



Regular Meeting of the Board of Directors

10:00 a.m.

Tuesday, August 27, 2013

Antelope Valley Transit Authority Board Room
42210 6th Street West, Lancaster, California
www.avta.com

OFFICIAL MINUTES

CALL TO ORDER:

Chairman Hickling called the meeting to order at 10:02 a.m.

PLEDGE OF ALLEGIANCE:

Director of Operations and Maintenance Len Engel led the Pledge of Allegiance.

ROLL CALL:

Present

Chairman Norm Hickling
Vice Chairman Marvin Crist
Director Tom Lackey
Director Steve Hofbauer
Director Dianne Knippel
Director Sandra Johnson

Motion: Approve the agenda as comprised.

Moved by Vice Chairman Crist, seconded by Director Johnson

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer,
Knippel, and Johnson
Nays: None
Abstain: None
Absent: None

PUBLIC BUSINESS FROM THE FLOOR:

There was no public business presented.

MISCELLANEOUS BUSINESS – NON-AGENDA ITEMS:

There were no miscellaneous items presented.

SPECIAL REPORTS and PRESENTATIONS:

SRP 1 PRESENTATION OF VEOLIA OPERATOR OF THE MONTH AND EMPLOYEE OF THE MONTH FOR JULY 2013 – HECTOR FUENTES, VEOLIA TRANSPORTATION

Veolia General Manager Hector Fuentes and Executive Director Julie Austin presented a plaque to Daniel Barajas, Veolia Operator of the Month and Karen Conrad, Employee of the Month for July 2013.

SRP 2 INTRODUCTION OF NEW STAFF (AVTA AND VEOLIA) – CUSTOMER SERVICE REPRESENTATIVES TANYA CLAROS, AMY FROHARDT, AND JOSEPH LEPE, FACILITIES MAINTENANCE TECHNICIAN SEAN ELMORE, JANITOR SEAN WALLACE AND VEOLIA INTERIM OPERATIONS MANAGER EDUARDO SOBALVARRO

Ms. Austin introduced the new staff members from AVTA and Veolia Transportation and gave a brief history of their backgrounds.

SRP 3 AUGUST 2013 LEGISLATIVE UPDATE

Ms. Williams presented status reports on several bills. She shared that an urgency amendment was added to **Assembly Bill 160 (Alejo)** in May allowing it to be exempt from normal legislative deadlines. AB 160 seeks to exempt public transit employees from pension reform law, which went into effect in January 2013. This bill is holding up the release of grant funding of \$4 billion. **Senate Bill 556 (Corbett)**, which the Board voted to oppose at the July 17 meeting, would require all public agencies operating transit through contract services to add wording on the exterior of their vehicles that reads, "THE OPERATOR OF THIS VEHICLE IS NOT A GOVERNMENT EMPLOYEE." The bill would also require the uniform of the transit operator to include wording that reads "NOT A GOVERNMENT EMPLOYEE. The bill has been amended and sent back for a final reading.

Chairman Norm Hickling requested that in future reports, staff include information regarding the position, comments, opinions or likely position (based on voting records) of AVTA's legislative representatives on proposed bills.

Motion: Receive and file the August 2013 Legislative Update.

Moved by Director Hofbauer, seconded by Vice Chairman Crist

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey,
Hofbauer, Knippel, and Johnson
Nays: None
Abstain: None
Absent: None

SRP 4 STATE TRIENNIAL PERFORMANCE AUDIT FOR FISCAL YEARS (FY) 2010 THROUGH 2012

Director of Finance Colby Konisek stated that every three years the Los Angeles County Metropolitan Transportation Authority (Metro) contracts with an independent consultant to review the performance of operators who receive formula funding through Metro's Formula Allocation Procedure (FAP). Although the California Department of Transportation (Caltrans) requires only recipients of Transportation Development Act Article 4 funds to submit a Triennial Performance Audit, Metro's funding guidelines also require "eligible" operators (AVTA, Los Angeles DOT, and Santa Clarita Transit) to be audited in order to maintain eligibility for funds allocated through Metro.

Mr. Konisek presented the three performance audit findings to the Board as follows:

Finding 1: In FY 2009/10, AVTA failed to submit the Transit Operations Financial Transaction Reports to the State Controller within 90 days (paper copy submittal) or 110 days (for electronic submittal) following the end of the fiscal year.

Finding 2: Public Utilities Code requires transit operators submit annual fiscal and compliance audits to the RTPA and State Controller's Office within 180 days following the end of the fiscal year in order to remain compliant with the provisions of TDA. AVTA submitted its fiscal audits for FY 2009/10 and FY 2010/11 late. The FY 2011/12 audit was submitted well within the PUC timeframe.

Finding 3: AVTA did not accurately report Full Time Equivalent employees (FTEs) to the State Controller according to the PUC guidelines during the period covered by this review.

Motion: Receive and file the results of the State Triennial Performance Audit for the three-year period ending June 30, 2012.

Moved by Director Hofbauer, seconded by Vice Chairman Crist

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, Knippel, and Johnson
Nays: None
Abstain: None
Absent: None

SRP 5 FY13 KEY PERFORMANCE INDICATORS REPORT - YEAR ENDING JUNE 30, 2013

Senior Transit Analyst Dieter Aragon presented the fiscal year ending June 30, 2013 [FY13] KPI report indicating that AVTA met all nine performance indicators. Staff explained that farebox recovery ratio was higher primarily because farebox revenues went up while operating costs stayed the same.

Motion: Receive and file the FY13 Key Performance Indicators Report – Year Ending June 30, 2013.

Moved by Director Hofbauer, seconded by Vice Chairman Crist

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, Knippel, and Johnson
Nays: None
Abstain: None
Absent: None

CONSENT CALENDAR:

Director Steve Hofbauer was absent from the July 17, 2013 Strategic Planning Workshop and abstained from voting on the minutes from that meeting.

Director Sandra Johnson was absent at the July 23, 2013 Board of Directors meeting and abstained from voting on the minutes from that meeting.

CC 1 BOARD OF DIRECTORS MEETING MINUTES FOR JULY 17, 2013 AND JULY 23, 2013 – KAREN DARR

Motion: Approve the meeting minutes for July 17, 2013.

Moved by Vice Chairman Crist, seconded by Director Johnson

Vote: Motion carried (5-0-1-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey,
Knipple, and Johnson
Nays: None
Abstain: Director Hofbauer
Absent: None

Motion: Approve the meeting minutes for July 23, 2013.

Moved by Vice Chairman Crist, seconded by Director Lackey

Vote: Motion carried (5-0-1-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey,
Hofbauer, and Knippel
Nays: None
Abstain: Director Johnson
Absent: None

CC 2 FINANCIAL REPORTS FOR AUGUST 2013 – COLBY KONISEK

CC 3 FY13 FOURTH QUARTER CAPITAL RESERVES REPORT (JUNE 30, 2008 THROUGH
JUNE 30, 2013) – COLBY KONISEK

CC 4 FY13 GRANT STATUS – YEAR ENDING JUNE 30, 2013 – JUDY VACCARO-FRY

Motion: Approve Consent Calendar Items 2-4.

Moved by Vice Chairman Crist, seconded by Director Johnson

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey,
Hofbauer, Knippel, and Johnson
Nays: None
Abstain: None
Absent: None

CC 5 VISTA VOLUNTEER BADGES – WENDY WILLIAMS

AVTA has agreed to provide four limited access badges which will enable VISTA volunteers to ride free on all AVTA transit services, excluding Dial-a-Ride, for one year.

Director Steve Hofbauer had a follow up question regarding how to proceed with a request from a non-profit agency if they were interested in obtaining this

type of free access badge. Staff responded that jurisdiction members could contact the executive director and each request would be considered on a case-by-case basis.

Motion: Receive and file the informational item on the AVTA's partnership regarding the VISTA volunteer program.

Moved by Vice Chairman Crist, seconded by Director Lackey

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, Knippel, and Johnson
Nays: None
Abstain: None
Absent: None

NEW BUSINESS:

NB 1 AWARD SOLE SOURCE CONTRACT #2013-059 TO PINNACLE PETROLEUM, INC. FOR SUPPLY AND DELIVERY OF BULK FUEL – LYLE BLOCK

Motion: Authorize the Executive Director to execute Sole Source Contract #2013-059 with Pinnacle Petroleum, Inc., of Huntington Beach, CA, not to exceed a six (6) month term in the amount of \$1,740,000 for the supply and delivery of bulk fuel.

Moved by Vice Chairman Crist, seconded by Director Johnson

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, Knippel, and Johnson
Nays: None
Abstain: None
Absent: None

PRESENTATION BY LEGAL COUNSEL OF ITEM(S) TO BE DISCUSSED IN CLOSED SESSION:

General Counsel D. Craig Fox presented the one item to be discussed in Closed Session.

CS 1 Conference with Legal Counsel - Existing Litigation
G.C. section 54956.9(d) (1) and (4)
People v. Jorge: Case no. BA405021
People v. Floyd: Case no. BA405021

RECESS TO CLOSED SESSION:

The Board recessed to Closed Session at 10:55 a.m.

RECONVENE TO PUBLIC SESSION:

The Board reconvened to Public Session at 11:01 a.m.

REPORT BY LEGAL COUNSEL OF ACTION TAKEN IN CLOSED SESSION:

General Counsel Fox stated that there was no reportable action.

REPORTS AND ANNOUNCEMENTS:

RA 1 Executive Director's Report:

Julie Austin reported that Board Clerk Karen Darr was on leave for two months and that DeeAnna Cason would be providing Board support during her absence. She congratulated Judy Vaccaro-Fry on her six years of service to AVTA.

She made several announcements including:

The Avail team was onsite this week for a kick-off of the ITS project; a status report on the public outreach meetings regarding proposed October service changes; audit fieldwork will commence September 9; Palmdale Bus Stop Improvement program construction has begun; and the AVTA won the First Place APTA AdWheel awards for two videos – travel training and image campaign. The awards will be presented on September 30, 2013 at the APTA Annual Meeting in Chicago. The prize-winning videos were aired at the Board meeting.

MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

Director Hofbauer stated that a woman at the city of Palmdale City Council meeting had issues with ADA bus stops and wanted to know if she had contacted Dieter Aragon.

Chairman Hickling stated that he would like a log of follow up regarding the referrals to AVTA of people who contact member jurisdictions.

ADJOURNMENT:

Chairman Hickling adjourned the meeting at 11:10 a.m. to the Regular Meeting of the Board of Directors on September 24, 2013 at 10:00 a.m. in the Antelope Valley Transit Authority Board Room, 42210 6th Street West, Lancaster, California.

PASSED, APPROVED, and ADOPTED THIS 24TH DAY OF SEPTEMBER 2013.


Norman L. Hickling, Chairman


Julie M. Austin, Secretary

Audio recordings of the Board of Directors Meetings are maintained in accordance with state law and AVTA's Records Retention Policy. Please contact the Clerk of the Board at 661/729-2258 to arrange to review a recording.