

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Hollingsworth Board Room, 1212 George Jenkins Blvd, Lakeland, FL 33815
Wednesday, January 12th, 2022, at 8:30 a.m.

Call to Order	<u>Action Required</u>
1. Approval of the October LAMTD Meeting	Approval
2. Public Comments	None
3. Board Elections	Approval
4. Finance / David Persaud, Chief Financial Officer	
a. LAMTD Financials	None
b. PCTS Financials	None
c. TD Financials	None
d. 2022-2023 Section 5311 Formula Grants for Rural Areas	Approval
e. 2021-2022 Section 5339 Formula Grants	Approval
f. Internet Service Provider with Service Upgrade	Approval
5. Legal / Ben Darby, Esq.	
a. VA Clinic Agreement	Approval
6. TWU / Tyrus Richardson, TWU 525 Section Chair	
a. Introduction of Union Chair	None
b. Memorandum of Agreement	Approval
7. Executive Director Report / Tom Phillips	
a. Agency Update(s)	None
8. Executive <u>Informational</u> Summary / Tom Phillips	
a. December Calendar	None
b. Ridership and UAP Update	None
9. Other Business	TBD
Adjournment	

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JAN 12, 2022
AGENDA ITEM #1

Agenda Item:	Approval of the LAMTD Meeting Minutes for December
Presenter:	James Phillips
Policy Analysis:	TA 6 Increase internal communication through systemic processes.
Recommended Action:	Board approval of the LAMTD Meeting Minutes from December.
Attachments:	December 8, 2021 LAMTD Meeting Minutes

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Citrus Connection, Hollingsworth Meeting Room 1212
George Jenkins Blvd., Lakeland, Fl. 33815
Wednesday, Dec 8th, 2021 at 8:30 a.m.

Directors:

Polk County Commissioner Martha Santiago
Polk County Commissioner George Lindsey III
City of Lakeland Commissioner Sara McCarley
City of Lakeland Commissioner Philip Walker
City of Lakeland Mayor Bill Mutz

Executive Director: Tom Phillips

Executive Assistant: James Phillips

Call to Order

8:31am By Commissioner McCarley

Agenda Item #1 – Approval of the Minutes

- a. Board approval of the Oct 2021 LAMTD Meeting Minutes

[Attachments available]

“Approval of meeting minutes for the Oct 2021 LAMTD Meeting”
1st George Lindsey/ 2nd Martha Santiago

MOTION CARRIED UNANIMOUSLY

Agenda Item #2 – Public Comments

Julia Davis – Polk TPO Consultant adoption tomorrow for Major TDP Update. TD to approve plan Monday.

Agenda Item #3 – 3. Approval of Audit Firm/Commissioner Phillip Walker Finance Committee Chairman

The District is required to have an annual audit per Florida Statutes Section 218.391 conducted by an Independent Certified Public Accountant. The Audit Committee is responsible for the Selection of that Auditor. The District must select an Auditor to audit the Fiscal Year End, September 30, 2022 Financial Statements.

Auditor Selection Guidelines are carried out in accordance with Florida Statutes Section 218.391 Auditor Selection procedures when selecting an auditor to conduct the annual financial audit.

1. The District issued a Request for Proposal on September 8, 2021 for an Independent Auditor to audit the District financial statement annually.
2. Each special service district shall establish an audit committee. The primary purpose of the audit committee is to assist the governing body in selecting an auditor to conduct the annual financial audit required in Florida Statutes 218.391, however, the audit committee may serve other audit oversight purposes as determined by the district governing body. The public shall not be excluded from the proceedings in the audit selection process.

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Wednesday, Dec 8th, 2021 at 8:30 a.m.

3. District Staff provided the Audit Committee with technical and procurement assistance along with an evaluation plan.
4. Determining of the most technically qualified firm, within the District's budget was determined by the Audit Committee through a review of the offers received in response to the District's External Audit RFP 21-015
5. As per the Award Analysis (attached):
 - a. Twenty-two firms viewed the solicitation,
 - b. Six offers responded
 - c. All firms were found responsive
 - d. All firms were evaluated both technically and in price with the higher weight given to the technical review.
6. The Evaluation Summary is as follows:

TECHNICAL & PRICE SUMMARY SHEET					
Offeror	Total Price (Base + Opt)	Price Points (300 possible points)	Technical Points (700 possible points)	Total Price + Technical Points	Ranking
Mauldin & Jenkins	\$ 209,700.00	300	693	993	1
Cherry Bekaert LLP	\$ 256,388.00	245	657	903	2
Clifton Larson Allen LLP	\$ 254,189.00	247	636	884	3
Caballero Fierman Llerena & Garcia	\$ 217,232.00	290	586	875	4
MSL PA	\$ 284,000.00	222	645	866	5
Keefe McCullough	\$ 253,500.00	248	589	837	6

“Approval of the selection of Mauldin and Jenkins as recommended by the Finance Committee”
1st George Lindsey/ 2nd Bill Mutz

MOTION CARRIED UNANIMOUSLY

Agenda Item #4 – Finance

a. LAMTD Financials

Lakeland Area Mass Transit District
Monthly Financial Report
Operating Budget. Budget to Actual
For the Year-to-date October 31, 2021
FY 2021-2022

Year to Date October 31, 2021

Description	YTD of FY Budget	YTD Budget \$	YTD Actual \$	YTD of FY Expended	Annual Budget
Revenue YTD	8.3%	\$997,315	\$129,803	13%	\$11.98 Million
Expenses YTD	8.3%	\$997,315	\$685,568	69%	\$11.98 Million

REVENUES:

The total revenues realized year-to-date through October 31, 2021, totaled \$130,000 or 13% of the YTD budget.

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Citrus Connection, Hollingsworth Meeting Room 1212
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Wednesday, Dec 8th, 2021 at 8:30 a.m.

- Farebox revenues reflect \$24,260 or 48% of YTD budgeted revenues through October 31, 2021, due to decline in Ridership and COVID-19.
- Contract revenues (UAP) totaled \$14,620 over the YTD budgeted revenues for UAP (Universal Access Passes).
- Other Contract Revenue Budget totaled \$230,000 for the Atlantic Capital LLC agreement \$.1 million, Winter Haven Services \$92,730 and Bartow Services \$37,310 for shared services. Actual totaled \$1,500.
- Ad Valorem taxes has no activity. The total budgeted revenues are \$5.6 million. Only 95% of the taxes are budgeted by State Law.

Property taxes become due and payable on November 1st, each year. Discounts for early payments are as follows:

- 4% discount is allowed if paid by November
- 3% discount is allowed if paid by December
- 2% discount is allowed if paid by January
- 1% discount is allowed if paid by February

Taxes become delinquent on April 1st of each year. The District normally receives 90% of property taxes by May of each year.

- Interest Income on Investment at the LGIP totaled \$504 under budget.
- Florida DOT operating grants \$1.52 million is being billed quarterly. These grants are on a cash basis which means the services must be provided before we receive grant assistance.
- FTA Section 5307 operating and capital grants budgeted at \$2.93 million. This grant is also on a cash basis which means that the District must expend the funds before we seek grant reimbursement. Since most of the grant funding is used for operations and preventative maintenance the grant reimbursement is received at the end of the fiscal year after State funds is recognized.
- Advertising income reflects \$27,720 in line with the budget and paid quarterly.
- The Support cost reimbursement revenue is in line with budget \$45,950.
- Misc. revenue reflects \$158 under budget.
- The other revenues are showing a lag due to timing and being on a cash basis.

Lakeland Area Mass Transit District
Monthly Financial Report
Operating Budget. Budget to Actual
For the Year-to-date October 31, 2021
FY 2021-2022

EXPENSES:

The total expenses year-to-date through October 31, 2021, totaled \$.69 million or 69% of the YTD budget.

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Citrus Connection, Hollingsworth Meeting Room 1212
George Jenkins Blvd., Lakeland, Fl. 33815
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- Salaries and benefits represent 65% of the FY 2021-2022 budget. As of October 31, 2021, these expenses totaled \$.48 million or 25% under budget of \$.65 million a favorable variance.
- Professional and Technical Services expenses totaled \$20,993 of the YTD budget, and under budget.
- Other services expenses totaled \$2,112 of the YTD budget, under budget for temporary services.
- Fuel expenses totaled \$49,000 YTD, over budget due to fuel price.
- Materials and supplies totaled \$28,000 and under budget for vehicle parts.
- Dues and subscriptions, and office supplies are under budget.
- Property appraiser, Tax Collector Commission and CRA payments under budget since payments are quarterly and annually.
- Fixed and variable cost has contributed to some budget variances since it is a combination of a onetime cost and reoccurring costs.
- The CRA Budget for Tax Year 2021 totaling \$285,000 is not paid.

Other remaining expenses are under the YTD budget through October 31, 2021.

CHANGE IN FINANCIAL CONDITION

Based on the year-to-date budget-to-actual variances through October 31st the financials reflect an unfavorable actual variance of \$.56 million with 8.34% of the fiscal year due to lag in revenues.

STATISTICAL TRENDS LAST FIVE YEARS AUDITED FINANCIAL STATEMENTS

	9/30/20	9/30/19	9/30/18	9/30/17	9/30/16
1. Farebox Recovery Ratio (All modes)	8.48%	10.13%	13.00%	10.04%	13.95%
2. Cost per revenue hour	\$117.66	\$116.62	\$108.42	\$106.94	\$104.76
3. Revenue Hours	146,700	145,405	146,597	142,189	139,228
4. Fuel Cost (\$)	\$744,587	\$949,887	\$1,082,166	\$834,971	\$757,485
5. Ridership	855,409	1,294,771	1,252,600	1,346,211	1,393,620

b. PCTS Financials

Lakeland Area Mass Transit District
Monthly Financial Report
Polk County Transit Contract
Month of October 31, 2021
Year to Date Report
Percent of FY Reported (8.33%)

Revenues

- The revenues totaled \$3.4 million over 100% of the year-to-date budget.
- The FTA grants drawdown shows no activity.
- Fare Revenues totaled \$3,390 or 35% of the year-to-date budget.
- The Polk County City Contributions reflects a payment of \$362,830 in the FY Budget.
- The County funding reflects payments of \$3.1 million for the budgeted grants match.
- The FDOT Grants drawdown reflects no activity.
- Rural Grants Revenues reflects no activity.

Expenses

- Operating expenses consists of labor cost, operating expenses and contract expenses.
- Total expenses for the period totaled \$.41 million or 54% of the year-to-date budget.
- Salaries and wages totaled \$229,200 or 60% of the YTD Budget.
- Operating expenses totaled \$56,660 or 25% of the YTD Budget.
- The contract services are for contractual cost for the several routes with the Contractor Transitions Commute Solutions with expenses YTD totaling \$118,570 or 81% and is under budget.

c. TD Financials

Lakeland Area Mass Transit District
Monthly Financial Report
The Transportation Disadvantaged Program
Month of October 31, 2021
Year to Date Report
Percent of FY Reported (33%)
State FY July 1, 2021, thru June 30, 2022

Revenues

- The revenues totaled \$338,650 or 77% of the year-to-date budget.
- The TD Trust Fund Grant drawdown reflects \$310,450 or 79% of the grant.
- Contract Revenues and other revenues totaled \$90.
- The County funding for the match totaled \$28,114 or 64%.

Expenses

- Operating expenses consists of labor cost, operating expenses and contract expenses.

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- Total expenses for the period totaled \$331,560 or 76% of the year-to-date budget.
- Salaries, wages and benefits totaled \$270,210 or 82% of the YTD Budget.
- Operating expenses totaled \$61,350 or 57% of the YTD Budget.

Operating Results

- Actual Revenues are over expenses by \$7,091.

d. Enhanced Mobility of Seniors and Individuals with Disabilities Grant

This grant provides needed services to citizens in the Lakeland Urbanized Zoning Area through the services of a travel trainer. The District is requesting 5310 grant funding in the amount of \$105,624. This is an 80/10/10 match. FTA will provide \$84,500, FDOT will provide \$10,563 and with match of \$10,562 to be provided by the District. If awarded this program will be included in the 2022-2023 budget.

“Approve of the 2022-2023 Section 5310 grant application and corresponding Resolution for the District for the purpose of continuation of the Travel Trainer Program.”

1st Phillip Walker/ 2nd George Lindsey

MOTION CARRIED UNANIMOUSLY

e. State Block Grant funds for FY 2021-2022

These funds will be utilized to assist the District with administration, management, and operation expenses to provide public transportation services in Polk County. LAMTD FDOT funding under this project is \$902,423 with matching funds required from the District. The County’s FDOT funding under this project is \$668,460 with no County cash contribution required.

“Approve of 2021-2022 PTGA for the utilization of FDOT State Block Grant funds for FY 2021-2022 totaling \$1,570,883.”

1st George Lindsey/ 2nd Martha Santiago

MOTION CARRIED UNANIMOUSLY

Agenda Item #5– Legal

a. New Beginnings UAP Renewal

A renewal to the UAP with New Beginnings to include ridership and Summer of Safety.

“Approve the Universal Access Program between The District and New Beginnings”

1st George Lindsey/ 2nd Mill Mutz

MOTION CARRIED UNANIMOUSLY

b. VA Funding Agreement

An update on the status of the developer agreement between The District and the VA.

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
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c. Independent Contractor Agreement

Agreement between The District and outgoing CFO David Persaud to assist with the transition on an as needed basis.

“Approve the Independent Contractor Agreement”

1st Bill Mutz/ 2nd George Lindsey

MOTION CARRIED UNANIMOUSLY

d. Executive Director Annual Review

Per the contract renewal of the Executive Director on Aug 12, 2020, it is necessary for the board of directors to evaluate the performance and job duties of the Executive Director. This is to notify the board of the formal review process beginning and will conclude at next month's board meeting.

“Approve the annual review as presented. Approve the standard raise of 2.25% with an additional 1%. Move future annual reviews to take effect Oct 1.”

1st George Lindsey/ 2nd Phillip Walker

MOTION CARRIED UNANIMOUSLY

Agenda Item #6 – Executive Director Report

a. Agency Updates

- Thanked David for 7 years of service and for what he did for the District.
- Triennial review time starting
- Bill Knieriem reached out to the FTA/TSA and was able to get an exception for the mask requirements since it is an open-air vehicle.
- The heaters in the building kicked on and caused a panic of black mold in the vents. After an air quality test, the building was determined to be fine.
- Updates on the Squeeze

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BOARD OF DIRECTORS MEETING
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Agenda Item #10 – Executive Director Informational Summary

- a. November Calendar

[Attachment Available]

- b. Ridership and UAP Update

[Attachment Available]

Agenda Item #11 – Other Business

None

Adjournment at 9:51 a.m.

Approved this 12th day of January 2022.

Chair – Lakeland City Commissioner Sara Roberts McCarley

Minutes Recorder – James Phillips

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JAN 12, 2022
AGENDA ITEM #2

Agenda Item: **Public Comments**

Presenter: TBD

Recommended
Action: TBD

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Date: JAN 12, 2021
AGENDA ITEM 3

Agenda Item: **Election of Board Member Positions**

Presenter: Tom Phillips

Recommended
Action: Approve to open the floor for nominations and
 subsequent votes for Chair, Vice-Chair, and Secretary.

Summary: Part of the annual election of our board members to decide
 who will be the next Chair, Vice-Chair, and Secretary.

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 12, 2022
AGENDA ITEM #4a

Agenda Item: November 30, 2021, LAMTD Monthly Financial Statement
FY 2021-22

Presenter: David Persaud, Finance Staff

Recommended
Action: None

Summary: The Interim Financial Statement covers a period of less than one year. The report is used to convey the performance of the District's financial position and budget comparisons – budget to actual on a year-to-date basis. Unlike annual financial statements, Interim Statements do not have to be audited.

Interim financial statements increase communication between the District Board of Directors, management and the public to provide up-to-date financial information and compliance with the budget.

Attachments: See Attachments

Policy Analysis: TA 6 Increase internal communication through systemic processes.

Lakeland Area Mass Transit District
Monthly Financial Report
Operating Budget. Budget to Actual
For the Year-to-date November 30, 2021
FY 2021-2022

Year to Date November 30, 2021

Description	YTD of FY Budget	YTD Budget \$	YTD Actual \$	YTD of FY Expended	Annual Budget
Revenue YTD	17%	\$1,994,630	\$567,223	28%	\$11.98 Million
Expenses YTD	17%	\$1,994,630	\$1,449,587	73%	\$11.98 Million

REVENUES:

The total revenues realized year-to-date through November 30, 2021, totaled \$567,223 or 28% of the YTD budget.

- Farebox revenues reflect \$54,278 or 55% of YTD budgeted revenues through November 30, 2021, due to decline in Ridership and COVID-19. The Ridership is reflecting increase over the last quarter.
- Contract revenues (UAP) totaled \$24,742 over the YTD budgeted revenues for UAP (Universal Access Passes).
- Other Contract Revenue Budget totaled \$230,000 for the Atlantic Capital LLC agreement \$.1 million, Winter Haven Services \$92,730 and Bartow Services \$37,310 for shared services. Actual totaled \$3,000.
- Ad Valorem taxes totaled \$333,621. The total budgeted revenues are \$5.6 million. Only 95% of the taxes are budgeted by State Law.

Property taxes become due and payable on November 1st, each year. Discounts for early payments are as follows:

- 4% discount is allowed if paid by November
- 3% discount is allowed if paid by December
- 2% discount is allowed if paid by January
- 1% discount is allowed if paid by February

Taxes become delinquent on April 1st of each year. The District normally receives 90% of property taxes by May of each year.

- Interest Income on Investment at the LGIP totaled \$1,069 under budget.
- Florida DOT operating grants \$1.52 million is being billed quarterly. These grants are on a cash basis which means the services must be provided before we receive grant assistance.
- FTA Section 5307 operating and capital grants budgeted at \$2.93 million. This grant is also on a cash basis which means that the District must expend the funds before we seek grant reimbursement. Since most of the grant funding is used for operations and preventative maintenance the grant reimbursement is received at the end of the fiscal year after State funds is recognized.
- Advertising income reflects \$27,720 in line with the budget and paid quarterly.
- The Support cost reimbursement revenue is in line with budget \$91,900.
- Misc. revenue reflects \$775 under budget.
- The other revenues are showing a lag due to timing and being on a cash basis.

Lakeland Area Mass Transit District
Monthly Financial Report
Operating Budget. Budget to Actual
For the Year-to-date November 30, 2021
FY 2021-2022

EXPENSES:

The total expenses year-to-date through November 30, 2021, totaled \$1.5 million or 73% of the YTD budget.

- Salaries and benefits represent 65% of the FY 2021-2022 budget. As of November 30, 2021, these expenses totaled \$1.024 million or 20% under budget of \$1.30 million a favorable variance.
- Professional and Technical Services expenses totaled \$31,505 of the YTD budget, and under budget.
- Other services expenses totaled \$7,683 of the YTD budget, under budget for temporary services.
- Fuel expenses totaled \$86,698 YTD, under budget due to fuel price.
- Materials and supplies totaled \$68,513 and under budget for vehicle parts.
- Dues and subscriptions, and office supplies are under budget.
- Property appraiser, Tax Collector Commission and CRA payments under budget since payments are quarterly and annually.
- Fixed and variable cost has contributed to some budget variances since it is a combination of a onetime cost and reoccurring costs.
- The CRA Budget for Tax Year 2021 totaling \$285,000 is not paid.

Other remaining expenses are under the YTD budget through November 30, 2021.

CHANGE IN FINANCIAL CONDITION

Based on the year-to-date budget-to-actual variances through November 30th the financials reflect an unfavorable actual variance of \$.88 million with 17% of the fiscal year due to lag in revenues.

STATISTICAL TRENDS LAST FIVE YEARS AUDITED FINANCIAL STATEMENTS

	9/30/20	9/30/19	9/30/18	9/30/17	9/30/16
1. Farebox Recovery Ratio (All modes)	8.48%	10.13%	13.00%	10.04%	13.95%
2. Cost per revenue hour	\$117.66	\$116.62	\$108.42	\$106.94	\$104.76
3. Revenue Hours	146,700	145,405	146,597	142,189	139,228
4. Fuel Cost (\$)	\$744,587	\$949,887	\$1,082,166	\$834,971	\$757,485
5. Ridership	855,409	1,294,771	1,252,600	1,346,211	1,393,620



LAKELAND AREA MASS TRANSIT DISTRICT

FY 2021 MONTHLY FINANCIAL STATEMENT MONTH OF NOVEMBER 2021

CODE	Account	Month				YTD				Approved Annual Budget
		Actual	Budget	Variance		Actual	Budget	Variance		
				\$'s-Fav/(Unfav)	%			\$'s-Fav/(Unfav)	%	
R4	Farebox/Pass Sales	\$ 30,019	\$ 49,403	\$ (19,383)	-39%	\$ 54,278	\$ 98,805	\$ (44,527)	-45%	\$ 592,830
R6	Contract Income (UAP)	\$ 10,121	\$ 11,196	\$ (1,075)	-10%	\$ 24,742	\$ 22,392	\$ 2,350	10%	\$ 134,350
R3	Other Contract Revenue	\$ 1,500	\$ 19,170	\$ (17,670)	-92%	\$ 3,000	\$ 38,340	\$ (35,340)	-92%	\$ 230,040
R5	Miscellaneous Income	\$ 617	\$ 1,667	\$ (1,050)	-63%	\$ 775	\$ 3,333	\$ (2,559)	-77%	\$ 20,000
R7	Advertising Revenue	\$ -	\$ 8,490	\$ (8,490)	-100%	\$ 27,720	\$ 16,980	\$ 10,740	63%	\$ 101,880
R8	Investment/Interest Income (net)	\$ 565	\$ 3,667	\$ (3,102)	-85%	\$ 1,069	\$ 7,333	\$ (6,264)	-85%	\$ 44,000
R9	Ad Valorum Income, net	\$ 333,621	\$ 469,195	\$ (135,574)	-29%	\$ 333,621	\$ 938,390	\$ (604,769)	-64%	\$ 5,630,340
R10	FDOT Operating Grant	\$ 0	\$ 126,843	\$ (126,842)	-100%	\$ 0	\$ 253,685	\$ (253,685)	-100%	\$ 1,522,110
R11	Federal Operating Grant	\$ -	\$ 244,368	\$ (244,368)	-100%	\$ -	\$ 488,735	\$ (488,735)	-100%	\$ 2,932,410
R13	Cost Recovery	\$ 646	\$ 1,750	\$ (1,104)	-63%	\$ 655	\$ 3,500	\$ (2,845)	-81%	\$ 21,000
R17	City of Lakeland	\$ 14,373	\$ 15,152	\$ (779)	-5%	\$ 29,464	\$ 30,303	\$ (839)	-3%	\$ 181,820
R2	PCTS - Support Cost Reimb.	\$ 45,950	\$ 45,950	\$ -	0%	\$ 91,900	\$ 91,900	\$ -	0%	\$ 551,400
R16	Gain on Disposal of Asset	\$ -	\$ 467	\$ (467)	-100%	\$ -	\$ 933	\$ (933)	-100%	\$ 5,600
TOTAL REVENUES		\$ 437,412	\$ 997,315	\$ (559,903)	-56%	\$ 567,223	\$ 1,994,630	\$ (1,427,407)	-72%	\$ 11,967,780
E1	Salaries	\$ 380,616	\$ 454,760	\$ 74,144	16%	\$ 714,570	\$ 909,520	\$ 194,950	21%	\$ 5,457,120
E2	Employee Benefits	\$ 162,095	\$ 189,963	\$ 27,867	15%	\$ 309,887	\$ 379,925	\$ 70,038	18%	\$ 2,279,550
E3	Advertising Fees	\$ 4,709	\$ 2,158	\$ (2,551)	-118%	\$ 4,989	\$ 4,317	\$ (672)	-16%	\$ 25,900
E4	Professional & Technical Ser	\$ 8,504	\$ 42,235	\$ 33,731	80%	\$ 31,505	\$ 84,470	\$ 52,965	63%	\$ 506,820
E5	Contract Maintenance Services	\$ 8,580	\$ 9,116	\$ 536	6%	\$ 13,432	\$ 18,231	\$ 4,799	26%	\$ 109,388
E6	Other Services	\$ 5,571	\$ 8,521	\$ 2,950	35%	\$ 7,683	\$ 17,042	\$ 9,358	55%	\$ 102,250
E7	Fuel & Lubricants	\$ 39,661	\$ 45,444	\$ 5,783	13%	\$ 86,698	\$ 90,887	\$ 4,189	5%	\$ 545,322
E8	Freight	\$ 734	\$ 1,109	\$ 375	34%	\$ 1,444	\$ 2,218	\$ 774	35%	\$ 13,305
E9	Repairs & Maintenance	\$ 1,077	\$ 4,954	\$ 3,878	78%	\$ 2,779	\$ 9,909	\$ 7,130	72%	\$ 59,453
E10	Materials & Supplies	\$ 40,060	\$ 61,338	\$ 21,277	35%	\$ 68,513	\$ 122,675	\$ 54,162	44%	\$ 736,050
E11	Utilities/Telephone	\$ 12,534	\$ 13,271	\$ 737	6%	\$ 22,142	\$ 26,542	\$ 4,400	17%	\$ 159,250
E13	Insurance Expense	\$ 37,463	\$ 32,599	\$ (4,864)	-15%	\$ 74,925	\$ 65,198	\$ (9,727)	-15%	\$ 391,190
E15	Dues & Subscriptions	\$ 3,350	\$ 3,874	\$ 524	14%	\$ 4,156	\$ 7,748	\$ 3,592	46%	\$ 46,486
E16	Education/Training/Meeting/Travel	\$ 2,120	\$ 11,610	\$ 9,489	82%	\$ 11,292	\$ 23,219	\$ 11,927	51%	\$ 139,315
E17	Service Charges	\$ 331	\$ 1,155	\$ 824	71%	\$ 428	\$ 2,311	\$ 1,883	81%	\$ 13,863
E18	Office Expense	\$ 12,597	\$ 7,503	\$ (5,094)	-68%	\$ 17,911	\$ 15,006	\$ (2,906)	-19%	\$ 90,033
E19	Advertising & Promotions	\$ -	\$ 2,083	\$ 2,083	100%	\$ -	\$ 4,167	\$ 4,167	100%	\$ 25,000
E20	Miscellaneous Expenses	\$ 3,729	\$ 6,720	\$ 2,991	45%	\$ 3,864	\$ 13,441	\$ 9,577	71%	\$ 80,645
E21	Property Appraiser/Tax Collector Comm	\$ 12,562	\$ 15,498	\$ 2,936	19%	\$ 22,913	\$ 30,997	\$ 8,084	26%	\$ 185,980
E22	LDDA, CRA Contributions	\$ -	\$ 23,750	\$ 23,750	100%	\$ -	\$ 47,500	\$ 47,500	100%	\$ 285,000
E23	Capital Expenditures/ Debt Service	\$ 25,228	\$ 56,717	\$ 31,489	56%	\$ 50,456	\$ 113,433	\$ 62,978	56%	\$ 680,600
E24	Bad Debt	\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%	\$ -
E25	Restricted Contingency	\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%	\$ -
TOTAL EXPENDITURES		\$ 761,521	\$ 997,315	\$ (235,794)	-24%	\$ 1,449,587	\$ 1,994,630	\$ (545,043)	-27%	\$ 11,967,780
(OVER)/UNDER EXPENDITURES		\$ (324,110)	\$ -	\$ (324,110)		\$ (882,364)	\$ -	\$ (882,364)		\$ -

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 12, 2022
AGENDA ITEM #4b

Agenda Item: November 30, 2021, Financials for Polk County Transit Services Contract – FY 2021-22

Presenter: David Persaud, Finance Staff

Recommended
Action: None

Summary: The Interim Financial Statement covers a period of less than one year. The report is used to convey the performance of the district's financial position and budget comparisons – budget to actual on a year-to-date basis. Unlike annual financial statements, Interim Statements do not have to be audited.

Interim financial statements increase communication between the District Board of Directors, management, and the public to provide up-to-date financial information and compliance with the budget.

Attachments: See Attachments

Policy Analysis: TA 6 Increase internal communication through systemic processes.

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 12, 2022
AGENDA ITEM #4b

Lakeland Area Mass Transit District
Monthly Financial Report
Polk County Transit Contract
Month of November 30, 2021
Year to Date Report
Percent of FY Reported (17%)

Revenues

- The revenues totaled \$3.4 million over 100% of the year-to-date budget.
- The FTA grants drawdown shows no activity.
- Fare Revenues totaled \$6,391 or 33% of the year-to-date budget.
- The Polk County City Contributions reflects a payment of \$362,830 in the FY Budget.
- The County funding reflects payments of \$3.01 million for the budgeted grants match.
- The FDOT Grants drawdown reflects no activity.
- Rural Grants Revenues reflects no activity.

Expenses

- Operating expenses consists of labor cost, operating expenses and contract expenses.
- Total expenses for the period totaled \$.95 million or 63% of the year-to-date budget.
- Salaries and wages totaled \$484,474 or 64% of the YTD Budget.
- Operating expenses totaled \$221,093 or 50% of the YTD Budget.
- The contract services are for contractual cost for the several routes with the Contractor Transitions Commute Solutions with expenses YTD totaling \$242,913 or 83% and is under budget.

Lakeland Area Mass Transit District
Financial Statement
Polk County Contract
Month of November 2021

Revenue

	Annual Budget	YTD Budget	YTD Actual	Percent Expended
Revenues				
County Match	\$ 3,029,262	\$ 504,877	\$ 3,029,262	600%
Other Contract Revenue - County	\$ -	\$ -	\$ -	
City Contribution	\$ 533,611	\$ 88,935	\$ 362,827	23%
County Contribution - PCTS	\$ -	\$ -	\$ -	
Other Revenue Transfer Cares Funding	\$ -	\$ -	\$ -	
Fares	\$ 117,250	\$ 19,542	\$ 6,391	33%
FDOT Block Grants:				
GOV71/G1481 - WHAT/ADA	\$ 625,820	\$ 104,303	\$ -	0%
RURAL	\$ 1,492,450	\$ 248,742	\$ -	0%
SUNRAIL	\$ 249,740	\$ 41,623	\$ -	0%
FTA				
FTA 5307 Grant	\$ 2,924,537	\$ 487,423	\$ -	0%
Capital Contributions - County	\$ -	\$ -	\$ -	0%
Total	\$ 8,972,670	\$ 1,495,445	\$ 3,398,480	227%

Expenses

	Annual Budget	YTD Budget	YTD Actual	Percent Expended
Labor	\$ 4,552,010	\$ 758,668	\$ 484,474	64%
Contract	\$ 1,750,000	\$ 291,667	\$ 242,913	83%
Operating	\$ 2,670,660	\$ 445,110	\$ 221,093	50%
Capital	\$ -	\$ -	\$ -	0%
Capital - Loughman Route	\$ -	\$ -	\$ -	0%
Total	\$ 8,972,670	\$ 1,495,445	\$ 948,480	63%

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 12, 2022
AGENDA ITEM #4c

Agenda Item: November 30, 2021, Financials for The Transportation Disadvantaged Program– FY 2021-22

Presenter: David Persaud, Finance Staff

Recommended
Action: None

Summary: The Interim Financial Statement covers a period of less than one year. The report is used to convey the performance of the District's financial position and budget comparisons – budget to actual on a year-to-date basis. Unlike annual financial statements, Interim Statements do not have to be audited.

Interim financial statements increase communication between the District Board of Directors, management and the public to provide up-to-date financial information and compliance with the budget.

The Transportation Disadvantaged Program fiscal year starting July 1, 2021 and ends June 30, 2022. The funding is 90% State for the Transportation Disadvantaged Trust Fund and 10% matching funds funded by Polk County. There are some other third-party revenues for contract services.

Attachments: See Attachments

Policy Analysis: TA 6 Increase internal communication through systemic processes.

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 12, 2022
AGENDA ITEM #4c

Lakeland Area Mass Transit District
Monthly Financial Report
The Transportation Disadvantaged Program
Month of November 30, 2021
Year to Date Report
Percent of FY Reported (42%)
State FY July 1, 2021, thru June 30, 2022

Revenues

- The revenues totaled \$429,016 or 78% of the year-to-date budget.
- The TD Trust Fund Grant drawdown reflects \$392,449 or 80% of the grant.
- Contract Revenues and other revenues totaled \$186.
- The County funding for the match totaled \$36,381 or 66%.

Expenses

- Operating expenses consists of labor cost, operating expenses and contract expenses.
- Total expenses for the period totaled \$391,762 or 71% of the year-to-date budget.
- Salaries, wages and benefits totaled \$324,186 or 79% of the YTD Budget.
- Operating expenses totaled \$67,576 or 50% of the YTD Budget.

Operating Results

- Actual Revenues are over expenses by \$32,971.

**Lakeland Area Mass Transit District
Transportation Disadvantage Program
Period Ending - November 2021**

Revenue

	Annual Budget	YTD Budget	YTD Actual	Total YTD
Revenues				
County Match 10%	\$ 131,526	\$ 54,803	\$ 36,381	66%
Contract Revenue	\$ 151	\$ 63	\$ 186	
Adult Day Care		\$ -	\$ -	
FDOT Grants:		\$ -		
CTD Grant -Operating	\$ 1,183,733	\$ 493,222	\$ 392,449	80%
Total	\$ 1,315,410	\$ 548,088	\$ 429,016	78%

Expenditure

	Annual Budget	YTD Budget	YTD Actual	Total YTD
Labor	\$ 990,070	\$ 412,529	\$324,186	79%
		\$ -		
Operating	\$ 325,340	\$ 135,558	\$ 67,576	50%
Total	\$ 1,315,410	\$ 548,088	\$391,762	71%

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Date: January 12, 2022
AGENDA ITEM #4d

Agenda Item: **Federal Transit Administration 2022-2023 Section 5311 Formula Grants for Rural Areas application and Resolution 22-04.**

Presenter: David Persaud, CFO

Recommended
Action: Staff recommend approval of the 2022-2023 Section 5311 grant application and corresponding Resolution for the County Operations.

Summary: This grant provides needed services to citizens in the rural areas of Polk County. The District is requesting 5311 grant funding in the amount of \$1,590,972. This is a 50/50 match. FTA will provide \$795,486 with in-kind match of \$795,972 to be provided by the County.

Attachments: #22-04 Resolution

Resolution #22-04

A RESOLUTION of the Lakeland Area Mass Transit District authorizing the execution of that certain Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation.

WHEREAS, the Lakeland Area Mass Transit District the authority to enter into a PTGA with the Florida Department of Transportation to undertake a project as authorized by Chapter 341, Florida Statutes and/or by the Florida Transit Administration Act of 1964, as amended:

NOW, THEREFORE, BE IT RESOLVED BY THE Lakeland Area Mass Transit District FLORIDA:

1. That the PTGA for Item-Segment-Phase-Sequence (Financial Management Number) 440258-1-84-06 (5311) is approved.
2. That Tom Phillips, Executive Director or their designee is authorized to enter into, modify or terminate the PTGA with the Florida Department of Transportation, unless specifically rescinded.

DULY PASSED AND ADOPTED THIS

January 12, 2022

By: _____

Title Sara Roberts-McCarley, Board Chair.

ATTEST: _____

_____ (Seal)

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Date: JANUARY 12, 2022
AGENDA ITEM #4e

Agenda Item: **Federal Transit Administration 2021-2022 Section 5339 Formula Grants for Rural Areas Award and Resolution 22-05.**

Presenter: David Persaud, Financial Consultant

Recommended
Action: Staff recommend approval of the 2021-2022 Section 5339 grant award and corresponding Resolution for the County Operations.

Summary: This grant provides for the installation of a security cameras system at the Posner Center Park and Ride. The District is requesting 5339 grant funding in the amount of \$35,668. There is no match requirement for this grant award.

Attachments: #22-05 Resolution

Resolution #22-05

A RESOLUTION of the Lakeland Area Mass Transit District authorizing the execution of that certain Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation.

WHEREAS, Lakeland Area Mass Transit District has the authority to enter into a PTGA with the Florida Department of Transportation to undertake a project as authorized by Chapter 341, Florida Statutes and/or by the Florida Transit Administration Act of 1964, as amended:

NOW, THEREFORE, BE IT RESOLVED BY THE Lakeland Area Mass Transit District

1. That the PTGA for Item-Segment-Phase-Sequence (Financial Management Number) 450309-1-94-01 is approved.
2. That Tom Phillips, Executive Director or their designee is authorized to enter into, modify or terminate the PTGA with the Florida Department of Transportation, unless specifically rescinded.

DULY PASSED AND ADOPTED THIS

January 12, 2022

By: _____

Title Sara Roberts-McCarley, Board Chair

ATTEST:

_____ (Seal)

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 12, 2022
AGENDA ITEM #4f

- Agenda Item: **Internet Service Provider with Service Upgrade**
- Presenter: David Persaud
- Recommended Action: Recommend Board approve an \$20,000 increase to the \$50,000 Not to Exceed (NTE) Contract Amount stated within the Internet Services Agreement 20-008.
- Funding Source: Grant reimbursable as an indirect cost, for pending upgrades totaling \$64,752 annually (\$32,376 County and \$32,376 LAMTD). (The additional \$5,248 requested will allow for future service improvements). The total increase of \$20,000 is grant funded.
- Summary: A formal competitive bid was conducted with the District awarding Spectrum Enterprises the Internet Service Contract 20-008. Award was approved, by the Board of Directors, November 2020 for a 5-year term and having an annual not to exceed amount of \$50,000.
- Since that award, the District has found that service, initially requested, can no longer support the usage levels currently required. The increase in cost is attributed to the need to increase the Fiber Internet Access of the County and LAMTD offices to that of 1 GIG.
- Currently the internet service/system does not provide the reliability, redundancy, or the failover (backup operations) necessary for the seamless functionality of the District or to implement essential software upgrades. Service upgrades will also increase internet speed while eliminating outages and lag time agency wide. Said service upgrades will occur at the Bartow Call Center and Winter Haven Terminal/Offices that will result in 1 GIG Fiber Internet Access at these locations. Said service upgrades will also occur at the Lakeland Main Office Building and Lakeland Terminal that will result in 1 GIG Fiber Internet Access at these locations.
- Increasing Fiber Internet Access at both the County and at the Lakeland Locations to 1 GIG provides the following benefits to the District:

AGENDA ITEM #4f – CONT.

- Vastly improve the continued latency issues at 100-200 Mbps (megabytes per second) that the district personnel are currently experiencing. The upgrade mitigates the slow internet connectivity that results from their increasing bandwidth demands (heavy file sharing, required surfacing of websites; video conferencing; and online applications)
- The applications TripSpark and Avail will experience significant effectiveness as they will also have an improvement in latency.
- The upgrades will also meet the recommended 1 GIG Fiber Internet Access requirements associated with a future Cloud Base Camera System Project.

For these reasons, the District seeks approval to increase the not to exceed contract by twenty thousand dollars (\$20,000) annually to \$70,000. The request to increase the annual not exceed amount encompasses the following service upgrade breakdown:

Location	Existing Service	Existing MRC Monthly Recurring Charge	Updated New Service	New MRC	Monthly Cost Difference
Bartow Call Center	100 MEG Fiber Internet Access 50MEG Ethernet Backup	\$670 <u>\$375</u> \$1,045	1 GIG Fiber Internet Access	\$1,349	\$304
Winter Haven Terminal	100 MEG Fiber Internet Access 50MEG Ethernet Backup	\$670 <u>\$375</u> \$1,045	1 GIG Fiber Internet Access	\$1,349	\$304
County Subtotal		\$2,090 MRC		\$2,698 MRC	\$608 MRC
Lakeland Main Offices	100 MEG Fiber Internet Access 50 MEG Ethernet Backup	\$670 <u>\$375</u> \$1,045	1 GIG Fiber Internet Access	\$1,349	\$304
Lakeland Terminal	100 MEG Fiber Internet Access 50 MEG Ethernet Backup	\$160	1 GIG Fiber Internet Access (Fiber would need to be installed and site survey)	\$1,349	\$1,189
Lakeland Subtotal		\$1,205 MRC		\$2,698 MRC	\$1,493 MRC
All Locations		\$3,295 MRC \$39,540 Yrly		\$5,396 MRC \$64,752 Yrly	\$2,101 MRC Increase \$25,212 Yrly Increase

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JAN 12, 2022
AGENDA ITEM #5a

Agenda Item: **VA Funding Agreement**

Presenter: Ben Darby, Esq.

Recommended
Action: Approve the funding agreement as written with tentative
 approval from the developer

Summary: An update on the status of the developer agreement between
 The District and the VA. The developer wishes the service
 sooner than the original timeline and agrees to give LAMTD a
 30-day notice before service would start any time after the
 certificate of occupancy is awarded. LAMTD staff confirms 30
 days is enough time for internal changes to take place to
 accommodate the service.

FUNDING AGREEMENT FOR TRANSIT SERVICES

This Funding Agreement for Transit Services ("this Agreement") is made and entered into as of the ____ day of January, 2022, by and between the Lakeland Area Mass Transit District, an independent special district (the "District"), and Legacy VA Lakeland, LLC, a Nevada limited liability company (the "Developer").

RECITALS:

A. The Developer is finalizing design and permitting for the new Veterans Administration Medical Clinic (the "Project") to be located at 2080 Meadowland Park Boulevard, Lakeland, Florida, on real property described on Exhibit "A" attached hereto (the "Property"). The Property is owned by Developer.

B. As provided in City of Lakeland Ordinance No. 5857, the Developer has certain transportation obligations as a part of the Project.

C. The District operates and manages all public transit services in Polk County, Florida.

D. The District has the power to contract with federal, state, and local governmental agencies, private companies, and individuals concerning the establishment, operation, and maintenance of public mass transportation systems.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representations herein, the parties agree as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

2. Contribution of Funds Towards the Purchase of a Bus. Upon the execution of this Agreement, Developer shall pay \$150,000.00 to the District for the purchase of a shuttle bus with seating for 12 to 15 persons for the transit service described below. The bus will be owned, operated, and maintained by the District. In the event the cost of the bus is less than \$150,000.00, the balance shall be applied to the construction of a transit shelter and amenities. Notwithstanding the foregoing to the contrary, Developer shall have the option to fund such obligation in whole or in part using impact fee credits of up to \$150,000.00. In the event the District has not obtained the shuttle bus purchased pursuant to this section by the commencement

of the service period, it is understood and agreed that the District may use another of its buses for the provision of the services until such bus is obtained.

3. Contribution of Funds Towards the Provision of Transit Service. The Developer shall pay the District \$70,156.80 per year for four (4) consecutive years. The first \$70,156.80 payment shall be made on or before one hundred eighty (180) days after the issuance of the Certificate of Occupancy by the City of Lakeland to the Developer. The remaining three (3) payments shall be made annually on the anniversary date of the first payment. Each of these payments are contingent upon (a) the purchase of a shuttle bus by the District pursuant to this Agreement and (b) the operation of the service described below.

4. Description of Service. The District will manage and operate two (2) bus routes to serve the Project for all 252 service days a year. The routes are currently designated as Orange Line 1 and Orange Line 2. The service will be provided in conjunction with the City's current service interval, which is now a 45 minute frequency interval with a 12 time per day service volume. Notwithstanding any provision to the contrary herein, the District shall have the right to make necessary route changes in the future, including changes that may be required by other regulatory agencies. For example, it may be necessary to adjust routes to maintain Department of Transportation compliance, meet city, county, or other governmental entity's requirements, or other unforeseen issues such as detours, construction closures, financial constraints, road work, or service day changes.

5. Service Period. The service shall begin one hundred eighty (180) days after issuance of the Certificate of Occupancy for the Project (or such earlier date following completion of the Project designated by Developer, provided Developer has made the initial \$70,156.80 payment by such date, and provided Developer has given the District thirty [30] days written notice prior to such date) and end on the fourth anniversary of such start date.

6. Easement Agreement. In the event a transit shelter and amenities are constructed as a part of the Project, the Developer shall enter into an easement agreement for use of a portion of the Property for the transit shelter and other amenities and an access easement agreement for the purpose of permitting the District to access the transit shelter and other amenities. Developer shall be responsible for the costs of the purchase and construction of the transit shelter and amenities. The transit shelter and amenities shall be owned and maintained by the District and

shall be accessible to the public, including access to and from other nearby uses and properties such as Sam's Club, adjacent outparcels, development tracts, and Holloway Park.

7. Transportation Obligations. Developer shall satisfy the Transit-Based Transportation Mitigation and Transportation Demand Management (TDM) Mitigation requirements set forth in Sections 2.B.2. and 2.B.3., respectively, of City of Lakeland Ordinance No. 5857 with respect to the Project.

8. Insurance Requirements. Without increasing its liability hereunder, the District shall maintain during the life of this Agreement the following insurance and shall furnish Developer, in duplicate, certificates of insurance as evidence thereof. Such certificates shall provide that cancellation of said insurance shall not be effected without thirty (30) days prior written notice to Developer. The following insurance shall be required:

- a. Workers' Compensation Insurance and Employer's Liability coverage as required by applicable law.
- b. Commercial General Liability Insurance, written on an occurrence basis with the following limits of liability:

The limit of liability is \$200,000 bodily injury and/or property damage per person or \$300,000 bodily injury and/or property damage per occurrence. These specific limits of liability are increased to \$1,000,000 (combined single limit) per occurrence. These specific limits of liability are increased to \$1,000,000 (combined single limit) per occurrence, solely for any liability resulting from entry of a claims bill pursuant to Section 768.28(5) Florida Statutes of liability/settlement for which no claims bill has been filed or liability imposed pursuant to Federal Law or actions outside the State of Florida.

- c. The District shall pay the premiums for all insurance policies which the District is obligated to carry under this section and, at least thirty (30) days prior to the date any such insurance must be in effect, deliver to Developer a copy of the policy or policies, or a certificate or certificates thereof (on ACORD 27 forms or equivalent), along with evidence that the premiums therefor have been paid for at least the next ensuing quarter-annual period.

9. Termination. At any time during the term of this Agreement, this Agreement may be terminated for any reason, with or without cause, in whole or in part, by either party, upon written notice given at least thirty (30) days in advance of the effective date of termination, subject to compliance with FTA and FDOT requirements. Any termination of the Agreement shall also be subject to the acceptance of an alternative transit plan by the City of Lakeland and Developer to ensure compliance with the transportation mitigation requirements in City of Lakeland Ordinance No. 5857. The City of Lakeland must approve the plan as being compliant with City of Lakeland Ordinance No. 5857.

10. Attorney's Fees and Expenses. If a dispute arises between the parties hereto in connection with this Agreement, each party shall bear their own attorney's fees, costs, and expenses, including any paralegal's fees and any fees and expenses in connection with any appellate proceedings.

11. No Personal Liability. No provision, representation, covenant, or agreement contained in this Agreement, or any obligation herein or therein imposed upon the District or the Developer, or the breach thereof, shall constitute or give rise to or impose any personal liability upon any officer or employee of the District or the Developer.

12. Entire Agreement. This Agreement constitutes the entire agreement between the parties pertaining to the subject matter hereof, and supersedes all prior and contemporaneous agreements, understandings, negotiations, and discussions of the parties, whether oral or written, and there are no warranties, representations, or other agreements between the parties in connection with the subject matter hereof, except as specifically set forth herein.

13. Amendments, Assignments, and Waivers. No amendment, supplement, modification, assignment, or waiver of this Agreement shall be binding unless executed in writing by both parties hereto. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provision of this Agreement, whether or not similar, unless otherwise expressly provided. Each such amendment, supplement, modification, assignment, or waiver of this Agreement shall be filed with the Clerk of the Circuit Court of Polk County, Florida.

14. Public Records. Each party shall comply with Florida's public records law to specifically include without limitation keeping and maintaining public records, and ensuring that

those public records (or applicable portions thereof) which are exempt from disclosure are not disclosed except as authorized by law.

15. Notices. All notices, certificates, or other communications hereunder shall be sufficiently given and shall be deemed given when hand delivered or mailed by registered or certified mail, postage prepaid, with return receipt requested, to the parties at the following addresses:

DISTRICT:	Lakeland Area Mass Transit District Attn: Tom Phillips, Executive Director 1212 George Jenkins Boulevard Lakeland, Florida 33815
DEVELOPER:	Legacy VA Lakeland, LLC Attn: Matt Connolly 600 Galleria Parkway, Suite 995 Atlanta, Georgia 30339

Either of the parties may, by notice in writing given to the other, designate any further or different addresses to which subsequent notices, certificates, or other communications may be sent. Any notice shall be deemed given on the date such notice is actually delivered or attempted delivery is referred.

16. Severability. If any provision of this Agreement or the application thereof to any person or circumstance is held by a court of competent jurisdiction to be partially or wholly invalid or unenforceable for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect other provisions or applications of this Agreement which can be given effect without the invalid provision or application and to this end the provisions of this Agreement are declared severable.

17. Rights Cumulative. All rights, powers, and remedies of the District and the Developer hereunder shall be cumulative and not alternative and shall be in addition to all rights, powers, and remedies given to the District or the Developer by law.

18. Controlling Law and Venue. This Agreement shall be construed and interpreted under the laws of the State of Florida. Any suit brought to enforce this Agreement shall be in the state courts in and for Polk County, Florida.

19. Parties in Interest. This Agreement shall insure to the benefit the District and the Developer. It is not the purpose of this Agreement to render any other party a third party beneficiary hereof.

20. Sovereign Immunity. Nothing contained herein shall operate or be construed as a waiver of the District's limit of liability as set forth in Section 768.28 of the Florida Statutes regardless of whether such claims are based in tort, contract, statute, strict liability, and negligence, product liability or otherwise.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers on the date specified below.

LAKELAND AREA MASS TRANSIT
DISTRICT, an independent special district

By: _____
Printed Name: _____
Title: _____
Date: _____

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was signed, sealed, delivered, and acknowledged before me by means of ☐ physical presence OR ☐ online notarization, this ____ day of January, 2022, by Tom Phillips, Executive Director of the Lakeland Area Mass Transit District, an independent special district, on behalf of the district. He is ☐ personally known to be or ☐ has produced _____ as identification.

Signature of Notary

Name of Notary (Typed, Printed or Stamped)

Commission Number:

My Commission Expires:

[Signatures Continue on Following Page]

LEGACY VA LAKELAND, LLC,
a Nevada limited liability company

By: _____

Printed Name: _____

Title: _____

Date: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was signed, sealed, delivered, and acknowledged before me by means of ☐ physical presence OR ☐ online notarization, this ____ day of January, 2022, by _____, _____ of Legacy VA Lakeland, LLC, a Nevada limited liability company, on behalf of the company. He/she is ☐ personally known to be or ☐ has produced _____ as identification.

Signature of Notary

Name of Notary (Typed, Printed or Stamped)

Commission Number: _____

My Commission Expires: _____

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JAN 12, 2022
AGENDA ITEM #6a

Agenda Item: **Introduction of Union Chair**

Presenter: Tyrus Richardson, TWU 525 Section Chair

Recommended
Action: None

Summary: An introduction of the new Section Chair to the LAMTD board
of directors.

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
JAN 12, 2022
AGENDA ITEM #6b

Agenda Item: **Memorandum of Agreement**

Presenter: Tyrus Richardson, TWU 525 Section Chairman

Recommended
Action: Approve the Memorandum between TWU and LAMTD Board
 of Directors

Summary: The TWU is seeking approval for a section of Article 19 in the
 bidding process to be temporarily suspended due to the ongoing
 pandemic.

**MEMORANDUM OF AGREEMENT REGARDING INFORMAL DISCUSSIONS
BETWEEN
LAKELAND AREA MASS TRANSIT DISTRICT
AND
TRANSPORT WORKERS UNION OF AMERICA
AFL-CIO LOCAL 525**

This Memorandum of Agreement (“MOA”) is entered into by and between Lakeland Area Mass Transit District (“the District”) and Transport Workers Union of America AFL-CIO Local 525 (“Union”) (collectively referred to as the “Parties”):

WHEREAS, the District and the Union are parties to a collective bargaining agreement, effective from October 4, 2020, through September 30, 2023, covering all regular full-time and part-time Apprentice Technicians, Technicians, Master Technicians, Quality Assurance Master Technicians, Parts Procurement & MIS Administrative Specialists, Bus Operators, Bus Operator Trainees, Electronic Technicians, Utility 1 & 2 Technicians, Facility 1 & 2 Technicians, and Parts Technicians (the “CBA”).

WHEREAS, Article 19 of the CBA vests the Union with the authority to administer the bidding process by which Bus Operators may select the routes they prefer to work and those selections are to be effective October 1 of each year as set forth in the CBA;

NOW, THEREFORE, the District and the Union desire to set forth their mutually agreed upon understanding in this MOA as follows:

Solely for the bidding process for the fiscal year commencing October 2021, the District and the Union agree that the Union will temporarily overlook the provision:

If an employee is inactive or has been off work thirty (30) consecutive days or more prior to a sign-up, that operator must have a "Return to Work" medical release from a doctor with no restrictions in order to bid on a run.

The District and the Union agree that, by temporarily suspending this provision, it will relieve any undue burden during the pandemic caused by operators' needs to stay home and stay healthy. Therefore, the period of this temporary suspension of the aforementioned provision of Article 19 will take place to facilitate the needs of the Union. This temporary suspension will last until August of 2022 and will not be a part of the bidding process for the fiscal years commencing October 2022 or October 2023.

This suspension of the shift bid process is separate from the vacation bid process. The vacation bid process will proceed as normal under the CBA.

[Signature Lines Contained On The Next Page]

Date: _____

For the Union:

Tyrus Richardson, TWU Section Chair

Date: _____

For the District:

Commissioner Sara Roberts
McCarley, Chair

Commissioner Martha Santiago

Commissioner Phillip Walker

Commissioner George Lindsey III

Mayor William H. Mutz

Tom Phillips, Executive Director

49844999.1

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Date: JAN 12, 2022
AGENDA ITEM 7a

Agenda Item: **Agency Updates**

Presenter: Tom Phillips

Recommended
Action: Informational

Summary: Items and information from the Executive Director

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Date: JAN 12, 2022
AGENDA ITEM 8a

Agenda Item: **December calendar**

Presenter: Tom Phillips

Recommended
Action: Informational

Summary: Review and summary of events taken place in December.

Today < >			December 2021			Washington, D.C. >			Today 40° F / 28° F			Tomorrow 32° F / 20° F			Saturday 30° F / 25° F			Month >		
Sunday			Monday			Tuesday			Wednesday			Thursday			Friday			Saturday		
Nov 28			29			30			Dec 1			2			3			4		
← Out of Office- England			11:00am Introduction of Department Directors and questions; Hollingsworth...			8:30am Interview			9:00am Senior Staff Call - CFO Candidate Evaluation; https://us02web.zoom.us/j/81950698488?pwd=R3MxOU9QblhObUowUGZ0ekZVeWILUT09; James Phillips			8:00am Repatha			Copy: Board of Directors, Performance Indicator Data, due COB 3rd working day of ever					
			12:30pm Lunch with Applicant; Tom Phillips			9:30am Applicant meets w/Finance Team			https://us02web.zoom.us/j/81950698488?pwd=R3MxOU9QblhObUowUGZ0ekZVeWILUT09; James Phillips			9:30am Dec Monthly LAMTD Board Direction Meeting ; James Phillips			8:00am 1-on-1 w/Marcia; Starbucks; 1590 N Broadway Ave, Bartow, FL 33830					
			2:00pm Field Trip of the District with Ap...			11:30am 1-on-1 w/HR; Tom Phillips			10:00am Procurement Approvals; Tom's Office; James Phillips			11:00am FSC Canvasing ; James Phillips			11:30am Orlando Health Lakeland Highlands Hospital - Citrus Connection ...					
			4:00pm Discussion of Benefits with CFO...									2:00pm 1/1 with David Persaud; Executive Office; Tom Phillips			6:00pm Leadership Lakeland XXX Christmas Party; Steve & Jane's House; ...					
			4:00pm LEDC Annual Meeting; 502 E. M...									7:00pm Lakeland Christmas Parade; Jam...			6:30pm Holiday Christmas Party -Steve ...					
5			6			7			8			9			10			11		
			10:00am 1-on-1 w/HR; Tom Phillips			9:30am Gents - Jason			8:30am LAMTD December Board Meeting; 1212 George Jenkins Blvd, Lakeland, FL 33815; James Phillips			8:30am 1-on-1 w/Jay; Tom's Office; Tom Phillips			8:00am 1-on-1 w/Marcia; Starbucks; 1590 N Broadway Ave, Bartow, FL 33830					
			11:30am Lunch with Chiz									9:00am FW: TPO Board Meeting; Polk County Administration Building, 330 W...			11:30am Triennial ; Board Room ; Rodney Wetzel					
												12:00pm Polk Transit Authority; Polk Co...			2:00pm Polk County Briefing on 2021 Florida Gas Transmission 16-Inch St. Pet...					
												2:00pm 1/1 with David Persaud; Executiv...			3:30pm Meeting with Citrus Connection...					
												3:30pm Booster; Plantation Square								
12			13			14			15			16			17			18		
			10:00am 1-on-1 w/HR; Tom Phillips			8:30am Email Ridership Update to LAMTD Board of Directors			11:30am Senior Staff Lunch; Ax-Caliber Axe Venue and Coffee House; 204 E Orange St #102, Lakeland, FL 33801; James Phillips			8:00am Repatha			8:00am 1-on-1 w/Marcia; Starbucks; 1590 N Broadway Ave, Bartow, FL 33830					
						10:00am Senior Staff Call; https://us02web.zoom.us/j/81950698488?pwd=R3MxOU9QblhObUowUGZ0ekZVeWILUT09; James Phillips						11:30am White Elephant; James Phillips			12:00pm Lakeland - Kiwanis					
						11:00am 1-on-1 w/Lisa; Tom Phillips						2:00pm 1/1 with David Persaud; Executive Office; Tom Phillips								
19			20			21			22			23			24			25		

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Date: JANUARY 12, 2022
AGENDA ITEM #8b

Agenda Item: **Ridership Report**

Presenter: Tom Phillips, ED

Recommended
Action: Information only

Summary: Year to date ridership information for the entire system
including LAMTD, Winter Haven, Rural and Demand
Response through November 30, 2021

Attachments: Ridership Report.

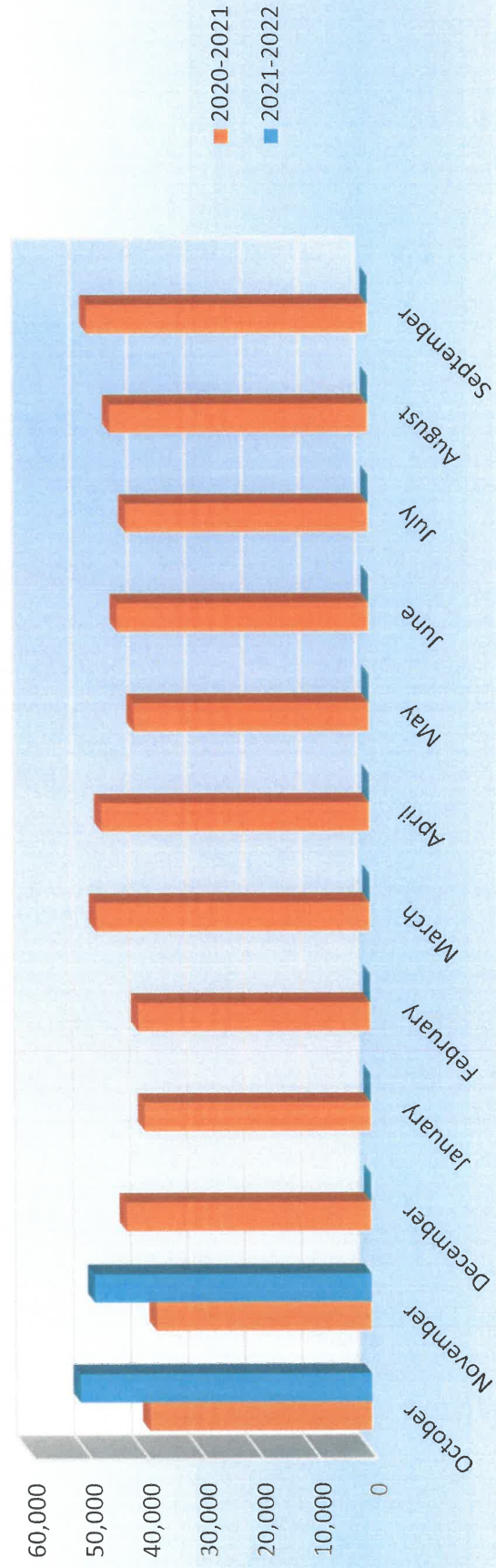
Citrus Connection and PCTS Fixed Route							
	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	Change
October	108,078	113,220	117,763	109,219	38,961	51,132	31%
November	106,998	104,149	104,192	89,803	37,733	48,506	29%
December	111,197	95,520	95,813	91,147	42,876	0	0%
January	103,647	93,227	106,080	96,288	39,609	0	0%
February	108,068	100,300	100,900	93,231	40,756	0	0%
March	116,794	99,916	101,697	76,736	47,989	0	0%
April	103,274	95,993	106,578	27,855	46,995	0	0%
May	108,224	95,476	104,034	39,257	41,267	0	0%
June	102,092	93,781	93,028	47,522	44,107	0	0%
July	98,193	92,042	103,793	35,612	42,568	0	0%
August	118,104	111,898	109,285	36,186	45,293	0	0%
September	89,794	98,550	100,468	38,505	49,269	0	0%
Totals	1,274,460	1,194,072	1,243,631	781,361	517,423	99,638	60%

Citrus Connection and PCTS Para-Transit Totals							
	2016-2017	2017-2018	2018-2019	2019-2020	2000-2021	2021-2022	Change
October	7,071	8,654	9,820	9,745	5,644	6,166	9%
November	7,002	7,940	8,495	8,246	4,759	5,466	15%
December	7,014	7,660	8,032	8,177	5,279		0%
January	7,521	9,478	8,846	8,734	4,924		0%
February	7,413	9,514	8,559	8,231	4,844		0%
March	8,715	10,469	9,204	6,109	5,582		0%
April	7,757	9,947	9,377	2,815	5,807		0%
May	8,460	9,534	9,801	3,590	5,531		0%
June	8,374	8,777	8,784	4,640	5,813		0%
July	8,131	8,247	9,502	4,527	5,512		0%
August	9,533	9,642	9,455	4,441	5,792		0%
September	6,711	8,437	7,866	4,790	5,969		0%
Totals	93,702	108,299	107,741	74,045	65,456	11,632	12%

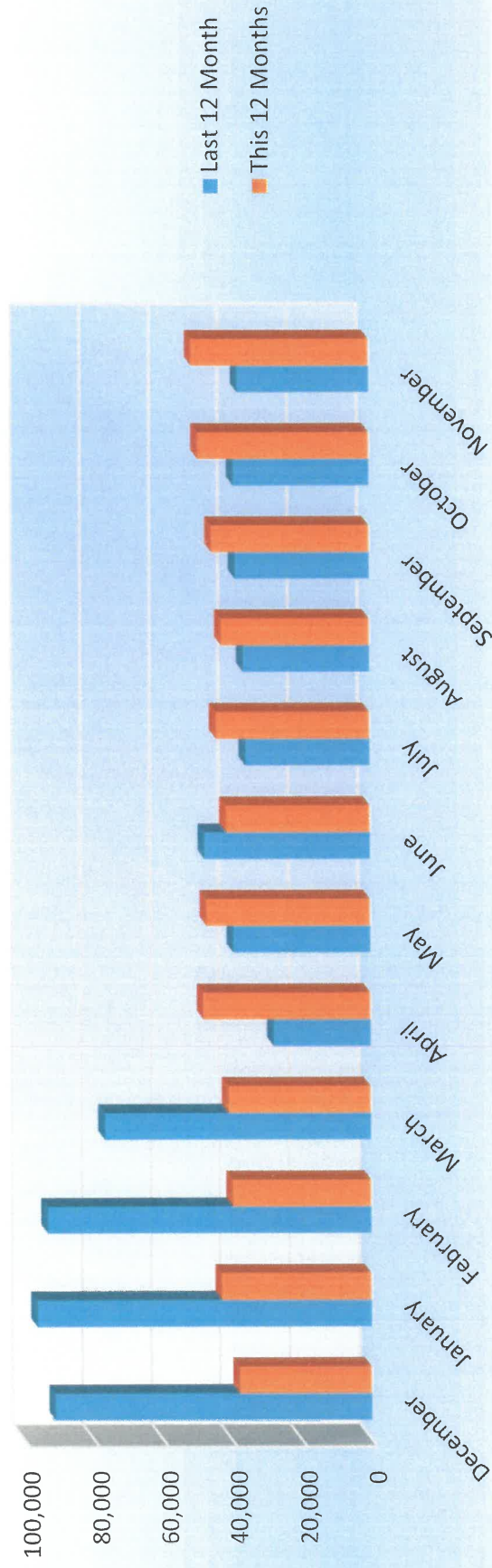
Citrus Connection only Fixed Route Totals							
	2016-2017	2017-2018	2018-2019	2019-2020	2000-2021	2021-2022	Change
October	67,636	73,349	74,739	67,938	27,810	31,976	15%
November	71,083	67,437	66,084	55,331	25,998	29,943	6%
December	72,646	60,879	60,217	55,960	30,003		0%
January	70,767	58,830	66,889	58,774	27,355		0%
February	71,884	63,140	62,854	57,800	27,781		0%
March	78,158	62,897	63,867	47,927	33,489		0%
April	67,338	59,873	67,078	19,363	32,830		0%
May	72,329	60,039	66,297	25,570	28,723		0%
June	67,965	59,754	60,242	30,667	31,074		0%
July	66,347	59,884	67,655	23,294	30,369		0%
August	79,427	71,375	70,546	23,297	31,515		0%
September	54,155	62,306	65,477	25,651	30,828		0%
Totals	839,734	759,763	791,945	491,572	357,775		15%

Citrus Connection only Para-Transit Totals							
	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	Change
October	3,229	4,025	4,745	4,889	2,454	2,946	20%
November	3,252	3,734	3,963	3,980	2,013	2,572	15%
December	3,154	3,444	3,818	3,930	2,140		0%
January	3,507	4,055	4,252	4,277	2,059		0%
February	3,505	3,909	4,248	4,255	2,100		0%
March	4,040	4,217	4,513	2,392	2,491		0%
April	3,694	3,935	4,630	1,111	1,910		0%
May	4,060	3,848	4,916	1,431	2,489		0%
June	3,880	3,627	4,352	2,041	2,496		0%
July	3,681	3,437	4,612	1,768	2,364		0%
August	4,306	3,978	4,686	1,960	1,774		0%
September	6,039	3,396	3,414	2,036	1,868		0%
Totals	46,347	45,605	52,149	34,070	26,158		24%

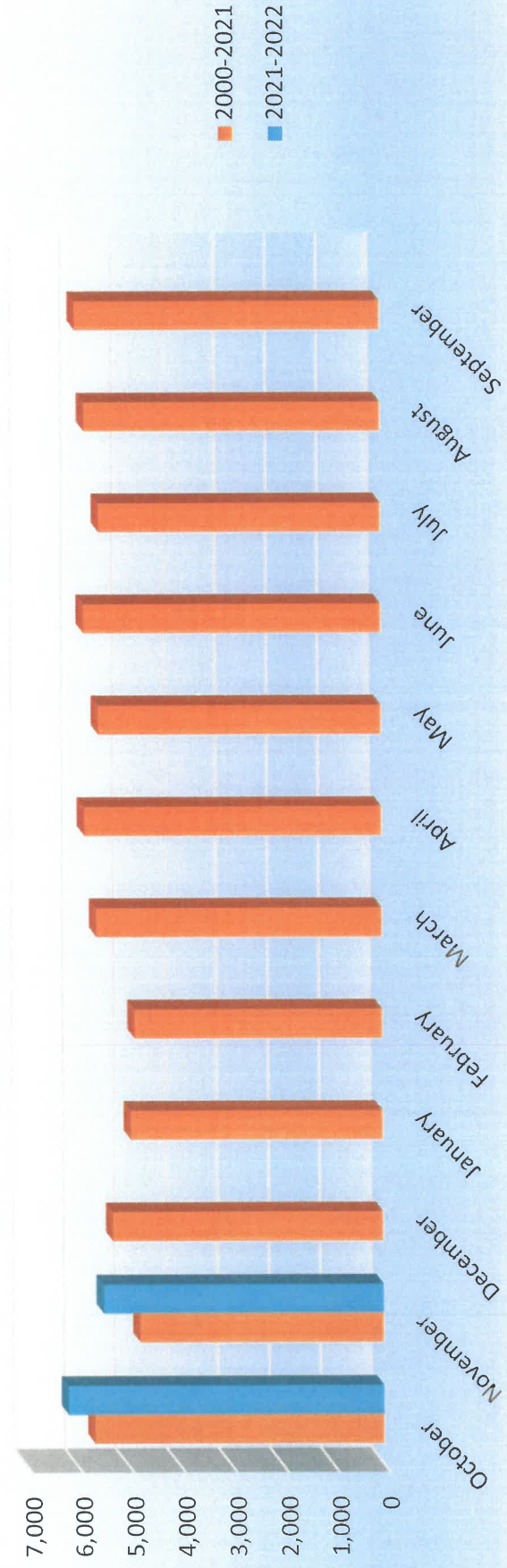
Citrus Connection and PCTS Fixed Route Total Ridership



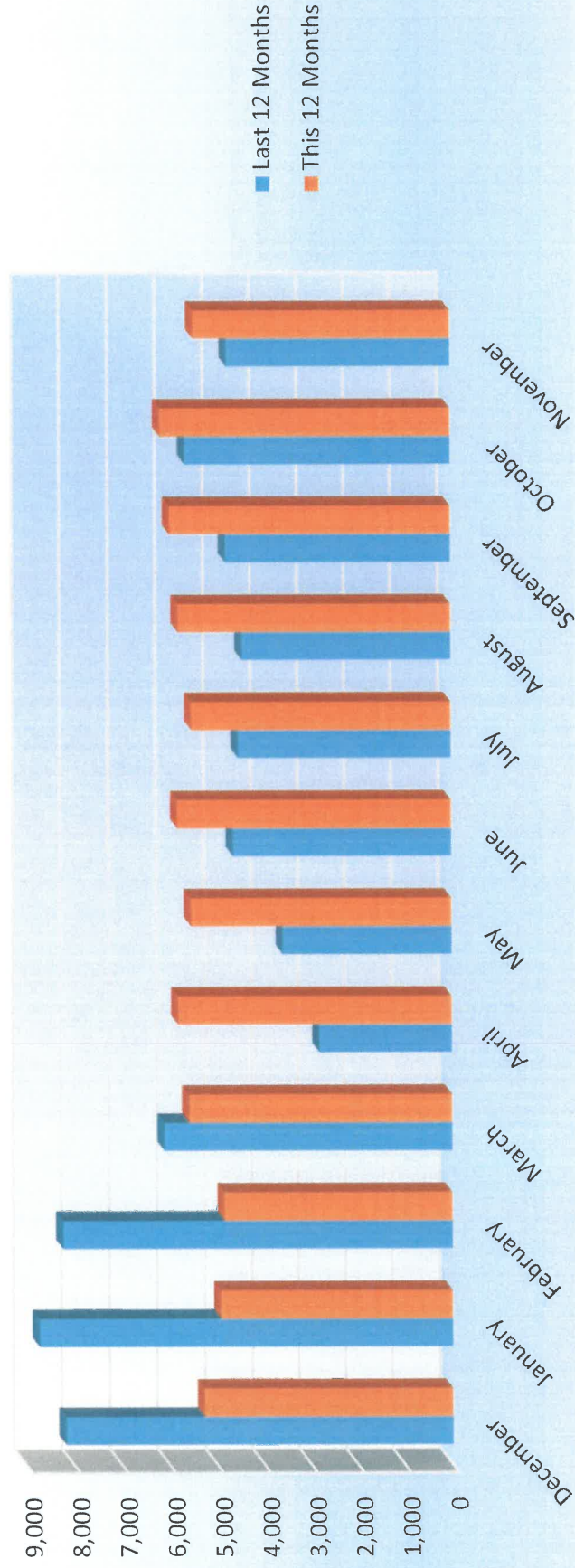
Citrus Connection and PCTS Fixed Over 12 Months



Citrus Connection and PCTS Para-Transit Total Ridership



Citrus Connection and PCTS Para Over 12 Months



UAP Ridership Totals FY 2019	LAMTD	WHAT	Total
October	5,700	3,883	9,583
November	4,737	3,360	8,097
UAP Ridership 2019	LAMTD	WHAT	Total
Polk State College			
October	306	290	596
November	239	195	434
LEGOLAND			
October	25	624	649
November	22	644	666
Southeastern University			
October	53	22	75
November	49	12	61
COLTS			
October	489	870	1,359
November	396	644	1,040
Veterans			
October	2,013	712	2,725
November	1,842	720	2,562
Southern Technical College			
October	61	53	114
November	40	41	81
Central Florida Healthcare			
October	884	208	1,092
November	837	192	1,029
New Beginnings High School			
October	166	762	928
November	105	570	675
LDDA			
October	5	0	5
November	0	0	-
PACE			
October	176	166	342
November	93	123	216
Peace River			
October	1,522	176	1,698
November	1,114	219	1,333
Summer of Safety			
October			-
November			-

LAKELAND AREA MASS TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING
Date: JAN 12, 2022
AGENDA ITEM #9

Agenda Item: **Other Business**

Presenter: TBD

Recommended
Action: TBD

Summary: TBD