

SUNRAIL TRANSITION UPDATE
November 1, 2023 Update
Based on July 19, 2021 Update

I. Date of Transition

A. Per Seminole County Board of County Commissioners' authorization of April 13, 2021 for staff to proceed with Transition negotiations.

1. FDOT proceeding with Phase 2 North construction.
2. Anticipated completion May 2024.

B. Transition Date:

1. The Local government Partners are coordinating with FDOT on a phased transition plan that would transfer the financial responsibility from FDOT to the CFCRC in the October-December 2024 timeframe. The operations transition would occur incrementally over the next three years.
2. Seminole County has requested Transition to occur at the beginning of the next fiscal year after the one-year burn in period after completion of construction.

C. Form of Transition

1. The Local Government Partners (LPG) are now coordinating with FDOT to craft a Phasing Agreement in which the Financial Transition from FDOT to the CFCRC would occur around October/December 2024 and the Operations Transition would occur incrementally over the next 3 years. The transition is to the CFCRC and the operating entity that eventually run SunRail will be LYNX.
2. The CFCRC meeting of October 26, 2023 was canceled due to scheduling conflicts. However, at the November 16, 2023 CFCRC meeting, FDOT has requested formal direction from the CFCRC Board regarding endorsement by the Board of the concept to pursue the Phasing Agreement for Transition of SunRail from FDOT to CFCRC.
3. Also, an amendment to the Interlocal Governance Agreement will be needed, as described below to accommodate the Phasing Agreement.

II. Transition Consultant Report Status

A. WSP USA, Inc. has completed and provided the following reports.

- Existing Conditions, June 2021
- Risk Assessment, March 2022
- Financial Analysis, June 2022
- Transition Analysis Report, July 2022
- DRAFT Transition Plan Study, November 2022

- Final Transition Plan is awaiting consensus of LGP to have LYNX as Operating Agency
 - 1. Local Government Partners (LGP) Working Group members have reviewed and provided feedback.
- III. Phase II North (SunRail DeBary to DeLand)
- A. Construction for Phase 2 North is underway.
 - B. Anticipated completion and commencement of service – May 2024.
- IV. Key Negotiating Points
- A. Phase II North
 - 1. Resolved – FDOT is constructing Phase 2 North.
 - B. Positive Trail Control (PTC)
 - 1. Background
 - (a) PTC not contemplated at time of execution of SunRail agreements, but now required under Federal law.
 - (b) Becomes a CFCRC responsibility upon transition.
 - (c) FDOT did not seek CFCRC input or collaboration when FDOT implemented PTC in the SunRail Corridor.
 - 2. LGP Position
 - (a) FDOT to continue to pay \$10.4 million/year for PTC operations.
 - (b) This is FDOT Central Office money and will not impact D5 work program.
 - 3. Negotiations between FDOT and LGP ongoing.
 - (a) FDOT position is that PTC is part of operation and maintenance of system.
 - (b) FDOT has agreed to contribute annually towards the PTC, amount still to be determined.
 - (c) Renegotiation of Leases with CXS and Amtrack to include contribution towards PTC
 - C. State of Good Repair
 - 1. This was analyzed as part of the Consultant’s Transition Report.
 - D. Encroachments into the Rail Corridor Right-of-Way by neighboring properties
 - 1. LGP Position – FDOT to clear encroachments.
 - 2. Alternative – FDOT to continue to manage the corridor and provide easement and hold harmless to LGP.
 - 3. FDOT Proposal – The Commuter Rail Easement to CFCRC will be less than the entire width of the corridor and will encompass those areas

necessary for operations and maintenance of the system. In other words, FDOT, will retain responsibility for the encroachment areas which are outside the fenced system corridor area.

- E. Revising the Ticketing System
 - 1. FDOT selected movell to replace Conduent.
 - 2. Reliable Ticketing System is an important factor in determining funding allocations to LGP.
 - 3. FDOT has committed to expedite Ticketing System revisions.
 - 4. FDOT has committed to providing data to LGP.
 - 5. Testing for the new system is underway.
- F. Freight Utilizing Corridor – Auto Racks – Tolling Agreement
 - 1. Background
 - (a) CSX was paid \$25,000,000.00 to move its Auto Rack Freight Service from the A Line (SunRail Corridor) to the S Line.
 - (b) CSX is still operating on the A Line under a Tolling Agreement between FDOT and CSX. CFCRC was not a party to the Tolling Agreement.
 - (c) Under the Tolling Agreement, CSX must be off the A Line after thirty (30) months from the date of notice to move.
 - 2. FDOT and LGP to sit with CSX
 - (a) Advocate for additional lease money from CSX.
 - (b) Meetings between the LGP and FDOT continue on this subject.
- V. Brightline Resolution of Support (Sunshine Corridor)
 - A. Background
 - 1. Brightline is constructing high speed rail system from Miami to Orlando International Airport (OIA).
 - 2. Brightline is in the planning stages of the OIA to Tampa segment of its high speed rail system.
 - 3. Opportunity for Inter City rail and commuter rail to coexist in same corridor.
 - B. CFCRC – Resolutions of Support
 - 1. CFCRC provided a Resolution of Support to collocate the Brightline and SunRail facilities to enable SunRail to have an east-west connection to OIA and enable Brightline to utilize the SunRail corridor.
 - (a) The Resolution of Support adopted by CFCRC at its February 4, 2021 meeting.
 - (1) Route is along new and existing rail infrastructure from Meadow Woods SunRail station to OIA along S.R. 417.

- (b) FDOT issued statement on June 18, 2021 that the February 4, 2021 Resolution of Support was sufficient for FDOT to continue its lease negotiations with Brightline for the OIA to Tampa segment.
 - 2. CFCRC Resolution of Support date September 22, 2022.
 - (a) Amends the February 4, 2021 Resolution of Support.
 - (b) Memorializes CFCRC support, along with public and private partners, for studying advancement of the Airport to Orange County Convention Center (OCCC) to South International Drive Segments of the Sunshine Corridor Program.
 - (c) Studies may include:
 - (1) Identifying costs to development and maintain such a project.
 - (2) Potential cost of sharing proposals.
 - (3) Potential for securing federal and state grants to offset planning, design and capital costs.
- C. Interlocal Operating Agreement (FDOT/CFCRC) Section 3.02 acknowledges intercity passenger rail service as a valid use of the SunRail corridor.
- D. Per Section 3.02, Agreement for new intercity passenger rail service to address:
 - 1. Operations and maintenance cost.
 - 2. Operating window.
 - 3. Liability.
- E. Status Update
 - 1. Cost estimates are being developed and refined in coordination with private partners.
 - 2. Ridership study continues to be refined and is close to completion.
 - 3. The Transit Concept and Alternatives Review (TCAR) process is underway.
 - (a) Existing reports and studies are being reviewed.
 - (b) Public meeting plan is scheduled for 5 meeting to occur 11/14/23 to 11/28/23.
 - (c) This is a collaborative effort with FDOT.

VI. Additional Services

- A. Additional services are being negotiated with WSP USA, Inc. for comprehensive evaluation of relevant contracts and agreements necessary to effectuate the transition.