Precision Auto Collision LLC was the low bidder for Lot 3 (non-revenue vehicles). A site visit was conducted of the shops and found each facility was equipped to perform the services. Labor rates were determined to be fair and reasonable based on competition and labor rates on the current contracts.

Bidder	Lot 1-Bus	Lot 2-Van	Lot 3 Non-revenue
ABC Bus	\$748,395	No Bid	No Bid
Bartow Ford	No Bid	\$69,070	\$31,220
CoachCrafters	\$736,800	\$130,400	\$62,576
All American Sleeper	\$779,000	\$57,000	\$33,060
W&W Auto Collision Center	No Bid	\$45,250	\$25,280
Xtreme Precision Auto Collision	\$810,000	\$53,850	\$25,020

NEXT STEPS

1. Present recommendation by the Finance and Audit Committee to the full Board of Directors at the May 2, 2022 regular Board meeting.
2. Upon the Board's approval, the Chief Executive Officer will award the contract with CoachCrafters, Inc.

Prepared by: Cathy Zickefoose, Director of Procurement

Approved by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-34

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO AWARD A CONTRACT TO COACHCRAFTERS, INC FOR BODY SHOP SERVICES IN A NOT-TO-EXCEED AMOUNT OF \$736,800

WHEREAS, Hillsborough Transit Authority (HART) requires Body Shop Services for Major/Minor Accident Repairs and Paint Services on an ongoing basis; and

WHEREAS, a new contract is required in support of HART's Vehicle Maintenance Department; and

WHEREAS, the solicitation was conducted using the Invitation for Bids method; and

WHEREAS, the total not-to-exceed value of the contract to CoachCrafters is \$736,800.00; and

WHEREAS, the majority of the service costs are recovered by HART's Third Party Administrator for automotive claims. Funding for non-recoverable costs the first year base is allocated in the FY22 Operating Budget; future years funding is contingent on the annual appropriation for this expenditure; and

WHEREAS, the period of performance of the resulting contract will be for a three-year base with two one-year options; and

WHEREAS, the resulting contract does not have a DBE participation or SBE set-aside requirement. CoachCrafters is a Florida registered Disadvantaged Business Enterprise; and

WHEREAS, the Board of Directors reviewed and approved this subject matter of the Resolution #R2022-05-24 at its May 16, 2022, Board meeting at which a quorum was in place but not physically present; and

WHEREAS, this Resolution is being approved nunc pro tunc;

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 award a contract to CoachCrafters, Inc. for Body Shop Services in a not-to-exceed amount of \$736,800.00.

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.

ATTACHMENT II

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE
HILLSBOROUGH TRANSIT AUTHORITY ON MAY 16, 2022.**

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COMMISSIONER PAT KEMP, HART BOARD CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-35 ~ Authorize the Chief Executive Officer to Execute a Modification to the Existing Contract for Program Management Services with Clever Consulting Group in Support of the Regional Inter-Jurisdictional Mobility Project, a/k/a Flamingo Fares Project, to Extend the Contract for a Seven Month Period, Through December 30, 2022 with No Increase to the Contract Value*

The HART Board of Directors held a meeting in a hybrid format on May 16, 2022

Attendance in Person

Committee Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilman Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	

Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	

Attendance via Communications Media Technology (CMT)

Committee Members	(8) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	
Rena Frazier		



Commissioner Pat Kemp
Commissioner Gwen Myers
Commissioner Kimberly Overman
Commissioner Mariella Smith
Councilmember Luis Viera
Melanie Williams

Others Present

(2)

Ron Conrad, Cherry Bekaert, LLP
Raquel Valdez, Hillsborough County

Board Action:

The Board of Directors considered and approved Resolution #R2022-05-29 at the May 16, 2022, Board meeting at which a quorum was in place, but not physically present.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-35



COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize the Chief Executive Officer to Execute a Modification to the Existing Contract for Program Management Services with Clevor Consulting Group in Support of the Regional Inter-Jurisdictional Mobility Project, a/k/a Flamingo Fares Project, to Extend the Contract for a Seven Month Period, Through-December 30, 2022 with No Increase to the Contract Value

OVERVIEW

This modification is to provide the continuous and in-depth Program Management Services from Clevor Consulting Group for Hillsborough Transit Authority (HART) in support of the Regional Inter-Jurisdictional Mobility Project. This support is necessary to successfully complete the implementation of an integrated transportation payment platform for the region. Extending the term from June 1, 2022 to December 30, 2022 will allow for any program management services needed during the implementation and operation of open payments.

RECOMMENDATION

That the Finance and Audit Committee review the action item to recommend the HART Board of Directors authorize the Chief Executive Officer execute a modification to the existing contract for program management services with Clevor Consulting Group in support of Regional Inter-Jurisdictional Mobility project, a/k/a Flamingo Fares project for a seven-month period, Through December 30, 2022 with no increase to the contract value; and advance this item to the full HART Board of Directors at the May 2, 2022 regular Board meeting.

FINANCIAL IMPACT

No additional funding is required. The current purchase order is funded with FDOT/FTA pass through funds from contract # G1936 FPN 4367-1-94-01.

BACKGROUND

Since November 2018, Clevor has been providing HART with valuable recommendations on the Flamingo Fares project aspects to improve project performance. They are well versed in the delivery of an account-based, open payment system that involves multiple transit agencies in a major metropolitan region and the vendor involved, INIT. In addition to the technical knowledge and vendor experience that comes with supporting the most innovative and complex transportation technology projects in the industry, the Clevor team brings the experience of a well-proven approach to program management that is focused on keeping the project moving forward. Continuous support through the final implementation is essential for this project's success.

NEXT STEPS

1. Present recommendation by the Finance and Audit Committee to the full Board of Directors at the May 2, 2022 regular Board meeting.
2. Extend the contract expiration to December 30, 2022.

Prepared by: Cathy Zickefoose, Director of Procurement and Contracts

Approved by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-35

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE A MODIFICATION TO THE EXISTING CONTRACT FOR PROGRAM MANAGEMENT SERVICES WITH CLEVOR CONSULTING GROUP IN SUPPORT OF THE REGIONAL INTER-JURISDICTIONAL MOBILITY PROJECT, A/K/A FLAMINGO FARES PROJECT, TO EXTEND THE CONTRACT FOR A SEVEN-MONTHS PERIOD, THROUGH DECEMBER 30, 2022, WITH NO INCREASE TO THE CONTRACT VALUE

WHEREAS, Hillsborough Transit Authority (HART) requires program management services; and

WHEREAS, no additional funding is required: this is a time extension only; and

WHEREAS, it has been determined that a seven-month extension through December 30, 2022, is needed for support during the final implementation and operation of the integrated transportation payment platform for the region; and

WHEREAS, the Board of Directors reviewed and approved the subject matter of the Resolution #R2022-05-25 at its May 16, 2022, Board meeting at which a quorum was in place but not physically present; and

WHEREAS, this Resolution is being approved nunc pro tunc;

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 a modification to the existing contract for program management services with Clevor Consulting Group in support of Regional Inter-Jurisdictional Mobility project, a/k/a Flamingo Fares project for a seven-months period, Through December 30, 2022 with no increase to the contract value.

Section 2. Proper officers of the HART Board 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 MAY 16, 2022.

ATTEST:

Melanie Williams, Secretary
HART Board of Directors

Commissioner Patricia Kemp, Chairperson
HART Board of Directors

Julia Mandell, Esquire
HART Board General Counsel



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COMMISSIONER PAT KEMP, HART BOARD CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-36 ~ Authorize the Chief Executive Officer to Execute a Modification to the Existing Contract for The Tampa Arterial Bus Rapid Transit (BRT) Study with Alfred Benesch & Company (Formerly Tindale Oliver) to Pursue the Low-Cost Alternative Improvements in the Southern Portion of the Corridor, to Extend the Contract for an Eighteen-Month Period, Through November 30, 2023, with no Increase to the Contract Value*

The HART Board of Directors held a meeting in a hybrid format on May 16, 2022

Attendance in Person

Committee Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilman Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	

Attendance via Communications Media Technology (CMT)

Committee Members	(8) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	



Rena Frazier
Commissioner Pat Kemp
Commissioner Gwen Myers
Commissioner Kimberly Overman
Commissioner Mariella Smith
Councilmember Luis Viera
Melanie Williams

Others Present

(2)

Ron Conrad, Cherry Bekaert, LLP
Raquel Valdez, Hillsborough County

Board Action:

The Board of Directors considered and approved Resolution #R2022-05-29 at the May 16, 2022, Board meeting at which a quorum was in place, but not physically present.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-36



COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize the Chief Executive Officer to Execute a Modification to the Existing Contract for The Tampa Arterial Bus Rapid Transit (BRT) Study with Alfred Benesch & Company (Formerly Tindale Oliver) to Pursue the Low-Cost Alternative Improvements in the Southern Portion of the Corridor, to Extend the Contract for an Eighteen Month Period, Through November 30, 2023, with no Increase to the Contract Value

OVERVIEW

This modification is to provide planning and design services for transportation infrastructure and improvements to foster development that supports local land use plans as well as long-term economic growth.

RECOMMENDATION

That the Finance and Audit Committee review the action item to recommend the HART Board of Directors authorize the Chief Executive Officer to execute a modification to the existing contract for the Tampa Arterial Bus Rapid Transit (BRT) Study with Alfred Benesch & Company (formerly Tindale Oliver) to pursue the low-cost alternative improvements in the Southern Portion of the Corridor, to extend the contract for an eighteen-month period through November 30, 2023, with no increase to the contract value; and advance this item to the full HART Board of Directors at the May 2, 2022 regular Board meeting.

FINANCIAL IMPACT

No additional funding is required. Funding for the contract was provided for by grant FPN440742-12801 from the Florida Department of Transportation (FDOT). The grant does not require any match from HART.

BACKGROUND

At the March 4, 2019, regular HART Board meeting, the HART Board of Directors approved the Resolution #R2019-03-08, Authorization for the Interim Chief Executive Officer to Award a Contract for the Tampa Arterial BRT Study to Tindale Oliver & Associates, Inc., dba Tindale Oliver in the Amount Not-to-Exceed \$2,500,000.

The project's scope was for the planning and design services for transportation infrastructure and improvements to the local street-level bus service along Florida, Nebraska and Fowler Avenues and adjacent corridors as well as corridors that intersect with these three corridors between the USF Tampa Campus and downtown Tampa. These services will move forward with infrastructure and facility enhancement projects that are intended, in whole or in part, to support a rapid bus service that improves and expands transit operations and facilities to attract new riders and benefit existing riders, including those with a higher propensity for transit use such as university students, millennials, moderate and low-income residents and workers, patients of medical centers, active seniors, and transit dependent residents. The project will foster development that supports local land use plans as well as long-term economic growth. This study is in alignment with not only HART's mission, but the long-term plans of the MPO, by seeking to implement progressive transit



services between University of South Florida and Downtown Tampa; two of the region's most important job employment centers.

NEXT STEPS

1. Present recommendation by the Finance and Audit Committee to the full Board of Directors at the May 2, 2022 regular Board meeting.
2. Extend the contract expiration date to November 30, 2023.

Prepared by: Cathy Zickefoose, Director of Procurement and Contracts

Approved by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-36

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE A MODIFICATION TO THE EXISTING CONTRACT FOR THE TAMPA ARTERIAL BUS RAPID TRANSIT (BRT) STUDY WITH ALFRED BENESCH & COMPANY (FORMERLY TINDALE OLIVER) TO PURSUE THE LOW-COST ALTERNATIVE IMPROVEMENTS IN THE SOUTHERN PORTION OF THE CORRIDOR, TO ENTEND THE CONTRACT FOR AN EIGHTEEN MONTH PERIOD, THROUGH NOVEMBER 30, 2023 WITH NO INCREASE TO THE CONTRACT VALUE

WHEREAS, it has been determined that an eighteen-month extension through November 30, 2023 is needed to complete Tasks 4 and 6 in order to implement safety and operational improvements along the corridor; and

WHEREAS, the Hillsborough Transit Authority (HART) Board approved Resolution #R2022-04-21 - Authorization for the Chief Executive Officer to execute Task 4 and 6 of the contract with Benesch (formerly Tindale Oliver) for the Tampa Arterial BRT study to pursue the low-cost alternative improvements in the southern portion of the corridor; and

WHEREAS, tasks 4 and 6 are necessary in order to implement safety and operational improvement along the corridor; and

WHEREAS, no additional funding is required: this is a time extension only; and

WHEREAS, the Board of Directors reviewed and approved the subject matter of the Resolution #R2022-05-26 at its May 16, 2022, Board meeting at which a quorum was in place but not physically present; and

WHEREAS, this Resolution is being approved nunc pro tunc;

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 a modification to the existing contract for the Tampa Arterial Bus Rapid Transit (BRT) Study with Alfred Benesch & Company (formerly Tindale Oliver) to pursue the low-cost alternative improvements in the Southern Portion of the Corridor, to extend the contract for an eighteen-month period through November 30, 2023.

Section 2. Proper officers of the HART Board 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.

ATTACHMENT II

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE
HILLSBOROUGH TRANSIT AUTHORITY ON MAY 16, 2022.**

ATTEST:

**Melanie Williams, Secretary
HART Board of Directors**

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COMMISSIONER PAT KEMP, HART BOARD CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-37 ~ Authorize the Chief Executive Officer to Execute a Joint Participation Agreement (JPA) Between the Hillsborough Transit Authority (HART) and the Florida Department of Transportation (FDOT) to Initiate Tasks 4 and 6 of the Bus Rapid Transit Corridor Design/Engineering Study Lower-Cost Alternative (LCA)*

The HART Board of Directors held a meeting in a hybrid format on May 16, 2022

	Attendance in Person	
Committee Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilman Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	

Attendance via Communications Media Technology (CMT)		
Committee Members	(8) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	
Rena Frazier		



Commissioner Pat Kemp
Commissioner Gwen Myers
Commissioner Kimberly Overman
Commissioner Mariella Smith
Councilmember Luis Viera
Melanie Williams

Others Present

(2)

Ron Conrad, Cherry Bekaert, LLP
Raquel Valdez, Hillsborough County

Board Action:

The Board of Directors considered and approved Resolution #R2022-05-29 at the May 16, 2022 Board meeting at which a quorum was in place, but not physically present.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-37



COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize the Chief Executive Officer to Execute a Joint Participation Agreement (JPA) Between the Hillsborough Transit Authority (HART) and the Florida Department of Transportation (FDOT) to Initiate Tasks 4 and 6 of the Bus Rapid Transit Corridor Design/Engineering Study Lower-Cost Alternative (LCA)

OVERVIEW

In conjunction with Florida Department of Transportation (FDOT) and local stakeholders, HART will retain a consultant to initiate Tasks 4 and 6 of the original Bus Rapid Transit Corridor Design/Engineering Study scope focusing on the current Nebraska Avenue MetroRapid corridor, Fowler Avenue corridor, and Florida Avenue corridor.

RECOMMENDATION

That the Finance and Audit Committee review the action item to recommend the HART Board of Directors authorize the Chief Executive Officer to execute a Joint Participation Agreement between HART and FDOT to initiate Tasks 4 and 6 of the Bus Rapid Transit Corridor Design/Engineering Study Lower-Cost Alternative (LCA); and advance this item to the full Board of Directors at the May 2, 2022, regular Board meeting.

FINANCIAL IMPACT

Study duration is estimated to be no longer than 18 months. FDOT has dedicated in the Transportation Improvement Program (TIP) the remaining \$1,043,890 to work with HART and local stakeholders to fund a design/engineering study of the Nebraska Avenue MetroRapid corridor, the Fowler Avenue corridor, and the Florida Avenue corridor. Funding is 100% FDOT and no local match is required for the funds.

BACKGROUND

During the initial phases of the HART Arterial BRT project preferred corridors were identified. The goals of the project were to make improvements to:

- Safety,
- East-west connectivity,
- Local transit access, and
- Support rapid bus service that improves and expands transit operations.

The project convened a technical and stakeholder committee as well as coordination with the FDOT Fowler Ave. Multimodal Study. Public meetings were held, and a webpage with social media support was developed. Feedback from stakeholders and the public helped define the preliminary alternatives. On March 21, 2022 the Strategic Planning Committee recommended moving forward with the LCA.



NEXT STEPS

1. Present recommendation by the Finance and Audit Committee to the full Board of Directors at the May 2, 2022 regular Board meeting.
2. Upon the Board's approval, execute the contract with FDOT.

Prepared by: Christopher DeAnnuntis, Senior Project Planner

Approved by: Scott Drainville, Chief of Maintenance and Transportation

RESOLUTION NO. #R2022-06-37

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE A JOINT PARTICIPATION AGREEMENT (JPA) BETWEEN THE HILLSBOROUGH TRANSIT AUTHORITY (HART) AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO INITIATE TASKS 4 AND 6 OF THE BUS RAPID TRANSIT CORRIDOR DESIGN/ENGINEERING STUDY LOWER-COST ALTERNATIVE (LCA)

WHEREAS, FDOT provides funding for Tasks 4 and 6 of the consultant’s original scope of services and

WHEREAS, “Enhanced Connections within the County and the Region” is one of the strategic goals of HART; and

WHEREAS, FDOT has identified funding for Tasks 4 and 6 of the Bus Rapid Transit Corridor Design/Engineering Study LCA; and

WHEREAS, the Board of Directors reviewed and approved the subject matter of the Resolution #R2022-05-27 at its May 16, 2022 Board meeting at which a quorum was in place but not physically present; and

WHEREAS, this Resolution is being approved nunc pro tunc;

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 a JPA between HART and the FDOT to initiate Tasks 4 and 6 of the Bus Rapid Transit Corridor Design/Engineering Study Lower-Cost Alternative.

Section 2. Proper officers of the Hillsborough Transit Authority are authorized to do all things necessary and required in order to implement the terms of the aforementioned 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 MAY 16, 2022.

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COMMISSIONER PAT KEMP, HART BOARD CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-38 ~ Authorize Staff to Seek Public Input for Setting the Three-Year Goal for the Hillsborough Transit Authority (HART) Disadvantaged Business Enterprise (DBE) Program and Submit the Three-Year Goal to the Federal Transit Administration (FTA) by August 1, 2022*

The HART Board of Directors held a meeting in a hybrid format on May 16, 2022

Attendance in Person		
Committee Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilman Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	
Attendance via Communications Media Technology (CMT)		
Committee Members	(8) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	
Rena Frazier		
Commissioner Pat Kemp		



Commissioner Gwen Myers
Commissioner Kimberly Overman
Commissioner Mariella Smith
Councilmember Luis Viera
Melanie Williams

Others Present

(2)

Ron Conrad, Cherry Bekaert, LLP
Raquel Valdez, Hillsborough County

Board Action:

The Board of Directors considered and approved Resolution #R2022-05-29 at the May 16, 2022, Board meeting at which a quorum was in place, but not physically present.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-38

COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize Staff to Seek Public Input for Setting the Three-Year Goal for the Hillsborough Transit Authority (HART) Disadvantaged Business Enterprise (DBE) Program and Submit the Three-Year Goal to the Federal Transit Administration (FTA) by August 1, 2022

OVERVIEW

The current DBE Goal Period for Fiscal years 2020-2022 will expire on September 30, 2022. In accordance with federal requirements (Title 49 Part 26.45), HART must submit the overall goal to the FTA by August 1, 2022, at three-year intervals and establish an overall goal by providing

1. Consultation with minority, women's and general contractor groups
2. Consultation with community organizations and other officials
3. A published notice announcing the proposed overall goal before submission to FTA

RECOMMENDATION

That the Finance and Audit Committee review the action item recommending the HART Board of Directors authorize staff to seek public input for setting the three-year goal for the HART DBE Program and submit the three-year goal to FTA by August 1, 2022; and advance this item to the full Board of Directors at the May 2, 2022, regular Board meeting.

FINANCIAL IMPACT

The Hillsborough Transit Authority (HART) is a recipient of U.S. Department of Transportation (USDOT), Federal Transit Administration (FTA), funding. As a condition of receiving this assistance, HART signed an assurance that it will comply with FTA's DBE requirements. In accordance with Title 49 CFR Part 26 provisions: Participation by DBEs in USDOT Programs, HART is required to develop and submit a Triennial Overall DBE Goal for its FTA-assisted projects.

BACKGROUND

HART recognizes that the purpose of the DBE Goal-setting process is to level the playing field so that DBEs can compete fairly for FTA-assisted contracts. The HART DBE goal and methodology submission is due every three years. It completes interim reviews of "inline adjustments" annually to assess market conditions and to ensure that the goal remains legally defensible.

HART established an overall goal of 8% for the past three fiscal year goal period of 2020- 2022. The actual goal met in the 3-year period:

- 2020- 16.7%
- 2021-11.2%
- 2022- *pending*

In accordance with the requirements of 49 CFR Part 26.39, DBE programs must include an element to facilitate competition by small business concerns. In FY2011 (Resolution # R2010-09-35) HART established a Small Business Enterprise (SBE) element, which was approved by FTA, as one of its race-neutral activities. HART spent over \$4.74 million in fiscal years 2019, 2020, & 2021, in addition to the federal DBE goals. The \$4.74 million included local funds. An average of

40 small businesses were used each year.

HART is in the process of revising the Overall DBE Goal using the federally prescribed goal-setting methodology for the three-year Federal Fiscal Year (FFY) goal period of 2023-2025 (October 1, 2022 through September 30, 2025), pursuant to Title 49 Code of Federal Regulations (CFR) Part 26 “Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation Programs”.

The goal will be determined based on the estimated federally funded project activities during the three-year period and public input. Transit vehicles purchases are excluded from the goal calculation per Title 49-26.45(a) (2).

Staff has set the initial DBE goal of 13.9% based on the federally prescribed goal-setting methodology.

In addition to federally funded projects, HART will continue to monitor federally and locally funded contracts for small businesses opportunities.

NEXT STEPS

Present the recommendation by the Finance and Audit Committee to the full HART Board of Directors at the May 2, 2022, regular Board meeting for approval. Upon approval by the HART Board of Directors, staff will conduct public outreach to receive input, refine the goal (if needed), and submit the three-year goal to the FTA by August 1, 2022.

Prepared by: Linda Walker, DBE Coordinator

Reviewed by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-38

AUTHORIZING STAFF TO SEEK PUBLIC INPUT FOR SETTING THE THREE-YEAR GOAL FOR THE HILLSBOROUGH TRANSIT AUTHORITY'S DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM AND SUBMIT THE THREE-YEAR GOAL TO THE FEDERAL TRANSIT ADMINISTRATION BY AUGUST 1, 2022

WHEREAS, HART is a recipient of federal funding and subject to regulations issued by the U.S. Department of Transportation and the Federal Transit Administration (FTA); and

WHEREAS, the current HART Disadvantaged Business Enterprise (DBE) Goal Period will expire on September 30, 2022; and

WHEREAS, the proposed HART Disadvantaged Business Enterprise (DBE) Goal for FY23-FY25 is 13.9%; and

WHEREAS, Title 49 Code of Federal Regulations Part 26, Subpart C (Goals, Good Faith Efforts, and Counting) requires consultation with minority, women's and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and the Agency's efforts to establish a level playing field for the participation of DBEs; and

WHEREAS, the Board of Directors reviewed and approved the subject matter of the Resolution #R2022-05-28 at its May 16, 2022 Board meeting at which a quorum was in place but not physically present; and

WHEREAS, this Resolution is being approved nunc pro tunc;

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

Section 1. Staff is authorized to seek public input for setting the three-year goal for the Agency's Disadvantaged Business Enterprise Program and submit the three-year goal to the Federal Transit Administration by August 1, 2022.

Section 2. Proper officers of the Hillsborough Transit Authority are authorized to do all things necessary and required in order to accomplish this requirement.

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 MAY 16, 2022.

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COMMISSIONER PAT KEMP, HART BOARD CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-39 ~ Authorize the Chief Executive Officer to Extend the Vector Media Transit LLC Transit Advertising Contract, VC-000546, Up to Six Months with an End Date Not-to-Exceed December 31, 2022*

The HART Board of Directors held a meeting in a hybrid format on May 16, 2022

	Attendance in Person	
Committee Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilman Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	

Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	

Attendance via Communications Media Technology (CMT)

Committee Members	(8) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	
Rena Frazier		
Commissioner Pat Kemp	Others Present	(2)
Commissioner Gwen Myers	Ron Conrad, Cherry Bekaert, LLP	



Commissioner Kimberly Overman
Commissioner Mariella Smith
Councilmember Luis Viera
Melanie Williams

Raquel Valdez, Hillsborough County

Board Action:

The Board of Directors considered and approved Resolution #R2022-05-29 at the May 16, 2022 Board meeting at which a quorum was in place, but not physically present.

Attachments:

- I. Board Action Item
- II. Resolution #R2022-06-39



BOARD ACTION ITEM

Resolution #R2022-05-29 ~ Authorize the Chief Executive Officer to Extend the Vector Media Transit LLC Transit Advertising Contract, VC-000546, Up to Six Months with an End Date Not-to-Exceed December 31, 2022

OVERVIEW

Vector Media Transit LLC is the current contractor for traditional on-vehicle advertising services for HART and the TECO Streetcar Line. This contract was extended for six months until June 30, 2022. Staff requests that the contract be extended for an additional period of up to six months in order to prepare new specifications to solicit for Transit Advertising that are in line with HART's advertising path moving forward.

FINANCIAL IMPACT

The contract being extended is a revenue service contract.

BACKGROUND

The HART Board of Directors authorized staff to proceed with a solicitation for procurement of a vendor contract for Transit Advertising at the July 29, 2021 Board meeting, Resolution #R2021-07-29. A solicitation was issued on August 9, 2021 and closed on September 15, 2021. Two firms responded to the solicitation. It was determined to be in HART's best interest to cancel the solicitation before the contract award and resolicit. HART needs additional time to develop specifications to include a different advertising direction than that which was included in the cancelled solicitation. A new contract will be brought to the Board for approval following the solicitation process.

NEXT STEPS

Upon approval, the Chief Executive Officer will extend the contract with Vector Media Transit LLC December 31, 2022.

Prepared by: Audry Aroney-Reeves, Contract Specialist

Reviewed by: Cathy Zickefoose, Procurement Director

Approved by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-39

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXTEND THE VECTOR MEDIA TRANSIT LLC TRANSIT ADVERTISING CONTRACT, VC-000546, UP TO SIX MONTHS WITH AN END DATE NOT-TO EXCEED DECEMBER 31, 2022

WHEREAS, Hillsborough Transit Authority (HART) and the TECO Streetcar Line requires Transit Advertising Services; and

WHEREAS, exterior and interior advertising on bus and streetcar vehicles is a major source of revenue for HART; and

WHEREAS, the Board of Directors reviewed and approved the subject matter of the Resolution #R2022-05-29 at its May 16, 2022 Board meeting at which a quorum was in place but not physically present; and

WHEREAS, this Resolution is being approved nunc pro tunc;

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 extend the Vector Media Transit LLC Transit Advertising Contract, VC-000546, for up to six months with an end date not-to- exceed December 31, 2022.

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 MAY 16, 2022.

ATTEST:

Melanie Williams, Secretary
HART Board of Directors

Commissioner Patricia Kemp, Chairperson
HART Board of Directors

Julia Mandell, Esquire
HART Board General Counsel

BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COMMISSIONER PAT KEMP, HART BOARD CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-40 ~ Authorize the Chief Executive Officer to Award a Contract to AlphaVu for a Marketing and Communications Plan for a Not-To-Exceed Amount of \$306,000*

The HART Board of Directors held a meeting in a hybrid format on May 16, 2022

	Attendance in Person	
Committee Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilman Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	

Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	

Attendance via Communications Media Technology (CMT)		
Committee Members	(8) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	
Rena Frazier		
Commissioner Pat Kemp	Others Present	(2)
Commissioner Gwen Myers	Ron Conrad, Cherry Bekaert, LLP	



Commissioner Kimberly Overman
Commissioner Mariella Smith
Councilmember Luis Viera
Melanie Williams

Raquel Valdez, Hillsborough County

Board Action:

The Board of Directors considered and approved Resolution #R2022-05-30 at the May 16, 2022 Board meeting at which a quorum was in place, but not physically present.

Attachments:

- I. Board Action Item
- II. Resolution #R2022-06-40

BOARD ACTION ITEM

Resolution #R2022-05-30 ~ Authorize the Chief Executive Officer to Award a Contract to AlphaVu for a Marketing and Communications Plan for a Not-To-Exceed Amount of \$306,000

OVERVIEW

The contract is for the firm to monitor public opinion by real-time processing on social media content using natural language processing, machine learning, and social network analysis. The firm will also provide reports and analytics weekly and at times daily; and will generate reports offering strategic messaging counsel to HART.

FINANCIAL IMPACT

The total not-to-exceed value of the contract is \$306,000 with a period of performance of a one-year base with one additional one-year optional period for a total of two years.

The contract does not contain a DBE goal or SBE set aside requirements.

Funding of \$200,000 is through HART Ad Valorem Funding for the first year base period; the option year funding is contingent on the annual appropriation for this expenditure.

BACKGROUND

HART is in the process of developing a 20-year strategic plan focused on realizing the Agency's vision to be the highest customer ranked mobility provider in the Tampa Bay Region. The marketing and communications plan is expected to clearly identify objectives, strategies, tactics, measurable results, timelines, and identify strategic, cohesive communications between the HART communications team of departments. The plan will evaluate current programs, identify when and if existing programs fit into this plan, and make recommendations.

PROCUREMENT CONSIDERATIONS

RFP-46330 was issued on February 17, 2022 and was open to the public for responses from all interested parties. The solicitation notice was posted to the HART website, DemandStar, and published on Bonfire on February 17, 2022. Twenty-eight firms, including DBE, SBE, and WMBE firms, downloaded the solicitation.

On March 3, 2022 four timely proposals were received and reviewed by Procurement for responsiveness. All four proposals were determined to conform to essential requirements in the proposal submittal. The proposals were technically evaluated by an evaluation committee comprised of four HART staff members.

Review factors were weighted at 1000 points and included:

- Qualifications of the firm – 300 points
- Qualifications of Staff – 200 points
- Marketing Plan – 200 points
- Price – 300 points

The top two firms, HCP Associates, Inc. and AlphaVu, were short-listed to present to the selection committee. A Best and Final Offer (BAFO) was requested from both firms.

On April 19, 2022 staff began negotiations with HCP Associates, Inc. The firm was requested to discuss and demonstrate their platform pertaining to the requirements detailed in the statement of work. One of the requirements was for the selected firm to auto detect new conversation threads within HART conversation networks and across targeted markets. HCP Associates did not demonstrate the technical capacity to perform all of the requirements of the solicitation and therefore deemed not responsible. Negotiations were terminated with HCP Associates, Inc.

AlphaVu provided pricing determined to be fair and reasonable; and affirmatively demonstrated their capability to perform the requirements of the contract.

NEXT STEPS

Upon approval, the Chief Executive Officer will execute the contract with AlphaVu.

Prepared by: Audry Aroney-Reeves, Contracts Specialist

*Reviewed by: Teri Wright, Chief Customer Experience Officer
Cathy Zickefoose, Director of Procurement & Contracts*

Approved by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-40

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER AWARD A CONTRACT TO ALPHAVU FOR A MARKETING AND COMMUNICATIONS PLAN IN A NOT-TO-EXCEED AMOUNT OF \$306,000

WHEREAS, Hillsborough Transit Authority (HART) has a need for a Marketing and Communications Plan; and

WHEREAS, a contract is required to identify objectives, strategies, tactics, measurable results, timelines and identify strategic, cohesive communications between HART communications team of departments; and

WHEREAS, the total not-to-exceed value of the contract is \$306,000; and

WHEREAS, Funding of \$200,000 is through HART Ad Valorem Funding for the first year of the base; the option year funding is contingent on the annual appropriation for this expenditure; and

WHEREAS, the period of performance for the resulting contract is a one-year base period with a one-year optional period for a total of two years; and

WHEREAS, the contract does not have a DBE participation or SBE set aside requirement; and

WHEREAS, the solicitation was conducted using the Request for Proposal method; and

WHEREAS, the Board of Directors reviewed and approved the subject matter of the Resolution #R2022-05-30 at its May 16, 2022 Board meeting at which a quorum was in place but not physically present; and

WHEREAS, this Resolution is being approved nunc pro tunc;

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 award a contract to AlphaVu for a marketing and communications plan in a not-to-exceed amount of \$306,000.

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.

ATTACHMENT II

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE
HILLSBOROUGH TRANSIT AUTHORITY ON MAY 16, 2022.**

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COMMISSIONER PAT KEMP, HART BOARD CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-41 ~ Authorize the Chief Executive Officer to Execute a Joint Participation Agreement (JPA) Between the Hillsborough Transit Authority (HART) and the Florida Department of Transportation (FDOT) to Apply and Accept Urban Corridor Grants Funding for Routes 34 (Hillsborough Avenue) and 400 (Nebraska Avenue); and all other FY2022/FY2023 FDOT Grant Funding*

The HART Board of Directors held a meeting in a hybrid format on May 16, 2022

	Attendance in Person	
Committee Members	(4) Staff	(23)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Sylvia Berrien	
Councilman Gil Schisler	Dexter Corbin	
	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Linda Walker	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	

Attendance via Communications Media Technology (CMT)

Committee Members	(8) Staff	(1)
Mayor Jane Castor	Lynda Crescentini	



Rena Frazier
Commissioner Pat Kemp
Commissioner Gwen Myers
Commissioner Kimberly Overman
Commissioner Mariella Smith
Councilmember Luis Viera
Melanie Williams

Others Present

(2)

Ron Conrad, Cherry Bekaert, LLP
Raquel Valdez, Hillsborough County

Board Action:

The Board of Directors considered and approved Resolution #R2022-05-31 at the May 16, 2022 Board meeting at which a quorum was in place, but not physically present.

Attachments:

- I. Board Action Item
- II. Resolution #R2022-06-41



BOARD ACTION ITEM

Resolution #R2022-05-31 ~ Authorize the Chief Executive Officer to Execute a Joint Participation Agreement (JPA) Between the Hillsborough Transit Authority (HART) and the Florida Department of Transportation (FDOT) to Apply and Accept Urban Corridor Grants Funding for Routes 34 (Hillsborough Avenue) and 400 (Nebraska Avenue); and all other FY2022/FY2023 FDOT Grant Funding

OVERVIEW

This action seeks to utilize Transit Urban Corridor grants from the Florida Department of Transportation for the provision of Routes 34 (Hillsborough Avenue) and 400 (Nebraska Avenue). Transit Urban Corridor grants are 100% FDOT and may be renewed annually.

FINANCIAL IMPACT

Funding is 100% FDOT and no local match is required for the funds and will fund a portion of the total expenses needed to operate the Routes 34 and 400. Total FDOT funding for the two routes is \$345,007.

BACKGROUND

In conjunction with Florida Department of Transportation (FDOT) Transit Urban Corridor Grant program, HART has been operating Routes 20X and 275LX.

The route 20X was discontinued following Mission MAX and the Route 275LX route was modified to no longer serve the Tampa International Airport. Because of these changes, HART provided FDOT with other routes that it could fund that carried more passengers, served most of HART's service area, and served a state road.

HART, working with FDOT, is proposing to replace funding for Routes 20X and 275LX with more robust local service and redirect grant funding to Routes 34 and 400.

NEXT STEPS

Upon approval, the Chief Executive Officer will execute the JPA between HART and FDOT to accept the Urban Corridor Grants funding for Routes 34 and 400.

Prepared by: Christopher P. DeAnnuntis, Sr. Project Planner

Reviewed by: Scott Drainville, Chief of Maintenance and Transportation

RESOLUTION NO. #R2022-06-41

AUTHORIZE THE CHIEF EXECUTIVE OFFICER TO EXECUTE A JOINT PARTICIPATION AGREEMENT (JPA) BETWEEN THE HILLSBOROUGH TRANSIT AUTHORITY (HART) AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO CONSOLIDATE TRANSIT URBAN CORRIDOR GRANTS FUNDING FOR ROUTES 34 (HILLSBOROUGH AVENUE) AND 400 (NEBRASKA AVENUE) INCLUDING AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO APPLY FOR AND ACCEPT ALL FY2022/FY2023 FLORIDA DEPARTMENT OF TRANSPORTATION GRANT FUNDING

WHEREAS, FDOT provides Transit Urban Corridor funding to support public transit services operating on state roads; and

WHEREAS, HART has identified FDOT funding in fiscal year 2022 to operate the Routes 34 and 400; and

WHEREAS, the Board of Directors reviewed and approved the subject matter of the Resolution #R2022-05-31 at its May 16, 2022 Board meeting at which a quorum was in place but not physically present; and

WHEREAS, this Resolution is being approved nunc pro tunc;

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 a JPA between HART and the FDOT to accept funds to operate Routes 34 and 400.

Section 2. Proper officers of the Hillsborough Transit Authority are authorized to do all things necessary and required in order to implement the terms of the aforementioned 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 MAY 16, 2022.

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**

ATTACHMENT III

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION GRANT AGREEMENT

Form 725-000-01
STRATEGIC
DEVELOPMENT
OGC 01/22

Financial Project Number(s): (item-segment-phase-sequence) 430322-1-84-22	Fund(s): Work Activity Code/Function: 215	DPTO	FLAIR Category: 088774
	Federal Number/Federal Award		Object Code: 751000
	Identification Number (FAIN) – Transit only:		Org. Code: 55072020729
Contract Number: G2780	Federal Award Date:		Vendor Number: F591952167011
CFDA Number: N/A	Agency SAM/UEI Number:		
CFDA Title: N/A			
CSFA Number: 55.013			
CSFA Title: Transit Corridor Development Program			

THIS PUBLIC TRANSPORTATION GRANT AGREEMENT ("Agreement") is entered into _____, by and between the State of Florida, Department of Transportation, ("Department"), and HART (Hillsborough Area Regional Transit), ("Agency"). The Department and the Agency are sometimes referred to in this Agreement as a "Party" and collectively as the "Parties."

NOW, THEREFORE, in consideration of the mutual benefits to be derived from joint participation on the Project, the Parties agree to the following:

- 1. Authority.** The Agency, by Resolution or other form of official authorization, a copy of which is attached as **Exhibit "D", Agency Resolution** and made a part of this Agreement, has authorized its officers to execute this Agreement on its behalf. The Department has the authority pursuant to Section(s) 341.000, Florida Statutes, to enter into this Agreement.
- 2. Purpose of Agreement.** The purpose of this Agreement is to provide for the Department's participation in To provide State Transit Corridor funds for the operation of HART's Route 34 in Hillsborough County., as further described in **Exhibit "A", Project Description and Responsibilities**, attached and incorporated into this Agreement ("Project"), to provide Department financial assistance to the Agency, state the terms and conditions upon which Department funds will be provided, and to set forth the manner in which the Project will be undertaken and completed.
- 3. Program Area.** For identification purposes only, this Agreement is implemented as part of the Department program area selected below (select all programs that apply):

- ☐ Aviation
- ☐ Seaports
- ☒ Transit
- ☐ Intermodal
- ☐ Rail Crossing Closure
- ☐ Match to Direct Federal Funding (Aviation or Transit)
- ☐ (Note: Section 15 and Exhibit G do not apply to federally matched funding)
- ☐ Other

- 4. Exhibits.** The following Exhibits are attached and incorporated into this Agreement:

- ☒ Exhibit A: Project Description and Responsibilities
- ☒ Exhibit B: Schedule of Financial Assistance
- ☐ *Exhibit B1: Deferred Reimbursement Financial Provisions
- ☐ *Exhibit B2: Advance Payment Financial Provisions
- ☐ *Exhibit C: Terms and Conditions of Construction
- ☒ Exhibit D: Agency Resolution
- ☒ Exhibit E: Program Specific Terms and Conditions
- ☒ Exhibit F: Contract Payment Requirements
- ☒ *Exhibit G: Audit Requirements for Awards of State Financial Assistance
- ☐ *Exhibit H: Audit Requirements for Awards of Federal Financial Assistance

ATTACHMENT II

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION GRANT AGREEMENT

Form 725-000-01
STRATEGIC
DEVELOPMENT
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___ *Additional Exhibit(s):

*Indicates that the Exhibit is only attached and incorporated if applicable box is selected.

5. **Time.** Unless specified otherwise, all references to “days” within this Agreement refer to calendar days.

6. **Term of Agreement.** This Agreement shall commence upon full execution by both Parties (“Effective Date”) and continue through June 30, 2025. If the Agency does not complete the Project within this time period, this Agreement will expire unless an extension of the time period is requested by the Agency and granted in writing by the Department prior to the expiration of this Agreement. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed prior to the Effective Date or after the expiration date of this Agreement will not be reimbursed by the Department.

a. ___ If this box is checked the following provision applies:

Unless terminated earlier, work on the Project shall commence no later than the ___ day of ___, or within ___ days of the issuance of the Notice to Proceed for the construction phase of the Project (if the Project involves construction), whichever date is earlier. The Department shall have the option to immediately terminate this Agreement should the Agency fail to meet the above-required dates.

7. **Amendments, Extensions, and Assignment.** This Agreement may be amended or extended upon mutual written agreement of the Parties. This Agreement shall not be renewed. This Agreement shall not be assigned, transferred, or otherwise encumbered by the Agency under any circumstances without the prior written consent of the Department.

8. **Termination or Suspension of Project.** The Department may, by written notice to the Agency, suspend any or all of the Department’s obligations under this Agreement for the Agency’s failure to comply with applicable law or the terms of this Agreement until such time as the event or condition resulting in such suspension has ceased or been corrected.

a. Notwithstanding any other provision of this Agreement, if the Department intends to terminate the Agreement, the Department shall notify the Agency of such termination in writing at least thirty (30) days prior to the termination of the Agreement, with instructions to the effective date of termination or specify the stage of work at which the Agreement is to be terminated.

b. The Parties to this Agreement may terminate this Agreement when its continuation would not produce beneficial results commensurate with the further expenditure of funds. In this event, the Parties shall agree upon the termination conditions.

c. If the Agreement is terminated before performance is completed, the Agency shall be paid only for that work satisfactorily performed for which costs can be substantiated. Such payment, however, may not exceed the equivalent percentage of the Department’s maximum financial assistance. If any portion of the Project is located on the Department’s right-of-way, then all work in progress on the Department right-of-way will become the property of the Department and will be turned over promptly by the Agency.

d. In the event the Agency fails to perform or honor the requirements and provisions of this Agreement, the Agency shall promptly refund in full to the Department within thirty (30) days of the termination of the Agreement any funds that were determined by the Department to have been expended in violation of the Agreement.

e. The Department reserves the right to unilaterally cancel this Agreement for failure by the Agency to comply with the Public Records provisions of Chapter 119, Florida Statutes.

9. **Project Cost:**

ATTACHMENT II

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION GRANT AGREEMENT

Form 725-000-01
STRATEGIC
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- a. The estimated total cost of the Project is \$272,553. This amount is based upon **Exhibit "B", Schedule of Financial Assistance**. The timeline for deliverables and distribution of estimated amounts between deliverables within a grant phase, as outlined in **Exhibit "B", Schedule of Financial Assistance**, may be modified by mutual written agreement of the Parties and does not require execution of an **Amendment to the Public Transportation Grant Agreement**. The timeline for deliverables and distribution of estimated amounts between grant phases requires an amendment executed by both Parties in the same form as this Agreement.
- b. The Department agrees to participate in the Project cost up to the maximum amount of \$272,553 and, the Department's participation in the Project shall not exceed 100.00% of the total eligible cost of the Project, and as more fully described in **Exhibit "B", Schedule of Financial Assistance**. The Agency agrees to bear all expenses in excess of the amount of the Department's participation and any cost overruns or deficits involved.

10. Compensation and Payment:

- a. **Eligible Cost.** The Department shall reimburse the Agency for allowable costs incurred as described in **Exhibit "A", Project Description and Responsibilities**, and as set forth in **Exhibit "B", Schedule of Financial Assistance**.
- b. **Deliverables.** The Agency shall provide quantifiable, measurable, and verifiable units of deliverables. Each deliverable must specify the required minimum level of service to be performed and the criteria for evaluating successful completion. The Project and the quantifiable, measurable, and verifiable units of deliverables are described more fully in **Exhibit "A", Project Description and Responsibilities**. Modifications to the deliverables in **Exhibit "A", Project Description and Responsibilities** requires a formal written amendment.
- c. **Invoicing.** Invoices shall be submitted no more often than monthly by the Agency in detail sufficient for a proper pre-audit and post-audit, based on the quantifiable, measurable, and verifiable deliverables as established in **Exhibit "A", Project Description and Responsibilities**. Deliverables and costs incurred must be received and approved by the Department prior to reimbursement. Requests for reimbursement by the Agency shall include an invoice, progress report, and supporting documentation for the deliverables being billed that are acceptable to the Department. The Agency shall use the format for the invoice and progress report that is approved by the Department.
- d. **Supporting Documentation.** Supporting documentation must establish that the deliverables were received and accepted in writing by the Agency and must also establish that the required minimum standards or level of service to be performed based on the criteria for evaluating successful completion as specified in **Exhibit "A", Project Description and Responsibilities** has been met. All costs invoiced shall be supported by properly executed payrolls, time records, invoices, contracts, or vouchers evidencing in proper detail the nature and propriety of charges as described in **Exhibit "F", Contract Payment Requirements**.
- e. **Travel Expenses.** The selected provision below is controlling regarding travel expenses:

X Travel expenses are NOT eligible for reimbursement under this Agreement.

 Travel expenses ARE eligible for reimbursement under this Agreement. Bills for travel expenses specifically authorized in this Agreement shall be submitted on the Department's Contractor Travel Form No. 300-000-06 and will be paid in accordance with Section 112.061, Florida Statutes, and the most current version of the Department's Disbursement Handbook for Employees and Managers.

**PUBLIC TRANSPORTATION
GRANT AGREEMENT**

f. **Financial Consequences.** Payment shall be made only after receipt and approval of deliverables and costs incurred unless advance payments are authorized by the Chief Financial Officer of the State of Florida under Chapters 215 and 216, Florida Statutes, or the Department's Comptroller under Section 334.044(29), Florida Statutes. If the Department determines that the performance of the Agency is unsatisfactory, the Department shall notify the Agency of the deficiency to be corrected, which correction shall be made within a time-frame to be specified by the Department. The Agency shall, within thirty (30) days after notice from the Department, provide the Department with a corrective action plan describing how the Agency will address all issues of contract non-performance, unacceptable performance, failure to meet the minimum performance levels, deliverable deficiencies, or contract non-compliance. If the corrective action plan is unacceptable to the Department, the Agency will not be reimbursed. If the deficiency is subsequently resolved, the Agency may bill the Department for the amount that was previously not reimbursed during the next billing period. If the Agency is unable to resolve the deficiency, the funds shall be forfeited at the end of the Agreement's term.

g. **Invoice Processing.** An Agency receiving financial assistance from the Department should be aware of the following time frames. Inspection or verification and approval of deliverables shall take no longer than 20 days from the Department's receipt of the invoice. The Department has 20 days to deliver a request for payment (voucher) to the Department of Financial Services. The 20 days are measured from the latter of the date the invoice is received or the deliverables are received, inspected or verified, and approved.

If a payment is not available within 40 days, a separate interest penalty at a rate as established pursuant to Section 55.03(1), Florida Statutes, will be due and payable, in addition to the invoice amount, to the Agency. Interest penalties of less than one (1) dollar will not be enforced unless the Agency requests payment. Invoices that have to be returned to an Agency because of Agency preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department.

A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for Agency who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516.

h. **Records Retention.** The Agency shall maintain an accounting system or separate accounts to ensure funds and projects are tracked separately. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for five years after final payment is made. Copies of these records shall be furnished to the Department upon request. Records of costs incurred include the Agency's general accounting records and the Project records, together with supporting documents and records, of the Contractor and all subcontractors performing work on the Project, and all other records of the Contractor and subcontractors considered necessary by the Department for a proper audit of costs.

i. **Progress Reports.** Upon request, the Agency agrees to provide progress reports to the Department in the standard format used by the Department and at intervals established by the Department. The Department will be entitled at all times to be advised, at its request, as to the status of the Project and of details thereof.

j. **Submission of Other Documents.** The Agency shall submit to the Department such data, reports, records, contracts, and other documents relating to the Project as the Department may require as listed in **Exhibit "E", Program Specific Terms and Conditions** attached to and incorporated into this Agreement.

**PUBLIC TRANSPORTATION
GRANT AGREEMENT**

- k. Offsets for Claims.** If, after Project completion, any claim is made by the Department resulting from an audit or for work or services performed pursuant to this Agreement, the Department may offset such amount from payments due for work or services done under any agreement that it has with the Agency owing such amount if, upon written demand, payment of the amount is not made within 60 days to the Department. Offsetting any amount pursuant to this paragraph shall not be considered a breach of contract by the Department.
- l. Final Invoice.** The Agency must submit the final invoice on the Project to the Department within 120 days after the completion of the Project. Invoices submitted after the 120-day time period may not be paid.
- m. Department's Performance and Payment Contingent Upon Annual Appropriation by the Legislature.** The Department's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. If the Department's funding for this Project is in multiple fiscal years, a notice of availability of funds from the Department's project manager must be received prior to costs being incurred by the Agency. See **Exhibit "B", Schedule of Financial Assistance** for funding levels by fiscal year. Project costs utilizing any fiscal year funds are not eligible for reimbursement if incurred prior to funds approval being received. The Department will notify the Agency, in writing, when funds are available.
- n. Limits on Contracts Exceeding \$25,000 and Term more than 1 Year.** In the event this Agreement is in excess of \$25,000 and has a term for a period of more than one year, the provisions of Section 339.135(6)(a), Florida Statutes, are hereby incorporated:
- "The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of \$25,000 and which have a term for a period of more than 1 year."
- o. Agency Obligation to Refund Department.** Any Project funds made available by the Department pursuant to this Agreement that are determined by the Department to have been expended by the Agency in violation of this Agreement or any other applicable law or regulation shall be promptly refunded in full to the Department. Acceptance by the Department of any documentation or certifications, mandatory or otherwise permitted, that the Agency files shall not constitute a waiver of the Department's rights as the funding agency to verify all information at a later date by audit or investigation.
- p. Non-Eligible Costs.** In determining the amount of the payment, the Department will exclude all Project costs incurred by the Agency prior to the execution of this Agreement, costs incurred after the expiration of the Agreement, costs that are not provided for in **Exhibit "A", Project Description and Responsibilities**, and as set forth in **Exhibit "B", Schedule of Financial Assistance**, costs agreed to be borne by the Agency or its contractors and subcontractors for not meeting the Project commencement and final invoice time lines, and costs attributable to goods or services received under a contract or other arrangement that has not been approved

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in writing by the Department. Specific unallowable costs may be listed in **Exhibit "A", Project Description and Responsibilities**.

11. General Requirements. The Agency shall complete the Project with all practical dispatch in a sound, economical, and efficient manner, and in accordance with the provisions in this Agreement and all applicable laws.

- a. Necessary Permits Certification.** The Agency shall certify to the Department that the Agency's design consultant and/or construction contractor has secured the necessary permits.
- b. Right-of-Way Certification.** If the Project involves construction, then the Agency shall provide to the Department certification and a copy of appropriate documentation substantiating that all required right-of-way necessary for the Project has been obtained. Certification is required prior to authorization for advertisement for or solicitation of bids for construction of the Project, even if no right-of-way is required.
- c. Notification Requirements When Performing Construction on Department's Right-of-Way.** In the event the cost of the Project is greater than \$250,000.00, and the Project involves construction on the Department's right-of-way, the Agency shall provide the Department with written notification of either its intent to:
 - i.** Require the construction work of the Project that is on the Department's right-of-way to be performed by a Department prequalified contractor, or
 - ii.** Construct the Project utilizing existing Agency employees, if the Agency can complete said Project within the time frame set forth in this Agreement.
- d.** ☐ If this box is checked, then the Agency is permitted to utilize its own forces and the following provision applies: **Use of Agency Workforce.** In the event the Agency proceeds with any phase of the Project utilizing its own forces, the Agency will only be reimbursed for direct costs (this excludes general overhead).
- e.** ☐ If this box is checked, then the Agency is permitted to utilize **Indirect Costs: Reimbursement for Indirect Program Expenses** (select one):
 - i.** ☐ Agency has selected to seek reimbursement from the Department for actual indirect expenses (no rate).
 - ii.** ☐ Agency has selected to apply a de minimus rate of 10% to modified total direct costs. Note: The de minimus rate is available only to entities that have never had a negotiated indirect cost rate. When selected, the de minimus rate must be used consistently for all federal awards until such time the agency chooses to negotiate a rate. A cost policy statement and de minimis certification form must be submitted to the Department for review and approval.
 - iii.** ☐ Agency has selected to apply a state or federally approved indirect cost rate. A federally approved rate agreement or indirect cost allocation plan (ICAP) must be submitted annually.
- f. Agency Compliance with Laws, Rules, and Regulations, Guidelines, and Standards.** The Agency shall comply and require its contractors and subcontractors to comply with all terms and conditions of this Agreement and all federal, state, and local laws and regulations applicable to this Project.
- g. Claims and Requests for Additional Work.** The Agency shall have the sole responsibility for resolving claims and requests for additional work for the Project. The Agency will make

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best efforts to obtain the Department's input in its decisions. The Department is not obligated to reimburse for claims or requests for additional work.

12. Contracts of the Agency:

- a. Approval of Third Party Contracts.** The Department specifically reserves the right to review and approve any and all third party contracts with respect to the Project before the Agency executes or obligates itself in any manner requiring the disbursement of Department funds, including consultant and purchase of commodities contracts, or amendments thereto. If the Department chooses to review and approve third party contracts for this Project and the Agency fails to obtain such approval, that shall be sufficient cause for nonpayment by the Department. The Department specifically reserves unto itself the right to review the qualifications of any consultant or contractor and to approve or disapprove the employment of the same. If Federal Transit Administration (FTA) funds are used in the Project, the Department must exercise the right to third party contract review.

- b. Procurement of Commodities or Contractual Services.** It is understood and agreed by the Parties hereto that participation by the Department in a project with the Agency, where said project involves the purchase of commodities or contractual services where purchases or costs exceed the Threshold Amount for CATEGORY TWO per Section 287.017, Florida Statutes, is contingent on the Agency complying in full with the provisions of Section 287.057, Florida Statutes. The Agency's Authorized Official shall certify to the Department that the Agency's purchase of commodities or contractual services has been accomplished in compliance with Section 287.057, Florida Statutes. It shall be the sole responsibility of the Agency to ensure that any obligations made in accordance with this Section comply with the current threshold limits. Contracts, purchase orders, task orders, construction change orders, or any other agreement that would result in exceeding the current budget contained in **Exhibit "B", Schedule of Financial Assistance**, or that is not consistent with the Project description and scope of services contained in **Exhibit "A", Project Description and Responsibilities** must be approved by the Department prior to Agency execution. Failure to obtain such approval, and subsequent execution of an amendment to the Agreement if required, shall be sufficient cause for nonpayment by the Department, in accordance with this Agreement.

- c. Consultants' Competitive Negotiation Act.** It is understood and agreed by the Parties to this Agreement that participation by the Department in a project with the Agency, where said project involves a consultant contract for professional services, is contingent on the Agency's full compliance with provisions of Section 287.055, Florida Statutes, Consultants' Competitive Negotiation Act. In all cases, the Agency's Authorized Official shall certify to the Department that selection has been accomplished in compliance with the Consultants' Competitive Negotiation Act.

- d. Disadvantaged Business Enterprise (DBE) Policy and Obligation.** It is the policy of the Department that DBEs, as defined in 49 C.F.R. Part 26, as amended, shall have the opportunity to participate in the performance of contracts financed in whole or in part with Department funds under this Agreement. The DBE requirements of applicable federal and state laws and regulations apply to this Agreement. The Agency and its contractors agree to ensure that DBEs have the opportunity to participate in the performance of this Agreement. In this regard, all recipients and contractors shall take all necessary and reasonable steps in accordance with applicable federal and state laws and regulations to ensure that the DBEs have the opportunity to compete for and perform contracts. The Agency and its contractors and subcontractors shall not discriminate on the basis of race, color, national origin or sex in the award and performance of contracts, entered pursuant to this Agreement.

- 13. Maintenance Obligations.** In the event the Project includes construction or the acquisition of commodities then the following provisions are incorporated into this Agreement:

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- a. The Agency agrees to accept all future maintenance and other attendant costs occurring after completion of the Project for all improvements constructed or commodities acquired as part of the Project. The terms of this provision shall survive the termination of this Agreement.

14. Sale, Transfer, or Disposal of Department-funded Property:

- a. The Agency will not sell or otherwise transfer or dispose of any part of its title or other interests in real property, facilities, or equipment funded in any part by the Department under this Agreement without prior written approval by the Department.
- b. If a sale, transfer, or disposal by the Agency of all or a portion of Department-funded real property, facilities, or equipment is approved by the Department, the following provisions will apply:
 - i. The Agency shall reimburse the Department a proportional amount of the proceeds of the sale of any Department-funded property.
 - ii. The proportional amount shall be determined on the basis of the ratio of the Department funding of the development or acquisition of the property multiplied against the sale amount, and shall be remitted to the Department within ninety (90) days of closing of sale.
 - iii. Sale of property developed or acquired with Department funds shall be at market value as determined by appraisal or public bidding process, and the contract and process for sale must be approved in advance by the Department.
 - iv. If any portion of the proceeds from the sale to the Agency are non-cash considerations, reimbursement to the Department shall include a proportional amount based on the value of the non-cash considerations.
- c. The terms of provisions "a" and "b" above shall survive the termination of this Agreement.
 - i. The terms shall remain in full force and effect throughout the useful life of facilities developed, equipment acquired, or Project items installed within a facility, but shall not exceed twenty (20) years from the effective date of this Agreement.
 - ii. There shall be no limit on the duration of the terms with respect to real property acquired with Department funds.

- 15. Single Audit.** The administration of Federal or State resources awarded through the Department to the Agency by this Agreement may be subject to audits and/or monitoring by the Department. The following requirements do not limit the authority of the Department to conduct or arrange for the conduct of additional audits or evaluations of Federal awards or State financial assistance or limit the authority of any state agency inspector general, the State of Florida Auditor General, or any other state official. The Agency shall comply with all audit and audit reporting requirements as specified below.

Federal Funded:

- a. In addition to reviews of audits conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, monitoring procedures may include but not be limited to on-site visits by Department staff and/or other procedures, including reviewing any required performance and financial reports, following up, ensuring corrective action, and issuing management decisions on weaknesses found through audits when those findings pertain to Federal awards provided through the Department by this Agreement. By entering into this Agreement, the Agency agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Department. The Agency further agrees to comply and cooperate with any

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inspections, reviews, investigations, or audits deemed necessary by the Department, State of Florida Chief Financial Officer (CFO), or State of Florida Auditor General.

- b. The Agency, a non-Federal entity as defined by 2 CFR Part 200, Subpart F – Audit Requirements, as a subrecipient of a Federal award awarded by the Department through this Agreement, is subject to the following requirements:
- i. In the event the Agency expends a total amount of Federal awards equal to or in excess of the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, the Agency must have a Federal single or program-specific audit conducted for such fiscal year in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements. **Exhibit “H”, Audit Requirements for Awards of Federal Financial Assistance**, to this Agreement provides the required Federal award identification information needed by the Agency to further comply with the requirements of 2 CFR Part 200, Subpart F – Audit Requirements. In determining Federal awards expended in a fiscal year, the Agency must consider all sources of Federal awards based on when the activity related to the Federal award occurs, including the Federal award provided through the Department by this Agreement. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by 2 CFR Part 200, Subpart F – Audit Requirements. An audit conducted by the State of Florida Auditor General in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, will meet the requirements of this part.
 - ii. In connection with the audit requirements, the Agency shall fulfill the requirements relative to the auditee responsibilities as provided in 2 CFR Part 200, Subpart F – Audit Requirements.
 - iii. In the event the Agency expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards, the Agency is exempt from Federal audit requirements for that fiscal year. However, the Agency must provide a single audit exemption statement to the Department at FDOTSingleAudit@dot.state.fl.us no later than nine months after the end of the Agency’s audit period for each applicable audit year. In the event the Agency expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards in a fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, the cost of the audit must be paid from non-Federal resources (*i.e.*, the cost of such an audit must be paid from the Agency’s resources obtained from other than Federal entities).
 - iv. The Agency must electronically submit to the Federal Audit Clearinghouse (FAC) at <https://harvester.census.gov/facweb/> the audit reporting package as required by 2 CFR Part 200, Subpart F – Audit Requirements, within the earlier of 30 calendar days after receipt of the auditor’s report(s) or nine months after the end of the audit period. The FAC is the repository of record for audits required by 2 CFR Part 200, Subpart F – Audit Requirements. However, the Department requires a copy of the audit reporting package also be submitted to FDOTSingleAudit@dot.state.fl.us within the earlier of 30 calendar days after receipt of the auditor’s report(s) or nine months after the end of the audit period as required by 2 CFR Part 200, Subpart F – Audit Requirements.
 - v. Within six months of acceptance of the audit report by the FAC, the Department will review the Agency’s audit reporting package, including corrective action plans and management letters, to the extent necessary to determine whether timely and appropriate action on all deficiencies has been taken pertaining to the Federal award provided through the Department by this Agreement. If the Agency fails to have an

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audit conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, the Department may impose additional conditions to remedy noncompliance. If the Department determines that noncompliance cannot be remedied by imposing additional conditions, the Department may take appropriate actions to enforce compliance, which actions may include but not be limited to the following:

1. Temporarily withhold cash payments pending correction of the deficiency by the Agency or more severe enforcement action by the Department;
 2. Disallow (deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;
 3. Wholly or partly suspend or terminate the Federal award;
 4. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and Federal awarding agency regulations (or in the case of the Department, recommend such a proceeding be initiated by the Federal awarding agency);
 5. Withhold further Federal awards for the Project or program;
 6. Take other remedies that may be legally available.
- vi. As a condition of receiving this Federal award, the Agency shall permit the Department or its designee, the CFO, or State of Florida Auditor General access to the Agency's records, including financial statements, the independent auditor's working papers, and project records as necessary. Records related to unresolved audit findings, appeals, or litigation shall be retained until the action is complete or the dispute is resolved.
- vii. The Department's contact information for requirements under this part is as follows:

Office of Comptroller, MS 24
605 Suwannee Street
Tallahassee, Florida 32399-0450
FDOTSingleAudit@dot.state.fl.us

State Funded:

- a. In addition to reviews of audits conducted in accordance with Section 215.97, Florida Statutes, monitoring procedures to monitor the Agency's use of state financial assistance may include but not be limited to on-site visits by Department staff and/or other procedures, including reviewing any required performance and financial reports, following up, ensuring corrective action, and issuing management decisions on weaknesses found through audits when those findings pertain to state financial assistance awarded through the Department by this Agreement. By entering into this Agreement, the Agency agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Department. The Agency further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Department, the Department of Financial Services (DFS), or State of Florida Auditor General.
- b. The Agency, a "nonstate entity" as defined by Section 215.97, Florida Statutes, as a recipient of state financial assistance awarded by the Department through this Agreement, is subject to the following requirements:
 - i. In the event the Agency meets the audit threshold requirements established by Section 215.97, Florida Statutes, the Agency must have a State single or project-specific audit conducted for such fiscal year in accordance with Section 215.97, Florida Statutes; applicable rules of the Department of Financial Services; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. **Exhibit "G", Audit Requirements for Awards of State Financial Assistance**, to this Agreement indicates state financial

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assistance awarded through the Department by this Agreement needed by the Agency to further comply with the requirements of Section 215.97, Florida Statutes. In determining the state financial assistance expended in a fiscal year, the Agency shall consider all sources of state financial assistance, including state financial assistance received from the Department by this Agreement, other state agencies, and other nonstate entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.

- ii. In connection with the audit requirements, the Agency shall ensure that the audit complies with the requirements of Section 215.97(8), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2)(e), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.
- iii. In the event the Agency does not meet the audit threshold requirements established by Section 215.97, Florida Statutes, the Agency is exempt for such fiscal year from the state single audit requirements of Section 215.97, Florida Statutes. However, the Agency must provide a single audit exemption statement to the Department at FDOTSingleAudit@dot.state.fl.us no later than nine months after the end of the Agency's audit period for each applicable audit year. In the event the Agency does not meet the audit threshold requirements established by Section 215.97, Florida Statutes, in a fiscal year and elects to have an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the Agency's resources (*i.e.*, the cost of such an audit must be paid from the Agency's resources obtained from other than State entities).
- iv. In accordance with Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, copies of financial reporting packages required by this Agreement shall be submitted to:

Florida Department of Transportation
Office of Comptroller, MS 24
605 Suwannee Street
Tallahassee, Florida 32399-0405
FDOTSingleAudit@dot.state.fl.us

And

State of Florida Auditor General
Local Government Audits/342
111 West Madison Street, Room 401
Tallahassee, FL 32399-1450
Email: flaudgen_localgovt@aud.state.fl.us

- v. Any copies of financial reporting packages, reports, or other information required to be submitted to the Department shall be submitted timely in accordance with Section 215.97, Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.
- vi. The Agency, when submitting financial reporting packages to the Department for audits done in accordance with Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date the reporting package was delivered to the Agency in correspondence accompanying the reporting package.

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- vii. Upon receipt, and within six months, the Department will review the Agency's financial reporting package, including corrective action plans and management letters, to the extent necessary to determine whether timely and appropriate corrective action on all deficiencies has been taken pertaining to the state financial assistance provided through the Department by this Agreement. If the Agency fails to have an audit conducted consistent with Section 215.97, Florida Statutes, the Department may take appropriate corrective action to enforce compliance.
- viii. As a condition of receiving state financial assistance, the Agency shall permit the Department or its designee, DFS, or the Auditor General access to the Agency's records, including financial statements, the independent auditor's working papers, and project records as necessary. Records related to unresolved audit findings, appeals, or litigation shall be retained until the action is complete or the dispute is resolved.
- c. The Agency shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date the audit report is issued and shall allow the Department or its designee, DFS, or State of Florida Auditor General access to such records upon request. The Agency shall ensure that the audit working papers are made available to the Department or its designee, DFS, or State of Florida Auditor General upon request for a period of five years from the date the audit report is issued, unless extended in writing by the Department.

16. Notices and Approvals. Notices and approvals referenced in this Agreement must be obtained in writing from the Parties' respective Administrators or their designees.

17. Restrictions, Prohibitions, Controls and Labor Provisions:

- a. **Convicted Vendor List.** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.
- b. **Discriminatory Vendor List.** In accordance with Section 287.134, Florida Statutes, an entity or affiliate who has been placed on the Discriminatory Vendor List, kept by the Florida Department of Management Services, may not submit a bid on a contract to provide goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity.
- c. **Non-Responsible Contractors.** An entity or affiliate who has had its Certificate of Qualification suspended, revoked, denied, or have further been determined by the Department to be a non-responsible contractor, may not submit a bid or perform work for the construction or repair of a public building or public work on a contract with the Agency.
- d. **Prohibition on Using Funds for Lobbying.** No funds received pursuant to this Agreement may be expended for lobbying the Florida Legislature, judicial branch, or any state agency, in accordance with Section 216.347, Florida Statutes.

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- e. **Unauthorized Aliens.** The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation will be cause for unilateral cancellation of this Agreement.
- f. **Procurement of Construction Services.** If the Project is procured pursuant to Chapter 255, Florida Statutes, for construction services and at the time of the competitive solicitation for the Project, 50 percent or more of the cost of the Project is to be paid from state-appropriated funds, then the Agency must comply with the requirements of Section 255.0991, Florida Statutes.
- g. **E-Verify.** The Agency shall:
 - i. Utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Agency during the term of the contract; and
 - ii. Expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.
- h. **Executive Order 20-44.** Pursuant to Governor's Executive Order 20-44, if the Agency is required by the Internal Revenue Code to file IRS Form 990 and is named in statute with which the Department must form a sole-source, public-private agreement; or through contract or other agreement with the State, annually receives 50% or more of its budget from the State or from a combination of State and Federal funds, Recipient shall submit an Annual Report to the Department, including the most recent IRS Form 990, detailing the total compensation for each member of the Agency executive leadership team. Total compensation shall include salary, bonuses, cashed-in leave, cash equivalents, severance pay, retirement benefits, deferred compensation, real-property gifts, and any other payout. The Agency shall inform the Department of any changes in total executive compensation during the period between the filing of Annual Reports within 60 days of any change taking effect. All compensation reports shall detail the percentage of executive leadership compensation received directly from all State and/or Federal allocations to the Agency. Annual Reports shall be in the form approved by the Department and shall be submitted to the Department at fdotsingleaudit@dot.state.fl.us within 180 days following the end of each tax year of the Agency receiving Department funding.
- i. **Design Services and Construction Engineering and Inspection Services.** If the Project is wholly or partially funded by the Department and administered by a local governmental entity, except for a seaport listed in Section 311.09, Florida Statutes, or an airport as defined in Section 332.004, Florida Statutes, the entity performing design and construction engineering and inspection services may not be the same entity.

18. Indemnification and Insurance:

- a. It is specifically agreed between the Parties executing this Agreement that it is not intended by any of the provisions of any part of this Agreement to create in the public or any member thereof, a third party beneficiary under this Agreement, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement. The Agency guarantees the payment of all just claims for materials, supplies, tools, or labor and other just claims against the Agency or any subcontractor, in connection with this Agreement. Additionally, the Agency shall indemnify, defend, and hold harmless the State of Florida, Department of Transportation, including the Department's officers and employees, from liabilities, damages, losses, and costs, including,

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but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the Agency and persons employed or utilized by the Agency in the performance of this Agreement. This indemnification shall survive the termination of this Agreement. Additionally, the Agency agrees to include the following indemnification in all contracts with contractors/subcontractors and consultants/subconsultants who perform work in connection with this Agreement:

"To the fullest extent permitted by law, the Agency's contractor/consultant shall indemnify, defend, and hold harmless the Agency and the State of Florida, Department of Transportation, including the Department's officers and employees, from liabilities, damages, losses and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness or intentional wrongful misconduct of the contractor/consultant and persons employed or utilized by the contractor/consultant in the performance of this Agreement.

This indemnification shall survive the termination of this Agreement."

- b. The Agency shall provide Workers' Compensation Insurance in accordance with Florida's Workers' Compensation law for all employees. If subletting any of the work, ensure that the subcontractor(s) and subconsultant(s) have Workers' Compensation Insurance for their employees in accordance with Florida's Workers' Compensation law. If using "leased employees" or employees obtained through professional employer organizations ("PEO's"), ensure that such employees are covered by Workers' Compensation Insurance through the PEO's or other leasing entities. Ensure that any equipment rental agreements that include operators or other personnel who are employees of independent contractors, sole proprietorships, or partners are covered by insurance required under Florida's Workers' Compensation law.

- c. If the Agency elects to self-perform the Project, then the Agency may self-insure. If the Agency elects to hire a contractor or consultant to perform the Project, then the Agency shall carry, or cause its contractor or consultant to carry, Commercial General Liability insurance providing continuous coverage for all work or operations performed under this Agreement. Such insurance shall be no more restrictive than that provided by the latest occurrence form edition of the standard Commercial General Liability Coverage Form (ISO Form CG 00 01) as filed for use in the State of Florida. The Agency shall cause, or cause its contractor or consultant to cause, the Department to be made an Additional Insured as to such insurance. Such coverage shall be on an "occurrence" basis and shall include Products/Completed Operations coverage. The coverage afforded to the Department as an Additional Insured shall be primary as to any other available insurance and shall not be more restrictive than the coverage afforded to the Named Insured. The limits of coverage shall not be less than \$1,000,000 for each occurrence and not less than a \$5,000,000 annual general aggregate, inclusive of amounts provided by an umbrella or excess policy. The limits of coverage described herein shall apply fully to the work or operations performed under the Agreement, and may not be shared with or diminished by claims unrelated to the Agreement. The policy/ies and coverage described herein may be subject to a deductible and such deductibles shall be paid by the Named Insured. No policy/ies or coverage described herein may contain or be subject to a Retention or a Self-Insured Retention unless the Agency is a state agency or subdivision of the State of Florida that elects to self-perform the Project. Prior to the execution of the Agreement, and at all renewal periods which occur prior to final acceptance of the work, the Department shall be provided with an ACORD Certificate of Liability Insurance reflecting the coverage described herein. The Department shall be notified in writing within ten days of any cancellation, notice of cancellation, lapse, renewal, or proposed change to any policy or coverage described herein. The Department's approval or failure to disapprove any policy/ies, coverage, or ACORD Certificates shall not relieve or excuse any obligation to procure and maintain the insurance required herein, nor serve as a waiver of any rights or defenses the Department may have.

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- d. When the Agreement includes the construction of a railroad grade crossing, railroad overpass or underpass structure, or any other work or operations within the limits of the railroad right-of-way, including any encroachments thereon from work or operations in the vicinity of the railroad right-of-way, the Agency shall, or cause its contractor to, in addition to the insurance coverage required above, procure and maintain Railroad Protective Liability Coverage (ISO Form CG 00 35) where the railroad is the Named Insured and where the limits are not less than \$2,000,000 combined single limit for bodily injury and/or property damage per occurrence, and with an annual aggregate limit of not less than \$6,000,000. The railroad shall also be added along with the Department as an Additional Insured on the policy/ies procured pursuant to the paragraph above. Prior to the execution of the Agreement, and at all renewal periods which occur prior to final acceptance of the work, both the Department and the railroad shall be provided with an ACORD Certificate of Liability Insurance reflecting the coverage described herein. The insurance described herein shall be maintained through final acceptance of the work. Both the Department and the railroad shall be notified in writing within ten days of any cancellation, notice of cancellation, renewal, or proposed change to any policy or coverage described herein. The Department's approval or failure to disapprove any policy/ies, coverage, or ACORD Certificates shall not relieve or excuse any obligation to procure and maintain the insurance required herein, nor serve as a waiver of any rights the Department may have.
- e. When the Agreement involves work on or in the vicinity of utility-owned property or facilities, the utility shall be added along with the Department as an Additional Insured on the Commercial General Liability policy/ies procured above.

19. Miscellaneous:

- a. **Environmental Regulations.** The Agency will be solely responsible for compliance with all applicable environmental regulations and for any liability arising from non-compliance with these regulations, and will reimburse the Department for any loss incurred in connection therewith.
- b. **Non-Admission of Liability.** In no event shall the making by the Department of any payment to the Agency constitute or be construed as a waiver by the Department of any breach of covenant or any default which may then exist on the part of the Agency and the making of such payment by the Department, while any such breach or default shall exist, shall in no way impair or prejudice any right or remedy available to the Department with respect to such breach or default.
- c. **Severability.** If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected. In such an instance, the remainder would then continue to conform to the terms and requirements of applicable law.
- d. **Agency not an agent of Department.** The Agency and the Department agree that the Agency, its employees, contractors, subcontractors, consultants, and subconsultants are not agents of the Department as a result of this Agreement.
- e. **Bonus or Commission.** By execution of the Agreement, the Agency represents that it has not paid and, also agrees not to pay, any bonus or commission for the purpose of obtaining an approval of its application for the financing hereunder.
- f. **Non-Contravention of State Law.** Nothing in the Agreement shall require the Agency to observe or enforce compliance with any provision or perform any act or do any other thing in contravention of any applicable state law. If any of the provisions of the Agreement violate any applicable state law, the Agency will at once notify the Department in writing so that

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appropriate changes and modifications may be made by the Department and the Agency to the end that the Agency may proceed as soon as possible with the Project.

- g. Execution of Agreement.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute the same Agreement. A facsimile or electronic transmission of this Agreement with a signature on behalf of a party will be legal and binding on such party.
- h. Federal Award Identification Number (FAIN).** If the FAIN is not available prior to execution of the Agreement, the Department may unilaterally add the FAIN to the Agreement without approval of the Agency and without an amendment to the Agreement. If this occurs, an updated Agreement that includes the FAIN will be provided to the Agency and uploaded to the Department of Financial Services' Florida Accountability Contract Tracking System (FACTS).
- i. Inspector General Cooperation.** The Agency agrees to comply with Section 20.055(5), Florida Statutes, and to incorporate in all subcontracts the obligation to comply with Section 20.055(5), Florida Statutes.
- j. Law, Forum, and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. In the event of a conflict between any portion of the contract and Florida law, the laws of Florida shall prevail. The Agency agrees to waive forum and venue and that the Department shall determine the forum and venue in which any dispute under this Agreement is decided.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the day and year written above.

AGENCY HART (Hillsborough Area
Regional Transit)

By: _____

Name: Adelee Le Grand

Title: CEO

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: _____

Name: Richard Moss, P.E.

Title: Director of Transportation Development

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
Legal Review:

Sam Henderson

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EXHIBIT A**Project Description and Responsibilities**

A. Project Description (description of Agency's project to provide context, description of project components funded via this Agreement (if not the entire project)): HART route 34 that operates along Hillsborough Avenue from the Northwest Transfer Center on the west side of the county and Netpark Transfer Center on to the east. It serves the entire Hillsborough Avenue corridor. The route 34 provides weekday service from 4:05am to 12:42am, Saturday from 6:00am to 10:48am, and Sundays from 6:00am to 10:42pm. This route connects with 12 HART local routes, two PSTA express routes at Marion Transit Center, and 12 local routes at UATC.

This route has 2,486 boardings per day and 26 passengers per hour. We expect this routes passenger per revenue hour to continue to increase. The routes provide 123.0 weekday services hours and 1,591.52 weekday service miles. The annual service hours total 38,961 for a total cost of \$5,454,523.

B. Project Location (limits, city, county, map): HART (Hillsborough Area Regional Transit)/Tampa, FL/Hillsborough

C. Project Scope (allowable costs: describe project components, improvement type/service type, approximate timeline, project schedule, project size): "As funding allows, this program will consider improvements on facilities designed to prevent them from becoming constrained. Transit Corridor Project is defined as a project identified in a Transit Development Plan, Congestion Management System, or other formal study undertaken by a public agency

designed to relieve congestion and improve capacity within an identified corridor, by increasing people carrying capacity through the use and facilitated movement of high occupancy conveyances. Capital costs may include rolling stock, the purchase of land and right of way, construction and installation of facilities, and corridor road improvements such as turn lanes, traffic controls and high occupancy lanes. Operational costs may include pre-service reparations, operating deficits, marketing, administration, security and traffic control, equipment leases, commuter transportation services, carpool and/or vanpool activities, and other demand management strategies."

D. Deliverable(s): HART route 34 that operates along Hillsborough Avenue from the Northwest Transfer Center on the west side of the county and Netpark Transfer Center on to the east. It serves the entire Hillsborough Avenue corridor. The route 34 provides weekday service from 4:05am to 12:42am, Saturday from 6:00am to 10:48am, and Sundays from 6:00am to 10:42pm. This route connects with 12 HART local routes, two PSTA express routes at Marion Transit Center, and 12 local routes at UATC.

This route has 2,486 boardings per day and 26 passengers per hour. We expect this routes passenger per revenue hour to continue to increase. The routes provide 123.0 weekday services hours and 1,591.52 weekday service miles. The annual service hours total 38,961 for a total cost of \$5,454,523.

Ridership and Progress Reports will be submitted, reviewed, and evaluated with each invoice.

The project scope identifies the ultimate project deliverables. Deliverables for requisition, payment and invoice purposes will be the incremental progress made toward completion of project scope elements. Supporting documentation will be quantifiable, measurable, and verifiable, to allow for a determination of the amount of incremental progress that has been made, and provide evidence that the payment requested is commensurate with the accomplished incremental progress and costs incurred by the Agency.

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E. Unallowable Costs (including but not limited to):

F. Transit Operating Grant Requirements (Transit Only):

Transit Operating Grants billed as an operational subsidy will require an expenditure detail report from the Agency that matches the invoice period. The expenditure detail, along with the progress report, will be the required deliverables for Transit Operating Grants. Operating grants may be issued for a term not to exceed three years from execution. The original grant agreement will include funding for year one. Funding for years two and three will be added by amendment as long as the grantee has submitted all invoices on schedule and the project deliverables for the year have been met.

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EXHIBIT B

Schedule of Financial Assistance
TRANSIT OPERATING ONLY

FUNDS AWARDED TO THE AGENCY PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

A. Fund Type and Fiscal Year:

Financial Project Number	Fund Type	FLAIR Category	State Fiscal Year	Object Code	CSFA/CFDA Number	CSFA/CFDA Title or Funding Source Description	Funding Amount
430322-1-84-22	DPTO	088774	2022	751000 0	55.013	State Transit Corridor Funds	\$272,553.00
Total Financial Assistance							\$272,553.00

B. Operations Phase - Estimate of Project Costs by Budget Category:

Budget Categories <i>Operations (Transit Only) *</i>	State	Local	Federal	Total
Salaries	\$150,000	\$0	\$0	\$150,000
Fringe Benefits	\$75,000	\$0	\$0	\$75,000
Contractual Services	\$0	\$0	\$0	\$0
Travel	\$0	\$0	\$0	\$0
Other Direct Costs	\$47,553	\$0	\$0	\$47,553
Indirect Costs	\$0	\$0	\$0	\$0
Totals	\$272,553	\$0	\$0	\$272,553

* Budget category amounts are estimates and can be shifted between items without amendment (because they are all within the Operations Phase).

C. Cost Reimbursement

The Agency will submit invoices for cost reimbursement on a:

- ☒ Monthly
☐ Quarterly
☐ Other:

basis upon the approval of the deliverables including the expenditure detail provided by the Agency.

BUDGET/COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:

I certify that the cost for each line item budget category has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, Florida Statutes. Documentation is on file evidencing the methodology used and the conclusions reached.

Dave Newell

Department Grant Manager Name

Signature

Date

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EXHIBIT D

AGENCY RESOLUTION

PLEASE SEE ATTACHED

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EXHIBIT E
PROGRAM SPECIFIC TERMS AND CONDITIONS – TRANSIT
(Transit Corridor Program)

1. Conformance with Enabling Legislation. This Agreement is in conformance with Section 341.051, F.S.

2. Bus Transit System - In accordance with Section 341.061, F.S., and Rule Chapter 14-90, Florida Administrative Code, the Agency shall submit, and the Department shall have on file, an annual safety certification that the Agency has adopted and is complying with its adopted System Safety Program Plan pursuant to Rule Chapter 14-90, F.A.C., and has performed annual safety inspections of all buses operated.

3. Transit Vehicle Inventory Management. The Agency will follow the Department's Transit Vehicle Inventory Management Procedure (725-030-025), which outlines the requirements for continuing management control, inventory transfer and disposal actions. This procedure pertains ONLY to capital procurements of rolling stock using the FTA Section 5310, Section 5311, Section 5316, and Section 5317 programs as the funding source, or where the Department participates in 50% or more of the public transit vehicle's purchase price. This may include vehicles purchased under the State Transit Block Grant Program, State Transit Corridor Program, State Transit Service Development Program, or other applicable Department programs.

4. Progress Reports. The Agency will submit Semi-Annual Progress Reports on monthly ridership data. Reports are due no later than January 30th for the period ending December 31st and July 30th for the period ending June 30th.

5. Project Goals and Service Data. The Agency must report on work efforts and provide a detailed, side-by-side comparison of the project goals and actual service data.

6. Submittal of Proposed Timeline. The Agency will submit a Proposed Timeline for Transit Corridor Activities prior to the commencement of the project.

7. Annual Report. The Agency will provide an annual report including the following information: an evaluation of the attainment of the goals and objectives, the reasons any of the goals were not met, and the benefit accrued by the Agency/Community. Should a project not meet its goals and objectives, the District shall determine if it is necessary to terminate the project. This report will accompany the Final Invoice for reimbursement.

-- End of Exhibit E --

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EXHIBIT F

Contract Payment Requirements
Florida Department of Financial Services, Reference Guide for State Expenditures
Cost Reimbursement Contracts

Invoices for cost reimbursement contracts must be supported by an itemized listing of expenditures by category (salary, travel, expenses, etc.). Supporting documentation shall be submitted for each amount for which reimbursement is being claimed indicating that the item has been paid. Documentation for each amount for which reimbursement is being claimed must indicate that the item has been paid. Check numbers may be provided in lieu of copies of actual checks. Each piece of documentation should clearly reflect the dates of service. Only expenditures for categories in the approved agreement budget may be reimbursed. These expenditures must be allowable (pursuant to law) and directly related to the services being provided.

Listed below are types and examples of supporting documentation for cost reimbursement agreements:

(1) Salaries: A payroll register or similar documentation should be submitted. The payroll register should show gross salary charges, fringe benefits, other deductions and net pay. If an individual for whom reimbursement is being claimed is paid by the hour, a document reflecting the hours worked times the rate of pay will be acceptable.

(2) Fringe Benefits: Fringe Benefits should be supported by invoices showing the amount paid on behalf of the employee (e.g., insurance premiums paid). If the contract specifically states that fringe benefits will be based on a specified percentage rather than the actual cost of fringe benefits, then the calculation for the fringe benefits amount must be shown.

Exception: Governmental entities are not required to provide check numbers or copies of checks for fringe benefits.

(3) Travel: Reimbursement for travel must be in accordance with Section 112.061, Florida Statutes, which includes submission of the claim on the approved State travel voucher or electronic means.

(4) Other direct costs: Reimbursement will be made based on paid invoices/receipts. If nonexpendable property is purchased using State funds, the contract should include a provision for the transfer of the property to the State when services are terminated. Documentation must be provided to show compliance with Department of Management Services Rule 60A-1.017, Florida Administrative Code, regarding the requirements for contracts which include services and that provide for the contractor to purchase tangible personal property as defined in Section 273.02, Florida Statutes, for subsequent transfer to the State.

(5) In-house charges: Charges which may be of an internal nature (e.g., postage, copies, etc.) may be reimbursed on a usage log which shows the units times the rate being charged. The rates must be reasonable.

(6) Indirect costs: If the contract specifies that indirect costs will be paid based on a specified rate, then the calculation should be shown.

Contracts between state agencies, and/or contracts between universities may submit alternative documentation to substantiate the reimbursement request that may be in the form of FLAIR reports or other detailed reports.

The Florida Department of Financial Services, online Reference Guide for State Expenditures can be found at this web address <https://www.myfloridacfo.com/Division/AA/Manuals/documents/ReferenceGuideforStateExpenditures.pdf>.

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EXHIBIT G

AUDIT REQUIREMENTS FOR AWARDS OF STATE FINANCIAL ASSISTANCE

THE STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

SUBJECT TO SECTION 215.97, FLORIDA STATUTES:~

Awarding Agency: Florida Department of Transportation
State Project Title: Transit Corridor Development Program
CSFA Number: 55.013
***Award Amount:** \$272,553

*The award amount may change with amendments

Specific project information for CSFA Number 55.013 is provided at: <https://apps.fldfs.com/fsaa/searchCatalog.aspx>

COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT:

State Project Compliance Requirements for CSFA Number 55.013 are provided at:
<https://apps.fldfs.com/fsaa/searchCompliance.aspx>

The State Projects Compliance Supplement is provided at: <https://apps.fldfs.com/fsaa/compliance.aspx>

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Financial Project Number(s): (item-segment-phase-sequence) 420741-1-84-22	Fund(s): Work Activity Code/Function: 215	FLAIR Category: 088774
	Federal Number/Federal Award Identification Number (FAIN) – Transit only:	Object Code: 751000
Contract Number: G2779	Federal Award Date:	Org. Code: 55072020729
CFDA Number: N/A	Agency SAM/UEI Number:	Vendor Number: F591952167011
CFDA Title: N/A		
CSFA Number: 55.013		
CSFA Title: Transit Corridor Development Program		

THIS PUBLIC TRANSPORTATION GRANT AGREEMENT ("Agreement") is entered into _____, by and between the State of Florida, Department of Transportation, ("Department"), and HART (Hillsborough Area Regional Transit), ("Agency"). The Department and the Agency are sometimes referred to in this Agreement as a "Party" and collectively as the "Parties."

NOW, THEREFORE, in consideration of the mutual benefits to be derived from joint participation on the Project, the Parties agree to the following:

- 1. Authority.** The Agency, by Resolution or other form of official authorization, a copy of which is attached as **Exhibit "D", Agency Resolution** and made a part of this Agreement, has authorized its officers to execute this Agreement on its behalf. The Department has the authority pursuant to Section(s) 341.000, Florida Statutes, to enter into this Agreement.
- 2. Purpose of Agreement.** The purpose of this Agreement is to provide for the Department's participation in To provide State Transit Corridor funds to HART for operation of their Route 400 (MetroRapid) service in Hillsborough County., as further described in **Exhibit "A", Project Description and Responsibilities**, attached and incorporated into this Agreement ("Project"), to provide Department financial assistance to the Agency, state the terms and conditions upon which Department funds will be provided, and to set forth the manner in which the Project will be undertaken and completed.
- 3. Program Area.** For identification purposes only, this Agreement is implemented as part of the Department program area selected below (select all programs that apply):

- ☐ Aviation
- ☐ Seaports
- ☒ Transit
- ☐ Intermodal
- ☐ Rail Crossing Closure
- ☐ Match to Direct Federal Funding (Aviation or Transit)
- ☐ (Note: Section 15 and Exhibit G do not apply to federally matched funding)
- ☐ Other

- 4. Exhibits.** The following Exhibits are attached and incorporated into this Agreement:

- ☒ Exhibit A: Project Description and Responsibilities
- ☒ Exhibit B: Schedule of Financial Assistance
- ☐ *Exhibit B1: Deferred Reimbursement Financial Provisions
- ☐ *Exhibit B2: Advance Payment Financial Provisions
- ☐ *Exhibit C: Terms and Conditions of Construction
- ☒ Exhibit D: Agency Resolution
- ☒ Exhibit E: Program Specific Terms and Conditions
- ☒ Exhibit F: Contract Payment Requirements
- ☒ *Exhibit G: Audit Requirements for Awards of State Financial Assistance
- ☐ *Exhibit H: Audit Requirements for Awards of Federal Financial Assistance

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___ *Additional Exhibit(s):

*Indicates that the Exhibit is only attached and incorporated if applicable box is selected.

5. **Time.** Unless specified otherwise, all references to “days” within this Agreement refer to calendar days.

6. **Term of Agreement.** This Agreement shall commence upon full execution by both Parties (“Effective Date”) and continue through June 30, 2025. If the Agency does not complete the Project within this time period, this Agreement will expire unless an extension of the time period is requested by the Agency and granted in writing by the Department prior to the expiration of this Agreement. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed prior to the Effective Date or after the expiration date of this Agreement will not be reimbursed by the Department.

a. ___ If this box is checked the following provision applies:

Unless terminated earlier, work on the Project shall commence no later than the ___ day of ___, or within ___ days of the issuance of the Notice to Proceed for the construction phase of the Project (if the Project involves construction), whichever date is earlier. The Department shall have the option to immediately terminate this Agreement should the Agency fail to meet the above-required dates.

7. **Amendments, Extensions, and Assignment.** This Agreement may be amended or extended upon mutual written agreement of the Parties. This Agreement shall not be renewed. This Agreement shall not be assigned, transferred, or otherwise encumbered by the Agency under any circumstances without the prior written consent of the Department.

8. **Termination or Suspension of Project.** The Department may, by written notice to the Agency, suspend any or all of the Department’s obligations under this Agreement for the Agency’s failure to comply with applicable law or the terms of this Agreement until such time as the event or condition resulting in such suspension has ceased or been corrected.

a. Notwithstanding any other provision of this Agreement, if the Department intends to terminate the Agreement, the Department shall notify the Agency of such termination in writing at least thirty (30) days prior to the termination of the Agreement, with instructions to the effective date of termination or specify the stage of work at which the Agreement is to be terminated.

b. The Parties to this Agreement may terminate this Agreement when its continuation would not produce beneficial results commensurate with the further expenditure of funds. In this event, the Parties shall agree upon the termination conditions.

c. If the Agreement is terminated before performance is completed, the Agency shall be paid only for that work satisfactorily performed for which costs can be substantiated. Such payment, however, may not exceed the equivalent percentage of the Department’s maximum financial assistance. If any portion of the Project is located on the Department’s right-of-way, then all work in progress on the Department right-of-way will become the property of the Department and will be turned over promptly by the Agency.

d. In the event the Agency fails to perform or honor the requirements and provisions of this Agreement, the Agency shall promptly refund in full to the Department within thirty (30) days of the termination of the Agreement any funds that were determined by the Department to have been expended in violation of the Agreement.

e. The Department reserves the right to unilaterally cancel this Agreement for failure by the Agency to comply with the Public Records provisions of Chapter 119, Florida Statutes.

9. **Project Cost:**

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- a. The estimated total cost of the Project is \$272,554. This amount is based upon **Exhibit "B", Schedule of Financial Assistance**. The timeline for deliverables and distribution of estimated amounts between deliverables within a grant phase, as outlined in **Exhibit "B", Schedule of Financial Assistance**, may be modified by mutual written agreement of the Parties and does not require execution of an **Amendment to the Public Transportation Grant Agreement**. The timeline for deliverables and distribution of estimated amounts between grant phases requires an amendment executed by both Parties in the same form as this Agreement.
- b. The Department agrees to participate in the Project cost up to the maximum amount of \$272,554 and, the Department's participation in the Project shall not exceed 100.00% of the total eligible cost of the Project, and as more fully described in **Exhibit "B", Schedule of Financial Assistance**. The Agency agrees to bear all expenses in excess of the amount of the Department's participation and any cost overruns or deficits involved.

10. Compensation and Payment:

- a. **Eligible Cost.** The Department shall reimburse the Agency for allowable costs incurred as described in **Exhibit "A", Project Description and Responsibilities**, and as set forth in **Exhibit "B", Schedule of Financial Assistance**.
- b. **Deliverables.** The Agency shall provide quantifiable, measurable, and verifiable units of deliverables. Each deliverable must specify the required minimum level of service to be performed and the criteria for evaluating successful completion. The Project and the quantifiable, measurable, and verifiable units of deliverables are described more fully in **Exhibit "A", Project Description and Responsibilities**. Modifications to the deliverables in **Exhibit "A", Project Description and Responsibilities** requires a formal written amendment.
- c. **Invoicing.** Invoices shall be submitted no more often than monthly by the Agency in detail sufficient for a proper pre-audit and post-audit, based on the quantifiable, measurable, and verifiable deliverables as established in **Exhibit "A", Project Description and Responsibilities**. Deliverables and costs incurred must be received and approved by the Department prior to reimbursement. Requests for reimbursement by the Agency shall include an invoice, progress report, and supporting documentation for the deliverables being billed that are acceptable to the Department. The Agency shall use the format for the invoice and progress report that is approved by the Department.
- d. **Supporting Documentation.** Supporting documentation must establish that the deliverables were received and accepted in writing by the Agency and must also establish that the required minimum standards or level of service to be performed based on the criteria for evaluating successful completion as specified in **Exhibit "A", Project Description and Responsibilities** has been met. All costs invoiced shall be supported by properly executed payrolls, time records, invoices, contracts, or vouchers evidencing in proper detail the nature and propriety of charges as described in **Exhibit "F", Contract Payment Requirements**.
- e. **Travel Expenses.** The selected provision below is controlling regarding travel expenses:

X Travel expenses are NOT eligible for reimbursement under this Agreement.

 Travel expenses ARE eligible for reimbursement under this Agreement. Bills for travel expenses specifically authorized in this Agreement shall be submitted on the Department's Contractor Travel Form No. 300-000-06 and will be paid in accordance with Section 112.061, Florida Statutes, and the most current version of the Department's Disbursement Handbook for Employees and Managers.

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f. **Financial Consequences.** Payment shall be made only after receipt and approval of deliverables and costs incurred unless advance payments are authorized by the Chief Financial Officer of the State of Florida under Chapters 215 and 216, Florida Statutes, or the Department's Comptroller under Section 334.044(29), Florida Statutes. If the Department determines that the performance of the Agency is unsatisfactory, the Department shall notify the Agency of the deficiency to be corrected, which correction shall be made within a time-frame to be specified by the Department. The Agency shall, within thirty (30) days after notice from the Department, provide the Department with a corrective action plan describing how the Agency will address all issues of contract non-performance, unacceptable performance, failure to meet the minimum performance levels, deliverable deficiencies, or contract non-compliance. If the corrective action plan is unacceptable to the Department, the Agency will not be reimbursed. If the deficiency is subsequently resolved, the Agency may bill the Department for the amount that was previously not reimbursed during the next billing period. If the Agency is unable to resolve the deficiency, the funds shall be forfeited at the end of the Agreement's term.

g. **Invoice Processing.** An Agency receiving financial assistance from the Department should be aware of the following time frames. Inspection or verification and approval of deliverables shall take no longer than 20 days from the Department's receipt of the invoice. The Department has 20 days to deliver a request for payment (voucher) to the Department of Financial Services. The 20 days are measured from the latter of the date the invoice is received or the deliverables are received, inspected or verified, and approved.

If a payment is not available within 40 days, a separate interest penalty at a rate as established pursuant to Section 55.03(1), Florida Statutes, will be due and payable, in addition to the invoice amount, to the Agency. Interest penalties of less than one (1) dollar will not be enforced unless the Agency requests payment. Invoices that have to be returned to an Agency because of Agency preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department.

A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for Agency who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516.

h. **Records Retention.** The Agency shall maintain an accounting system or separate accounts to ensure funds and projects are tracked separately. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for five years after final payment is made. Copies of these records shall be furnished to the Department upon request. Records of costs incurred include the Agency's general accounting records and the Project records, together with supporting documents and records, of the Contractor and all subcontractors performing work on the Project, and all other records of the Contractor and subcontractors considered necessary by the Department for a proper audit of costs.

i. **Progress Reports.** Upon request, the Agency agrees to provide progress reports to the Department in the standard format used by the Department and at intervals established by the Department. The Department will be entitled at all times to be advised, at its request, as to the status of the Project and of details thereof.

j. **Submission of Other Documents.** The Agency shall submit to the Department such data, reports, records, contracts, and other documents relating to the Project as the Department may require as listed in **Exhibit "E", Program Specific Terms and Conditions** attached to and incorporated into this Agreement.

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- k. Offsets for Claims.** If, after Project completion, any claim is made by the Department resulting from an audit or for work or services performed pursuant to this Agreement, the Department may offset such amount from payments due for work or services done under any agreement that it has with the Agency owing such amount if, upon written demand, payment of the amount is not made within 60 days to the Department. Offsetting any amount pursuant to this paragraph shall not be considered a breach of contract by the Department.
- l. Final Invoice.** The Agency must submit the final invoice on the Project to the Department within 120 days after the completion of the Project. Invoices submitted after the 120-day time period may not be paid.
- m. Department's Performance and Payment Contingent Upon Annual Appropriation by the Legislature.** The Department's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. If the Department's funding for this Project is in multiple fiscal years, a notice of availability of funds from the Department's project manager must be received prior to costs being incurred by the Agency. See **Exhibit "B", Schedule of Financial Assistance** for funding levels by fiscal year. Project costs utilizing any fiscal year funds are not eligible for reimbursement if incurred prior to funds approval being received. The Department will notify the Agency, in writing, when funds are available.
- n. Limits on Contracts Exceeding \$25,000 and Term more than 1 Year.** In the event this Agreement is in excess of \$25,000 and has a term for a period of more than one year, the provisions of Section 339.135(6)(a), Florida Statutes, are hereby incorporated:
- "The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of \$25,000 and which have a term for a period of more than 1 year."
- o. Agency Obligation to Refund Department.** Any Project funds made available by the Department pursuant to this Agreement that are determined by the Department to have been expended by the Agency in violation of this Agreement or any other applicable law or regulation shall be promptly refunded in full to the Department. Acceptance by the Department of any documentation or certifications, mandatory or otherwise permitted, that the Agency files shall not constitute a waiver of the Department's rights as the funding agency to verify all information at a later date by audit or investigation.
- p. Non-Eligible Costs.** In determining the amount of the payment, the Department will exclude all Project costs incurred by the Agency prior to the execution of this Agreement, costs incurred after the expiration of the Agreement, costs that are not provided for in **Exhibit "A", Project Description and Responsibilities**, and as set forth in **Exhibit "B", Schedule of Financial Assistance**, costs agreed to be borne by the Agency or its contractors and subcontractors for not meeting the Project commencement and final invoice time lines, and costs attributable to goods or services received under a contract or other arrangement that has not been approved

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in writing by the Department. Specific unallowable costs may be listed in **Exhibit "A", Project Description and Responsibilities**.

11. General Requirements. The Agency shall complete the Project with all practical dispatch in a sound, economical, and efficient manner, and in accordance with the provisions in this Agreement and all applicable laws.

- a. Necessary Permits Certification.** The Agency shall certify to the Department that the Agency's design consultant and/or construction contractor has secured the necessary permits.
- b. Right-of-Way Certification.** If the Project involves construction, then the Agency shall provide to the Department certification and a copy of appropriate documentation substantiating that all required right-of-way necessary for the Project has been obtained. Certification is required prior to authorization for advertisement for or solicitation of bids for construction of the Project, even if no right-of-way is required.
- c. Notification Requirements When Performing Construction on Department's Right-of-Way.** In the event the cost of the Project is greater than \$250,000.00, and the Project involves construction on the Department's right-of-way, the Agency shall provide the Department with written notification of either its intent to:
 - i.** Require the construction work of the Project that is on the Department's right-of-way to be performed by a Department prequalified contractor, or
 - ii.** Construct the Project utilizing existing Agency employees, if the Agency can complete said Project within the time frame set forth in this Agreement.
- d.** ☐ If this box is checked, then the Agency is permitted to utilize its own forces and the following provision applies: **Use of Agency Workforce.** In the event the Agency proceeds with any phase of the Project utilizing its own forces, the Agency will only be reimbursed for direct costs (this excludes general overhead).
- e.** ☐ If this box is checked, then the Agency is permitted to utilize **Indirect Costs: Reimbursement for Indirect Program Expenses** (select one):
 - i.** ☐ Agency has selected to seek reimbursement from the Department for actual indirect expenses (no rate).
 - ii.** ☐ Agency has selected to apply a de minimus rate of 10% to modified total direct costs. Note: The de minimus rate is available only to entities that have never had a negotiated indirect cost rate. When selected, the de minimus rate must be used consistently for all federal awards until such time the agency chooses to negotiate a rate. A cost policy statement and de minimis certification form must be submitted to the Department for review and approval.
 - iii.** ☐ Agency has selected to apply a state or federally approved indirect cost rate. A federally approved rate agreement or indirect cost allocation plan (ICAP) must be submitted annually.
- f. Agency Compliance with Laws, Rules, and Regulations, Guidelines, and Standards.** The Agency shall comply and require its contractors and subcontractors to comply with all terms and conditions of this Agreement and all federal, state, and local laws and regulations applicable to this Project.
- g. Claims and Requests for Additional Work.** The Agency shall have the sole responsibility for resolving claims and requests for additional work for the Project. The Agency will make

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best efforts to obtain the Department's input in its decisions. The Department is not obligated to reimburse for claims or requests for additional work.

12. Contracts of the Agency:

- a. **Approval of Third Party Contracts.** The Department specifically reserves the right to review and approve any and all third party contracts with respect to the Project before the Agency executes or obligates itself in any manner requiring the disbursement of Department funds, including consultant and purchase of commodities contracts, or amendments thereto. If the Department chooses to review and approve third party contracts for this Project and the Agency fails to obtain such approval, that shall be sufficient cause for nonpayment by the Department. The Department specifically reserves unto itself the right to review the qualifications of any consultant or contractor and to approve or disapprove the employment of the same. If Federal Transit Administration (FTA) funds are used in the Project, the Department must exercise the right to third party contract review.
- b. **Procurement of Commodities or Contractual Services.** It is understood and agreed by the Parties hereto that participation by the Department in a project with the Agency, where said project involves the purchase of commodities or contractual services where purchases or costs exceed the Threshold Amount for CATEGORY TWO per Section 287.017, Florida Statutes, is contingent on the Agency complying in full with the provisions of Section 287.057, Florida Statutes. The Agency's Authorized Official shall certify to the Department that the Agency's purchase of commodities or contractual services has been accomplished in compliance with Section 287.057, Florida Statutes. It shall be the sole responsibility of the Agency to ensure that any obligations made in accordance with this Section comply with the current threshold limits. Contracts, purchase orders, task orders, construction change orders, or any other agreement that would result in exceeding the current budget contained in **Exhibit "B", Schedule of Financial Assistance**, or that is not consistent with the Project description and scope of services contained in **Exhibit "A", Project Description and Responsibilities** must be approved by the Department prior to Agency execution. Failure to obtain such approval, and subsequent execution of an amendment to the Agreement if required, shall be sufficient cause for nonpayment by the Department, in accordance with this Agreement.
- c. **Consultants' Competitive Negotiation Act.** It is understood and agreed by the Parties to this Agreement that participation by the Department in a project with the Agency, where said project involves a consultant contract for professional services, is contingent on the Agency's full compliance with provisions of Section 287.055, Florida Statutes, Consultants' Competitive Negotiation Act. In all cases, the Agency's Authorized Official shall certify to the Department that selection has been accomplished in compliance with the Consultants' Competitive Negotiation Act.
- d. **Disadvantaged Business Enterprise (DBE) Policy and Obligation.** It is the policy of the Department that DBEs, as defined in 49 C.F.R. Part 26, as amended, shall have the opportunity to participate in the performance of contracts financed in whole or in part with Department funds under this Agreement. The DBE requirements of applicable federal and state laws and regulations apply to this Agreement. The Agency and its contractors agree to ensure that DBEs have the opportunity to participate in the performance of this Agreement. In this regard, all recipients and contractors shall take all necessary and reasonable steps in accordance with applicable federal and state laws and regulations to ensure that the DBEs have the opportunity to compete for and perform contracts. The Agency and its contractors and subcontractors shall not discriminate on the basis of race, color, national origin or sex in the award and performance of contracts, entered pursuant to this Agreement.

13. **Maintenance Obligations.** In the event the Project includes construction or the acquisition of commodities then the following provisions are incorporated into this Agreement:

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- a. The Agency agrees to accept all future maintenance and other attendant costs occurring after completion of the Project for all improvements constructed or commodities acquired as part of the Project. The terms of this provision shall survive the termination of this Agreement.

14. Sale, Transfer, or Disposal of Department-funded Property:

- a. The Agency will not sell or otherwise transfer or dispose of any part of its title or other interests in real property, facilities, or equipment funded in any part by the Department under this Agreement without prior written approval by the Department.
- b. If a sale, transfer, or disposal by the Agency of all or a portion of Department-funded real property, facilities, or equipment is approved by the Department, the following provisions will apply:
 - i. The Agency shall reimburse the Department a proportional amount of the proceeds of the sale of any Department-funded property.
 - ii. The proportional amount shall be determined on the basis of the ratio of the Department funding of the development or acquisition of the property multiplied against the sale amount, and shall be remitted to the Department within ninety (90) days of closing of sale.
 - iii. Sale of property developed or acquired with Department funds shall be at market value as determined by appraisal or public bidding process, and the contract and process for sale must be approved in advance by the Department.
 - iv. If any portion of the proceeds from the sale to the Agency are non-cash considerations, reimbursement to the Department shall include a proportional amount based on the value of the non-cash considerations.
- c. The terms of provisions "a" and "b" above shall survive the termination of this Agreement.
 - i. The terms shall remain in full force and effect throughout the useful life of facilities developed, equipment acquired, or Project items installed within a facility, but shall not exceed twenty (20) years from the effective date of this Agreement.
 - ii. There shall be no limit on the duration of the terms with respect to real property acquired with Department funds.

- 15. Single Audit.** The administration of Federal or State resources awarded through the Department to the Agency by this Agreement may be subject to audits and/or monitoring by the Department. The following requirements do not limit the authority of the Department to conduct or arrange for the conduct of additional audits or evaluations of Federal awards or State financial assistance or limit the authority of any state agency inspector general, the State of Florida Auditor General, or any other state official. The Agency shall comply with all audit and audit reporting requirements as specified below.

Federal Funded:

- a. In addition to reviews of audits conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, monitoring procedures may include but not be limited to on-site visits by Department staff and/or other procedures, including reviewing any required performance and financial reports, following up, ensuring corrective action, and issuing management decisions on weaknesses found through audits when those findings pertain to Federal awards provided through the Department by this Agreement. By entering into this Agreement, the Agency agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Department. The Agency further agrees to comply and cooperate with any

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inspections, reviews, investigations, or audits deemed necessary by the Department, State of Florida Chief Financial Officer (CFO), or State of Florida Auditor General.

- b. The Agency, a non-Federal entity as defined by 2 CFR Part 200, Subpart F – Audit Requirements, as a subrecipient of a Federal award awarded by the Department through this Agreement, is subject to the following requirements:
- i. In the event the Agency expends a total amount of Federal awards equal to or in excess of the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, the Agency must have a Federal single or program-specific audit conducted for such fiscal year in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements. **Exhibit “H”, Audit Requirements for Awards of Federal Financial Assistance**, to this Agreement provides the required Federal award identification information needed by the Agency to further comply with the requirements of 2 CFR Part 200, Subpart F – Audit Requirements. In determining Federal awards expended in a fiscal year, the Agency must consider all sources of Federal awards based on when the activity related to the Federal award occurs, including the Federal award provided through the Department by this Agreement. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by 2 CFR Part 200, Subpart F – Audit Requirements. An audit conducted by the State of Florida Auditor General in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, will meet the requirements of this part.
 - ii. In connection with the audit requirements, the Agency shall fulfill the requirements relative to the auditee responsibilities as provided in 2 CFR Part 200, Subpart F – Audit Requirements.
 - iii. In the event the Agency expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards, the Agency is exempt from Federal audit requirements for that fiscal year. However, the Agency must provide a single audit exemption statement to the Department at FDOTSingleAudit@dot.state.fl.us no later than nine months after the end of the Agency’s audit period for each applicable audit year. In the event the Agency expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards in a fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, the cost of the audit must be paid from non-Federal resources (*i.e.*, the cost of such an audit must be paid from the Agency’s resources obtained from other than Federal entities).
 - iv. The Agency must electronically submit to the Federal Audit Clearinghouse (FAC) at <https://harvester.census.gov/facweb/> the audit reporting package as required by 2 CFR Part 200, Subpart F – Audit Requirements, within the earlier of 30 calendar days after receipt of the auditor’s report(s) or nine months after the end of the audit period. The FAC is the repository of record for audits required by 2 CFR Part 200, Subpart F – Audit Requirements. However, the Department requires a copy of the audit reporting package also be submitted to FDOTSingleAudit@dot.state.fl.us within the earlier of 30 calendar days after receipt of the auditor’s report(s) or nine months after the end of the audit period as required by 2 CFR Part 200, Subpart F – Audit Requirements.
 - v. Within six months of acceptance of the audit report by the FAC, the Department will review the Agency’s audit reporting package, including corrective action plans and management letters, to the extent necessary to determine whether timely and appropriate action on all deficiencies has been taken pertaining to the Federal award provided through the Department by this Agreement. If the Agency fails to have an

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audit conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, the Department may impose additional conditions to remedy noncompliance. If the Department determines that noncompliance cannot be remedied by imposing additional conditions, the Department may take appropriate actions to enforce compliance, which actions may include but not be limited to the following:

1. Temporarily withhold cash payments pending correction of the deficiency by the Agency or more severe enforcement action by the Department;
 2. Disallow (deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;
 3. Wholly or partly suspend or terminate the Federal award;
 4. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and Federal awarding agency regulations (or in the case of the Department, recommend such a proceeding be initiated by the Federal awarding agency);
 5. Withhold further Federal awards for the Project or program;
 6. Take other remedies that may be legally available.
- vi. As a condition of receiving this Federal award, the Agency shall permit the Department or its designee, the CFO, or State of Florida Auditor General access to the Agency's records, including financial statements, the independent auditor's working papers, and project records as necessary. Records related to unresolved audit findings, appeals, or litigation shall be retained until the action is complete or the dispute is resolved.
- vii. The Department's contact information for requirements under this part is as follows:

Office of Comptroller, MS 24
605 Suwannee Street
Tallahassee, Florida 32399-0450
FDOTSingleAudit@dot.state.fl.us

State Funded:

- a. In addition to reviews of audits conducted in accordance with Section 215.97, Florida Statutes, monitoring procedures to monitor the Agency's use of state financial assistance may include but not be limited to on-site visits by Department staff and/or other procedures, including reviewing any required performance and financial reports, following up, ensuring corrective action, and issuing management decisions on weaknesses found through audits when those findings pertain to state financial assistance awarded through the Department by this Agreement. By entering into this Agreement, the Agency agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Department. The Agency further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Department, the Department of Financial Services (DFS), or State of Florida Auditor General.
- b. The Agency, a "nonstate entity" as defined by Section 215.97, Florida Statutes, as a recipient of state financial assistance awarded by the Department through this Agreement, is subject to the following requirements:
 - i. In the event the Agency meets the audit threshold requirements established by Section 215.97, Florida Statutes, the Agency must have a State single or project-specific audit conducted for such fiscal year in accordance with Section 215.97, Florida Statutes; applicable rules of the Department of Financial Services; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. **Exhibit "G", Audit Requirements for Awards of State Financial Assistance**, to this Agreement indicates state financial

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assistance awarded through the Department by this Agreement needed by the Agency to further comply with the requirements of Section 215.97, Florida Statutes. In determining the state financial assistance expended in a fiscal year, the Agency shall consider all sources of state financial assistance, including state financial assistance received from the Department by this Agreement, other state agencies, and other nonstate entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.

- ii. In connection with the audit requirements, the Agency shall ensure that the audit complies with the requirements of Section 215.97(8), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2)(e), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.
- iii. In the event the Agency does not meet the audit threshold requirements established by Section 215.97, Florida Statutes, the Agency is exempt for such fiscal year from the state single audit requirements of Section 215.97, Florida Statutes. However, the Agency must provide a single audit exemption statement to the Department at FDOTSingleAudit@dot.state.fl.us no later than nine months after the end of the Agency's audit period for each applicable audit year. In the event the Agency does not meet the audit threshold requirements established by Section 215.97, Florida Statutes, in a fiscal year and elects to have an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the Agency's resources (*i.e.*, the cost of such an audit must be paid from the Agency's resources obtained from other than State entities).
- iv. In accordance with Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, copies of financial reporting packages required by this Agreement shall be submitted to:

Florida Department of Transportation
Office of Comptroller, MS 24
605 Suwannee Street
Tallahassee, Florida 32399-0405
FDOTSingleAudit@dot.state.fl.us

And

State of Florida Auditor General
Local Government Audits/342
111 West Madison Street, Room 401
Tallahassee, FL 32399-1450
Email: flaudgen_localgovt@aud.state.fl.us

- v. Any copies of financial reporting packages, reports, or other information required to be submitted to the Department shall be submitted timely in accordance with Section 215.97, Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.
- vi. The Agency, when submitting financial reporting packages to the Department for audits done in accordance with Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date the reporting package was delivered to the Agency in correspondence accompanying the reporting package.

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- vii. Upon receipt, and within six months, the Department will review the Agency's financial reporting package, including corrective action plans and management letters, to the extent necessary to determine whether timely and appropriate corrective action on all deficiencies has been taken pertaining to the state financial assistance provided through the Department by this Agreement. If the Agency fails to have an audit conducted consistent with Section 215.97, Florida Statutes, the Department may take appropriate corrective action to enforce compliance.
- viii. As a condition of receiving state financial assistance, the Agency shall permit the Department or its designee, DFS, or the Auditor General access to the Agency's records, including financial statements, the independent auditor's working papers, and project records as necessary. Records related to unresolved audit findings, appeals, or litigation shall be retained until the action is complete or the dispute is resolved.
- c. The Agency shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date the audit report is issued and shall allow the Department or its designee, DFS, or State of Florida Auditor General access to such records upon request. The Agency shall ensure that the audit working papers are made available to the Department or its designee, DFS, or State of Florida Auditor General upon request for a period of five years from the date the audit report is issued, unless extended in writing by the Department.

16. Notices and Approvals. Notices and approvals referenced in this Agreement must be obtained in writing from the Parties' respective Administrators or their designees.

17. Restrictions, Prohibitions, Controls and Labor Provisions:

- a. **Convicted Vendor List.** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.
- b. **Discriminatory Vendor List.** In accordance with Section 287.134, Florida Statutes, an entity or affiliate who has been placed on the Discriminatory Vendor List, kept by the Florida Department of Management Services, may not submit a bid on a contract to provide goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity.
- c. **Non-Responsible Contractors.** An entity or affiliate who has had its Certificate of Qualification suspended, revoked, denied, or have further been determined by the Department to be a non-responsible contractor, may not submit a bid or perform work for the construction or repair of a public building or public work on a contract with the Agency.
- d. **Prohibition on Using Funds for Lobbying.** No funds received pursuant to this Agreement may be expended for lobbying the Florida Legislature, judicial branch, or any state agency, in accordance with Section 216.347, Florida Statutes.

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- e. **Unauthorized Aliens.** The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation will be cause for unilateral cancellation of this Agreement.
- f. **Procurement of Construction Services.** If the Project is procured pursuant to Chapter 255, Florida Statutes, for construction services and at the time of the competitive solicitation for the Project, 50 percent or more of the cost of the Project is to be paid from state-appropriated funds, then the Agency must comply with the requirements of Section 255.0991, Florida Statutes.
- g. **E-Verify.** The Agency shall:
 - i. Utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Agency during the term of the contract; and
 - ii. Expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.
- h. **Executive Order 20-44.** Pursuant to Governor's Executive Order 20-44, if the Agency is required by the Internal Revenue Code to file IRS Form 990 and is named in statute with which the Department must form a sole-source, public-private agreement; or through contract or other agreement with the State, annually receives 50% or more of its budget from the State or from a combination of State and Federal funds, Recipient shall submit an Annual Report to the Department, including the most recent IRS Form 990, detailing the total compensation for each member of the Agency executive leadership team. Total compensation shall include salary, bonuses, cashed-in leave, cash equivalents, severance pay, retirement benefits, deferred compensation, real-property gifts, and any other payout. The Agency shall inform the Department of any changes in total executive compensation during the period between the filing of Annual Reports within 60 days of any change taking effect. All compensation reports shall detail the percentage of executive leadership compensation received directly from all State and/or Federal allocations to the Agency. Annual Reports shall be in the form approved by the Department and shall be submitted to the Department at fdotsingleaudit@dot.state.fl.us within 180 days following the end of each tax year of the Agency receiving Department funding.
- i. **Design Services and Construction Engineering and Inspection Services.** If the Project is wholly or partially funded by the Department and administered by a local governmental entity, except for a seaport listed in Section 311.09, Florida Statutes, or an airport as defined in Section 332.004, Florida Statutes, the entity performing design and construction engineering and inspection services may not be the same entity.

18. Indemnification and Insurance:

- a. It is specifically agreed between the Parties executing this Agreement that it is not intended by any of the provisions of any part of this Agreement to create in the public or any member thereof, a third party beneficiary under this Agreement, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement. The Agency guarantees the payment of all just claims for materials, supplies, tools, or labor and other just claims against the Agency or any subcontractor, in connection with this Agreement. Additionally, the Agency shall indemnify, defend, and hold harmless the State of Florida, Department of Transportation, including the Department's officers and employees, from liabilities, damages, losses, and costs, including,

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but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the Agency and persons employed or utilized by the Agency in the performance of this Agreement. This indemnification shall survive the termination of this Agreement. Additionally, the Agency agrees to include the following indemnification in all contracts with contractors/subcontractors and consultants/subconsultants who perform work in connection with this Agreement:

"To the fullest extent permitted by law, the Agency's contractor/consultant shall indemnify, defend, and hold harmless the Agency and the State of Florida, Department of Transportation, including the Department's officers and employees, from liabilities, damages, losses and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness or intentional wrongful misconduct of the contractor/consultant and persons employed or utilized by the contractor/consultant in the performance of this Agreement.

This indemnification shall survive the termination of this Agreement."

- b. The Agency shall provide Workers' Compensation Insurance in accordance with Florida's Workers' Compensation law for all employees. If subletting any of the work, ensure that the subcontractor(s) and subconsultant(s) have Workers' Compensation Insurance for their employees in accordance with Florida's Workers' Compensation law. If using "leased employees" or employees obtained through professional employer organizations ("PEO's"), ensure that such employees are covered by Workers' Compensation Insurance through the PEO's or other leasing entities. Ensure that any equipment rental agreements that include operators or other personnel who are employees of independent contractors, sole proprietorships, or partners are covered by insurance required under Florida's Workers' Compensation law.

- c. If the Agency elects to self-perform the Project, then the Agency may self-insure. If the Agency elects to hire a contractor or consultant to perform the Project, then the Agency shall carry, or cause its contractor or consultant to carry, Commercial General Liability insurance providing continuous coverage for all work or operations performed under this Agreement. Such insurance shall be no more restrictive than that provided by the latest occurrence form edition of the standard Commercial General Liability Coverage Form (ISO Form CG 00 01) as filed for use in the State of Florida. The Agency shall cause, or cause its contractor or consultant to cause, the Department to be made an Additional Insured as to such insurance. Such coverage shall be on an "occurrence" basis and shall include Products/Completed Operations coverage. The coverage afforded to the Department as an Additional Insured shall be primary as to any other available insurance and shall not be more restrictive than the coverage afforded to the Named Insured. The limits of coverage shall not be less than \$1,000,000 for each occurrence and not less than a \$5,000,000 annual general aggregate, inclusive of amounts provided by an umbrella or excess policy. The limits of coverage described herein shall apply fully to the work or operations performed under the Agreement, and may not be shared with or diminished by claims unrelated to the Agreement. The policy/ies and coverage described herein may be subject to a deductible and such deductibles shall be paid by the Named Insured. No policy/ies or coverage described herein may contain or be subject to a Retention or a Self-Insured Retention unless the Agency is a state agency or subdivision of the State of Florida that elects to self-perform the Project. Prior to the execution of the Agreement, and at all renewal periods which occur prior to final acceptance of the work, the Department shall be provided with an ACORD Certificate of Liability Insurance reflecting the coverage described herein. The Department shall be notified in writing within ten days of any cancellation, notice of cancellation, lapse, renewal, or proposed change to any policy or coverage described herein. The Department's approval or failure to disapprove any policy/ies, coverage, or ACORD Certificates shall not relieve or excuse any obligation to procure and maintain the insurance required herein, nor serve as a waiver of any rights or defenses the Department may have.

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- d. When the Agreement includes the construction of a railroad grade crossing, railroad overpass or underpass structure, or any other work or operations within the limits of the railroad right-of-way, including any encroachments thereon from work or operations in the vicinity of the railroad right-of-way, the Agency shall, or cause its contractor to, in addition to the insurance coverage required above, procure and maintain Railroad Protective Liability Coverage (ISO Form CG 00 35) where the railroad is the Named Insured and where the limits are not less than \$2,000,000 combined single limit for bodily injury and/or property damage per occurrence, and with an annual aggregate limit of not less than \$6,000,000. The railroad shall also be added along with the Department as an Additional Insured on the policy/ies procured pursuant to the paragraph above. Prior to the execution of the Agreement, and at all renewal periods which occur prior to final acceptance of the work, both the Department and the railroad shall be provided with an ACORD Certificate of Liability Insurance reflecting the coverage described herein. The insurance described herein shall be maintained through final acceptance of the work. Both the Department and the railroad shall be notified in writing within ten days of any cancellation, notice of cancellation, renewal, or proposed change to any policy or coverage described herein. The Department's approval or failure to disapprove any policy/ies, coverage, or ACORD Certificates shall not relieve or excuse any obligation to procure and maintain the insurance required herein, nor serve as a waiver of any rights the Department may have.
- e. When the Agreement involves work on or in the vicinity of utility-owned property or facilities, the utility shall be added along with the Department as an Additional Insured on the Commercial General Liability policy/ies procured above.

19. Miscellaneous:

- a. **Environmental Regulations.** The Agency will be solely responsible for compliance with all applicable environmental regulations and for any liability arising from non-compliance with these regulations, and will reimburse the Department for any loss incurred in connection therewith.
- b. **Non-Admission of Liability.** In no event shall the making by the Department of any payment to the Agency constitute or be construed as a waiver by the Department of any breach of covenant or any default which may then exist on the part of the Agency and the making of such payment by the Department, while any such breach or default shall exist, shall in no way impair or prejudice any right or remedy available to the Department with respect to such breach or default.
- c. **Severability.** If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected. In such an instance, the remainder would then continue to conform to the terms and requirements of applicable law.
- d. **Agency not an agent of Department.** The Agency and the Department agree that the Agency, its employees, contractors, subcontractors, consultants, and subconsultants are not agents of the Department as a result of this Agreement.
- e. **Bonus or Commission.** By execution of the Agreement, the Agency represents that it has not paid and, also agrees not to pay, any bonus or commission for the purpose of obtaining an approval of its application for the financing hereunder.
- f. **Non-Contravention of State Law.** Nothing in the Agreement shall require the Agency to observe or enforce compliance with any provision or perform any act or do any other thing in contravention of any applicable state law. If any of the provisions of the Agreement violate any applicable state law, the Agency will at once notify the Department in writing so that

ATTACHMENT III

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION GRANT AGREEMENT

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appropriate changes and modifications may be made by the Department and the Agency to the end that the Agency may proceed as soon as possible with the Project.

- g. Execution of Agreement.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute the same Agreement. A facsimile or electronic transmission of this Agreement with a signature on behalf of a party will be legal and binding on such party.
- h. Federal Award Identification Number (FAIN).** If the FAIN is not available prior to execution of the Agreement, the Department may unilaterally add the FAIN to the Agreement without approval of the Agency and without an amendment to the Agreement. If this occurs, an updated Agreement that includes the FAIN will be provided to the Agency and uploaded to the Department of Financial Services' Florida Accountability Contract Tracking System (FACTS).
- i. Inspector General Cooperation.** The Agency agrees to comply with Section 20.055(5), Florida Statutes, and to incorporate in all subcontracts the obligation to comply with Section 20.055(5), Florida Statutes.
- j. Law, Forum, and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. In the event of a conflict between any portion of the contract and Florida law, the laws of Florida shall prevail. The Agency agrees to waive forum and venue and that the Department shall determine the forum and venue in which any dispute under this Agreement is decided.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the day and year written above.

AGENCY HART (Hillsborough Area
Regional Transit)

By: _____

Name: Adelee Le Grand

Title: CEO

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: _____

Name: Richard Moss, P.E.

Title: Director of Transportation Development

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
Legal Review:

Sam Henderson

**PUBLIC TRANSPORTATION
GRANT AGREEMENT EXHIBITS**

EXHIBIT A**Project Description and Responsibilities**

A. Project Description (description of Agency's project to provide context, description of project components funded via this Agreement (if not the entire project)): HART route 400 better known as the MetroRapid operates along Nebraska Avenue from downtown Tampa to the USF area. It serves the almost the entire Nebraska Avenue corridor to Florida Avenue to the University Area Transfer Center (UATC). The route 400 provides weekday service from 4:30am to 12:00am, and Saturdays and Sundays from 5:00am to 12:00am. This route connects with 12 HART local routes, two PSTA express routes at Marion Transit Center, and 12 local routes at UATC.

B. Project Location (limits, city, county, map): HART (Hillsborough Area Regional Transit)/Tampa, FL/Hillsborough

C. Project Scope (allowable costs: describe project components, improvement type/service type, approximate timeline, project schedule, project size): "As funding allows, this program will consider improvements on facilities designed to prevent them from becoming constrained. Transit Corridor Project is defined as a project identified in a Transit Development Plan, Congestion Management System, or other formal study undertaken by a public agency

designed to relieve congestion and improve capacity within an identified corridor, by increasing people carrying capacity through the use and facilitated movement of high occupancy conveyances. Capital costs may include rolling stock, the purchase of land and right of way, construction and installation of facilities, and corridor road improvements such as turn lanes, traffic controls and high occupancy lanes. Operational costs may include pre-service reparations, operating deficits, marketing, administration, security and traffic control, equipment leases, commuter transportation services, carpool and/or vanpool activities, and other demand management strategies."

D. Deliverable(s): HART route 400 better known as the MetroRapid operates along Nebraska Avenue from downtown Tampa to the USF area. It serves the almost the entire Nebraska Avenue corridor to Florida Avenue to the University Area Transfer Center (UATC). The route 400 provides weekday service from 4:30am to 12:00am, and Saturdays and Sundays from 5:00am to 12:00am. This route connects with 12 HART local routes, two PSTA express routes at Marion Transit Center, and 12 local routes at UATC.

Ridership and Progress Reports will be submitted, reviewed, and evaluated with each invoice.

The project scope identifies the ultimate project deliverables. Deliverables for requisition, payment and invoice purposes will be the incremental progress made toward completion of project scope elements. Supporting documentation will be quantifiable, measurable, and verifiable, to allow for a determination of the amount of incremental progress that has been made, and provide evidence that the payment requested is commensurate with the accomplished incremental progress and costs incurred by the Agency.

E. Unallowable Costs (including but not limited to):

F. Transit Operating Grant Requirements (Transit Only):

Transit Operating Grants billed as an operational subsidy will require an expenditure detail report from the Agency that matches the invoice period. The expenditure detail, along with the progress report, will be the required deliverables for Transit Operating Grants. Operating grants may be issued for a term not to exceed three years from execution. The original grant agreement will include funding for year one. Funding for years two and three will be added by amendment as long as the grantee has submitted all invoices on schedule and the project deliverables for the year have been met.

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EXHIBIT B

Schedule of Financial Assistance
TRANSIT OPERATING ONLY

FUNDS AWARDED TO THE AGENCY PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

A. Fund Type and Fiscal Year:

Financial Project Number	Fund Type	FLAIR Category	State Fiscal Year	Object Code	CSFA/CFDA Number	CSFA/CFDA Title or Funding Source Description	Funding Amount
420741-1-84-22	DPTO	088774	2022	751000	55.013	State Transit Corridor	\$272,554.00
Total Financial Assistance							\$272,554.00

B. Operations Phase - Estimate of Project Costs by Budget Category:

Budget Categories <i>Operations (Transit Only) *</i>	State	Local	Federal	Total
Salaries	\$150,000	\$0	\$0	\$150,000
Fringe Benefits	\$75,000	\$0	\$0	\$75,000
Contractual Services	\$0	\$0	\$0	\$0
Travel	\$0	\$0	\$0	\$0
Other Direct Costs	\$47,554	\$0	\$0	\$47,554
Indirect Costs	\$0	\$0	\$0	\$0
Totals	\$272,554	\$0	\$0	\$272,554

* Budget category amounts are estimates and can be shifted between items without amendment (because they are all within the Operations Phase).

C. Cost Reimbursement

The Agency will submit invoices for cost reimbursement on a:

- ☒ Monthly
☐ Quarterly
☐ Other:

basis upon the approval of the deliverables including the expenditure detail provided by the Agency.

BUDGET/COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:

I certify that the cost for each line item budget category has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, Florida Statutes. Documentation is on file evidencing the methodology used and the conclusions reached.

Dave Newell

Department Grant Manager Name

Signature

Date

ATTACHMENT III

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

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EXHIBIT D

AGENCY RESOLUTION

PLEASE SEE ATTACHED

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**PUBLIC TRANSPORTATION
GRANT AGREEMENT EXHIBITS**

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EXHIBIT E
PROGRAM SPECIFIC TERMS AND CONDITIONS – TRANSIT
(Transit Corridor Program)

1. Conformance with Enabling Legislation. This Agreement is in conformance with Section 341.051, F.S.

2. Bus Transit System - In accordance with Section 341.061, F.S., and Rule Chapter 14-90, Florida Administrative Code, the Agency shall submit, and the Department shall have on file, an annual safety certification that the Agency has adopted and is complying with its adopted System Safety Program Plan pursuant to Rule Chapter 14-90, F.A.C., and has performed annual safety inspections of all buses operated.

3. Transit Vehicle Inventory Management. The Agency will follow the Department's Transit Vehicle Inventory Management Procedure (725-030-025), which outlines the requirements for continuing management control, inventory transfer and disposal actions. This procedure pertains ONLY to capital procurements of rolling stock using the FTA Section 5310, Section 5311, Section 5316, and Section 5317 programs as the funding source, or where the Department participates in 50% or more of the public transit vehicle's purchase price. This may include vehicles purchased under the State Transit Block Grant Program, State Transit Corridor Program, State Transit Service Development Program, or other applicable Department programs.

4. Progress Reports. The Agency will submit Semi-Annual Progress Reports on monthly ridership data. Reports are due no later than January 30th for the period ending December 31st and July 30th for the period ending June 30th.

5. Project Goals and Service Data. The Agency must report on work efforts and provide a detailed, side-by-side comparison of the project goals and actual service data.

6. Submittal of Proposed Timeline. The Agency will submit a Proposed Timeline for Transit Corridor Activities prior to the commencement of the project.

7. Annual Report. The Agency will provide an annual report including the following information: an evaluation of the attainment of the goals and objectives, the reasons any of the goals were not met, and the benefit accrued by the Agency/Community. Should a project not meet its goals and objectives, the District shall determine if it is necessary to terminate the project. This report will accompany the Final Invoice for reimbursement.

-- End of Exhibit E --

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**PUBLIC TRANSPORTATION
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EXHIBIT F

Contract Payment Requirements
Florida Department of Financial Services, Reference Guide for State Expenditures
Cost Reimbursement Contracts

Invoices for cost reimbursement contracts must be supported by an itemized listing of expenditures by category (salary, travel, expenses, etc.). Supporting documentation shall be submitted for each amount for which reimbursement is being claimed indicating that the item has been paid. Documentation for each amount for which reimbursement is being claimed must indicate that the item has been paid. Check numbers may be provided in lieu of copies of actual checks. Each piece of documentation should clearly reflect the dates of service. Only expenditures for categories in the approved agreement budget may be reimbursed. These expenditures must be allowable (pursuant to law) and directly related to the services being provided.

Listed below are types and examples of supporting documentation for cost reimbursement agreements:

(1) Salaries: A payroll register or similar documentation should be submitted. The payroll register should show gross salary charges, fringe benefits, other deductions and net pay. If an individual for whom reimbursement is being claimed is paid by the hour, a document reflecting the hours worked times the rate of pay will be acceptable.

(2) Fringe Benefits: Fringe Benefits should be supported by invoices showing the amount paid on behalf of the employee (e.g., insurance premiums paid). If the contract specifically states that fringe benefits will be based on a specified percentage rather than the actual cost of fringe benefits, then the calculation for the fringe benefits amount must be shown.

Exception: Governmental entities are not required to provide check numbers or copies of checks for fringe benefits.

(3) Travel: Reimbursement for travel must be in accordance with Section 112.061, Florida Statutes, which includes submission of the claim on the approved State travel voucher or electronic means.

(4) Other direct costs: Reimbursement will be made based on paid invoices/receipts. If nonexpendable property is purchased using State funds, the contract should include a provision for the transfer of the property to the State when services are terminated. Documentation must be provided to show compliance with Department of Management Services Rule 60A-1.017, Florida Administrative Code, regarding the requirements for contracts which include services and that provide for the contractor to purchase tangible personal property as defined in Section 273.02, Florida Statutes, for subsequent transfer to the State.

(5) In-house charges: Charges which may be of an internal nature (e.g., postage, copies, etc.) may be reimbursed on a usage log which shows the units times the rate being charged. The rates must be reasonable.

(6) Indirect costs: If the contract specifies that indirect costs will be paid based on a specified rate, then the calculation should be shown.

Contracts between state agencies, and/or contracts between universities may submit alternative documentation to substantiate the reimbursement request that may be in the form of FLAIR reports or other detailed reports.

The Florida Department of Financial Services, online Reference Guide for State Expenditures can be found at this web address <https://www.myfloridacfo.com/Division/AA/Manuals/documents/ReferenceGuideforStateExpenditures.pdf>.

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STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION GRANT AGREEMENT EXHIBITS

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EXHIBIT G

AUDIT REQUIREMENTS FOR AWARDS OF STATE FINANCIAL ASSISTANCE

THE STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

SUBJECT TO SECTION 215.97, FLORIDA STATUTES:~

Awarding Agency: Florida Department of Transportation
State Project Title: Transit Corridor Development Program
CSFA Number: 55.013
***Award Amount:** \$272,554

*The award amount may change with amendments

Specific project information for CSFA Number 55.013 is provided at: <https://apps.fldfs.com/fsaa/searchCatalog.aspx>

COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT:

State Project Compliance Requirements for CSFA Number 55.013 are provided at:
<https://apps.fldfs.com/fsaa/searchCompliance.aspx>

The State Projects Compliance Supplement is provided at: <https://apps.fldfs.com/fsaa/compliance.aspx>

BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COUNCILMEMBER GIL SCHISLER, JOINT COMMITTEE CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-42 ~ Authorize the Chief Executive Officer to Exercise Option Year Three of the Contract with Petroleum Traders Corporation, Palmdale Oil Company, and Mansfield Oil Company of Gainesville for the Delivery of Unleaded (UNL) and Diesel (ULSD) Fuel for Fiscal Year 2023*

Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Selection Committee held a meeting in a hybrid format on May 16, 2022

Attendance in Person

Committee Members	(4) Staff	(20)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Dexter Corbin	
Councilman Gil Schisler	Christopher DeAnnuntis	
	Scott Drainville	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Gail Torres	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(2) Others Present	(2)
Mayor Jane Castor	Julia Mandell, Gray Robinson	
Melanie Williams	Raquel Valdez, Hillsborough County	

Attendance via Communications Media Technology (CMT)

Committee Members	(2) Staff	(2)
Commissioner Pat Kemp	Lynda Crescentini	
Commissioner Kimberly Overman	Laura Izzo	
	Others Present	(0)

Committee Action:

The Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee reviewed the action item and advanced it for approval by the full Board of Directors at the June 20, 2022, Board of Directors meeting.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-42

ATTACHMENT I



Hillsborough Transit Authority
Joint Strategic Planning and External Relations, Operations and Safety, and
Finance and Audit Committee Hybrid Meeting
May 16, 2022

COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize the Chief Executive Officer to Exercise Option Year Three of the Contract with Petroleum Traders Corporation, Palmdale Oil Company, and Mansfield Oil Company of Gainesville for the Delivery of Unleaded (UNL) and Diesel (ULSD) Fuel for Fiscal Year 2023

OVERVIEW

On July 11, 2019, HART executed a Cooperative Contract VC00000811 with Petroleum Traders Corporation; and VC00000812 with Palmdale Oil Company; and VC00000813 with Mansfield Oil Company of Gainesville for the delivery of unleaded and diesel fuel to Hillsborough Transit Authority (HART), City of St Petersburg (COSP), Lakeland Area Mass Transit (LAMTD), Polk County (PCBOCC), Pinellas Suncoast Transit (PSTA) and Hillsborough County (HCB OCC). The contracts' term was a one-year base for FY20 fuel and has four one-year options for fuel delivery FY21, FY22, FY23 and FY24.

RECOMMENDATION

That the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee review the action item to recommend the Board of Directors authorize the Chief Executive Officer to exercise option year three (3) of the four (4) option years to the existing contract with Petroleum Traders Corporation; Palmdale Oil Company; and Mansfield Oil Company of Gainesville; and advance this item to the full Board of Directors at the June 20, 2022 Regular Board meeting.

FINANCIAL IMPACT

Funding for FY23 is contingent on the annual appropriation for this expenditure.

	Petroleum Traders Corporation		Palmdale Oil Company		Mansfield Oil Company	
	Current Markup	New Markup	Current Markup	New Markup	Current Markup	New Markup
Unleaded (Tank Wagon)			+\$0.1375	+\$0.1475		
Diesel Transport Truck (OPIS)					-\$0.0103	-\$0.0093
Diesel Transport Truck (NYMEX) 21,000 Gallon	+\$0.0895	+\$0.0995				
Diesel Transport Truck (NYMEX) 42,000 Gallon			+\$0.089	+\$0.0935		



The estimated FY23 fuel usage is \$3,361,158 for diesel and \$1,075,969 for unleaded fuel.

BACKGROUND

In May 16, 2019, HART released a solicitation for diesel and unleaded fuel as the lead agency for Tampa Bay Properties. The solicitation named the participating properties and listed their fuel needs for line item for bidding. The bidders bid on fuel “mark-ups” covering all costs and fees/profit expected to be recovered for each line item. Diesel futures contract price per gallon is determined by applying the markup to the futures contract prices per gallon obtained in the New York Mercantile Exchange (NYMEX) for Heating Oil No. 2 for each month of purchased diesel contracts. Unleaded futures contract price per gallon is determined by applying the markup to the futures contract price per gallon obtained in the New York Mercantile Exchange (NYMEX) for RBOB Gasoline Futures for each month of purchased unleaded contracts. Oil Price Information Services (OPIS) price is determined by applying the markup to the OPIS per gallon to the daily OPIS Gross Contract (10am feed) average from the Tampa Terminal on the day in which the fuel delivers. Contract award was made to the lowest markup for each line item. Fuel orders are placed to the suppliers directly by the participating agencies. Deliveries are made directly to the agencies and invoices are sent and paid by the agencies.

NEXT STEPS

1. Present recommendation by the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee to the full Board of Directors at the June 20, 2022 regular Board meeting.
2. Exercise option year three of the contract with Mansfield Oil Company of Gainesville, Palmdale Oil Company and Petroleum Traders Corporation for FY23 deliveries.

Prepared by: Cathy Zickefoose, Director of Procurement and Contracts Administration

Approved by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-42

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXERCISE OPTION YEAR THREE OF THE CONTRACT WITH PETROLEUM TRADERS CORPORATION, PALMDALE OIL COMPANY, AND MANSFIELD OIL COMPANY OF GAINESVILLE FOR THE DELIVERY OF UNLEADED (UNL) AND DIESEL (ULSD) FUEL FOR FISCAL YEAR 2023

WHEREAS, Hillsborough Transit Authority (HART) is under a contract with Petroleum Traders Corporation; Palmdale Oil Company; and Mansfield Oil Company of Gainesville for the delivery of UNL and DLSD fuel; and

WHEREAS, HART has a need to exercise option year three of the fuel contracts for deliveries in FY23; and

WHEREAS, funding for FY23 is contingent on the annual appropriation for these services;

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 exercise option year three of the contract with Petroleum Traders Corporation; Palmdale Oil Company; and Mansfield Oil Company of Gainesville for the delivery of UNL and ULSD fuel for fiscal year 2023.

Section 2. The Chief Executive Officer is 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 JUNE 21, 2022.

ATTEST:

Melanie Williams, Secretary
HART Board of Directors

Commissioner Patricia Kemp, Chairperson
HART Board of Directors

Julia Mandell, Esquire
HART Board General Counsel



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COUNCILMEMBER GIL SCHISLER, JOINT COMMITTEE CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-43 ~ Authorize the Chief Executive Officer to Execute a Contract Modification with Reladyne Florida, LLC to Increase Bulk Fluid Prices*

Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee held a meeting in a hybrid format on May 16, 2022

Attendance in Person		
Committee Members	(4) Staff	(20)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Dexter Corbin	
Councilman Gil Schisler	Christopher DeAnnuntis	
	Scott Drainville	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Gail Torres	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(2) Others Present	(2)
Mayor Jane Castor	Julia Mandell, Gray Robinson	
Melanie Williams	Raquel Valdez, Hillsborough County	

Attendance via Communications Media Technology (CMT)		
Committee Members	(2) Staff	(2)
Commissioner Pat Kemp	Lynda Crescentini	
Commissioner Kimberly Overman	Laura Izzo	
	Others Present	(0)

Committee Action:

The Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee reviewed the action item and advanced it for approval by the full Board of Directors at the June 20, 2022, Board of Directors meeting.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-43



COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize the Chief Executive Officer to Execute a Contract Modification with Reladyne Florida, LLC to Increase Bulk Fluid Prices

OVERVIEW

On March 16, 2021, HART executed Cooperative Contract VC00000876 Reladyne Florida, LLC to supply and deliver bulk fluid to Hillsborough Transit Authority (HART) and Lakeland Area Mass Transit (LAMTD). The term of the Contract is three (3) years from contract award. The contract requires that all prices remain firm for the first year of the contract term with escalation-de-escalation language following the first year. Petroleum products have taken an unprecedented increase since contract award.

RECOMMENDATION

That the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee review the action item to recommend the Board of Directors authorize the Chief Executive Officer to execute a contract modification with Reladyne Florida, LLC to increase bulk fluid prices; and advance this item to the full Board of Directors at the June 20, 2022 Regular Board meeting.

FINANCIAL IMPACT

Funding is available in the maintenance division FY22 operating budget. Funding for FY23 is contingent on the annual appropriation for this expenditure.

	Reladyne Florida LLC		
	FY21 Price	FY22 Price	% Change
5w30 (bulk)	\$6.09	\$11.99	96.9%
ATF (bulk)	\$24.82	\$35.00	41.0%
DEF (bulk)	\$1.09	\$2.75	152.3%
Grease (drum)	\$15.97	\$22.00	37.8%
Coolant (Para & NRV drum)	\$4.86	\$6.75	38.9%
Coolant Bus (bulk)	\$5.81	\$7.75	33.4%

BACKGROUND

December 21, 2020, HART, as the lead agency, released a solicitation for bulk fluids. The solicitation named LAMTD as a participating property and listed their bulk fluid needs by line item for bidding. The bidders bid the fluid price covering all costs and fees/profit expected to be recovered for each line item. Bulk fluid orders are placed to the suppliers directly by the participating agency. Deliveries are made directly to the agency and invoices are sent and paid by the agency.

ATTACHMENT I



Hillsborough Transit Authority
Joint Strategic Planning and External Relations, Operations and Safety, and
Finance and Audit Committee Hybrid Meeting
May 16, 2022

NEXT STEPS

Present the recommendation by the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee to the full Board of Directors on June 20, 2022 and upon approval, the Chief Executive Officer will execute the contract modification.

Prepared by: Cathy Zickefoose, Director of Procurement and Contracts Administration
Approved by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-43

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE A CONTRACT MODIFICATION WITH RELADYNE FLORIDA, LLC TO INCREASE BULK FLUID PRICES

WHEREAS, the Hillsborough Transit Authority (HART) is under a contract with Reladyne Florida LLC for the delivery of Bulk Fluids; and

WHEREAS, petroleum products prices have increased since contract award; and

WHEREAS, HART has a need to modify the contract prices for bulk fluid; and

WHEREAS, funding is available in the maintenance division FY22; operating budget for FY23 is contingent on the annual appropriation for these services;

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 a contract modification with Reladyne Florida, LLC to increase bulk fluid prices.

Section 2. The Chief Executive Officer is 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 JUNE 21, 2022.

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**

BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COUNCILMEMBER GIL SCHISLER, JOINT COMMITTEE CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-44 ~ Authorize the Chief Executive Officer to Award a Contract to American Guard Services for Security Guard Services, Inc. in a Not-To-Exceed Amount of \$7,683,024*

Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee held a meeting in a hybrid format on May 16, 2022

	Attendance in Person	
Committee Members	(4) Staff	(20)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Dexter Corbin	
Councilman Gil Schisler	Christopher DeAnnuntis	
	Scott Drainville	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Gail Torres	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(2) Others Present	(2)
Mayor Jane Castor	Julia Mandell, Gray Robinson	
Melanie Williams	Raquel Valdez, Hillsborough County	

Attendance via Communications Media Technology (CMT)		
Committee Members	(2) Staff	(2)
Commissioner Pat Kemp	Lynda Crescentini	
Commissioner Kimberly Overman	Laura Izzo	
	Others Present	(0)

Committee Action:

The Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee reviewed the action item and advanced it for approval by the full Board of Directors at the June 20, 2022, Board of Directors meeting.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-44



Hillsborough Transit Authority
Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit
Committee Hybrid Meeting
May 16, 2022

COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize the Chief Executive Officer to Award a Contract to American Guard Services for Security Guard Services, Inc. in a Not-To-Exceed Amount of \$7,683,024

OVERVIEW

The vendor will provide armed Security Officers, hired for the protection of HART employees, the general public, and property. Twenty-four hour, seven days per week Security Guard Service will be provided at Netpark, Marion Transit Center, 21st Avenue Administrative Building Lobby, 21st Avenue Operations and Maintenance Facility Front Gate, 21st Avenue Operations Back Gate, University Area Transit Center, and Ybor Administrative Office. Two (2) mobile patrols will provide operational support to revenue vehicle service and security guards at HART transfer centers twenty-four hours a day, seven days per week. A Project Manager will oversee all Security Operations Monday through Friday 8 a.m.-5 p.m., and overtime as needed.

RECOMMENDATION

That the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee review the action item recommending the HART Board of Directors authorize the Chief Executive Officer to award a contract to American Guard Services, Inc. for Security Guard Services for a not-to-exceed amount of \$7,683,024; and advance this item to the full HART Board of Directors at the June 20, 2022, regular Board meeting.

FINANCIAL IMPACT

The total not-to-exceed value of the contract is \$7,683,024, with a period of performance of a three-year base with two additional one-year optional periods for a total of five years.

The contract does not contain a DBE goal or SBE set aside requirements.

Funding for the FY2022 service in the amount of \$256,100 is allocated in the FY2022 Operating Budget. Future years funding is contingent on the annual appropriation for this expenditure.

PROCUREMENT CONSIDERATIONS

RFP-46048 was issued on February 25, 2022 and was open to the public for responses from all interested parties. The solicitation notice was posted to the HART website, DemandStar and published on Bonfire on February 25, 2022. Fifty-four firms downloaded the solicitation and of the fifty-four firms who downloaded, ten firms were DBE/SBEs.

On May 1, 2022, ten timely responses were received and reviewed by Procurement for responsiveness. One firm did not conform to the essential requirements in the solicitation and was



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eliminated from further consideration. Nine responsive proposals were technically evaluated by a selection committee comprised of three HART staff members and one HART staff member as technical advisor and subject expert.

Review factors were weighted at 100 points and included:

Qualifications of the Firm and Staff	35 points
Work Plan	35 points
Price	30 points

American Guard Services, Inc. submitted the top overall proposal and was selected for Security Guard Services.

NEXT STEPS

Present the recommendation by the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee to the full Board of Directors at the June 20, 2022, regular Board meeting, and upon approval, the Chief Executive Officer will execute the contract with American Guard Services, Inc.

Prepared by: Audry Aroney-Reeves, Contracts Specialist

*Reviewed by: Lena Petit, Senior Safety Administrator
Cathy Zickefoose, Director of Procurement and Contracts*

Approved by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-44

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO AWARD A CONTRACT TO AMERICAN GUARD SERVICES, INC FOR SECURITY GUARD SERVICES IN A NOT-TO-EXCEED AMOUNT OF \$7,683,024

WHEREAS, Hillsborough Transit Authority (HART) requires improved Security Guard Services; and

WHEREAS, a new contract is required in support of the HART Safety & Security Department; and

WHEREAS, the collective total not-to-exceed value of the contract is \$7,683,024; and

WHEREAS, funding of \$256,100 is available in FY2022 Operating Budget; future funding is contingent on the annual appropriation for this expenditure; and

WHEREAS, the period of performance of the resulting contract will be for a three-year base with two one-year options; and

WHEREAS, the resulting contract does not have a DBE participation or SBE set-aside requirement; and

WHEREAS, the solicitation was conducted using the Request for Proposals method;

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 award a contract to American Guard Services Inc. for Security Guard Services in a not-to-exceed amount of \$7,683,024.

Section 2. Proper officers of the HART Board are authorized to do all things necessary and required in order to implement the terms of the aforementioned solicitation and resulting 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 JUNE 21, 2022.

ATTEST:

Melanie Williams, Secretary
HART Board of Directors

Commissioner Patricia Kemp, Chairperson
HART Board of Directors

Julia Mandell, Esquire
HART Board General Counsel

BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COUNCILMEMBER GIL SCHISLER, JOINT COMMITTEE CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-45 ~ Authorize the Chief Executive Officer to Execute a Contract Modification to Add Task 4 to the InfraStrategies Contract VC00000912 in a Not-To-Exceed Amount of \$36,800 for a Total Contract Not-To-Exceed Amount of \$106,120*

Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee held a meeting in a hybrid format on May 16, 2022

Attendance in Person

Committee Members	(4) Staff	(20)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Dexter Corbin	
Councilman Gil Schisler	Christopher DeAnnuntis	
	Scott Drainville	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Gail Torres	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(2) Others Present	(2)
Mayor Jane Castor	Julia Mandell, Gray Robinson	
Melanie Williams	Raquel Valdez, Hillsborough County	

Attendance via Communications Media Technology (CMT)

Committee Members	(2) Staff	(2)
Commissioner Pat Kemp	Lynda Crescentini	
Commissioner Kimberly Overman	Laura Izzo	

Others Present **(0)**

Committee Action:

The Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee reviewed the action item and advanced it for approval by the full Board of Directors at the June 20, 2022, Board of Directors meeting.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-45



COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize the Chief Executive Officer to Execute a Contract Modification to Add Task 4 to the InfraStrategies Contract VC00000912 in a Not-To-Exceed Amount of \$36,800 for a Total Contract Not-To-Exceed Amount of \$106,120

OVERVIEW

InfraStrategies is the HART vendor contracted for strategic financial advisory services to complete model refinements and provide financial scenarios related to the passage of the Infrastructure Investment and Jobs Act (IIJA).

Further assistance is needed to support HART in the development of the financial portions of the Transit Development Plan (TDP) Major Update to include the following tasks:

- Task 4: Financial Portions of the Transit Development Plan (TDP) Major Update
 - 4.1 Review HART Priorities and Identify Potential Model Changes
 - 4.2 Prepare a 10-Year TDP Funded Plan and Unfunded Needs Scenarios
 - 4.3 Develop Draft and Final TDP Financial Sections
 - 4.4 Prepare Revised 4.2 and 4.3 Deliverables (if needed following public input)

RECOMMENDATION

That the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee Meeting review the action item to recommend the Board of Directors authorize the Chief Executive Officer to execute a contract modification to add Task 4 to the InfraStrategies Contract VC00000912 in a not-to exceed amount of \$36,800 for a total contract not-to-exceed amount of \$106,120; and advance this item to the full Board of Directors at the June 20, 2002 Regular Board meeting.

FINANCIAL IMPACT

This contract modification in the amount of \$36,800 is expected to be funded through HART Ad Valorem funding.

BACKGROUND

This contract modification is an addition to the existing contract that included a task that to be completed using model information gathered in the current engagement. The new task is critical to complete the financial portions of the TDP Major Update.

PROCUREMENT CONSIDERATIONS

Procurement has determined that a sole source award to InfraStrategies is justified in accordance with HART's Procurement Manual §3-205 under the following criteria (in order of applicability):



1. InfraStrategies was the vendor selected by HART to develop a 30-year financial model for the HART system, review and screen potential funding and financing opportunities, define and test alternative financial scenarios and assess and confirm HART's financial commitments and capacity for the Tampa streetcar extension project; and
2. InfraStrategies was the vendor selected by HART to provide financial advisory services to do model refinements and additional financial scenarios related to the passage of the IJA; and
3. The costs associated with having a vendor other than InfraStrategies to support HART in the development of the financial portions of the TDP Major Update are not likely to be recovered through any potential savings to be had from competition.

NEXT STEPS

1. Present recommendation by the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee to the full Board of Directors at the June 20, 2022 regular Board meeting.
2. Modify the contract to add Task 4 and increase the total contract not-to-exceed to \$106,120.

Prepared by: Cathy Zickefoose, Director of Procurement and Contracts

Reviewed by: Lynda Crescentini, Director of Enterprise Project Management

Approved by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-45

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE A CONTRACT MODIFICATION TO ADD TASK 4 TO THE INFRASTRATEGIES CONTRACT VC00000912 IN A NOT-TO-EXCEED AMOUNT OF \$36,800 FOR A TOTAL CONTRACT NOT-TO-EXCEED AMOUNT OF \$106,120

WHEREAS, the Hillsborough Transit Authority (HART) entered into contract with InfraStrategies for strategic financial advisory services to complete model refinements and provide financial scenarios related to the passage of the Infrastructure Investment and Jobs Act (IIJA); and

WHEREAS, HART requires further assistance to support HART in the development of financial portions of the Transit Development Plan (TDP) Major Update; and

WHEREAS, this contract modification in the amount of \$36,800 is expected to be funded through HART Ad Valorem Funding;

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 a contract modification to add Task 4 to the InfraStrategies contract VC00000912 in a not-to-exceed amount of \$36,800 for a total contract not-to-exceed amount of \$106,120.

Section 2. Proper officers of HART are authorized to do all things necessary and required in order to execute the Resolution and 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 JUNE 21, 2022.

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**

BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COUNCILMEMBER GIL SCHISLER, JOINT COMMITTEE CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-46 ~ Authorize the Chief Executive Officer to Enter into an Interlocal Agreement with Hillsborough County and Hillsborough Transit Authority, (HART) for Distribution of Mobility Fees*

Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee held a meeting in a hybrid format on May 16, 2022

Attendance in Person		
Committee Members	(4) Staff	(20)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Dexter Corbin	
Councilman Gil Schisler	Christopher DeAnnuntis	
	Scott Drainville	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Gail Torres	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(2) Others Present	(2)
Mayor Jane Castor	Julia Mandell, Gray Robinson	
Melanie Williams	Raquel Valdez, Hillsborough County	

Attendance via Communications Media Technology (CMT)		
Committee Members	(2) Staff	(2)
Commissioner Pat Kemp	Lynda Crescentini	
Commissioner Kimberly Overman	Laura Izzo	
	Others Present	(0)

Committee Action:

The Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee reviewed the action item and advanced it for approval by the full Board of Directors at the June 20, 2022, Board of Directors meeting.

Attachments:

- I. Committee Action Item
- II. Interlocal Agreement Between Hillsborough County and the Hillsborough Transit Authority for Distribution of Mobility Fees
- III. Resolution #R2022-06-46



Hillsborough Transit Authority
Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit
Committee Hybrid Meeting
May 16, 2022

COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Authorize the Chief Executive Officer to Enter into an Interlocal Agreement with Hillsborough County and Hillsborough Transit Authority, (HART) for Distribution of Mobility Fees

OVERVIEW

Hillsborough County recognizes that HART is actively engaged in an effort to improve mass transit in the unincorporated areas of Hillsborough County. In consideration of this, HART would like to enter into an agreement that would allow the use of Mobility Fees for capital improvements related to bus stops and shelters.

RECOMMENDATION

That the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee review the action item to recommend the Board of Directors authorize the Chief Executive Officer to enter into an Interlocal Agreement with Hillsborough County for distribution of Mobility Fees; and advance this item to the full Board of Directors at the June 20, 2022, Regular Board meeting.

FINANCIAL IMPACT

There is no cost to HART to participate in the agreement. HART will receive a percentage of the mobility fees collected by Hillsborough County.

BACKGROUND

On April 26, 2016, Hillsborough County adopted the Mobility Fee Program Ordinance, Chapter 40, Article III, Hillsborough County Code of Ordinances, Part A, (Ordinance). The Ordinance created a mobility fee in unincorporated Hillsborough County, effectively replacing the transportation impact fee that had been adopted and collected since the 1980s. HART provides mobility facilities and services and is responsible for the maintenance and improvements to these facilities.

NEXT STEPS

Present recommendation by the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee to the full Board of Directors at the June 20, 2022, Regular Board meeting.

Prepared by: Darlene Lollie, Grants Management and Financial Analyst

Reviewed by: Loretta Kirk, Chief Financial Officer

ATTACHMENT II

**INTERLOCAL AGREEMENT BETWEEN HILLSBOROUGH COUNTY
AND THE HILLSBOROUGH TRANSIT AUTHORITY
FOR DISTRIBUTION OF MOBILITY FEES**

This Interlocal Agreement (“Agreement”) made and entered into this ____ day of _____, 2022, by and between Hillsborough County, a political subdivision of the State of Florida (“County”), and Hillsborough Transit Authority (“HART”).

WITNESSETH

WHEREAS, on April 26, 2016, the County adopted the Mobility Fee Program Ordinance, Chapter 40, Article III, Hillsborough County Code of Ordinances, Part A, (“Ordinance”); and

WHEREAS, the Ordinance created a mobility fee in unincorporated Hillsborough County, effectively replacing the transportation impact fee that had been adopted and collected since the 1980s; and

WHEREAS, the mobility network, as defined in the Ordinance, includes certain capital improvements that fall under the jurisdiction of other agencies, such as HART, which provides mobility facilities and services; and

WHEREAS, such mobility facilities have been included in the calculation of the mobility fee and a pro rata portion of mobility fee revenues collected within each mobility fee benefit district may be made available for construction of capital improvements on the mobility network that are the responsibility of HART, in accordance with the Ordinance and state law; and

WHEREAS, the Ordinance requires that, prior to the transfer of mobility fees for expenditure by another agency, the County shall enter into an agreement with the agency to ensure that mobility fee revenues are directed to only those mobility facilities designated by both entities according to the provisions of this article and state law; and

WHEREAS, such agreements shall direct the expenditure of mobility fee revenues on specific mobility facility capital improvements and shall establish a program for the expenditure of revenues, in conformance with the restrictions and limitations imposed on the County under the Ordinance; and

WHEREAS, such agreements shall further ensure that mobility fee revenues are spent solely on mobility facilities to accommodate new growth, consistent with the Ordinance, and that said funding must be included in HART’s Transit Development Plan for the fiscal year in which the County mobility fee revenues are to be transferred for expenditure by HART; and

WHEREAS, the County recognizes that HART is actively engaged in an effort to improve mass transit in the unincorporated areas of Hillsborough County;

NOW, THEREFORE, in consideration of the promises, mutual covenants, and representations contained herein, the parties hereto agree as follows:

ATTACHMENT II

ARTICLE I: INCORPORATION OF THE ORDINANCE

The parties to this Agreement expressly agree that the terms, conditions, and provisions of the Ordinance are incorporated by reference into this Agreement.

ARTICLE II: EXPENDITURES FOR CAPITAL IMPROVEMENTS ONLY

The parties to this Agreement expressly agree that expenditures of mobility fee collections by HART, disbursed by the County to HART as reimbursements pursuant to this Agreement, may be made for capital improvements (as defined by the Ordinance) only. HART cannot expend mobility fee collections for marketing, administrative expenses, studies (including but not limited to feasibility studies), or maintenance.

ARTICLE III: DUTIES OF THE PARTIES

COUNTY:

- A. Within thirty (30) days of the effective date of this Agreement, the County shall transmit to HART a schedule of mobility fee collections, by benefit zone, for the period from the beginning of all such collections through September 30, 2021.
- B. Each year thereafter, the County shall transmit to HART a schedule of mobility fee collections, by benefit zone from the period of October 1 through September 30 of the prior fiscal year.
- C. Each schedule shall indicate what portion of the collections may, if the Board so approves, may be transferred to HART, pursuant to procedures established by the Ordinance and this Agreement. The schedule shall also indicate the year(s) said portions of mobility fees were Collected by the County.
- D. Upon receiving a request for mobility fee disbursement from HART, the County Administrator shall ensure that the request complies with the requirements of the Ordinance and this Agreement before bringing the request to the Board of County Commissioners for approval at a Regular Meeting.

HART:

- A. Within sixty (60) days of the effective date of this Agreement, HART shall deliver to the County its most recently adopted Transit Development Plan (“TDP”), with mobility fee eligible projects separated by benefit zone and projected year of construction. Should HART subsequently amend or update its TDP, HART shall provide the amended or updated TDP to the County within a reasonable time.
- B. Each year thereafter, HART shall deliver to the County its adopted TDP, with mobility fee eligible projects separated by benefit zone and projected year of construction.
- C. Each annually submitted TDP shall include the following information:
 - 1) Identification and description of each project.
 - 2) Identification of the benefit zone that the project will serve.

ATTACHMENT II

- 3) Total estimated project cost (for larger projects, by phase, e.g., including but not limited to, design, land acquisition, construction) and fiscal year.
- 4) Anticipated percentage of the total estimated project cost for which mobility fee collections are to be expended and dollar amount, by project, requested for the current year.
- 5) Project justifications:
 - a) That the collections are to be spent to benefit the zone from which they were generated.
 - b) That the proposed project is to benefit growth in that zone, rather than to correct existing deficiencies (i.e., the project shall increase the capacity and efficiency of the mobility network within the benefit zone in which the monies are spent).
 - c) The estimated timeframe for project completion.
 - d) A summary, by benefit zone, of estimated project costs and mobility fee expenditures proposed for each of the next five fiscal years, including a demonstration that the requested disbursements do not exceed the maximum amount allowed under this Agreement.

D. HART's Agenda Item before the Board on Project Approval

- 1) On or before April 1 of each year, HART shall request that the County Administrator place an agenda item before the Board to seek approval for capital improvements that HART proposes to fund in whole, or in part, from mobility fees collected for previous fiscal year. HART may request up to five percent (5%) of annual collections for the subject fiscal year in benefit zones within the Urban Service Area and one percent (1%) of annual collections for the subject fiscal year in benefit zones within the Rural Service Area.
 - 2) As part of this annual agenda item, HART shall provide evidence demonstrating that the monies it requests will be spent to benefit the zone from which they were generated, and the proposed improvements are to benefit growth in that zone, rather than to correct existing deficiencies. For the purpose of this paragraph, the phrase "benefit/growth" shall mean that HART must demonstrate to the satisfaction of the Board that the monies HART requires for its proposed capital improvements will increase the capacity and efficiency of the mobility network within the benefit zone in which the monies are spent.
 - 3) The Board shall decide: (a) which of HART's proposed projects meet the terms and conditions of the Ordinance; (b) which of HART's proposed projects, if any, that it will approve for funding from mobility fee collections; and, if approval is granted, (c) the maximum amount of reimbursement from mobility fee collection for each project and zone.
 - 4) If the Board approves an amount by zone to be reimbursed to HART that is less the maximum amount of mobility fees the county can make available, HART shall waive any present or future interest to the amount representing the difference between these two amounts. The County may then re-allocate this difference to Its mobility fee capital program, at its discretion.
- E. As HART's approved projects commence, HART shall submit to the County monthly invoices identifying specific charges and the project to which they are attributable for reimbursement. These invoices shall indicate what percentage of the charges should be reimbursed with mobility fee funds and from which zone's trust accounts the funds should be withdrawn. Said

ATTACHMENT II

invoices shall include copies of all relevant support documentation, including, but not limited to, contracts, purchase orders, and other such documentation, as well as copies of checks issued by HART to pay for purchases related to particular capital projects. The parties agree that the reimbursement for expenditures procedure established in this paragraph is the only method of distribution of mobility fee collections authorized by this Agreement.

- F. The County shall use its best efforts to reimburse HART, without deducting any retainage, within forty-five (45) days of receipt of HART's invoice/ provided the invoices are submitted in a form deemed satisfactory to the Clerk of the Circuit Court of Hillsborough County.
- G. On or before April 1st of each year, HART shall provide the County with an annual report itemizing, by zone and active project, the expenditures of all mobility fees received from the County. This annual report shall be submitted to the County contemporaneously with HART's capital improvements projections. Said annual report shall contain a summary indicating that the zone modal split percentages set by the Board have not been exceeded.
- H. In conjunction with its TDP, HART may submit to the Board for its approval (on the agenda item as provided for in this Agreement) proposed projects in amounts greater than can be financed pursuant to the schedule of collections furnished by the County to HART. HART shall prepare a priority ranking of its proposed capital projects. If this priority ranking is approved by the Board, these projects shall be implemented according to HART's priority ranking until the modal split funds approved by the Board are fully expended. Only with prior Board approval, however, may HART delete or deprioritize projects prior to implementation. With Board approval, HART may replace the deleted or deprioritized project with other approved projects on the priority ranking list. HART shall send notification (in accordance with Article VII herein) of such action to the County.

ARTICLE IV **REFUNDS OF MOBILITY FEE COLLECTIONS**

HART recognizes that the Board has an affirmative duty pursuant to the Ordinance to expend mobility fees within ten (10) years of the date of their collection, and that funds not spent within that time are subject to refund. Accordingly, HART shall, within thirty (30) days of receipt of notice by the County, return to the County any unexpended mobility fees that may be subject to refund pursuant to the Ordinance.

ARTICLE V **MAINTENANCE OF RECORDS**

The parties to this Agreement- shall maintain records and supporting documentation relative to the performance required under this Agreement. Said records and documentation shall be retained by the parties for a minimum of five (5) years from project closeout and termination. The parties and their authorized agents shall have the right to audit, inspect and copy all such records and documentation as often as they deem necessary during the period of this Interlace' Agreement, and during the period of five (5) years from project closeout and termination; provided, however, such activity shall be conducted only during normal business hours after the giving of twenty-four (24) hours prior notice to the party upon whom the request is made. The parties shall also have the right to obtain a copy of, and otherwise inspect, any audit made at the direction of any party to this Agreement. Copying costs shall be paid for by the requesting party and shall be based upon actual cost.

ATTACHMENT II

ARTICLE VI **INDEMNIFICATION**

- A. HART's Indemnification: Notwithstanding any provisions of this Agreement to the contrary, HART shall, to the extent permitted by law, indemnify and hold harmless the County, its agents, and employees, from and against all liabilities, claims, damages, losses, and expenses, including attorney's fees, arising out of or resulting from the performance of HART's obligations hereunder. This indemnification provision shall not be construed as any waiver of sovereign immunity by HART. This provision shall survive termination.
- B. County's Indemnification: Notwithstanding any provisions of this Agreement to the contrary, the County shall, to the extent permitted by law, indemnify and hold harmless HART, its agents, and employees, from and against all liabilities, claims, damages, losses, and expenses, including attorney's fees, arising out of or resulting from the performance of the County's obligations hereunder. This indemnification provision shall not be construed as any waiver of sovereign immunity by the County. This provision shall survive termination.

ARTICLE VII **NOTICE**

All notices, communication, and consent required or permitted by this Agreement shall be in writing and delivered by hand or transmitted by registered or certified mail, return receipt requested. Notice is deemed to be given when addressed to and received by the following:

If to the County: The County Administrator

If to HART: The Chief Executive Officer

ARTICLE VIII **SEVERABILITY**

If any one or more of the covenants, agreements or provisions of this Agreement shall be deemed to be contrary to any express provisions of law or deemed to be in any way invalid, then such covenants, agreements, or provisions shall be null and void, and shall be deemed separate from the remaining covenants, agreements, or provisions of this Agreement. Said remaining covenants, agreements, or provisions shall continue in full force the rights and obligations contained herein only if the rights of the parties are not materially prejudiced and the intentions of the parties continue to be effective.

ARTICLE IX **TERMINATION OR MODIFICATION**

Either party hereto shall have the right to terminate this Agreement upon giving thirty (30) days written notice by certified mail to the other party; provided, however, no such termination shall affect funding for projects previously approved by the Board, unless such projects are held by a court of competent jurisdiction to be contrary to law.

HART and the County agree that the County is authorized to enter into and perform under this Agreement only to the extent it is empowered to do so pursuant to the Ordinance and state law

ATTACHMENT II

regarding mobility fees. Furthermore, the parties hereto agree that should the County's power to perform under this Agreement be eliminated or modified by further amendment to the Ordinance or a change in state law, this Agreement shall be terminated or modified accordingly; provided, however, no such termination or modification shall affect funding for projects previously approved by the Board, unless such projects are held by a court of competent jurisdiction to be contrary to law.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed below by their duly authorized representatives.

ATTEST:
CINDY STUART
CLERK OF THE CIRCUIT COURT

HILLSBOROUGH COUNTY, A
POLITICAL SUBDIVISION OF THE
STATE OF FLORIDA

BY: _____
DEPUTY CLERK

BY: _____
CHAIR

PRINT NAME: _____

PRINT NAME: _____

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

BY: _____
Cameron Clark,
Sr Assistant County Attorney

HILLSBOROUGH TRANSIT AUTHORITY

BY: _____

PRINT NAME: _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

ATTEST:
HART BOARD SECRETARY

BY: _____
HART GENERAL COUNSEL

BY: _____

PRINT NAME: _____

RESOLUTION NO. #R2022-06-46

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH HILLSBOROUGH COUNTY A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA (“COUNTY”), AND HILLSBOROUGH TRANSIT AUTHORITY, (“HART”) FOR DISTRIBUTION OF MOBILITY FEES.

WHEREAS, on April 26, 2016, the County adopted the Mobility Fee Program Ordinance, Chapter 40, Article III, Hillsborough County Code of Ordinances, Part A, (“Ordinance”); and

WHEREAS, the Ordinance created a mobility fee in unincorporated Hillsborough County, effectively replacing the transportation impact fee that had been adopted and collected since the 1980s; and

WHEREAS, the mobility network, as defined in the Ordinance, includes certain capital improvements that fall under the jurisdiction of other agencies, such as HART, which provides mobility facilities and services; and

WHEREAS, such mobility facilities have been included in the calculation of the mobility fee and a pro rata portion of mobility fee revenues collected within each mobility fee benefit district may be made available for construction of capital improvements on the mobility network that are the responsibility of HART, in accordance with the Ordinance and state law; and

WHEREAS, the Ordinance requires that, prior to the transfer of mobility fees for expenditure by another agency, the County shall enter into an agreement with the agency to ensure that mobility fee revenues are directed to only those mobility facilities designated by both entities according to the provisions of this article and state law; and

WHEREAS, such agreements shall direct the expenditure of mobility fee revenues on specific mobility facility capital improvements and shall establish a program for the expenditure of revenues, in conformance with the restrictions and limitations imposed on the County under the Ordinance; and

WHEREAS, such agreements shall further ensure that mobility fee revenues are spent solely on mobility facilities to accommodate new growth, consistent with the Ordinance, and that said funding must be included in HART’s Transit Development Plan for the fiscal year in which the County mobility fee revenues are to be transferred for expenditure by HART; and

WHEREAS, the County recognizes that HART is actively engaged in an effort to improve mass transit in the unincorporated areas of Hillsborough County;

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 enter into an Interlocal Agreement between Hillsborough County and Hillsborough Transit Authority for distribution of Mobility Fees.

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

ATTACHMENT III

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 JUNE 21, 2022.**

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**

BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COUNCILMEMBER GIL SCHISLER, JOINT COMMITTEE CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-47 ~ Approve the Proposed Program of Projects (POP) and Authorize the Chief Executive Officer to Apply for and Accept All FY2022 Federal Transit Administration (FTA) Funding*

Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee held a meeting in a hybrid format on May 16, 2022

	Attendance in Person	
Committee Members	(4) Staff	(20)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Dexter Corbin	
Councilman Gil Schisler	Christopher DeAnnuntis	
	Scott Drainville	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Gail Torres	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(2) Others Present	(2)
Mayor Jane Castor	Julia Mandell, Gray Robinson	
Melanie Williams	Raquel Valdez, Hillsborough County	

Attendance via Communications Media Technology (CMT)		
Committee Members	(2) Staff	(2)
Commissioner Pat Kemp	Lynda Crescentini	
Commissioner Kimberly Overman	Laura Izzo	
	Others Present	(0)

Committee Action:

The Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee reviewed the action item and advanced it for approval by the full Board of Directors at the June 20, 2022, Board of Directors meeting.

Attachments:

- I. Committee Action Item
- II. FY2022 Proposed Program of Projects (POP) Funding
- III. Resolution #R2022-06-47



COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Approve the Proposed Program of Projects (POP) and Authorize the Chief Executive Officer to Apply for and Accept All FY2022 Federal Transit Administration (FTA) Funding

OVERVIEW

Annually, HART receives federal funding through the Federal Transit Administration (FTA) which is used for operating expenses and capital projects. A resolution from the HART Board of Directors authorizes the CFO to execute the applications and receive the funding. Additionally, as stated in FTA Circular C9030.1E, and as referenced in 49 U.S.C. 5307(b)(1) through (7), FTA Section 5307 grant programs have special requirements related to identifying the specific list of projects (Program of Projects) and public participation.

RECOMMENDATION

That the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee review the action item to recommend the HART Board of Directors approve the Proposed Program of Projects (POP) and authorize the Chief Executive Officer to apply for and accept all FY2022 Federal Transportation Administration Funding; and advance this item to the full HART Board of Directors at the June 20, 2022 Regular Board meeting.

FINANCIAL IMPACT

The Urbanized Area Formula Funding Program (Section 5307) is the main federal source of transit capital and eligible operating funds; it reimburses preventive maintenance related expenses for fixed route and streetcar programs, assists with costs associated with the provision of Americans with Disabilities Act (ADA) complementary paratransit service (up to 20% of the award), and funds other capital investments. HART is required to allocate 1% of the award for security related projects. HART was allocated \$18,273,456 for FY22.

The Bus and Bus Facilities Formula Program (Section 5339) provides funding to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities. HART received \$1,514,941 for FY22.

The State of Good Repair (Section 5337) provides funding to replace, rehabilitate and/or purchase Streetcar related vehicles, equipment, and facilities and other equipment. HART received \$970,647 for FY22.

The Surface Transportation Block Grant (STBG) Section Program will fund the replacement of Paratransit and Flex vehicles. HART will receive \$4,000,000 for FY22.

These grants require a 20% local match which will be satisfied with Transportation Development Credits provided through the Florida Department of Transportation.



BACKGROUND

FTA formula program funds (Section 5307, Section 5337 and Section 5339), allocated to the Tampa/St. Petersburg urbanized area, were announced through the Federal Register on April 6, 2022. In urbanized areas with more than one transit system, the FTA apportionments must be divided between the agencies by agreement. The current agreement between HART, Pinellas Suncoast Transit Authority (PSTA), Pasco County Public Transportation (PCPT) and Tampa Bay Regional Transit Authority (TBARTA) for the distribution of the formula funds provides that PSTA calculates the annual split. The methodology used for the FY2021 splits are based on the FY2022 FTA unit values, 2010 Census data, and 2020 NTD Data. HART's portion for each formula grant is as follows:

- **Urbanized Area Formula Program (Section 5307)**
 The Allocation for HART is \$18,273,456 or 43.38% (vs \$14,206,745 or 43.37%)
- **State of Good Repair (Section 5337)**
 HART received \$899,516 or 100% of Fixed Guideway Tier, and 71,131 or 88.77% of High Intensity Motorbus tier (vs a total of \$643,782 in FY21)
- **Bus and Bus Facilities (Section 5339)**
 HART received \$1,514,941 or 43.62% (vs \$1,577,477 or 43.62% in FY21)

FTA requires that grantees funded under Section 5307 develop a proposed POP (Attachment I) and provide an opportunity for the public to comment on the proposed POP.

NEXT STEPS

- Complete Public Participation and Public Hearing prior to the June 20, 2022, Board meeting;
- Present recommendation by the Joint Committee to the HART Board of Directors at the June 20, 2022, Board meeting;
- Upon the Board's approval, staff will submit applications to FTA for review and execution.

Prepared by: Gayle Torres, Grants Management and Financial Analyst

Reviewed by: Loretta Kirk, Chief Financial Officer

ATTACHMENT II

FY2022 PROPOSED SECTION 5307 PROGRAM OF PROJECTS (POP)	
OPERATING PROJECTS	AMOUNT
ADA Paratransit*	\$3,654,691
Tire Leases for Bus and Paratransit Vehicles	\$591,318
Preventive Maintenance for Streetcar **	\$200,000
TOTAL	\$4,446,009
CAPITAL PROJECTS	
Engines and Transmission Replacements	\$759,000
Safety and Security Projects***	\$182,735
Associated Transit Improvements - Construction and Design Bus Bays, Landings and Shelters	\$365,470
CNG Buses	\$3,500,000
Streetcar Maintenance	\$60,571
IT Infrastructure and Systems - Hardware and Software	\$1,066,171
Paratransit Vehicles	\$1,550,000
Bus Mid-Life Overhaul	\$4,370,000
HVAC Replacement	\$123,500
CNG Skid Expansion	\$250,000
Florida Board Room Expansion and AV Equipment	\$1,100,000
Transportation Studies	\$500,000
TOTAL	\$13,827,447
GRAND TOTAL	\$18,273,456

* FTA allows up to 20% of total allocation

** Includes salaries and wages, benefits and/or services

*** FTA requires 1% of total allocation

RESOLUTION NO. #R2022-06-47

A RESOLUTION APPROVING THE PROPOSED PROGRAM OF PROJECTS (POP) AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO APPLY FOR AND ACCEPT ALL FY2022 FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDING

WHEREAS, Congress each year passes legislation that appropriates funds for the Department of Transportation and related agencies; and

WHEREAS, FTA published a Notice in the Federal Register that provides the FY2022 apportionments and allocations, as well as statements of policy and guidance on public transit administration; and

WHEREAS, Before FTA may award federal assistance for public transportation in the form of a federal grant, certain pre-award Certifications and Assurances are required; and

WHEREAS, HART Chief Financial Officer and Attorney affirmed the FY2022 Certificates and Assurances to FTA on March 14, 2022; and

WHEREAS, HART complied with 49 U.S.C. 5307(b)(1) through (7) and held public hearings to provide an opportunity for the public to comment on the proposed POP on June 8, 2022 at 11:00 a.m. and 5:30 p.m. at the HART Marion Transit Center, 1211 N. Marion Street, Tampa, FL 33602;

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

Section 1. Proposed Program of Projects is approved. The Chief Executive Officer is authorized to apply for and accept all FY2022 Federal Transportation Administration funding.

Section 2. The Chief Executive Officer is authorized to file grant applications on behalf of the Hillsborough Transit Authority (HART), with the U.S. Department of Transportation, for federal funds to aid in the financing of capital and special projects pursuant to the Urbanized Area Formula, State of Good Repair, Bus and Bus Facilities grant programs, other grant programs and other special funding categories authorized under the Infrastructure Investment & Jobs Act (IIJA).

Section 3. The Chief Executive Officer is authorized to accept and execute grant contract agreements on behalf of HART with the U.S. Department of Transportation.

Section 4. The Chief Executive Officer is authorized to furnish additional assurances, certifications and information as the U.S. Department of Transportation may require in connection with the application of the projects.

Section 5. Proper officers of HART are authorized to do all things necessary and required in order to submit the applications for the FY2022 FTA Urbanized Area Formula Funds and funding in other federal transportation grant categories.

ATTACHMENT III

Section 6. This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE
HILLSBOROUGH TRANSIT AUTHORITY ON JUNE 21, 2022.**

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COUNCILMEMBER GIL SCHISLER, JOINT COMMITTEE CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-48 ~ Ratify the Labor Contract with the International Brotherhood of Teamsters Union (“Teamsters”) Local #79 and Authorize the Chairperson of the Hillsborough Transit Authority (HART) Board of Directors and the Chief Executive Officer (CEO) to Execute the Contract with Teamsters Local #79 Upon Ratification for the Period from October 1, 2021, to September 30, 2024*

Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee held a meeting in a hybrid format on May 16, 2022

	Attendance in Person	
Committee Members	(4) Staff	(20)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Dexter Corbin	
Councilman Gil Schisler	Christopher DeAnnuntis	
	Scott Drainville	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Gail Torres	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(2) Others Present	(2)
Mayor Jane Castor	Julia Mandell, Gray Robinson	
Melanie Williams	Raquel Valdez, Hillsborough County	

Attendance via Communications Media Technology (CMT)		
Committee Members	(2) Staff	(2)
Commissioner Pat Kemp	Lynda Crescentini	
Commissioner Kimberly Overman	Laura Izzo	

Others Present

(0)

Committee Action:

The Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee reviewed the action item and advanced it for approval by the full Board of Directors at the June 20, 2022, Board of Directors meeting.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-48



COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Ratify the Labor Contract with the International Brotherhood of Teamsters Union (“Teamsters”) Local #79 and Authorize the Chairperson of the Hillsborough Transit Authority (HART) Board of Directors and the Chief Executive Officer (CEO) to Execute the Contract with Teamsters Local #79 Upon Ratification for the Period from October 1, 2021, to September 30, 2024

OVERVIEW

HART and the Teamsters Local #79 follow a collective bargaining agreement, which provides the terms and conditions under which both will operate. The current Teamsters Local #79 contract expired on September 30, 2021. A successor labor contract is required to govern the terms and conditions of employment for members of the Teamsters Local #79 bargaining unit, beginning October 1, 2021.

RECOMMENDATION

That the Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee review the action item recommending the HART Board of Directors ratify the labor contract with the Teamsters Local #79 and authorize the Chairperson of the HART Board of Directors and the CEO to execute the contract with Teamsters Local #79 upon ratification for the period from October 1, 2021, to September 30, 2024; and advance this item to the full HART Board of Directors at the June 20, 2022, regular Board meeting.

FINANCIAL IMPACT

The economic impact of this three-year contract is approximated at \$706,160 (wages: FY2021=\$506,500; FY2022 = \$98,260; and FY2023 = \$101,400).

BACKGROUND

Teamsters Local #79 represents the supervisory employees in the Transportation and Maintenance Departments. Currently, 49 full-time employees are in Teamsters Local #79 represented positions, plus four vacancies. These positions include Transit Controllers, Road Supervisors, Maintenance Supervisors, Fleet Supervisors, Facility Supervisors, and Inventory Supervisors. HART and Teamsters Local #79 are parties to a collective bargaining agreement that sets forth the terms and conditions of employment for Teamsters Local #79 represented positions. The existing three-year contract expired on September 30, 2021.

In October 2021, the HART Bargaining Team commenced negotiations with Teamsters Local #79 towards a successor collective bargaining agreement. HART staff and the Teamsters Local #79 contract Bargaining Committee held multiple negotiation sessions. The parties tentatively agreed to a successor contract on March 24, 2022.

On April 11, 2022, the Teamsters bargaining unit voted 47-0 to ratify the contract.

ATTACHMENT I



Hillsborough Transit Authority
Joint Strategic Planning and External Relations, Operations and Safety, and
Finance and Audit Committee Hybrid Meeting
May 16, 2022

NEXT STEPS

Present the recommendation by the Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee to the full HART Board of Directors at the June 20, 2022, regular Board meeting.

Upon the Board's approval,

- Execute the successor labor contract for the period October 1, 2021, to September 30, 2024.
- Implement the provisions of the successor labor contract.

RESOLUTION NO. #R2022-06-48

A RESOLUTION RATIFYING THE LABOR CONTRACT WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS UNION (“TEAMSTERS”) LOCAL #79, AND AUTHORIZING THE CHAIRPERSON OF THE HILLSBOROUGH TRANSIT AUTHORITY (HART) BOARD OF DIRECTORS AND THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE THE CONTRACT WITH TEAMSTERS LOCAL #79 UPON RATIFICATION FOR THE PERIOD FROM OCTOBER 1, 2021 TO SEPTEMBER 30, 2024

WHEREAS, HART and Teamsters Local #79 have negotiated and mutually agreed upon a successor labor contract, and

WHEREAS, the collective bargaining unit represented by Teamsters Local #79 has ratified the contract setting forth the terms and conditions of employment on April 11, 2022;

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

Section 1. The Board of Directors ratifies the labor contract between HART and Teamsters Local #79 that will become effective October 1, 2021, for the period through September 30, 2024.

Section 2. The Board of Directors authorizes the Board Chairperson and the CEO of HART to execute the contract.

Section 3. Proper Officers of the Hillsborough Transit Authority are authorized to do all things necessary and required to implement the terms of the aforementioned contract agreement.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE HILLSBOROUGH TRANSIT AUTHORITY ON JUNE 21, 2022.

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COUNCILMEMBER GIL SCHISLER, JOINT COMMITTEE CHAIR

DATE: MAY 16, 2022

RE: *Resolution #R2022-06-49 ~ Ratify the Labor Contract with Amalgamated Transit Union (ATU) Local 1593 and Authorize the Chairperson of the Hillsborough Transit Authority (HART) Board of Directors and the Chief Executive Officer (CEO) to Execute the Contract with ATU Local 1593 for the Period from October 1, 2021, to September 30, 2024*

Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee held a meeting in a hybrid format on May 16, 2022

Attendance in Person

Committee Members	(4) Staff	(20)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Dexter Corbin	
Councilman Gil Schisler	Christopher DeAnnuntis	
	Scott Drainville	
	Bobby Edwards	
	Steven Fields	
	Nicholas Goulbourne	
	Kemly Green	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Gail Torres	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	

Committee Members Absent	(2) Others Present	(2)
Mayor Jane Castor	Julia Mandell, Gray Robinson	
Melanie Williams	Raquel Valdez, Hillsborough County	

Attendance via Communications Media Technology (CMT)

Committee Members	(2) Staff	(2)
Commissioner Pat Kemp	Lynda Crescentini	
Commissioner Kimberly Overman	Laura Izzo	

Others Present

(0)

Committee Action:

The Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee reviewed the action item and advanced it for approval by the full Board of Directors at the June 20, 2022, Board of Directors meeting.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-49



COMMITTEE ACTION ITEM

Recommend the HART Board of Directors Ratify the Labor Contract with Amalgamated Transit Union (ATU) Local 1593 and Authorize the Chairperson of the Hillsborough Transit Authority (HART) Board of Directors and the Chief Executive Officer (CEO) to Execute the Contract with ATU Local 1593 for the Period from October 1, 2021, to September 30, 2024

OVERVIEW

HART and ATU Local 1593 follow a collective bargaining agreement that provides the terms and conditions both will operate under. The current ATU Local 1593 contract expired on September 30, 2021. A successor labor contract is required to govern the terms and conditions of employment for members of the ATU Local 1593 bargaining unit, beginning October 1, 2021.

RECOMMENDATION

That the Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee review the action item recommending the HART Board of Directors ratify the labor contract with ATU Local 1593 and authorize the Chairperson of the HART Board of Directors and the CEO to Execute the Contract with ATU Local 1593 for the period from October 1, 2021, to September 30, 2024; and advance this item to the full HART Board of Directors at the June 20, 2022, regular Board meeting.

FINANCIAL IMPACT

The economic impact of this three-year contract is approximately \$3,294,920 (wages: FY 2021 = \$1,571,194; FY2022 = \$864,864; FY2023 = \$858,862). The wage adjustment increases, the largest single economic impact, was due to raising the entry level pay in year one to a minimum of \$18.87 for Bus Operators.

BACKGROUND

The ATU Local 1593 represents the employees in the Transportation and Maintenance departments. Currently, there are 564 employees in ATU defined positions. These positions include Bus and Van Operators, Streetcar Motorpersons, Technicians, Customer Service Representatives, Storekeepers, and Service Attendants. HART and ATU are parties to a collective bargaining agreement that sets forth the terms and conditions of employment for ATU-represented positions. The existing 2018 - 2021-year contract expired on September 30, 2021.

In May 2021, the HART bargaining team commenced negotiations with ATU towards a successor collective bargaining agreement. HART staff and ATU's contract bargaining committee met multiple times. The HART negotiations team presented a best and final offer on April 15, 2022. On May 3, 2022, the ATU bargaining unit voted to ratify the contract.

ATTACHMENT I



Hillsborough Transit Authority
Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit
Committee Hybrid Meeting
May 16, 2022

NEXT STEPS

Present the recommendation by the Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee to the full HART Board of Directors at the June 20, 2022, regular Board meeting.

Upon the Board's approval:

- Execute the successor labor contract for the period October 1, 2021, to September 30, 2024.
- Implement the provisions of the successor labor contract.

RESOLUTION NO. #R2022-06-49

A RESOLUTION RATIFYING THE LABOR CONTRACT WITH AMALGAMATED TRANSIT UNION (ATU) LOCAL 1593 AND AUTHORIZE THE CHAIRPERSON OF THE HILLSBOROUGH TRANSIT AUTHORITY (HART) BOARD OF DIRECTORS AND THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE THE CONTRACT WITH ATU LOCAL 1593 FOR THE PERIOD FROM OCTOBER 1, 2021 TO SEPTEMBER 30, 2024

WHEREAS, HART and ATU Local 1593 have negotiated and mutually agreed upon a successor labor contract, and

WHEREAS, on May 3, 2022, the collective bargaining unit represented by ATU Local 1593 has ratified the contract setting forth the terms and conditions of employment;

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

Section 1. The Board of Directors ratifies the labor contract between HART and ATU Local 1593 that will become effective on October 1, 2021.

Section 2. The Board of Directors authorizes the Board Chairperson and the CEO of HART to execute the contract.

Section 3. The term of the new labor contract is October 1, 2021, through September 30, 2024.

Section 4. Proper officers of the Hillsborough Transit Authority are authorized to do all things necessary and required to implement the terms of the aforementioned contract agreement.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE HILLSBOROUGH TRANSIT AUTHORITY ON JUNE 21, 2022.

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**

BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COUNCILMEMBER GIL SCHISLER, LITIGATION AND CLAIMS COMMITTEE ALTERNATE

DATE: MAY 24, 2022

RE: *Resolution #R2022-06-50 ~ Authorize an Increased Settlement Amount and Approval of the Settlement Agreement in the Case of Timothy McGowan v. HART (Case No: 20-CA-9244) for the Sum of \$120,000 for the Incident Occurring on August 23, 2019 on South Howard Avenue and West Horatio Street in Hillsborough County, Florida (Claim #909463)*

The Litigation and Claims Committee held a meeting in a hybrid format on May 24, 2022

Attendance in Person

Committee Members	(3)	Staff	(6)
Adelee Le Grand		David Anestal	
Jan McLean		Brenda Bailey	
Jason Wright		Michael Bartholomew	
		Sylvia Berrien	
		Danielle Jackson	
		Frank Wyszynski	
Committee Members Absent	(1)	Others Present	(0)
Loretta Kirk			

Attendance via Communications Media Technology (CMT)

Committee Members	(1)	Staff	(0)
Councilman Gil Schisler			
		Others Present	(1)
		Lisa Ortega, Court Reporter	

Committee Action:

The Litigation and Claims Committee reviewed the action item and advanced it for approval by the full Board of Directors at the June 20, 2022, Board of Directors meeting.

Attachments:

- I. Committee Action Item
- II. Resolution #R2022-06-50

ALTHOUGH A PUBLIC RECORD, THIS DOCUMENT IS EXEMPT FROM DISCLOSURE AS A PUBLIC RECORD UNDER F.S. 119.071(1)(d) UNTIL THE CONCLUSION OF THE LITIGATION, WHICH INCLUDES ANY APPEAL.

COMMITTEE ACTION ITEM

Recommend the HART Board of Director Authorize an Increased Settlement Amount and Approval of the Settlement Agreement in the Case of Timothy McGowan v. HART (Case No: 20-CA-9244) for the Sum of \$120,000 for the Incident Occurring on August 23, 2019 on South Howard Avenue and West Horatio Street in Hillsborough County, Florida (Claim #909463)

OVERVIEW

This action item conforms to HART Board Policy 700: Risk Management; Sub Section 720: Settlement Policy. This item discusses appropriate settlement authority for the claim listed below.

RECOMMENDATION

That the Litigation and Claims Committee review and approve the action item to recommend the HART Board of Directors authorize an increased settlement amount and approval of the settlement agreement in the case of Timothy McGowan v. HART (Case No: 20-CA-9244) for the sum of \$120,000 for the incident occurring on August 23, 2019 on South Howard Avenue and West Horatio Street in Hillsborough County, Florida (Claim #909463); and advance this item to full Board of Directors at the June 20, 2022 regular Board meeting.

FINANCIAL IMPACT

The funding source is general liability risk reserves.

BACKGROUND

The Plaintiff, Timothy McGowan, filed suit against HART for negligent operation of the bus as a result of an incident which occurred on August 23, 2019 (the “date of loss”). Plaintiff boarded Unit 1724, in the area of South Howard Avenue and West Horatio Street and immediately began to pay his bus fare. As Plaintiff was actively swiping his card, the Operator, Ashlie Faustin, began to drive forward, resulting in Plaintiff stumbling forward towards the rear of the bus. Noticing a stopped vehicle ahead, Operator Faustin applied her brakes, which then resulted in Plaintiff stumbling backwards towards the front the bus, losing his footing, falling and striking his head on the fare box. As a result of the fall, Plaintiff sustained a laceration to the back of his head and he received eight staples to close the wound. The wound resulted in a scar. Since this date of loss, Plaintiff continues to receive treatment for traumatic brain injury complaints including ongoing headaches, syncope, dizziness, light sensitivity, impaired hearing in the left ear and short-term memory loss. Plaintiff did not have any prior or subsequent accidents/injuries that could be used to explain the claimed injuries.

Plaintiff has incurred medical bills of \$50,603.60 though he continues to receive treatment for this date of loss. In addition, Plaintiff also claims to have incurred lost wages in the amount of \$24,000.00.

ALTHOUGH A PUBLIC RECORD, THIS DOCUMENT IS EXEMPT FROM DISCLOSURE AS A PUBLIC RECORD UNDER F.S. 119.071(1)(d) UNTIL THE CONCLUSION OF THE LITIGATION, WHICH INCLUDES ANY APPEAL.

HART Bus Operator

- Ashlie Faustin; PR #4673
- Date of hire was 5/06/2019
- She was employed approximately 3 months at the time of the accident.

Liability Analysis: Liability appears to be completely adverse to HART. Specifically, HART SOP requires that:

Before pulling away from a stop... Operators must wait for any onboarding patrons to pass the yellow line and be either seated or holding onto the rail, if standing.

Unfortunately, neither was done in this case, as the Operator began to drive forward as Plaintiff was actively paying his bus fare. Based on the surveillance video, it does not appear as though any liability is attributable to Plaintiff.

Causation Analysis: As a result of this incident, Plaintiff fell backwards and struck his head on the fare box, resulting in a large laceration requiring staples. As such, a mechanism of injury is present. In addition, Plaintiff's laceration resulted in scarring. Plaintiff was examined by Defense Expert, Robert Martinez, M.D., diploma American Board of Psychiatry & Neurology, who agrees that Plaintiff suffered a concussion from the fall on the bus.

Summary and Recommendations

- The plaintiff's previous demand was \$200,000, but as a byproduct of negotiations and arbitration, the proposed settlement amount is \$120,000.
- HART has probable liability.
- HART legal costs to date are \$9,280.70.
- Requesting Settlement Authority of \$120,000

Staff recommends settlement in lieu of any further litigation fees and cost.

Per HART Board Policy 700: Risk Management; Sub Section 720: Settlement Policy, the Litigation and Claims Committee, composed of the CEO and/or the CEO's designee; the CFO; the General Counsel; the Risk Manager; the Chair of the Board of Directors, or the Chair's designee and/or other member appointed by the Chair of the Board, is delegated the express authority to settle Bodily Injury, Property Damage, and all other such claims for amounts greater than \$50,000 and less than \$100,000. Said decisions shall be by majority vote. Otherwise, any such settlement shall require Board approval. The Risk Manager shall make recommendations to the Litigation and Claims Committee.



**ALTHOUGH A PUBLIC RECORD, THIS DOCUMENT IS EXEMPT FROM
DISCLOSURE AS A PUBLIC RECORD UNDER F.S. 119.071(1)(d) UNTIL THE
CONCLUSION OF THE LITIGATION, WHICH INCLUDES ANY APPEAL.**

NEXT STEPS

If approved by the Litigation and Claims Committee, present the committee's recommendation to the HART Board of Directors at the June 20, 2022 regular Board of Directors meeting to approve the settlement agreement and increase the settlement authority up to \$120,000.

Prepared by: Brenda J. Bailey, Litigation Staff Attorney

RESOLUTION NO. #R2022-06-50

A RESOLUTION AUTHORIZING AN INCREASED SETTLEMENT AMOUNT AND APPROVAL OF THE SETTLEMENT AGREEMENT IN THE CASE OF TIMOTHY MCGOWAN V. HART (CASE NO: 20-CA-9244) FOR THE SUM OF \$120,000 FOR THE INCIDENT OCCURRING ON AUGUST 23, 2019 ON SOUTH HOWARD AVENUE AND WEST HORATIO STREET IN HILLSBOROUGH COUNTY, FLORIDA (CLAIM #909463)

WHEREAS, a lawsuit has been filed against Hillsborough Transit Authority (HART) seeking monetary damages associated with the bodily injury claim for Claim #909463; and

WHEREAS, the parties attended non-binding arbitration on the case, and the parties having entered into a Settlement Agreement; and

WHEREAS, the Board of Directors has determined that the terms and conditions of the Settlement are within the parameters recommended and authorized by HART Litigation and Claims Committee and are otherwise in the best interest of HART;

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

Section 1. The Board of Directors authorizes an increased settlement amount and approval of the settlement agreement in the case of Timothy McGowan v. HART (Case no: 20-CA-9244) for the sum of \$120,000 for the incident occurring on August 23, 2019 on South Howard Avenue and West Horatio Street in Hillsborough County, Florida (Claim #909463).

Section 2. Proper officers of the Hillsborough Transit Authority are authorized to do all things necessary and required in order to implement the terms of the aforementioned settlement authority.

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 JUNE 21, 2022.

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**



BOARD COMMITTEE TRANSMITTAL

TO: MEMBERS OF THE HART BOARD

FROM: COUNCILMEMBER GIL SCHISLER, FINANCE AND AUDIT COMMITTEE CHAIR

DATE: MAY 25, 2022

RE: *Resolution #R2022-06-51 ~ Approve the Fiscal Year 2023 Proposed Budget and Authorize the Chief Executive Officer to Submit the Approved Proposed Budgets to the City of Tampa, Hillsborough County, and the City of Temple Terrace*

The Finance and Audit Committee held a meeting in a hybrid format on May 25, 2022

	Attendance in Person	
Committee Members	(4) Staff	(22)
Commissioner Pat Kemp	Brian Allan	
Marvin Knight	Michael Bartholomew	
Councilman Gil Schisler	Dexter Corbin	
Melanie Williams	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Ron Giroux	
	Nicholas Goulbourne	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Moise Pluviose	
	Dale Smith	
	Gayle Torres	
	Cheryl Wilks	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	
Attendance via Communications Media Technology (CMT)		
Committee Members	(1) Staff	(1)
Commissioner Kimberly Overman	Lynda Crescentini	
	Others Present	(0)

Committee Action:

The Finance and Audit Committee reviewed the action item and advanced it for approval by the full Board of Directors at the June 20, 2022, Board of Directors meeting.

Attachments:

1. Committee Action Item
2. Resolution #R2022-06-51

COMMITTEE ACTION ITEM

Recommend HART Board of Directors Approve the Fiscal Year 2023 Proposed Budget and Authorize the Chief Executive Officer to Submit the Approved Proposed Budgets to the City of Tampa, Hillsborough County, and the City of Temple Terrace

OVERVIEW

Pursuant to the Amendment and Restatement of the Charter of Hillsborough Transit Authority (the Charter), on or before the fifteenth day of June in each year, the Chief Executive Officer is required to submit to the Board of Directors a proposed budget for the next succeeding fiscal year of the Authority. On or before July 1 of each year, the Authority is required to submit its approved proposed budgets for its next succeeding fiscal year to the governing legislative bodies of each member.

RECOMMENDATION

That the Finance and Audit Committee review the action item recommending the HART Board of Directors approve the FY2023 proposed budget and authorize the Chief Executive Officer to submit the approved FY2023 proposed budgets to the City of Tampa, Hillsborough County, and the City of Temple Terrace; and advance this item to the full Board of Directors at the June 20, 2022 regular Board meeting.

FINANCIAL IMPACT

The total proposed budget for Fiscal Year 2023 is \$157,636,534. This includes the proposed FY2023 operating budget of \$111,899,629 and the proposed FY2023 capital budget of \$45,736,905.

BACKGROUND

HART is required to submit a proposed budget to the governing legislative bodies of each member of the Authority on or before July 1, 2022. The proposed budget was developed and will be presented to the HART Budget and Audit Committee on May 25, 2022. The total proposed budget is \$150,702,075.

NEXT STEPS

- Submit proposed budgets and five-year capital plan to the City of Tampa, Hillsborough County, and the City of Temple Terrace
- Continue budget deliberations on the proposed budget with the HART Finance and Audit Committee and the HART Board of Directors
- Hold public hearing on the proposed budgets
- Adopt the final budgets on September 26, 2022

Prepared by: Loretta Kirk, Chief Financial Officer

RESOLUTION NO. #R2022-06-51

**APPROVAL OF THE FISCAL YEAR 2023 PROPOSED BUDGET AND
AUTHORIZATION FOR THE CHIEF EXECUTIVE OFFICER TO SUBMIT THE
APPROVED PROPOSED BUDGETS TO THE CITY OF TAMPA, HILLSBOROUGH
COUNTY, AND THE CITY OF TEMPLE TERRACE**

WHEREAS, HART is required to develop a proposed budget by June 15 of each year; and

WHEREAS, HART is required to submit the proposed budget to the City of Tampa, Hillsborough County, and the City of Temple Terrace by July 1 of each year; and

WHEREAS, the Board of Directors of Hillsborough Transit Authority of Hillsborough County, Florida, set forth the Annual Proposed Budget for the Fiscal Year 2023 in the amount of \$157,636,534;

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

Section 1. The approved proposed Fiscal Year 2023 Annual Budget is \$157,636,534.

Section 2. The Chief Executive Officer is authorized to submit a copy of the Fiscal Year 2023 Annual Proposed Budget to the City of Tampa, Hillsborough County, and the City of Temple Terrace.

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 JUNE 21, 2022.**

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**

BOARD ACTION ITEM

Resolution #R2022-06-52 ~ Approval of the First Amendment to the June 2002 Interlocal Shelter Agreement with Hillsborough County Extending the Term Through December 31, 2022

OVERVIEW

Hillsborough County entered into a twenty-year (20) agreement with Hillsborough Transit Authority (HART) on June 25, 2002 that authorized HART to place transit shelters, transit shelter signs, and amenities in the public rights-of-way in unincorporated Hillsborough County. This Agreement with the County allows HART to place advertising on the Shelters. The 2002 Transit Shelter Agreement with the County is set to expire on June 25, 2022. The County will allow an extension of the agreement with HART through December 31, 2022.

FINANCIAL IMPACT

HART receives a portion of the shelter advertising profits from sales through the contractor as part of a revenue generating contract which installed new shelters and retrofitted many existing shelters. If the agreement is not extended, HART will not be allowed to advertise on shelters.

BACKGROUND

The Interlocal Agreement with the County to allow advertising on shelters in the rights-of way is set to expire on June 25, 2022. HART seeks to extend the agreement with the County. HART entered into a twenty-year (20) agreement with the County on June 25, 2002 that authorized HART to place transit shelters and transit shelter signs in public rights-of-way in unincorporated Hillsborough County. HART receives revenue from the advertising on the Shelters to support its programs.

NEXT STEPS

HART to provide a signed copy of the action item and resolution to Hillsborough County. Hillsborough County to approve the First Amendment to the 2002 Interlocal Shelter Agreement.

Prepared by: Sylvia A. Berrien, Interim Director of Legal Services

Approved by: Teri Wright, Chief Customer Experience Officer

Attachments:

- I. Resolution #R2022-06-52
- II. Proposed First Amendment to June 2002 Interlocal Agreement Between Hillsborough County and Hillsborough Transit Authority
- III. June 2002 Interlocal Agreement for Transit Shelters

ATTACHMENT I

RESOLUTION NO. #R2022-06-52

A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE JUNE 2002 INTERLOCAL SHELTER AGREEMENT WITH HILLSBOROUGH COUNTY EXTENDING THE TERM THROUGH DECEMBER 31, 2022

WHEREAS, Hillsborough County entered into a twenty-year Agreement (“June 2022 Interlocal Agreement for Transit Shelters”) with Hillsborough Transit Authority (HART) on June 25, 2002 that authorized HART to place transit shelters and transit shelter signs in public rights-of-way in unincorporated Hillsborough County; and

WHEREAS The June 2022 Interlocal Agreement for Transit Shelters is set to expire on June 25, 2022, and the parties wish to extend its terms through the end of calendar year 2022:

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

Section 1. The First Amendment of the June 2002 Interlocal Shelter Agreement with Hillsborough County through December 31, 2022 is hereby approved.

Section 2. Proper officers of the HART Board are authorized to do all things necessary and required in order to implement the terms of the aforementioned settlement 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 JUNE 21, 2022.

ATTEST:

**Commissioner Patricia Kemp, Chairperson
HART Board of Directors**

**Melanie Williams, Secretary
HART Board of Directors**

**Julia Mandell, Esquire
HART Board General Counsel**

ATTACHMENT II

FIRST AMENDMENT TO JUNE 2002 INTERLOCAL AGREEMENT BETWEEN
HILLSBOROUGH COUNTY AND HILLSBOROUGH TRANSIT AUTHORITY

THIS FIRST AMENDMENT is made and entered into on this ____ day of _____, 2022, by and between HILLSBOROUGH COUNTY ("County"), a political subdivision of the State of Florida, and the HILLSBOROUGH TRANSIT AUTHORITY ("HART").

WHEREAS the County entered into a twenty-year Agreement ("2002 Transit Shelter Agreement") with HART on June 25, 2002 that authorized HART to place transit shelters and transit shelter signs in public rights-of-way in unincorporated Hillsborough County; and

WHEREAS the parties recognize that the 2002 Transit Shelter Agreement is set to expire on June 25, 2022, and the parties wish to extend its terms through the end of calendar year 2022:

NOW THEREFORE, by consent of the parties hereto and for and in consideration of the mutual promises and covenants contained therein, the 2002 Transit Shelter Agreement is hereby modified, altered, and changed as follows:

- I. The terms of the 2002 Transit Shelter Agreement are extended through December 31, 2022. All duties and responsibilities previously agreed-to shall remain in effect until the expiration of this modified term.

IN WITNESS WHEREOF, the parties to this First Amendment hereby accept the terms described herein.

ATTEST:
CINDY STUART
CLERK OF THE CIRCUIT COURT

HILLSBOROUGH COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF FLORIDA

BY: _____
DEPUTY CLERK

BY: _____
CHAIR

PRINT NAME: _____

PRINT NAME: _____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: _____
Cameron S. Clark,
Assistant County Attorney

ATTACHMENT II

HILLSBOROUGH TRANSIT AUTHORITY d/b/a
HILLSBOROUGH AREA REGIONAL TRANSIT

BY: _____

PRINT NAME: _____

ATTEST:
HART BOARD SECRETARY

BY: _____

PRINT NAME: _____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: _____
HART GENERAL COUNSEL

HART Agre. No. 2002-06-14

INTERLOCAL AGREEMENT FOR TRANSIT SHELTERS

THIS AGREEMENT, hereinafter referred to as the "Agreement," made and entered into this 25th day of JUNE 2002, by and between HILLSBOROUGH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as the "COUNTY," and THE HILLSBOROUGH TRANSIT AUTHORITY, hereinafter referred to as "HART" or "HARTline."

WITNESSETH:

WHEREAS, it is recognized that transportation is one of this County's highest priorities and that the COUNTY has determined that the installation and maintenance of public seating by HART within the unincorporated areas of the COUNTY would fulfill a collateral public transportation need and be of continuing benefit to the general traveling public, and to others; and

WHEREAS, the COUNTY is charged with the public interest and, accordingly, as a proprietary function will permit the placement, placed within its unincorporated areas, at HARTline transit stops, subject to the terms of this agreement, HART Transit Shelters designed for the comfort, convenience and enjoyment of those who use public transportation; and

WHEREAS, HART is a regional transit authority created pursuant to Florida Statutes §163.565 et seq. who has authority under Florida Statutes §337.408 and this agreement to provide Transit Shelters including advertising in compliance with said statutes.

NOW, THEREFORE, in consideration of the mutual covenants and provisions herein contained, the parties agree as follows:

DEFINITIONS

HART TRANSIT SHELTER shall mean a transit shelter, including any amenities thereto as described in Section 337.408, Florida Statutes, with the exclusion of benches containing advertising. Said transit shelters shall only be placed at designated HART transit stops in accordance with the provisions of Section 337.408, Florida Statutes.

ARTICLE 1: RESPONSIBILITIES OF HART

A. HART, its successors and assigns, may install and at all times hereunder continue to maintain HART Transit Shelters as hereinafter provided, upon public space within the unincorporated areas of the COUNTY only at designated stops on official HART transit routes in a quantity sufficient, in the judgment of HARTline, to adequately support the transit services it provides, in a fiscally responsible manner. For and in consideration of the installation and continued presence of such transit seating service, and in order to help fund all HARTline transit services, HART shall have the right to lease display space on said HART Transit Shelters in accordance with Florida Statute 337.408, the Hillsborough County Land Development Code and as hereinafter provided, for both public service and commercial messages.

B. HART Transit Shelters placed by HART, its successors and assigns, within the unincorporated areas of the COUNTY, as herein provided, shall be governed by and subject to duly enacted Administrative Rules of the Florida Department of Transportation specifically pertaining to Transit Shelters.

C. Should any message be deemed objectionable in the judgment of the COUNTY ADMINISTRATOR or his designee reasonably exercised, then, upon notice to HART such message shall forthwith be removed by HART. No commercial message advertising alcoholic beverages or cigarettes shall be placed on any HART Transit Shelter located in residential districts as defined in the Hillsborough County Land Development Code.

D. Should any advertising on a HART Transit Shelter fail to conform to applicable COUNTY criteria or should an property owner object to the presence of advertising on a HART Transit Shelter abutting his property, then said advertising shall be removed at the request of the property owner, or if the COUNTY, on its own motion, objects to the placement of any such advertising, then the COUNTY ADMINISTRATOR or his designee may order HART to remove such advertising, and, that failing, may remove same at the expense of HARTline.

E. All actions taken by the COUNTY ADMINISTRATOR or his designee pursuant

to this Agreement may be appealed to the Board of County Commissioners by an aggrieved party under this Agreement.

ARTICLE 2: PLACEMENT OWNERSHIP MAINTENANCE AND INDEMNIFICATION

A. The COUNTY, through the Board of County Commissioners, in its discretion reasonably exercised, shall reserve the right to designate particular streets, or segments of particular streets as "scenic areas," thereby excluding such streets or segments thereof from the display of commercial messages on said HART Transit Shelters. In addition, the COUNTY ADMINISTRATOR or his designee shall reserve the right to, upon notice to HART, order the removal of any particular HART Transit Shelter which the COUNTY ADMINISTRATOR or his designee, in his judgment reasonably exercised, believes not to be located at a HARTline transit stop. Should HART fail to remove such HART Transit Shelter as directed by the COUNTY ADMINISTRATOR or his designee, the COUNTY may remove same at the expense of HART. The aforesaid rights, however, shall be exercised reasonably.

B. The HART Transit Shelters that are the subject of this Agreement shall remain the property of HART and HART shall maintain said HART Transit Shelters in a good and substantial state of repair. HART shall maintain the areas immediately surrounding said HART Transit Shelters to preclude unsightly conditions resulting from vegetation growing excessively under and around the edges of said HART Transit Shelters.

C. HART shall, to the extent permitted by law, indemnify and hold harmless the COUNTY from and against any and all liability, claims, suits, damages, costs, losses and expenses, including court costs and attorney's fees, resulting from or attributable to any HART Transit Shelters or any wrongful, intentional or negligent act or omission on the part of any agent, employee or authorized representative of HART.

D. In fulfilling the total need for covered public seating within the unincorporated areas of the County, the COUNTY shall look first to HART to provide such seating in the form of a HART Transit Shelter. If no such shelter has been placed, and until such a shelter has been

placed at a designated HART transit stop the COUNTY may permit other forms of seating. After such a HART Transit Shelter has been placed, other forms of seating will be permitted to the extent that such other seating does not interfere with the HART Transit Shelter. The HART Shelter shall take precedence over such other seating for positioning and other purposes.

ARTICLE 3: TERM

A. It is expressly understood and agreed that the rights and obligations created by the acceptance of this Agreement by the COUNTY shall remain in force and effect for a period of twenty (20) years from the effective date of this Agreement.

B. This Agreement may be renewed for additional ten (10) year periods provided the parties hereto consent to such in writing prior to the expiration of the initial or renewal term, which is applicable. The terms, covenants and conditions of this Agreement shall remain unchanged upon renewal, unless otherwise modified in accordance with the Amendment provision of Article 5.

ARTICLE 4: DEFAULT

A. Should HART be found to be in default of any of the conditions specified herein, it shall be given notice in writing and a reasonable time not to exceed thirty (30) days to correct same. In the event that HART should fail to correct such default within said thirty (30) days after receipt of notice of same, the COUNTY may, at its option, terminate the rights and obligations created by this Interlocal Agreement upon the giving of notice in writing to HART. Should such termination duly occur then HART shall be allowed one hundred twenty (120) days from receipt of said Notice of Termination to remove its HART Transit Shelters. With certain exceptions hereinafter stated, Notice of any deficiency or default of HART shall be given by the COUNTY at principal offices of HART. This Agreement shall be terminated automatically, without the provision of Notice hereinabove described, in the event HART declares bankruptcy, voluntarily or involuntarily, under the laws of the United States.

ARTICLE 5: AMENDMENT

This Agreement may only be amended by writing duly executed by the COUNTY's Board of County Commissioners, and HART's authorized representative.

ARTICLE 6: NOTICE

All Notices, communications and consents required or otherwise given pursuant to this Agreement shall be in writing and delivered by hand or transmitted by registered or certified mail, return receipt requested, with Notice deemed to be given upon receipt, addressed to the attention of the following:

If to the COUNTY:	County Administrator P.O. Box 1110, Tampa, Florida 33601
If to HARTline:	Executive Director 4305 E. 21 st Avenue, Tampa, Florida 33605

Such Notice shall be deemed sufficient Notice hereunder, unless and until all parties to this Agreement are notified by any party in writing of a different representative and/or change of address.

ARTICLE 7: COUNTERPARTS

This Agreement may be executed in more than one counterpart, each of which shall be deemed an original.

ARTICLE 8: ENTIRE AGREEMENT

This Agreement represents the entire Agreement between the parties hereto with respect to the subject matter contained herein, and supersedes all prior negotiations, understandings, representations or agreements, either written or oral.

ARTICLE 9: SEVERABILITY

If any one or more of the provisions of this Agreement should be held contrary to law or public policy, or should for any reason whatsoever be held invalid or unenforceable by a court of competent jurisdiction, then such provision or provisions shall be null and void and shall be deemed separate from the remaining provisions of this Agreement, which remaining provisions shall continue in full force and effect if the rights and obligations of the parties contained herein are not materially prejudiced and the intentions of the parties continue to be effective.

OR BK 11788 PG 0919

ARTICLE 10: SURVIVABILITY

Any term, condition, covenant or obligation, which requires performance by either party subsequent to termination of this Agreement, shall remain enforceable against such party subsequent to such termination.

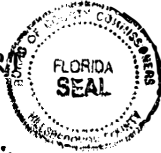
ARTICLE 11: EFFECTIVE DATE

The terms of this Agreement shall become effective upon execution by all parties and being filed with the Clerk of the Circuit Court.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement and accepted the terms and conditions contained herein, as of the date first written above.

ATTEST:

RICHARD L. AKE
CLERK OF CIRCUIT COURT



HILLSBOROUGH COUNTY, FLORIDA

By: Mildred K. Dujm
Deputy Clerk

By: Pat Frank
Chairman, Board of County Commissioners

Approved as to form and Legal Sufficiency

By: [Signature]
Assistant County Attorney

BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY FLORIDA
DOCUMENT No. 02-0901

OR BK 11788 PG 0920

HILLSBOROUGH TRANSIT AUTHORITY

By: Steven Roberts for SD
 Title: G.M. OF OPERATIONS FOR HILLSBOROUGH TRANSIT AUTHORITY

By: [Signature]
 Secretary PROJECT METZ.

Approved as to form and
 Legal Sufficiency

[Signature]
 HARTline General Counsel

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 25th day
 of STEVEN ROBERTS FOR 2002, by Sharon Dent as Executive Director of Hillsborough Transit
 Authority on behalf of the Hillsborough Transit Authority. Sharon Dent is personally known to
 me or has produced _____ as identification.

Mary F. Staples
 Notary Public, State of Florida
 My commission Expires:

BOCC RECORDS
W/C



Mary F. Staples
 MY COMMISSION # CCB68879 EXPIRES
 September 2, 2003
 BONDED THIRD TROY FARM INSURANCE, INC.

REPORT

Procurement and Contracts Administration ~ May 2022

A. Sole Source Awards May 2022

None

B. Sole Source Awards Fiscal Year to Date

Project No.	Award Date	Vendor	Project Description	Award Amount
RFQ-45391	10/1/2021	Archive Corporation	Media Storage, Off-site	\$ 10,556.00
RFQ-45557	10/27/2021	Bonfire Interactive	Procurement Contract Management Software	\$ 30,797.70
RFQ-45641	11/1/2021	Trapeze Software Group	Trapeze Annual Maintenance - OPS & EAM	\$ 442,542.00
RFQ-45752	11/10/2021	Archive Corporation	Paper Records Storage, Off-site	\$ 10,500.00
RFQ-45901	12/8/2021	Commuter Ads	Audio Transit Advertising	\$ 60,000.00
RFQ-46062	12/28/2021	Swiftly Inc	Swiftly Annual Renewal for Streetcar & Bus	\$ 224,056.00
RFQ-46171	2/1/2022	Trapeze Software Group	OPS/EAM Integration with MotorPool Add-On	\$ 27,900.00
RFQ-46178	2/1/2022	Genfare	Odyssey Farebox Software Support	\$ 41,458.00
RFQ-46230	2/17/2022	Innovative Cloud Solutions	Great Plains/WorkPlace Renewal	\$ 101,409.82
RFQ-46329	3/1/2022	InfraStrategies, LLC	Strategic Financial Advisory Services	\$ 69,320.00
Grand Total				\$1,018,539.52

Prepared by: Cathy Zickefoose, Director of Procurement & Contracts Administration

Reviewed by: Loretta Kirk, Chief Financial Officer



Federal Grant Update

Adelee Marie Le Grand, AICP
Chief Executive Officer
Hillsborough Transit Authority

Regular Board of Directors Hybrid Meeting
June 21, 2022

Awarded Competitive Federal Grants, 2021-2022



MAY 2022

**FTA's ARPA Route Restoration Planning Grant Program
- \$300,000**



FEBRUARY 2022

**FTA's Passenger Ferry Grant Program
- \$4.86 million**



JANUARY 2022

**FTA Transit Oriented Development Planning
- \$300,000**

Pending Competitive Federal Funding Applications



FY 2021 AREAS OF PERSISTENT POVERTY (AoPP)

- New in 2021, \$16.2 million
- Submitted in August 2021
- Awards are imminent, coming soon

FY 2022 BUS & BUS FACILITIES

- \$25 million to support Heavy Maintenance Facility
- Submitted in May 2022
- Awards likely to be made late Fall

FY 2023 COMMUNITY PROJECT FUNDING REQUEST

- \$5 million to support Bus Stop Improvements
- Submitted by Rep. Castor for consideration in House FY 2023 Transportation-HUD Appropriations bill, which will be marked up in full Committee on June 30
- Completion of FY 2023 appropriations bill likely in December 2022, but could be impacted by outcome of mid-term elections

Upcoming & Open Competitive Federal Grant Programs



OPEN

Transit-Oriented Development, due July 25 (\$13 million)

Safe Streets for All, due September 15 (\$1 billion)

UPCOMING

Reconnecting Communities - Summer 2022 (\$500 million)

Thriving Communities – Summer 2022 (\$30 million)

Ferry Grants – Summer 2022 (\$30 million urbanized area, \$50 million EV)

Consolidated Rail Infrastructure & Safety Improvements (CRISI) – Fall 2022

Areas of Persistent Poverty – Fall 2022

Strengthening Mobility and Revolutionizing Transportation Grant – Fall 2022



Questions?



*Hillsborough Transit Authority
Joint Strategic Planning and External Relations, Operations and Safety, and
Finance and Audit Committee Hybrid Meeting
May 16, 2022*

Meeting Minutes

****Informational Only, Pending Approval****

Attendance in Person		
Committee Members	(4) Staff	(20)
Tyler Hudson	Brian Allan	
Eric Johnson	Michael Bartholomew	
Marvin Knight	Dexter Corbin	
Councilman Gil Schisler	Christopher DeAnnuntis	
	Scott Drainville	
	Bobby Edwards	
	Crystal Edwards	
	Steven Fields	
	Nick Goulbourne	
	Kemly Green	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Dan Rodriguez	
	Dale Smith	
	Gayle Torres	
	Teri Wright	
	Cathy Zickefoose	
Committee Members Absent	(2) Others Present	(1)
Mayor Jane Castor	Julia Mandell, Gray Robinson	
Melanie Williams		
Attendance via Communications Media Technology (CMT)		
Committee Members	(2) Staff	(2)
Commissioner Pat Kemp	Lynda Crescentini	
Commissioner Kimberly Overman	Laura Lizzo	
	Others Present	(1)
	Raquel Valdez, Hillsborough County	

The May 16, 2022 Joint Strategic Planning and External Relations, Operations and Safety, and Finance and Audit Committee Meeting was held in a hybrid format with Joint Committee members physically present in the Florida Conference Room at the HART Administrative Office, 1201 East 7th Avenue, and the rest of the Committee members participating via Communication Media Technology (CMT).

Meeting Minutes

****Informational Only, Pending Approval****

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 10:19 a.m. by Finance and Audit Committee Chair Councilmember Gil Schisler. Commissioner Pat Kemp, Strategic Planning and External Relations Committee Chair, was also present remotely. Director Melanie Williams, Operations and Safety Committee Chair, was absent. Pledge of Allegiance followed.

Staff performed roll call for attendance. Joint Committee members Hudson, Johnson, Kemp, Knight, Overman, and Schisler were present. Joint Committee members Castor, and Williams were absent. Membership for each Committee was as follows:

STRATEGIC PLANNING AND EXTERNAL RELATIONS COMMITTEE

Tyler Hudson
Eric Johnson - Vice Chair
Commissioner Pat Kemp - Chair
Commissioner Kimberly Overman
Councilmember Gil Schisler

OPERATIONS AND SAFETY COMMITTEE

Mayor Jane Castor
Commissioner Pat Kemp
Commissioner Kimberly Overman
Councilmember Gil Schisler - Vice Chair
Melanie Williams - Chair

FINANCE AND AUDIT COMMITTEE

Commissioner Pat Kemp
Marvin Knight
Commissioner Kimberly Overman
Councilmember Gil Schisler - Chair
Melanie Williams - Vice Chair

There was no physical quorum present to form the Committee's recommendations on the committee action items.

Ms. Julia Mandell, HART General Counsel, explained that while there is an overall quorum present through physical attendance and by means of CMT, there was no physical quorum for the meeting meaning that while the meeting proceeds forward, the Committee can form only consensus, not an official recommendation to the full Board of Directors.

Joint Committee Chair Schisler referred the Committee members to the Rules for Participation, and the Roles and Responsibilities of each Committee in the packet.



Meeting Minutes

****Informational Only, Pending Approval****

PUBLIC COMMENT (3 MINUTES PER SPEAKER)

There was no one pre-registered or present for public comment.

APPROVAL OF MINUTES

Approval of the minutes from the April 18, 2022 Strategic Planning and External Relations Committee, Operations and Safety Committee, and Finance and Audit Committee Hybrid Meetings was deferred until a meeting at which a physical quorum will be present.

PRESENTATIONS

Operations and Maintenance Monthly Metrics Report

Mr. Steven Fields, Manager of Transit Logistics, provided data on ridership, on-time performance, route performance, safety and security events, mean distance between failures, peak hour fleet availability, preventable maintenance, and fleet cleanliness. A full copy of the presentation is available upon request from the Board Administrator at JacksonD2@gohart.org.

On-Time Performance Working Group

Mr. Bobby Edwards, Director of Transportation, detailed the background of the On-Time Performance Working Group, spoke about recent concerns, and presented the effective results of a recent pilot program performed by the Group. HART Bus Operator Crystal Edwards shared her experiences as a member on the On-Time Performance Working Group. A full copy of the presentation is available upon request from the Board Administrator at JacksonD2@gohart.org.

Joint Committee member Overman stated that she was happy to hear about the improvements, especially on Routes 10 and 14. She asked for confirmation that the change on Route 10 was an increased frequency of 40 minutes, and asked about the previous frequency.

Mr. Fields confirmed that the Route 10 was moved to a 40-minute frequency to allow for efficiency and proper timepoints.

Joint Committee member Overman asked about the interval between the stops.

Mr. Fields responded that there was one bus on the route which had a 60-minute interval.

Joint Committee member Overman inquired if an increase in vehicles would provide an increase in the intervals.

Mr. Fields answered affirmatively noting that the change to the 60-minute interval allowed for more recovery time in case the route was behind.

Meeting Minutes

****Informational Only, Pending Approval****

Joint Committee member Overman asked about the change in the interval or process for Route 14.

Mr. Fields explained that Route 14 did not have interval changes, but staff did take time from the northern part of the route and added it to the southern part of the route. He further explained that this greatly assisted getting the bus to run on time. Mr. Fields noted that the Route 14 change resulted from a suggestion from the Bus Operators of the On-Time Performance Working Group.

Joint Committee member Overman noted that being on time was very important and inquired about the interval for the Route 14. She noted the need for more buses.

Mr. Fields stated that the Route 14 was on a 60-minute interval.

Joint Committee Chair Schisler stated that the On Time Performance Working Group was a critical group because the problems cannot be fixed until they are known, which cannot happen without all partners communicating. He commented that he believed that the problem roots should be solved by getting everybody involved which was a fantastic approach. He thanked staff for their commitment.

Fuel Budgeting

Mr. Juston Lafler, Director of Fleet Maintenance, presented the Fuel Budgeting presentation that outlined the fuel purchasing process and the budget for future fuel expenses. A full copy of the presentation is available upon request from the Board Administrator at JacksonD2@gohart.org.

Joint Committee member Hudson asked for guidance on how the increasing fuel prices would affect the budgeting process for future years. He also asked for information on how other jurisdictions around the country responded to the increased petrol price. Joint Committee member Hudson stated that he appreciated that the presentation provided information on all bulk fluids, not just petrol.

Mr. Lafler explained that for the current fiscal year, staff offset prices by budgeting based on pre COVID-19 mileage data even though mileage was reduced for the majority of the year. He stated that another option to assist with budgeting was to purchase future fuel which could help with cost saving if the prices did not drop after the purchase which happened in the past.

Joint Committee member Hudson noted that, as the Agency is trying to get more buses on the road, it would be important to be as accurate as possible in forecasting fuel costs in the next year's budget. He asked if there were peer groups that compare fuel cost per mile for CNG, diesel, and electrification since electrification requires energy.

Mr. Lafler explained that based on the reports from the US Energy Information Agency who only anticipated an \$0.08 increase in fuel from last year. He explained that the subject matter experts



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were having a difficult time predicting future prices because of all of the factors involved. Mr. Lafler offered studies to any Board members that would be interested.

Joint Committee member Kemp inquired how many CNG buses HART had compared to diesel buses and if the Agency was looking to reduce diesel buses to zero in the near future.

Mr. Lafler indicated that HART had 85 CNG buses and 47 active diesel buses for a total fleet of 132 buses. He confirmed that the Agency was working on reducing a number of diesel vehicles in fleet.

Joint Committee Chair Schisler asked for a confirmation that the Agency budgeted off of pre COVID-19 mileage even through prices had increased at least \$1 additional per gallon for diesel.

Mr. Lafler explained that the current fiscal year was budgeted with pre COVID-19 numbers which worked in the favor of HART because of the steep increases in prices. He noted that the expense would have been overbudget if COVID-19 ridership was used.

Ms. Adelee Le Grand, Chief Executive Officer, stressed that the budgeting exercise was only used for fiscal year 2022.

Joint Committee Chair Schisler inquired what information was provided to Finance for future budgeting since he believed that fuel would be a major operation expense for the coming year if the price did not stop increasing.

Mr. Lafler stated that, for fiscal year 2023, the Agency would budget for a 10% increase in mileage or 800,000 miles difference from current service. He noted that total fuel cost increased about \$2.5 million over the current year's budget which is a 57% increase from the previous year.

Joint Committee Chair Schisler asked about projections for CNG over the next year.

Mr. Lafler explained that CNG decreased as a result of current trends. He further explained that the more CNG the Agency uses, the less is paid per term of natural gas.

Joint Committee Chair Schisler inquired how many buses were on order.

Mr. Lafler stated that there was no current bus order.

Joint Committee Chair Schisler noted that 16 CNG buses just came online in the last six months and inquired if those buses replaced existing diesel buses.

Mr. Lafler stated that the last 16 CNG buses became active February 1 and did replace existing diesel buses.



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Fiscal Year 2022 Proposed Program of Projects (POP)

Ms. Loretta Kirk, Chief Financial Officer, presented the Fiscal Year 2022 Proposed Program of Projects (POP) that discussed the FY23 budget development calendar, appointment of federal funds, proposed POP, public outreach, other federal funding, and Board action. She introduced Ms. Gayle Torres, Grants Management and Financial Analyst, who majority contributed in the budget process. A full copy of the presentation is available upon request from the Board Administrator at JacksonD2@gohart.org.

Joint Committee member Hudson left the meeting at 11:00am.

COMMITTEE ACTION ITEMS

- 5a. **Recommend the HART Board of Directors Authorize the Chief Executive Officer to Exercise Option Year Three of the Contract with Petroleum Traders Corporation, Palmdale Oil Company, and Mansfield Oil Company of Gainesville for the Delivery of Unleaded (UNL) and Diesel (ULSD) Fuel for Fiscal Year 2023**

Joint Committee member Johnson moved and Joint Committee member Knight seconded a consensus to recommend the HART Board of Directors authorize the Chief Executive Officer to exercise option year three of the contract with Petroleum Traders Corporation, Palmdale Oil Company, and Mansfield Oil Company of Gainesville for the delivery of unleaded (UNL) and diesel (ULSD) fuel for Fiscal Year 2023 to the full HART Board of Directors at the Regular Board Meeting on June 20, 2022. All Joint Committee members present agreed by signifying aye.

- 5b. **Recommend the Board of Directors Authorize the Chief Executive Officer to Execute a Contract Modification with Reladyne Florida, LLC to Increase Bulk Fluid Prices**

Joint Committee member Johnson moved and Joint Committee member Knight seconded a consensus to recommend the Board of Directors authorize the Chief Executive Officer to execute a contract modification with Reladyne Florida, LLC to increase bulk fluid prices to the full HART Board of Directors at the Regular Board Meeting on June 20, 2022. All Joint Committee members present agreed by signifying aye.

- 5c. **Recommend the HART Board of Directors Authorize the Chief Executive Officer to Award a Contract to American Guard Services for Security Guard Services, Inc. in a Not-To-Exceed Amount of \$7,683,024**

Joint Committee member Knight asked to elaborate on the contract since the dollar amount was so large.



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Mr. Jose Marquez, Director of Safety and Security, explained that \$7,683,024 would be for the entire five-year contract to provide two mobile units and security guard services to transfer centers, the Operations Facility, and the Administrative Office.

Joint Committee Chair Schisler inquired about the annual cost for the services, and if the annual rate would be fixed for every year.

Mr. Marquez stated that the annual cost for each of the five years would be fixed at \$1,546,604.80.

Joint Committee member Johnson moved and Joint Committee member Knight seconded a consensus to recommend the HART Board of Directors authorize the Chief Executive Officer to award a contract to American Guard Services for Security Guard Services, Inc. in a not-to-exceed amount of \$7,683,024 to the full HART Board of Directors at the Regular Board Meeting on June 20, 2022. All Joint Committee members present agreed by signifying aye.

Joint Committee member Overman asked why there was no Disadvantaged Business Enterprise (DBE) goal or Small Business Enterprise (SBE) set aside.

Ms. Cathy Zickefoose, Director of Procurement and Contract, explained that there was no DBE goal or SBE set aside because of the funding source and the amount of contract value. She stated that there were no opportunities.

Joint Committee member Overman stated that she found it interesting that there was no DBE goal or SBE set aside for a contract this large and inquired if that was a policy decision.

Ms. Kirk explained that DBE goals were only set on federally-funded projects with work performed by a certified DBE currently in the database to perform those services on a contract with the ability to be divisible in terms of establishing contract and subcontract opportunities for the DBE office to set a goal. She further explained that, since the project was not funded by federal funds, it would not have a DBE goal, but it could have an SBE set aside. Ms. Kirk stated that staff would explore why an SBE set-aside was not attached to the project.

Joint Committee member Knight requested more information on SBE to address similar contracts.

Ms. Kirk stated that she will bring that information for the Committee's review.

- 5d. **Recommend the HART Board of Directors Authorize the Chief Executive Officer to Execute a Contract Modification to Add Task 4 to the InfraStrategies Contract VC00000912 in a Not-To-Exceed Amount of \$36,800 for a Total Contract Not-To- Exceed Amount of \$106,120**

Joint Committee member Overman moved and Joint Committee member Johnson seconded a consensus to recommend the HART Board of Directors authorize the Chief Executive Officer

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to execute a contract modification to add Task 4 to the InfraStrategies Contract VC00000912 in a not-to-exceed amount of \$36,800 for a total contract not-to- exceed amount of \$106,120 to the full HART Board of Directors at the Regular Board Meeting on June 20, 2022. All Joint Committee members present agreed by signifying aye.

- 5e. **Recommend the HART Board of Directors Authorize the Chief Executive Officer to Enter into an Interlocal Agreement with Hillsborough County and Hillsborough Transit Authority, (HART) for Distribution of Mobility Fees**

Joint Committee member Johnson moved and Joint Committee member Overman seconded a consensus to recommend the HART Board of Directors authorize the Chief Executive Officer to enter into an interlocal agreement with Hillsborough County and Hillsborough Transit Authority, (HART) for distribution of mobility fees to the full HART Board of Directors at the Regular Board Meeting on June 20, 2022. All Joint Committee members present agreed by signifying aye.

- 5f. **Recommend the HART Board of Directors Approve the Proposed Program of Projects (POP) and Authorize the Chief Executive Officer to Apply for and Accept All FY2022 Federal Transit Administration (FTA) Funding**

Joint Committee member Johnson moved and Joint Committee member Knight seconded a consensus to recommend the HART Board of Directors approve the proposed Program of Projects (POP) and authorize the Chief Executive Officer to apply for and accept all FY2022 Federal Transit Administration (FTA) funding to the full HART Board of Directors at the Regular Board Meeting on June 20, 2022. All Joint Committee members present agreed by signifying aye.

- 5g. **Recommend the HART Board of Directors Ratify the Labor Contract with the International Brotherhood of Teamsters Union (“Teamsters”) Local #79 and Authorize the Chairperson of the Hillsborough Transit Authority (HART) Board of Directors and the Chief Executive Officer (CEO) to Execute the Contract with Teamsters Local #79 Upon Ratification for the Period from October 1, 2021, to September 30, 2024**

Ms. Le Grand introduced Ms. Teri Wright, Chief Customer Service Officer, and Scott Drainville who were members of the Negotiations Team and thanked them, along with the rest of the team for completing the Collective Bargaining Agreement.

Ms. Wright introduced the wages as negotiated in the proposed contract. She explained that the promotional steps were cut in half and there were some changes to the schedules and training.

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Ms. Drainville reviewed the contract effective dates, a number of employees, and job titles. He explained that the goal for the contract was to be financially responsible while remaining competitive in the marketplace and create a better working environment, which, he believed, staff accomplished.

Joint Committee member Knight inquired if the contract included retroactive pay for the Teamsters employees since their contract expired September 2021.

Ms. Wright answered affirmatively.

Joint Committee Chair Schisler thanked staff and the union representatives for reaching agreement on the new contract.

Joint Committee member Knight moved and Joint Committee member Kemp seconded a consensus to recommend the HART Board of Directors ratify the labor contract with the International Brotherhood of Teamsters Union (“Teamsters”) Local #79 and authorize the Chairperson of the Hillsborough Transit Authority (HART) Board of Directors and the Chief Executive Officer (CEO) to execute the contract with Teamsters Local #79 upon ratification for the period from October 1, 2021, to September 30, 2024 to the full HART Board of Directors at the Regular Board Meeting on June 20, 2022. All Joint Committee members present agreed by signifying aye.

- 5h. **Recommend the HART Board of Directors Ratify the Labor Contract with Amalgamated Transit Union (ATU) Local 1593 and Authorize the Chairperson of the Hillsborough Transit Authority (HART) Board of Directors and the Chief Executive Officer (CEO) to Execute the Contract with ATU Local 1593 for the Period from October 1, 2021, to September 30, 2024**

Joint Committee Chair Schisler asked for an overview of the contract.

Ms. Wright reviewed the wages as negotiated in the proposed contract noting that the most significant change was the entry level pay of a Bus Operator from \$15.75 to \$18.87. She provided the number of ATU employees and explained the importance of becoming competitive in the current market.

Mr. Drainville stated that the goal of the negotiation was to be competitive in the market, be fiscally responsible, and create a better working environment which the team accomplished.

Joint Committee member Knight thanked staff for their work with the process.

Joint Committee Chair Schisler thanked staff and the ATU representatives for working together to accomplish several goals.



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Joint Committee member Kemp stated that this was a great item to come forward and that she was very pleased to see the wage scale taken up to be fair to the employees and be competitive in the community.

Ms. Le Grand stressed that the contract was a collaborative effort to work with both unions to get to a point where the contracts could be presented to the Committee and ultimately, the Board. She explained that it took the commitment of the union members to work with management to find a balance and noted that the contract was not perfect, but was an improvement moving forward. Ms. Le Grand stressed that signing the contract was not the end of the collaborative approach to working with unions and that staff would continue to have open dialogue and find opportunities to make improvements along the way. She thanked all those involved in the process.

Joint Committee member Overman moved and Joint Committee member Johnson seconded a consensus to recommend the HART Board of Directors ratify the labor contract with Amalgamated Transit Union (ATU) Local 1593 and authorize the Chairperson of the Hillsborough Transit Authority (HART) Board of Directors and the Chief Executive Officer (CEO) to execute the contract with ATU Local 1593 for the period from October 1, 2021, to September 30, 2024 to the full HART Board of Directors at the Regular Board Meeting on June 20, 2022. All Joint Committee members present agreed by signifying aye.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

ADJOURNMENT

The meeting adjourned at 11:27 a.m.

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Attendance in Person		
Committee Members	(1) Staff	(9)
Councilman Gil Schisler	Sylvia Berrien Scott Drainville Kemly Green Laura Izzo Danielle Jackson Loretta Kirk Juston Lafler Audry Reeves Cathy Zickefoose	
Committee Members Absent	(3) Others Present	(1)
Marvin Knight Commissioner Kimberly Overman Melanie Williams	Julia Mandell, Gray Robinson	
Attendance via Communications Media Technology (CMT)		
Committee Members	(1) Staff	(0)
Commissioner Pat Kemp		
	Others Present	(1)
	Raquel Valdez, Hillsborough County	

The May 16, 2022 Auditor Selection Committee meeting was held in a hybrid format with Committee members physically present in the Florida Conference Room at the HART Administrative Office, 1201 East 7th Avenue, and the rest of the Committee members participating via Communication Media Technology (CMT).

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 11:34 a.m. by Councilmember Gil Schisler, Auditor Selection Committee Chair.

There was no physical quorum present for any action.

Ms. Julia Mandell, HART General Counsel, indicated that this meeting was to be strictly informational with no action taken.

PUBLIC COMMENT (3 MINUTES PER SPEAKER)

There was no one pre-registered for public comment.

APPROVAL OF MINUTES

Approval of the April 18, 2022 Joint Finance and Audit, and Auditor Selection Committee Meeting Minutes was deferred due to lack of physical quorum.

Meeting Minutes

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DISCUSSION ITEM

Auditor Selection Procurement Informational Meeting

Committee Chair Schisler reminded the Committee that at the April 18, 2022 meeting, the proposed DRAFT Procurement Plan RFP-46345 External Auditor timeline, Proposed Vendor List, and the proposed Statement of Work were all approved by the Committee.

Committee Chair Schisler outlined the tasks required by the Committee at the meeting were to:

1. Receive Bonfire procurement software and Evaluation Instructions
2. Ensure Committee members individually sign the Conflict of Interest Certificate
3. Ensure Committee members individually sign the Non-Disclosure Confidentiality Certificate
4. Ensure Committee members have access to the proposals received

Committee Chair Schisler introduced Ms. Audry Reeves, Contract Specialist III, to guide the Committee through the processes.

Ms. Reeves guided the Committee members through the tasks necessary.

Ms. Loretta Kirk, Chief Financial Officer, announced that she would be supporting the Committee through the process and asked about any specific requests.

Committee Chair Schisler stated that he did not have any specific requests at that time, but he would reach out if any questions arose. He inquired about the due date for the scoring submissions.

Ms. Reeves stated that the scoring submission were due by the next Auditor Selection Committee Meeting on May 25, but she would like all scores in by May 24.

Committee Chair Schisler inquired about schedule of upcoming meetings on May 25.

Ms. Danielle Jackson, Board Administrator, outlined that, on May 25, there was a Finance and Audit Committee Meeting scheduled for 9:00 am and an Auditor Selection Committee meeting scheduled at 10am.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

ADJOURNMENT

The meeting adjourned at 11:52 a.m.

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Committee Members Physically Present (3)

Adelee Marie Le Grand, AICP, Chief Executive Officer
Jan McLean, HART Board General Counsel
Jason Wright, Manager of Risk

Committee Member Present via CMT (1)

Councilmember Gil Schisler, HART Board Appointee Alternate

Committee Member Absent (1)

Loretta Kirk, Chief Financial Officer

Attendees (7)

David Anestal
Brenda Bailey
Michael Bartholomew
Sylvia Berrien
Danielle Jackson
Frank Wyszynski
Lisa Ortega, Court Reporter

The May 24, 2022, Litigations and Claims Committee meeting was held in a hybrid format with quorum physically present in the Florida Conference Room at the HART Administrative Office, 1201 East 7th Avenue, and the rest of the committee members participating via Communication Media Technology (CMT).

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Committee Alternate Councilmember Gil Schisler called the committee meeting to order at 9:20 a.m. Pledge of Allegiance followed.

Staff performed roll call for attendance. Committee members Le Grand, McLean, and Wright were present in person; Committee member Schisler was present via CMT. Committee member Kirk was absent. Additional attendees listed above were announced. A physical quorum was in place to conduct business.

Committee Alternate Schisler referred the Committee members to the Roles and Responsibilities of the Committee provided in the meeting packet.

OPEN SESSION

APPROVAL OF MINUTES

Committee member McLean referred to page six and stated that she was not present during the closed session at the February 22, 2022 Litigation and Claims Committee hybrid meeting and asked that her name be removed. The amended meeting minutes are attached for the record.

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Committee member Le Grand made a motion seconded by Committee member Wright to approve the meeting minutes from the February 22, 2022, Litigation and Claims Committee Hybrid Meeting, with the noted change. Staff performed a roll call vote. Committee members Le Grand, McLean, Schisler, and Wright present voted aye. The motion carried unanimously.

Committee Alternate Schisler inquired who would make the change.

Ms. Danielle Jackson, Board Administrator, stated that she would make the change to the record and attach to the meeting minutes.

PUBLIC COMMENT

No one pre-registered or present to speak.

SUMMARY OF ACTION ITEMS

Mr. Davidson Anestal, Litigation Staff Attorney, summarized the following committee action item:

4.a. Authorization to Increase Settlement Amount and Approve the Settlement Agreement in the Case of Joanne Long v. HART (Case No: 21-CA-005837) for the Sum of \$95,000 for the Incident Occurring on November 29, 2019, on Brandon Town Center Drive in Hillsborough County, Florida (Claim #969190)

Ms. Brenda J. Bailey, Litigation Staff Attorney, summarized the following committee action item:

4.b. Recommend the HART Board of Director Authorize an Increased Settlement Amount and Approval of the Settlement Agreement in the Case of Timothy McGowan v. HART (Case No: 20-CA-9244) for the Sum of \$120,000 for the Incident Occurring on August 23, 2019 on South Howard Avenue and West Horatio Street in Hillsborough County, Florida (Claim #909463)

CLOSED SESSION (Pursuant to Florida Statutes Section 286.011(8))

Committee Alternate Schisler announced the commencement of a closed attorney-client session at 9:28 a.m. to discuss settlement authority. The names of the persons attending were:

Committee Members

Councilmember Gil Schisler, HART Board Appointee Alternate
Adelee Marie Le Grand, AICP, Chief Executive Officer
Jan McLean, HART Board General Counsel
Jason Wright, Manager of Risk

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Also in Attendance:

David Anestal
Brenda Bailey
Lisa Ortega, Court Reporter

CONCLUSION OF CLOSED SESSION

The session was opened again to the public at 9:57 a.m.

ANNOUNCEMENT OF CLOSED SESSION RESULTS

Committee Alternate Schisler announced the re-opening of the open session and indicated that the transcripts of the closed session would not be available until after the litigation concluded in its entirety.

Committee Alternate Schisler stated that during the closed session, the Committee formed consensus on the action items previously announced during the open session.

4.a. Authorization to Increase Settlement Amount and Approve the Settlement Agreement in the Case of Joanne Long v. HART (Case No: 21-CA-005837) for the Sum of \$95,000 for the Incident Occurring on November 29, 2019, on Brandon Town Center Drive in Hillsborough County, Florida (Claim #969190)

Committee member Wright made a motion seconded by Committee member McLean to approve the action item authorization to increase settlement amount and approve the settlement agreement in the Case of Joanne Long v. HART (Case No: 21-CA-005837) for the sum of \$95,000 for the incident occurring on November 29, 2019, on Brandon Town Center Drive in Hillsborough County, Florida (Claim #969190). Committee members Le Grand, McLean, Schisler, and Wright present voted aye. The motion carried unanimously.

4.b. Recommend the HART Board of Director Authorize an Increased Settlement Amount and Approval of the Settlement Agreement in the Case of Timothy McGowan v. HART (Case No: 20-CA-9244) for the Sum of \$120,000 for the Incident Occurring on August 23, 2019 on South Howard Avenue and West Horatio Street in Hillsborough County, Florida (Claim #909463)

Committee member Wright made a motion seconded by Committee member McLean to advance the committee action item to recommend that the HART Board of Directors authorize an increased settlement amount and approval of the settlement agreement in the Case of Timothy McGowan v. HART (Case No: 20-CA-9244) for the sum of \$120,000 for the incident occurring on August 23, 2019 on South Howard Avenue and West Horatio Street in Hillsborough County, Florida (Claim #909463) to the full HART Board of Directors at the Regular Board Meeting on June 20, 2022. Committee members Le Grand, McLean, Schisler, and Wright present voted aye. The motion carried unanimously.



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OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Committee member Le Grand recognized and Mr. Anestal and Ms. Bailey for their presentations to the Committee. She noted that they were both fairly new to the Agency and this was their first Litigations and Claims Committee Meeting.

Committee Alternate Schisler echoed Committee member Le Grand's comments and noted that the presentations made it significantly easier to follow the case and understand what had been done previous to the Committee meeting in order to facilitate action.

ADJOURNMENT

The meeting adjourned at 10:02 a.m.

Attachment: AMENDED February 22, 2022 Litigations and Claims Committee Meeting

**Meeting Minutes****Amended**

Committee Members Physically Present (4)

Rena Frazier, Esquire, HART Board Appointee
Adelee Marie Le Grand, AICP, Chief Executive Officer
David Smith, HART Board General Counsel
Jason Wright, Manager of Risk

Committee Members Present via CMT (1)

Loretta Kirk, Chief Financial Officer

Committee Members Absent (0)**Attendees (5)**

Jeramy Beasley, Agency Counsel
Jan McLean, Gray Robinson
Sean Norfleet, Court Reporter
Lena Petit, Sr. Safety Administrator
Frank Wyszynski, Senior Community Relations Specialist

The February 22, 2022, Litigations and Claims Committee meeting was held in a hybrid format with quorum physically present at the HART Administrative Office, 1201 East 7th Avenue, Florida Conference Room, and the rest of the committee members participating via Communication Media Technology (CMT).

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Committee Chair Rena Frazier called the committee meeting to order at 9:02 a.m. Pledge of Allegiance followed.

Staff performed the roll call for attendance. Committee members Frazier, Le Grand, Smith, and Wright were present in person; Committee member Kirk was present via CMT. Additional attendees listed above were announced.

Committee Chair Frazier referred the Committee members to the Roles and Responsibilities of the Committee provided in the meeting packet.

OPEN SESSION**PUBLIC COMMENT**

No one pre-registered to speak.



Meeting Minutes
****Amended****

ELECTION OF COMMITTEE CHAIR

David Smith, HART Board General Counsel, lead the Committee members through the process.

Committee member Le Grand nominated Committee member Frazer to the position of Chair.

With no other nominations, Committee members unanimously voted to elect HART Board Appointee Rena Frazier as Chair of the Litigation and Claims Committee for calendar year 2022.

APPROVAL OF MINUTES

Committee member Smith recommended a number of changes to the meeting minutes from the June 22, 2021, Litigation and Claims Committee hybrid meeting. The amended meeting minutes are attached for the record.

Committee member Smith made a motion seconded by Committee member Wright to approve the meeting minutes from the June 22, 2021, Litigation and Claims Committee Hybrid Meeting, with the noted changes. Staff performed a roll call vote. All Committee members present voted aye. The motion carried unanimously.

SUMMARY OF ACTION ITEMS

Jeremy Beasley, Agency Counsel, summarized the following committee action items:

5.a. Authorization to Increase Settlement Authority to \$99,000.00 on Liability Claim Number: 830520

5.b. Recommend the HART Board of Directors Authorize an Increase in Settlement Authority on Liability Claim Number: 895745 for an amount not to exceed \$184,819.94

5.c. Recommend the Board of Directors Authorize an Increase in Settlement Authority on Liability Claim Number: 811763 to an amount not to exceed \$269,000.00

CLOSED SESSION (Pursuant to Florida Statutes Section 286.011(8))

Committee Chair Frazier announced the commencement of a closed attorney-client session at 9:08 a.m. to discuss settlement authority. The names of the persons attending were:

Committee Members

Rena Frazier, Esquire, HART Board Appointee
Loretta Kirk, Chief Financial Officer (via CMT)
Adelee Marie Le Grand, AICP, Chief Executive Officer
David Smith, HART Board General Counsel
Jason Wright, Manager of Risk

Meeting Minutes****Amended******Also in Attendance:**

Jeremy Beasley, Agency Counsel

~~Jan McLean, Gray Robinson~~

Sean Norfleet, Court Reporter

CONCLUSION OF CLOSED SESSION

The session was opened again to the public at 9:47 a.m.

ANNOUNCEMENT OF CLOSED SESSION RESULTS

Committee Chair Frazier announced re-opening of the open session and she indicated that the transcripts of the closed session will not be available until after the litigation has concluded in its entirety.

Committee Chair Frazier stated that during the closed session, the Committee formed consensus on the action items previously announced during the open session.

5.a. Authorization to Increase Settlement Authority to \$99,000.00 on Liability Claim Number: 830520

Committee member Smith made a motion seconded by Committee member Le Grand to approve the action item authorizing increase of the settlement authority to \$99,000.00 on Liability Claim Number: 830520. Staff performed a roll call vote. All Committee members present voted aye. The motion passed unanimously.

5.b. Recommend the HART Board of Directors Authorize an Increase in Settlement Authority on Liability Claim Number: 895745 for an amount not to exceed \$184,819.94

Committee member Smith made a motion seconded by Committee member Le Grand to approve the action item to recommend that the HART Board of Directors authorize an increase in settlement authority on Liability Claim Number: 895745 for an amount not to exceed \$184,819.94. Staff performed a roll call vote. All Committee members present voted aye. The motion passed unanimously.

5.c. Recommend the Board of Directors Authorize an Increase in Settlement Authority on Liability Claim Number: 811763 to an amount not to exceed \$269,000.00

Committee member Smith made a motion seconded by Committee member Le Grand to approve the action item to recommend that the Board of Directors Authorize an increase in settlement authority on Liability Claim Number: 811763 to an amount not to exceed \$269,000.00. Staff performed a roll call vote. All Committee members present voted aye. The motion passed unanimously.



Meeting Minutes
Amended

OLD BUSINESS

Agency Counsel Jeramy Beasley provided the Committee with an update on the litigated matter of Safety Vision, LLC. v. HART, which was previously brought before the full Board of Directors. In previously bringing this matter before the full Board of Directors, HART staff sought settlement authority for an amount not to exceed \$575,000.00. Mr. Beasley reported that HART was able to resolve the matter for \$500,000.00, which was significantly less than the full settlement authority initially sought. Mr. Beasley also reported staff has obtained a full and final settlement release and are the process of facilitating the return of the remaining equipment back to Safety Vision.

Committee member Smith provided the Committee with a summary of surtax litigation and the procedural status as a predicate to providing it to the full Board of Directors. During the summary, Committee member Smith summarized the initial filing of the lawsuit and the current dispute surrounding proper venue of the lawsuit. Mr. Smith also discussed how the parties are currently awaiting a hearing date, at which time the Court here in Hillsborough County will discuss the setting up of an affordable and accessible refund process.

ADJOURNMENT

The meeting adjourned at 9:55 a.m.

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Attendance in Person		
Committee Members	(4) Staff	(22)
Commissioner Pat Kemp	Brian Allan	
Marvin Knight	Michael Bartholomew	
Councilman Gil Schisler	Dexter Corbin	
Melanie Williams	Christopher DeAnnuntis	
	Scott Drainville	
	Wanda Dunnigan	
	Bobby Edwards	
	Ron Giroux	
	Nicholas Goulbourne	
	Laura Izzo	
	Danielle Jackson	
	Loretta Kirk	
	Juston Lafler	
	Adelee Marie Le Grand	
	Jose Marquez	
	Moise Pluviose	
	Dale Smith	
	Gayle Torres	
	Cheryl Wilks	
	Teri Wright	
	Frank Wyszynski	
	Cathy Zickefoose	
Committee Members Absent	(0) Others Present	(1)
	Julia Mandell, Gray Robinson	
Attendance via Communications Media Technology (CMT)		
Committee Members	(1) Staff	(1)
Commissioner Kimberly Overman	Lynda Crescentini	
	Others Present	(0)

The May 25, 2022, Finance and Audit Committee meeting was held in a hybrid format with the Committee members physically present in the Florida Conference Room at the HART Administrative Office, 1201 East 7th Avenue, and the rest of the Committee members participating via Communication Media Technology (CMT).

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CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 9:08 a.m. by Councilmember Gil Schisler, Chair of the Finance and Audit Committee. He referred the Committee members to the Rules for Participation, and the Roles and Responsibilities of the Committee in the packet. Pledge of Allegiance followed.

Ms. Julie Mandell, HART General Counsel, stated that since there was no physical quorum present as required by Florida statutes, the Committee could continue with review of the agenda items and presentations to take a consensus vote until the time a physical quorum was present at a regularly scheduled Board meeting.

Staff performed roll call for attendance. Committee members Kemp, Overman, and Schisler were present. Committee members Knight and Williams were absent. There was an overall quorum present, but not a physical quorum present to conduct business.

PUBLIC COMMENT (3 MINUTES PER SPEAKER)

There was no one pre-registered or present for public comment.

APPROVAL OF MINUTES

Approval of the minutes from the April 18, 2022 Finance and Audit Committee Hybrid Meeting was deferred until a physical quorum could be reached.

PRESENTATIONS

Fiscal Year 2023 Proposed Operating Budget, Proposed Capital Budget, and Five Year Capital Plan

Ms. Loretta Kirk, Chief Financial Officer, presented the Fiscal Year 2023 Proposed Operating Budget, Proposed Capital Budget, and Five-Year Capital Plan which discussed the fiscal year budget development calendar, budget assumptions on revenue, schedule of COVID-19 relief funds, projected service, budget assumptions for expenses, and the proposed operating budget. A full copy of the presentation is available upon request from the Board Administrator at JacksonD2@gohart.org.

Committee member Kemp stated that she was pleased that \$16 million would be spent on bus stops which she believed was very important. She referred to slide 9, Budget Assumptions – Expenses, and noted that she was surprised by the fuel costs for Compressed Natural Gas (CNG). Committee member Kemp noted her awareness that HART was moving the rolling stock towards CNG and electric buses, and asked about the five-year capital plan specific to rolling stock.

Mr. Scott Drainville, Chief of Transportation and Maintenance, explained that the vehicle replacement was in line with the transition plan to move to all electric vehicles by 2035. He added that the first year, fiscal year 2023, would be the pilot program with Tampa Electric (TECO) with a bus purchase that would take 16 months for delivery of vehicles, and 9-12 months for installation

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of infrastructure which was the reason why there was no funding allocated in fiscal year 2024. Mr. Drainville stated that during that time, CNG buses would be purchased to replace diesel vehicles. He also noted that the Agency wanted to collect and analyze the data from the pilot program to ensure that the correct zero emissions solution would be chosen.

Committee member Kemp thanked for the information. She asked for confirmation that the general costs were increasing by about 5.9% a year, but ad valorem millage was only increasing by 5%. She pointed out to the public that as other costs were rising, so were the expenses of the Agency as well.

Ms. Kirk stated that ad valorem was projected to increase by 9%, but the current inflation rate was 8.6% so the Agency would be focused on trying to keep the growth and costs less than production to continue operations.

Ms. Adelee Le Grand, Chief Executive Officer, commented on the higher anticipated funding for rolling stock for fiscal year 2027 explaining that additional revenue was anticipated by that time to order additional buses outside of replacing the existing fleet in line with the fleet replacement plan.

Committee member Overman noted that only \$19 million of the \$47 million of the American Rescue Plan (ARP) funding was budgeted for fiscal year 2023, and inquired about the remaining amount. She explained that her reason for the question was because the improved and increased ridership throughout the HART system combined with the current economic pressures seen in the community could create an optimal environment to purchase more buses to bring online for increased frequency on established lines to gain more riders prior to 2027 when bus purchases were scheduled.

Ms. Kirk explained that the ARP funding was for operations and had to be obligated by 2026. She further explained that operating revenues covered about 82% of operating expenses so the remaining funding would be used in future years to assist with operations.

Committee member Overman stated that she could not find information in the presentation where the ARP funding was allocated for operations. She noted that other descriptions of ARP funding that she saw indicated that the funding could be used for capital investment when it would make an economic impact or address those severely disadvantaged as a consequence of COVID-19 which was how the County was using the funding. Committee member Overman stressed that transit was relief valves in the community and increasing the frequency would allow more people to use transit when the one-hour interval could not serve them.

Ms. Mandell noted her understanding from the slides that the intent was for the related committee action item to be heard and finalized for action at the June 20, 2022 Board of Directors meeting. She stressed that there had to be a physical quorum in place at the June 20, 2022 Board of Directors meeting in order to approve the budget. Ms. Mandell stated that this budget had to be approved

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before it could be transmitted by July 1 so it was imperative that there was physical quorum at the Board of Directors meeting.

Ms. Kirk clarified that the budget presented was in a proposed version, not the final version.

Committee Chair Schisler asked how many buses were purchased and received in fiscal year 2022.

Mr. Scott Drainville responded that 16 buses were received, and 15 buses could be purchased for the \$9 million allocated for fiscal year 2023.

Committee Chair Schisler stated that budget presentations did not include actual current year projections to show how the Agency was trending. He spoke about the difficulties in planning a budget for the next year without knowing the differentials from the current year. Committee Chair Schisler noted that it was important for the Board to have the information as well to decide whether they agree with the proposed budget or had further questions.

Ms. Kirk explained that staff did not present the fiscal year 2022 current accruals because that would be presented at the meeting next month with a budget amendment, if needed. She further explained that this presentation was to ensure that the Agency met the July 1 deadline set in the HART Charter. Ms. Kirk reported that the budget was trending at 50% of the expected expenses for 2022. She explained that the Agency was 58% through the fiscal year which meant that the Agency was currently underbudget. Ms. Kirk stated that the current budget would be presented on June 20, but she would be happy to deliver that data in advance, if requested.

Committee Chair Schisler referred to the fund balance reserves and stressed that without the COVID-19 relief funding the Agency would have been in financial trouble. He asked if there was anything in the budget for the fund balance or if any surtax funding was allocated in the budget.

Ms. Kirk indicated that she did not include either.

Committee member Overman asked for an update on the fund balance reserve with current numbers reflected. She recalled that the previous Finance and Audit Committee was caught off when a previous analysis in 2020 indicated that the Agency had exhausted almost all of the reserves. Committee member Overman stated that if the fund balance reserves were not part of future budget and Strategic Planning presentations, she believed that it would be critical that information be included so the Board was aware of how expenditures would impact on the fund balance reserves. She explained that it was the Board's responsibility to act in the best way to assure the commitment to ridership by ensuring that operating funds were available to operate and provide services. Committee member Overman referenced a previous workshop that showed the budget potentials based on the additional revolving dollars and the consequences of the fiscal cliff which was not included in the proposed budget presentation. She thought the data would be important to help the Board determine the revenues necessary to meet the obligations to citizens that are dependent on transit, the HART workforce, and others that work with the Agency; as well

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as, show competence that the Agency was planning accordingly based on expenses and income. Committee member Overman requested that information based on potential expense increases be added to the budget projection.

Joint Committee member Williams physically joined the meeting at 9:49 a.m. Her attendance created a physical quorum.

Ms. Kirk explained that staff would include any requests from the Committee in the future presentations. She stressed that the operating budget of \$111,899,629 without the COVID-19 relief funding would have left the revenues at \$92 million or 18% short. Ms. Kirk explained that the \$19 million was necessary to cover that shortage and that she would develop a chart for the next presentation to show what percent of COVID-19 relief funding was added to balance the budget. She further explained that the Agency would have to significantly decrease expenses to balance the budget without COVID-19 relief funding. Ms. Kirk noted that there was only \$28 million remaining of COVID-19 relief funding to use by 2026, but based on the past practices, the funding would be exhausted before then.

Committee member Overman explained that it was important to present the information that explained that expenses were high because that was the cost to provide transit service. She further explained that this important information would show others that there was clearly no sufficient revenue stream at the current moment to allow HART to traditionally operate the Agency. Committee member Overman stressed that there needed to be recognition that an additional revenue infusion was absolutely necessary to meet responsibilities and ensure that HART was very transparent about that to help find funding partners achieve this goal. She commented that one of those partners could be the voters, but they needed to understand why it was critically important to develop a better revenue mix to provide services to the community. Committee member Overman explained that it was not obvious in the current presentation and she requested that it be made readily clear that other revenue streams were needed to support the Agency long-term.

Committee member Kemp spoke about her history of reviewing the HART budget as a member of the Board; and stressed that HART was the most underfunded transit agency in the nation for metro area of its size by a gigantic amount. She noted that the budget had been critical situation for many years that had been pushed off from year to year. Committee member Kemp stated that 30 routes with 19 of them hourly frequency routes and the other 11 being half hour frequency routes were insufficient for the future of Tampa Bay. She commented that she was very proud of the way HART had been careful with the resources, but it would be very important for the Agency to look at different resources including more support through a sales tax in the future, along with other streams of revenue.

Committee member Williams echoed the sentiments of Committee member Kemp regarding the ability of the Agency to maximize service for the limited funding received. She noted that HART wanted to improve the service, but to accomplish getting additional routes, prioritization of finding a new revenue source would have to occur. Committee member Williams stated that reviewing

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the budget was the first step and thanked staff for the level of detail and transparency in the conversation, but there were critical pain points to address and understand in order to deliver a plan that met as many needs as possible.

Joint Committee member Knight physically joined the meeting virtually at 9:55 a.m.

Ms. Kirk explained that transit was a heavily subsidized industry with user fees or fares only paying for 11.27% of expenses which meant that your subsidies paid for 89% of expenses. She continued that ad valorem funding covered about 55% of expenses, so other sources of revenues would be required, such as the COVID-19 relief funding, but that would be exhausted within the next few years. Ms. Kirk stated that a slide would be added to the future presentations to explain that.

Ms. Le Grand thanked and recognized Ms. Kirk and the entire Finance team that worked diligently to put the budget together while allowing enough time for the leadership team and all departments to actively participate in the process. She also thanked the Finance and Audit Committee for helping staff through the process to understand how to be as prudent as possible. Ms. Le Grand spoke about how she approached the budget through a business lens with the Finance team helping to ensure decisions were based on business acumen and that the Agency was not overspending, but was still meeting the current needs of the community in a way that provided the best quality service possible. She referred to an earlier comment about two-thirds of the routes having frequencies of 60 minutes, and noted that while staff would like to change that, what can be done now it assurance that the service was reliable. Ms. Le Grand assured the Board that HART was moving in the right direction making the service more reliable.

Committee Chair Schisler echoed the previous comments. He noted that the proposed budget was shocking and not easy to put together, but he was confident that the critical nature of the budget could be shown in a way to make it known.

COMMITTEE ACTION ITEM

- 4a. **Recommend HART Board of Directors Approve the Fiscal Year 2023 Proposed Budget and Authorize the Chief Executive Officer to Submit the Approved Proposed Budgets to the City of Tampa, Hillsborough County, and the City of Temple Terrace**

Committee Member Kemp moved and Committee Member Williams seconded a motion to Recommend HART Board of Directors Approve the Fiscal Year 2023 Proposed Budget and Authorize the Chief Executive Officer to Submit the Approved Proposed Budgets to the City of Tampa, Hillsborough County, and the City of Temple Terrace to the full HART Board of Directors at the Regular Board Meeting on June 20, 2022. Staff performed a roll call vote. Joint Committee members Kemp, Knight, Overman, Schisler, and Williams voted aye. The motion passed unanimously.

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OLD BUSINESS

Committee Chair Schisler inquired about the remediation plans from the recent audit.

Ms. Kirk reported that staffing level had increased, including Laura Izzo, Manager of Accounting, who had implemented processes to fix some of the errors. She added that she expected the corrective action plan to be fulfilled by the end of July.

Committee member Overman referred to slide 16 of the budget presentation, FY23-FY27 Five-year Capital Plan, and noted that fiscal year 2027 had \$3.5 million for the CSX study which was not the Transportation Improvement Plan (TIP). She inquired if the HART funding timeline correlated with the projections for when that TIP funding could potentially be made in accordance to the Long Range Transportation Plan or was it pushed back due to lack of revenue streams. Committee member Overman noted that the CSX study was discussed at the Transportation Management Area (TMA) meetings on a regional basis.

Ms. Kirk stated that the five-year plan was subject to modifications and that the project was unplanned in the fiscal year in which the items would be allocated. She stressed that the plan was based on allocations, not funding, but staff allocated based on when they thought the project would happen.

Committee member Overman thanked the entire HART team for their work noting that there are some great opportunities, but also huge challenges. She agreed that the focus on on-time service and reliable services was the right way to go and stated her appreciation of all the efforts to make that happen. Committee member Overman recognized that the CSX study had been on the priority list for 10 years and stated that HART should take advantage of any possible matching revenues. She commented that it was critical to manage expectations on how to move forward on expanding service in the community.

NEW BUSINESS

There was no new business.

ADJOURNMENT

The meeting adjourned at 10:09 a.m.



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Attendance in Person			
Committee Members	(4)	Staff	(5)
Commissioner Pat Kemp		Danielle Jackson	
Marvin Knight		Loretta Kirk	
Councilman Gil Schisler		Adelee Le Grand	
Melanie Williams		Audry Reeves	
		Cathy Zickefoose	
Committee Members Absent	(0)	Others Present	(1)
		Julia Mandell, Gray Robinson	
Attendance via Communications Media Technology (CMT)			
Committee Members	(1)	Staff	(0)
Commissioner Kimberly Overman			
		Others Present	(0)

The May 25, 2022 Auditor Selection Committee meeting was held in a hybrid format with Committee members physically present in the Florida Conference Room at the HART Administrative Office, 1201 East 7th Avenue, and the rest of the Committee members participating via Communication Media Technology (CMT).

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 10:16 a.m. by Councilmember Gil Schisler, Auditor Selection Committee Chair.

Staff performed roll call for attendance. Committee members Kemp, Knight, Overman, Schisler, and Williams were present. There was a physical quorum present to conduct business.

Committee Chair Schisler asked for any vendors present to identify themselves. No vendors were on the line.

PUBLIC COMMENT (3 MINUTES PER SPEAKER)

There was no one pre-registered or present for public comment.

APPROVAL OF MINUTES

Committee member Kemp made a motion seconded by Committee member Overman to approve the meeting minutes from the April 18, 2022 Joint Finance and Audit, and Auditor Selection Committee meeting, and May 16, 2022 Auditor Selection Committee Meeting. Staff performed a roll call vote. Committee members Kemp, Knight, Overman, Schisler, and Williams voted aye. The motion passed unanimously.

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DISCUSSION ITEM

Auditor Selection Procurement Evaluation Meeting

Committee Chair Schisler outlined the members on the Auditor Selection Procurement Evaluation team. He explained that the members independently evaluated and scored the proposals received based on the criteria in solicitation. Committee Chair Schisler stated that each Committee member would give their scores and comments for each firm for qualifications of the firm, qualifications of staff, and technical work plan for a maximum score of 80 points. He further explained that each member of the Selection Committee would discuss the strengths and weaknesses of each proposal in accordance with the evaluation criteria discussed and after meaningful discussion, members could change their scores if they choose to.

Committee Chair Schisler recognized Ms. Audry Reeves, Contract Specialist III, to guide the Committee through the discussion process for the first proposal.

Ms. Reeves presented the scores for the proposal from Cherry Bekaert and each Committee member provided their comments and reasoning for the score provided. Ms. Reeves introduced Ms. Loretta Kirk, Chief Financial Officer, who acted as the subject matter expert to provide her comments.

Ms. Kirk stated that her comments echoed those of the Committee. She noted that both firms who responded had very good qualifications and extensive governmental audit experience, but Cherry Bekaert stood out, in her opinion, because of their experience in transit. Ms. Kirk noted that the other firm, Marcum LLP, concentrated on cities and municipalities in her opinion versus Cherry Bekaert who had previously worked for HART and LYNX. She stated that, in terms of the qualifications of staff, both firms have to have certain qualifications, but again, Cherry Bekaert would be ranked higher because of their experience in transportation. Ms. Kirk stated that technical work plan from Cherry Bekaert was very detailed compared to that from Marcum LLP which was more generalized.

Ms. Reeves presented the scores for the proposal from Marcum LLP and each Committee member provided their comments and reasoning for the score provided. Ms. Reeves introduced Ms. Kirk to provide her comments.

Ms. Kirk noted that both firms were highly qualified, but the emphasis of Marcum seemed to be based on cities and municipalities without transit experience. She referred to the qualifications of the staff noting that they were highly qualified, but did not have anyone on the team with transit experience as an individual. Ms. Kirk stated that the technical work plans for both firms were very close but the plan from Cherry Bekaert was more detailed.

Committee Chair Schisler inquired if any Committee members wanted to change any of their scores. No Committee member indicated that they wanted to change their score.

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Chair Schisler announced that the scores were final and outlined the price proposal. He recognized Ms. Reeves to present the price proposal

Ms. Reeves indicated that Marcum LLP submitted a price for a five-year contract of \$269,375, and Cherry Bekaert submitted a price for a five-year contract of \$407,330. She stated that the final points for the firms were Marcum at 89.75 points, and Cherry Bekaert at 89.73 points

Committee member Knight asked for confirmation that the prices submitted by each firm were for five-year contracts.

Ms. Reeves answered affirmatively.

Ms. Kirk asked what points were given to each firm for pricing.

Ms. Reeves stated that Marcum received 20 points, and Cherry Bekaert received 13.23 points.

Ms. Kirk asked what the estimated cost was for the service.

Ms. Reeves stated that she did not have an answer to that question.

Ms. Kirk stated that she asked that questions because she wanted to review the price for reasonableness.

Committee Chair Schisler noted the big differential between the pricing provided by each firm and stated that he did not understand the reason for it.

Committee member Overman stated that she did not have the pricing when she was reviewing the proposals and noted that the final scores changed drastically because of it. She noted that Marcum LLP had a higher score because of a low cost and Cherry Bekaert had a slightly lower score because of a higher price point. Committee member Overman commented that she could not find the detail on how fees were calculated, what services were provided, the differences in the two contracts, and the details in the work orders available for consideration by the Committee. She stated that the totals appeared as though Marcum would be the best choice because of the price, but she would rather have qualifications of the professionals as the overruling decision here instead of price.

Ms. Julia Mandell, HART General Counsel, stated that she was typically not involved in HART's procurement process, but asked if staff could reach out to the potential vendors for additional information since there was a significant discrepancy in price. She stated that the additional information could ensure that the Committee was measuring the same items or services provided correctly.

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Ms. Cathy Zickefoose, Director of Procurement and Contracts, stated that it would be appropriate, especially with the disparity in pricing to go back to the offerors and get clarification on the pricing or any questions that that the Committee may have.

Committee Chair Schisler inquired if obtaining clarification from the offerors would impact the timeline.

Ms. Kirk stated that obtaining clarification from the offerors would not impact the timeline to make the selection. She asked staff if Marcum LLP's presentation included National Transit Database (NTD) procedures since that was specific to the transit environment. Ms. Kirk stated that Cherry Bekaert would know because of their history with HART so it would be included in their price. She noted her worry that Marcum LLP's pricing was a base pricing that would need to be updated in the future for the NTD reporting procedure. Ms. Kirk inquired about the annual expense of the current contract.

Ms. Zickefoose stated that she did not have that information immediately available.

Ms. Kirk stated that it was important to review the market to know the expected price of a good audit.

Committee member Knight noted many unknown and uncertain factors and asked if a decision had to be made at the current meeting or if it could be postponed to a future meeting after more information was available.

Committee Chair Schisler stated that he was very concerned about the numbers being so different. He asked about next steps.

Committee member Overman made a motion to ask the offerors for the scope of fees and services provided based on the submitted work plans, and that the Committee see that data in the same format as the rest of the scoring criteria for consideration before the item is presented to the full Board of Directors. Committee members Kemp and Knight seconded.

She noted that the information was important for the Committee to conduct a productive comparison to provide guidance.

Committee Chair Schisler inquired if the motion was appropriate in the scope of Procurement.

Ms. Mandell stated that it was appropriate for the Committee to make that motion unless staff had any questions or concerns since they have to ensure that all actions were in line with the current approved Procurement Manual.

Staff indicated that the motion was appropriate based on the Procurement Manual.

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Committee member Overman reminded the Committee that everyone had to sign nondisclosure and conflict of interest forms so the appropriate paperwork should be available to reveal the information necessary to make a good fiduciary related recommendation to the Board as a whole.

Committee Chair Schisler pointed out that the Committee had all other documents needed for value judgments on the other three areas, the Committee just needed the pricing information to continue the due diligence on the selection process.

Committee member Kemp asked if HART always used this procedure for procuring auditing services. She noted that she felt blindsided by the pricing and suggested revising the procedure for the future.

Ms. Zickefoose stated that HART often uses this process for procurement, but staff was evaluating different procedures for pricing for the future. She noted that it was common for the end result to have the highest technically ranked firm be closer to the bottom when pricing was introduced.

Committee member Kemp spoke about other Boards she sat on that dealt directly with contracts and the actual pricing was included in the review. She noted that the current procedure was not serving the Board well and she would like to review that in the future.

Committee member Knight noted that he had never been involved in a procurement procedure like this before during his tenure as a HART Board member.

Committee member Overman spoke about her previous experience serving on the procurement evaluation committee for the state and federal legislative services. She noted that the previous proposals she worked on had pricing throughout the qualifications so there were less questions about the discrepancy in the price.

Committee member Williams thanked Ms. Reeves for the time she took explaining the process and steps to her. She noted that this was her first time participating in a procurement activity and one takeaway she could offer was that there should be more explanation about the process upfront.

Staff performed a roll call vote. Committee members Kemp, Knight, Overman, Schisler, and Williams voted aye. The motion passed unanimously.

Committee Chair Schisler noted that the next step would be for procurement staff to reach out to the offerors for the information and inquired about the expected duration of that process.

Ms. Zickefoose stated that the best processes would be to ensure that staff understood all the clarifications needed from the offerors and noted that she would work with the Committee to get that list together. She explained that the procurement schedule allowed for this item to be presented to the Finance and Audit Committee on June 20, 2022 for recommendation to the full



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Board at their July 18, 2022 meeting. Ms. Zickefoose reminded the Committee of their responsibility to rank and recommend to the full Board, in order of preference, the offeror.

Committee Chair Schisler asked for confirmation that the Committee would still need to meet to review and discuss the findings and results for a formal motion to the full Board.

Ms. Zickefoose confirmed that was correct.

Ms. Kirk suggested scheduling the next meeting on June 20, 2022, following the Finance and Audit Committee meeting for final action on July 18, 2022.

Committee Chair Schisler inquired if information will be sent out prior to the June 20, 2022 Committee meeting or if it would be presented at that time.

Ms. Zickefoose stated that staff will send out the clarifications to the Committee when it was received.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

ADJOURNMENT

The meeting adjourned at 11:52 a.m.



April Board Meeting
Friday, April 22, 2022 – 10:00 AM
Tampa International Airport
Boardroom Level 3
4100 George J. Bean Parkway
Tampa, FL 33607

MINUTES

CALL TO ORDER

Chair Cliff Manuel, Jr. called the meeting to order.

PRESENT

Cliff Manuel, Jr.
Councilmember Deborah Figgs-Sanders
Commissioner Rene Flowers
Secretary David Gwynn
Commissioner Jeff Holcomb
Jim Holton
Commissioner Pat Kemp
Commissioner Janet Long
Nicole Mills - FDOT District 1 (virtual)
Commissioner Kimberly Overman
Executive Director David Green
Legal Counsel Jennifer Cowan

ABSENT

Commissioner Reggie Bellamy
Mayor Jane Castor
Commissioner Kathryn Starkey

COMMITTEE REPORTS

Citizens Advisory Committee Report

Bill Roberts provided a CAC update. The CAC met on April 6. Brandie Miklus gave a presentation on the Tampa Riverwalk Expansion project. Scott Pringle presented on the status of the I-275 RRT project.

Transit Management Committee Report

Jonathan Roberson provided a TMC update. Regional transit needs from each agency have been provided to TBARTA staff. TheBus and PSTA presented their unfunded priorities at the last meeting. The Governing Board will be provided each agency's transit needs each month. FDOT also presented on their call for transit projects. One topic of discussion was what the TMC can do to support the Governing Board. This will also be an agenda item at the next TMC meeting.

Finance Committee Report

Commissioner Flowers provided a Finance Committee update. The budget has a surplus of \$392,334. The Office Lease was discussed and approved along with the Interlocal Agreement for Financial Contributions.

Policy Committee Report

Commissioner Flowers provided a Policy Committee update.

State Legislative Update

Ron Pierce reported that Senator Brandis' bill did not move in the Senate. The legislature approved TBARTA for \$1M in Transportation Disadvantaged funding and \$375k for agency operations. Both items are from non-recurring general revenue.

Federal Legislative Update

Harry Glenn reviewed current Federal Funding Opportunities:

- RAISE Grant - \$3.5B
- Bus & Bus Facilities Grant Program - \$372M
- Low & No Emission Bus Program - \$1.1B
- Multimodal Project Discretionary Grant - \$2.9B
- Nationally Significant Freight & Highway Projects - \$1.64B

Commissioner Holcomb commented that it would be more efficient if funds were given to the State directly and then agencies could allocate funds how they wish. Mr. Glenn responded that most of the funds are given to the State, and the State allocates funds for projects.

Commissioner Overman asked Secretary Gwynn about the State's plan for electric charging stations. Secretary Gwynn responded that Central Office staff is still reviewing where charging stations should be placed. Private partners may be considered since charging stations cannot be placed at rest stops.

Commissioner Overman asked for clarification on why charging stations cannot be placed at rest stops. Secretary Gwynn confirmed there is a law that prohibits charging individuals for charging at rest stops.

Mr. Glenn mentioned that there will be a \$250k funding opportunity for charging stations.

ACTION ITEMSApprove March Board Meeting Minutes

Motion to approve made by Commissioner Flowers. Seconded by Commissioner Long. Motion passed unanimously.

Hernando/Citrus MPO CAC Appointments

Motion to affirm Carlene Reicss and Bob Esposito made by Commissioner Holcomb. Seconded by Commissioner Overman. Motion passed unanimously.

Tampa Bay Area Regional Transit Authority meetings are open to the public. If a decision made at a meeting is appealable, any person who decides to appeal will need a record of the proceedings and may need to ensure a verbatim record of the proceedings is made, including testimony and evidence upon which the appeal is based. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in a Tampa Bay Area Regional Transit Authority meeting is asked to advise the agency at least 2 business days before the meeting by calling 1(800) 998-7433. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800) 955-8771 (TDD) or 1(800) 955-8770 (Voice).

Commissioner Overman asked if the City of Tampa has appointed an alternate to the Governing Board. David Green advised that Staff has not received notice of an appointment yet.

Office Lease

David Green presented a new office lease to the Governing Board. The lease term is 64 months (5 years with 4 months of free rent) beginning July 1, 2022. Base rent starts at \$26.50 per sq ft and totals \$281,687 for the term. TBARTA has the right to terminate for loss of funding but would have to reimburse the landlord for all unamortized improvements, free rent, and commission. No security deposit is required and federal funds can be used to cover the cost of lease payments. The Office Lease was approved by the Finance Committee.

Motion to approve made by Commissioner Long. Seconded by Commissioner Flowers. Motion passed unanimously.

Interlocal Agreement for Financial Contributions

Jennifer Cowan presented an Interlocal Agreement to the Governing Board. The Agreement identifies a funding structure that includes all member jurisdictions, including cities, and would begin in FY2023. Each contributor is asked to pay an amount equal to 17 cents per capita. TBARTA will invoice each contributor for payment. Each contributor's obligation is limited to amounts appropriated and can pay from legally available funds. The agreement has been circulated to all seven member jurisdictions.

Commissioner Kemp asked if all members responded, as it is her understanding that one member would not be contributing.

David Green confirmed that the City of Tampa advised that they would not be able to contribute funds to TBARTA. Commissioner Kemp asked for further clarification on how the invoicing would work if one member chose not to participate.

Ms. Cowan advised that the Interlocal Agreement had not been presented to any of the members' Governing Boards. The agreement is brought before TBARTA's Governing Board to ensure the agreement was approved to go before member Boards. Commissioner Kemp asked how much the increase would be for Hillsborough County. The FY2023 figures total \$722,565.62 and are broken down as follows:

- Tampa - \$69,291.83
- Hernando - \$33,067.55
- Hillsborough - \$248,159.54
- Manatee - \$67,950.70
- Pasco - \$95,521.47
- Pinellas - \$163,048.19
- St. Petersburg - \$45,526.34

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Commissioner Flowers confirmed that Hillsborough County increased from \$222,812.19 to \$248,159.54, or roughly \$25,000.

Commissioner Kemp asked how the per capita calculations are being formulated. Is Staff double counting people that live in Hillsborough County and City of Tampa. Mr. Green replied that this was not an exercise in counting population but rather a methodology for calculating dollar figures. Ms. Cowan commented that the City of Tampa/Hillsborough request is inclusive of 1.5M people in Hillsborough County and 500,000 residents in the City of Tampa. Commissioner Overman clarified that if those are the numbers, then Hillsborough County/City of Tampa is double paying.

Commissioner Long mentioned the formula is flawed because the municipalities are double paying.

Commissioner Flowers commented that the Finance Committee was provided three options for a formula and believed it was fair to apply the same formula to all members. Commissioner Flowers asked that the Interlocal Agreement be brought back before the Finance Committee with the City of Tampa's \$69k pulled out.

Commissioner Kemp clarified that each jurisdiction makes a yearly contribution without an Interlocal Agreement. This Interlocal Agreement is in perpetuity. Ms. Cowan clarified that any member could terminate their involvement with a 30-day notice.

Mr. Holton agreed with Commissioner Flowers that the Interlocal Agreement should be reviewed by the Finance Committee.

Councilmember Figgs-Sanders asked for clarification on what Board members mean by double dipping. Does Pinellas County send money to City of St. Petersburg to pay, or will the payment come from two different pots? It was confirmed that funds would come from different pots.

Commissioner Overman commented that there is no issue with legal language of the agreement but the formula needs to be reviewed. The Governing Board asked that the agreement be re-circulated to all municipalities.

Commissioner Long suggested per capita be used in the Interlocal Agreement but that counties should pay without whatever the city has already paid.

Chair Manuel commented that the goal is 100% participation. The formula is fair, just remove the city's portion from the county's funding.

Commissioner Flowers motion to approve Interlocal Agreement with the following changes. Seconded by Commissioner Long.

- Hillsborough - \$178,867.71
- Pinellas - \$117,521.85

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- City of Tampa - \$69,291.83
- City of St. Petersburg - \$45,526.34
- All other Partners would remain as proposed

Commissioner Holcomb asked for clarification on why the City of Tampa could not pay. City of Tampa advised they do not have financial capability to participate.

Mr. Holton and Councilmember Figgs-Sanders would like the Governing Board to consider what will happen if the City of St. Petersburg or City of Tampa still choose not to participate. Mr. Holton suggested removing members who do not wish to participate.

Commissioner Flowers mentioned that removing members may be an issue when we need to plan service through certain communities.

Commissioner Long mentioned that this is an opportunity to build a better relationship with City of Tampa.

Commissioner Kemp commented that City of Tampa has a negative view of TBARTA. The RRT is not a project that has support from the residents. Commissioner Kemp suggested considering the projects being completed.

Mr. Holton mentioned that he does not wish to kick anyone off the Board but would like full participation from each member.

Ms. Cowan clarified the language that can be put into the Interlocal Agreement. Legal Counsel will add that any contributing county with a contributing city would have its amount reduced by that city's per capita contribution.

Commissioner Kemp suggested it should be based on population.

Motion by Commissioner Flowers to approve the Interlocal Agreement with Counsel's amended language. Any contributing county that has a contributing city located within its boundaries will have its contribution amount decreased by that contributing city's contribution amount. Seconded by Commissioner Overman. Motion passed unanimously.

2022 PTASP Update

The FTA requires transit operators to review, update and certify their plans annually. The PTASP was last updated in April 2021. There are three changes to the PTASP for 2022:

- Performance Matrix Table was updated with 2021 data
- Safety Hotline contact information
- Public safety information resources

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Failure to certify could make TBARTA ineligible for FTA grant funds. Commissioner Holcomb asked for clarification on PTASP updates. Is it correct that when federal funds are accepted, federal guidelines and recommendations must also be accepted, such as wearing masks on public transit? Ken Boden confirmed that is correct.

Motion to approve made by Commissioner Flowers. Second by Commissioner Long. Motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

David Green provided an update. TBARTA is conducting its Second Annual Green Your Commute Challenge from May 15-21. The challenge is a way to help raise the profile of Commute Tampa Bay and promote transportation options that save commuters money and help the environment. Prizes will be awarded to top place companies in small, medium and large size categories for largest savings in CO2 emissions and the most money saved in fuel costs. An individual winner will also be selected at random for a \$100 grand prize.

A new Staff Report is now being provided to Board members each month. The Unfunded Regional Transit Needs list identifies the collective priorities of all Tampa Bay transit agencies. It will serve as a reference of what projects are most needed in the event funding becomes available for any of them.

FY2021 audit results will be presented in May.

PRESENTATIONS

The Governing Board heard a presentation on Electric Vehicle considerations by Scott Pringle and Karen Winger of WSP.

Electric Vehicle Considerations

Standard vs Electric

- \$195k annually in additional air benefits
- \$23k annually in additional energy savings benefits
- \$26k annually in additional greenhouse gas emissions benefits
- \$324k annually in additional safety benefits

Commissioner Long suggested TBARTA partner with PSTA on electric vehicles.

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Commissioner Long asked if TBARTA is going to be operating the buses that are being proposed. Scott Pringle responded that the Governing Board indicated at a previous workshop that TBARTA would not directly operate buses.

Commissioner Flowers supports any effort to have charging stations within communities.

Commissioner Long would like for the Governing Board to consider conducting another workshop involving transit agencies and County partners.

Councilmember Figgs-Sanders does not believe there will be any opposition to electric vehicles.

ADJOURNMENT

The Governing Board adjourned at 12:00 p.m.

****NEXT BOARD MEETING****

May 20, 2022 at 8:30 AM

PSTA

3201 Scherer Drive

St. Petersburg, FL 33716

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MONTHLY REPORTS- APRIL 2021

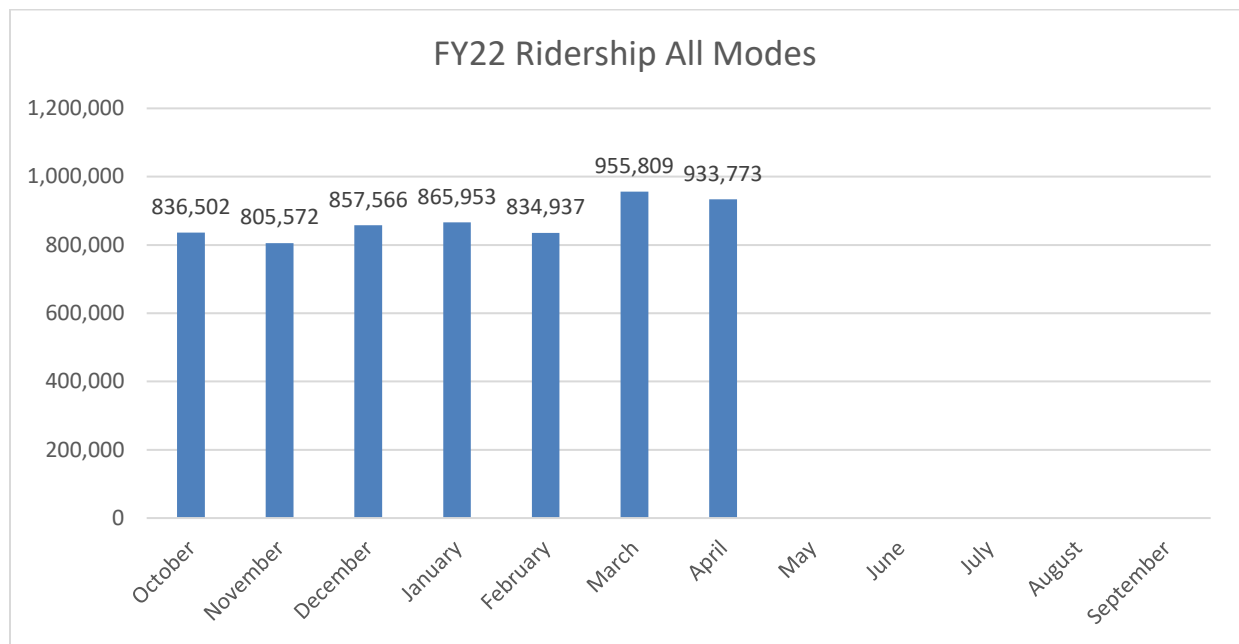
<i>Ridership</i>	<i>2</i>
<i>Maintenance.....</i>	<i>3</i>
<i>Customer Service</i>	<i>3</i>
<i>Capital Development</i>	<i>4</i>
<i>Risk Department.....</i>	<i>5</i>
<i>Communications and Marketing.....</i>	<i>5</i>
<i>COVID-19 Update</i>	<i>9</i>

Ridership

On-Time Performance (OTP)

Bus	
Total Trips / Trips Completed %	43,378 / 99.1%
Paratransit	
Drop-off	86.43%
Pick-up	97.02%
Total Trips / Trips Completed %	14,701 / 96%
Streetcar	
Total Trips / Trips Completed %	4,104 / 98.4%

FY 2022 Ridership – All Modes



FY2022 Fixed Route, Paratransit, and Streetcar Ridership		FY2022
Fixed Route Bus		5,364,404
TECO Streetcar		642,958
ADA Paratransit		104,967
Taxi Voucher		18,684
HART Flex		1,778
Total - All Modes		6,139,963
Wheelchairs on Fixed Route		24,976
Bikes on Buses		85,589

Maintenance

A.

Mean Distance Between Failures (Bus / Van)	4,628 / 7,142
PM Compliance (Bus / Para & Flex)	100% / 100% / N/A%

B. Sanitization

Fleet	4,434 (Total Vehicles)
Facility	6,088 (Hours)

C. Fleet Statistics

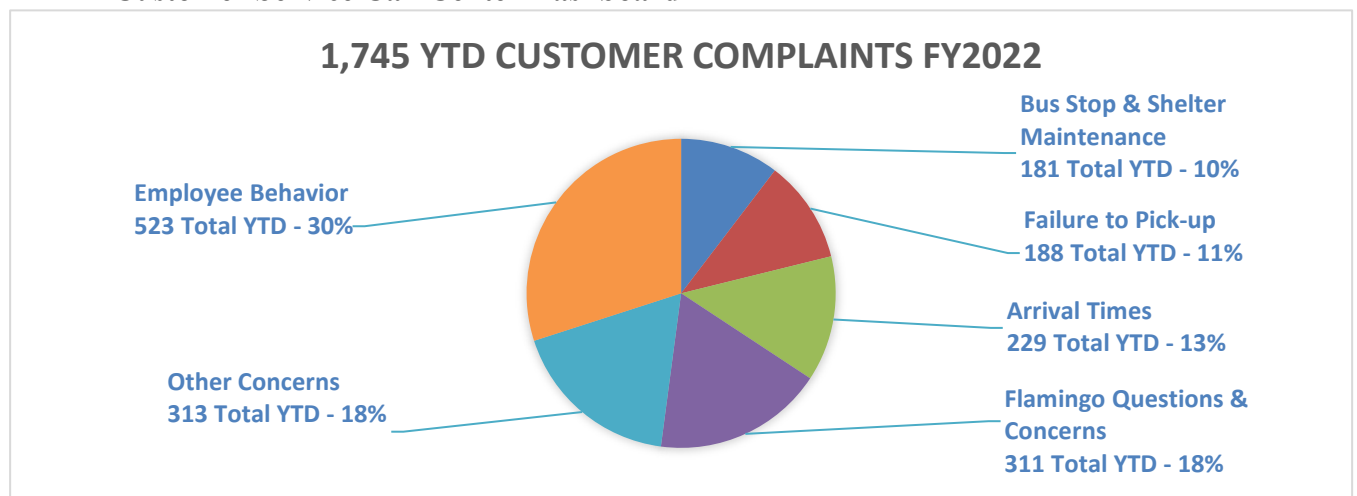
	Number of Vehicles	Total Miles	Preventative Maintenance Completed	Demand Work Orders Completed
Fixed Route	146	590,295	91	667
Flex Service	4	6,668	0	4
Paratransit	81	171,414	30	124
Streetcar	9	10,581	20	40

D. Facilities Maintenance

	Facility Maintenance	Passanger Amentites
Preventative Maintenance Completed	186	14
Demand Work Orders Completed	92	207
Scheduled Projects	7	12
Completed Projects	7	12

Customer Service

HART Customer Service Call Center Dashboard



Monthly Inbound Calls		Average Queue Time	
15,979		00:04:31 Spanish	00:02:27 English

Customer Requests	
263	<u>Complaints:</u> ADA, Flamingo, Building and Bus Stop Maintenance, Arrival Times, Behavior, Claims, Safety, Reckless Driving, OneBusAway, Yellow Cab & Other
27	<u>Commendations</u>
34	<u>Suggestions and Comments</u>
304	<u>Service Requests:</u> Accounting, HARTPlus Sub. & Visitors, Change & TV Machine, Lost Items, Mail, OneBusAway
Total Customer Requests	% Closed Within 10 Days
628	96%

Capital Development

Basic Transit Infrastructure (BTI) Projects
Design Projects <ul style="list-style-type: none"> Hillsborough Community College (Dale Mabry Campus) Project Bus Bay expansion (expanded to accommodate two buses). - In permitting with the City of Tampa. Hillsborough Avenue at Orient Road Project Bring bus stop to ADA compliance, stop was recommended by ADA committee. - Permit has been approved by FDOT. North 34th Street at East Lake Avenue Bring bus stop to ADA compliance. - With Engineer & Procurement Armenia Avenue at Hillsborough Avenue Bring bus stop to ADA compliance. - Permitting phase easement pending. 30th Street at Hillsborough Avenue Project Bring bus stop to ADA compliance, replacing obsolete T-Top Shelter with a new shelter. - The City of Tampa approved the permit, awaiting the construction contract executive's signature. Falkenburg Road at Martin Luther King Bring bus stop to ADA compliance. - With Engineer & Procurement Route 38 Extension

Bring bus stop to ADA compliance. Fourteen (14) bus stops between Parsons & Martin Luther Blvd./ Martin Luther Blvd. & Brandon Blvd.

- Awaiting construction contract executive signature.

Under Construction

- Rome Avenue at Hillsborough Avenue Project
Bring stop to ADA compliance.
 - Project is complete.

Shelters

- HART's current shelters are past their useful life of 10 years. This project objective or goal is to replace the current shelters to meet HART's maximum/ minimum appropriate service-life policy.
 - 1st Article approved. The prototype is to be installed in mid-May.

Risk Department

Bodily Injury and Property Damage Claims (valued as of 3/31/2022)

	March 2022	April 2022	April 2021 Comparison
Opened Claims	24	19	16
Re-Open Claims	2	2	4
Closed Claims	14	28	15
Outstanding Reserves	\$1,342,919.86	\$1,383,067.51	\$1,272,612.76
Total Open Claims	127	121	100

This represents a 9% or \$110,454.75 increase in claim reserves since April 2021.

Workers' Compensation Claims (valued as of 4/30/2022)

	March 2022	April 2022	April 2021 Comparison
Opened Claims	5	4	8
Closed Claims	4	4	10
Outstanding Reserves	\$537,421.09	\$538,981.75	\$777,151.43
Total Open Claims	25	28	31

This represents a 31% or \$238,169.68 decrease in claim reserves since April 2021.

Litigation and Claims Committee

In accordance with the HART Board policy (710 Risk Management – Settlement Policy), staff is to notify the Board about all settlements for amounts greater than \$50,000.

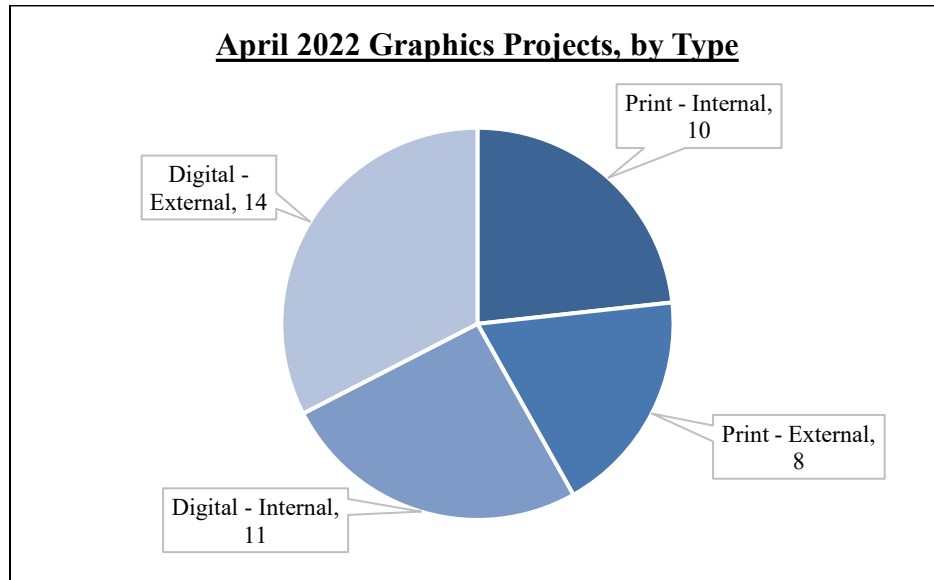
No claims were presented by the Risk and Legal Department to the Litigation and Claims Committee for settlement authority over \$50,000 in the month of April.

Communications and Marketing Division

Creative Services	Apr 2022	YTD *
Graphics Projects completed **	37	306

*YTD = Fiscal Year-to-Date (Oct 2021-Sept 2022)

***Developed in-house by Marketing in support of HART initiatives*

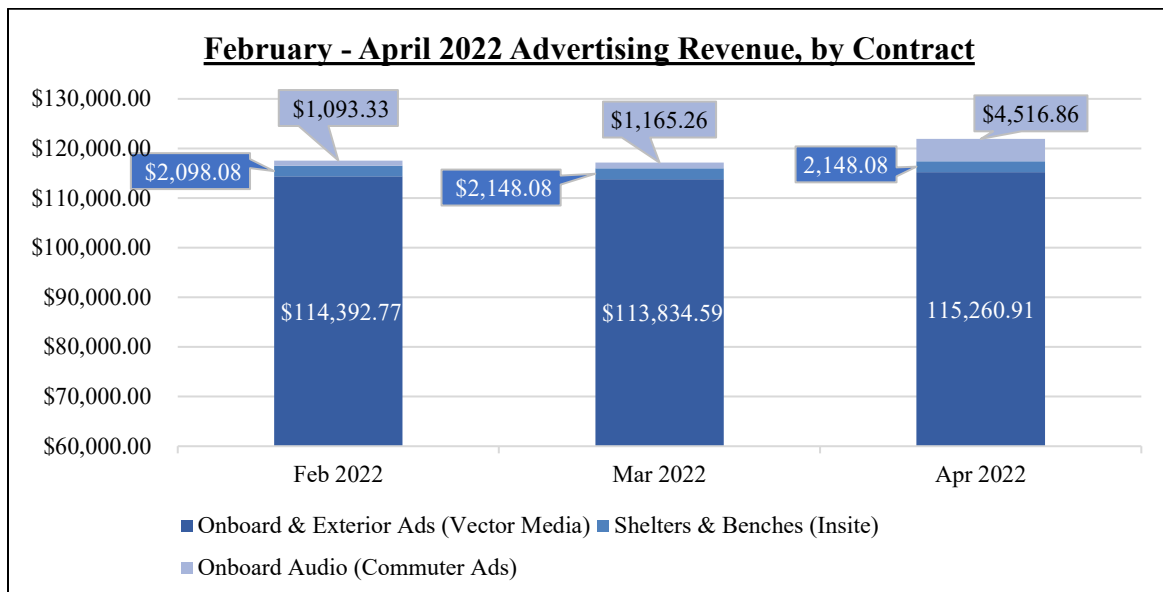


April 2022 Graphics Projects Highlights	
Celebrating Earth Month 2022 Material	April HARTBeat Newsletter - Internal
Coffee with the CEO	La Gaceta Annual West Tampa Special Edition Ad – HART OneBusAway
April 17 Service Changes Material	OneBusAway Tampa Material

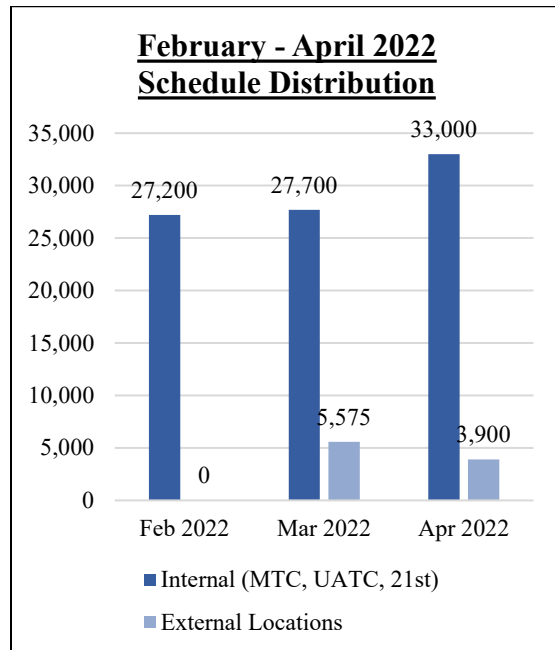
Advertising

	Apr 2021	YTD *
HART Advertising Revenue	\$121,900.85	\$847,690.16

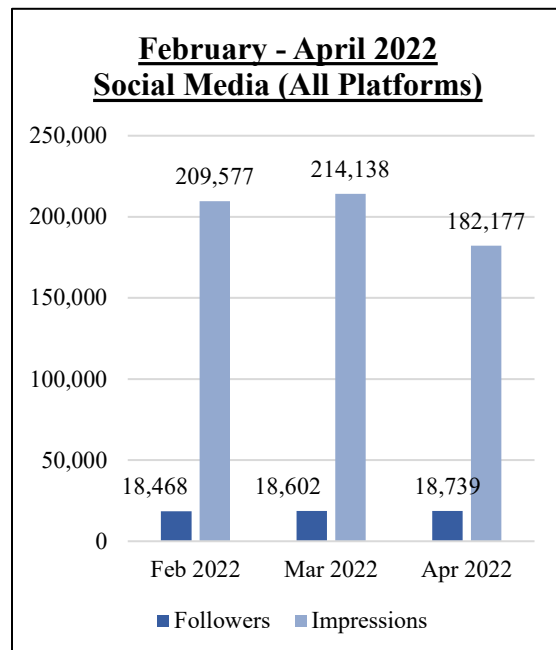
**YTD = Fiscal Year-to-Date (Oct 2021-Sept 2022)*



Field Marketing



Social Media



Media

April 2022 Press Releases	Date
The TECO Line Streetcar Hits Highest Monthly Ridership Ever	4/12/22
HART to Implement Service Changes on Sunday, April 17, 2022	4/15/22

March 2022 Media Coverage	Source
Buoyed by federal grant, HART bus rapid transit enters its next phase with an eye on Fowler Avenue	Tampa Bay Business Journal
TECO Line Streetcar breaks all-time monthly ridership record	Tampa Bay Business Journal
Tampa's TECO Line Streetcar has busiest month ever with 108K rides in March	Florida Politics
Adelee Le Grand building and connecting the transit system in Tampa at HART	Transit Unplugged (Podcast)
Tampa Streetcar ranks second in the nation for overall ridership, has record breaking March	That's So Tampa (blog)
Cross Bay Ferry cruises to record ridership connecting St. Pete, Tampa	ABC Action News
On the Go! with TBARTA #19: Urgent Facility Needs for PSTA and HART	TBARTA's On the Go (Podcast)
1% transportation sales tax referendum moves forward in Hillsborough County	WTSP

Hillsborough sales tax referendum headed to voters	Tampa Bay Times
Report: Hillsborough County could get \$240M from infrastructure bill	Tampa Bay Business Journal
HART, Uber and Lyft make masks optional	WFLA
Maskless riders now OK on Tampa Bay-area transit systems	Tampa Bay Times
Software created to solve Tampa public transit problem helps other agencies in California, France	FOX 13

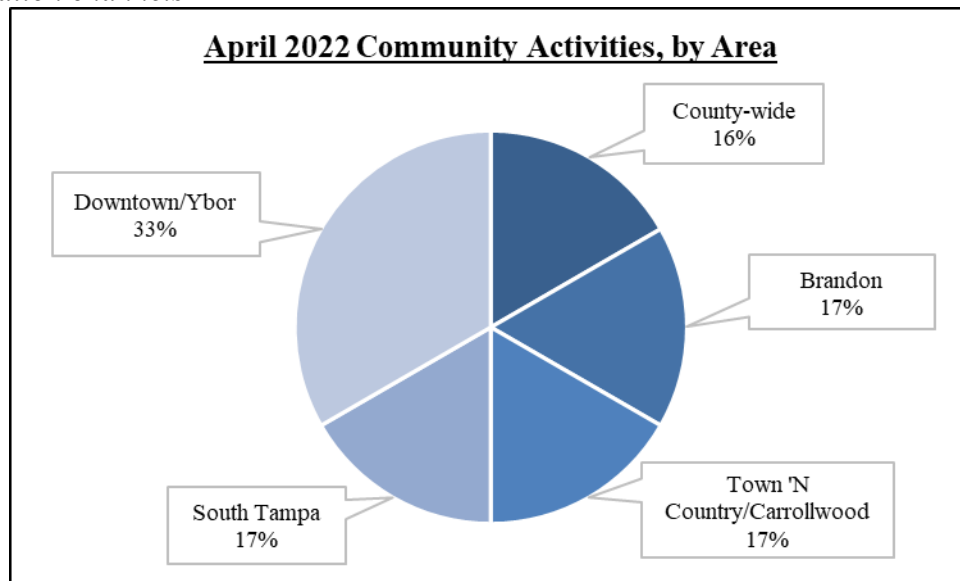
Community & Business Engagement

	Apr 2022	YTD *
Activities attended	6	68
# People engaged **	228	2,545
# People reached ***	866	17,897

*YTD = Fiscal Year-to-Date (Oct 2021-Sept 2022)

**Engaged represents who interacted directly with staff

***Reached represents who were exposed to HART's brand visibility through various communication channels



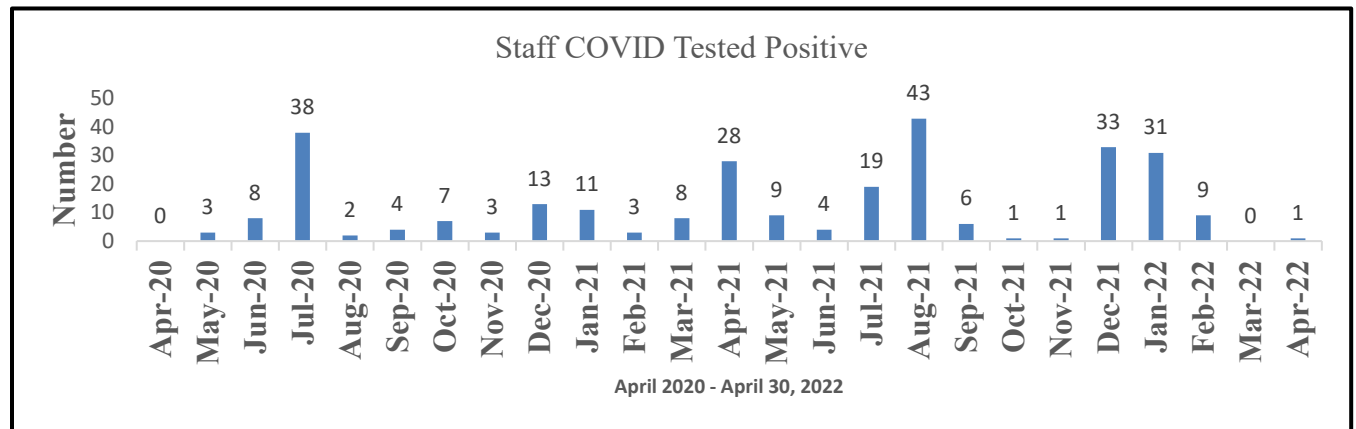
March 2022 Community Activity Highlights	
Hillsborough County Community Partners meeting	University of South Florida Kente Awards and Scholarship Ceremony
Streetcar tour – First Baptist Brandon Christian Academy	Hillsborough Community Homeless Outreach
George Edgecomb Bar Association 39th Annual Scholarship Banquet	N.A.A.C.P. Open House

Update on COVID-19

As of April 30, 2022, only one (1) staff member tested positive for COVID-19. To date, there have been 285 positive test results across the agency.

On April 18, 2022, the Transportation Security Administration (TSA) announced the withdrawal of SD 1582/ 4-21-01E, requiring masks on public transportation and at public transportation facilities. As such, HART no longer requires, but does recommend the use of masks onboard our buses, vans, and streetcars and at our facilities, however HART Operators will no longer be required to enforce the mask requirement on our vehicles.

GRAPH A



GRAPH B

4/30/2022

COVID positives by Department	Number
Headcount	731
Bus	109
Van	36
Motorman	13
Maintenance	57
OCC/Transit Sup	14
Administrative	57
Total	285
Percent of Headcount Tested Positive	37.62%