



Regular Meeting of the Board of Directors

Tuesday, August 22, 2017

10:00 a.m.

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

OFFICIAL MINUTES

CALL TO ORDER:

Chairman Crist called the meeting to order at 10:03 a.m.

PLEDGE OF ALLEGIANCE:

Director Hofbauer led the Pledge of Allegiance.

ROLL CALL:

Present

Chairman Marvin Crist, Vice Chair Dianne Knippel, Director Steve Hofbauer, Director Austin Bishop, Director Angela Underwood-Jacobs, Director Michelle Flanagan

APPROVAL OF AGENDA

Motion: Approve the agenda with the removal of SRP 1 – Presentation of Transdev Operator and Employee of the Month for July 2017.

Moved by Vice Chair Knippel, seconded by Director Flanagan

Vote Motion carried (6-0-0-0)

Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop, Underwood-Jacobs, Flanagan

Nays: None

Abstain: None

Absent: None

General Counsel David Palmer requested that an item be added to the agenda as Closed Session (CS) 3 – Consideration of whether to initiate litigation (one potential case). He noted that Government Code section 54954.2(b) allows the legislative body of a local agency to take action on items not on the posted agenda if, by a 2/3 vote, the legislative body determines: 1) there is a need to take immediate action; and 2) the need for action came to the attention of the local agency subsequent to the posting of the agenda.

Motion: Move to consider/take action upon this closed session item pursuant to Government Code section 54954.2(b)(2) because: (1) there is a need to take immediate action on this item; and, (2) the need for action came to the attention of the AVTA subsequent to the posting of the agenda for this meeting:

Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(4)

Consideration of whether to initiate litigation (one potential case)

Moved by Vice Chair Knippel, seconded by Director Flanagan

Vote Motion carried (6-0-0-0)

Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop, Underwood-Jacobs, Flanagan

Nays: None

Abstain: None

Absent: None

PUBLIC BUSINESS – AGENDIZED AND NON-AGENDIZED ITEMS:

Charlotte Baxter provided her comments in an email – the buses are running up to 25 minutes late on the weekend, particularly the Route 1; some of the newer drivers have been very discourteous and unprofessional towards passengers; and operators rarely lower the “kneel” at the front of the bus to allow for easier boarding. She requested the Route 12 WB 7:00 p.m. run leaving Sgt. Steve Owen Memorial Park be reinstated because she gets off work at 6:30 on Sundays and cannot make the last connection from the Route 1.

Chairman Crist requested Executive Director/CEO Len Engel to address Ms. Baxter’s issues.

SRP 2 LEGISLATIVE REPORT FOR AUGUST 2017

Grants Administrator Judy Fry presented an update regarding the Bus and Bus Facilities grant project application and the upcoming Transit and Intercity Rail Capital Program guidelines. Mr. Engel added that for the Bus and Bus Facilities grant, staff will be able to show 100% local match through in-kind contributions based on land lease value and two 250kw chargers.

Ms. Fry stated that Assembly Bill (AB) 17: Reduced-Fare Transit Passes for Students and AB-1479: Civil liabilities for violations of the California Public Records Act were presented at the Senate Appropriations Committee hearing on August 21, 2017; however, both were placed in a suspense file.

Chairman Crist directed Mr. Engel to write a letter to our state legislators requesting they draft a bill stating the operators cannot go on strike without warning if there are students on the bus.

The members discussed the impact the recent strike had on students who ride the bus to school.

SRP 3 FISCAL YEAR 2016/2017 (FY17) FOURTH QUARTER MAINTENANCE KEY PERFORMANCE INDICATORS (KPI) REPORT (APRIL 1 – JUNE 30, 2017)

Director of Fleet and Facilities Mark Perry presented the maintenance KPI report. Mr. Engel noted the problems with the electric bus software upgrade have been addressed. The Board requested that the report reflect the number of BYD electric buses and discussed the quality of the concrete used at the entrance of the proposed bus-charging site at 40th St. E and Palmdale Blvd. The Board also requested staff to request that BYD purchase an electric bus simulator.

Motion: Receive and file the FY17 Fourth Quarter Maintenance KPI Report for the period covering April 1 through June 30, 2017.

Moved by Vice Chair Knippel, seconded by Flanagan

Vote Motion carried (6-0-0-0)

Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop Underwood-Jacobs, Flanagan

Nays: None

Abstain: None

Absent: None

SRP 4 FY17 FOURTH QUARTER SYSTEM-WIDE KPI REPORT (APRIL 1 – JUNE 30, 2017)

Chief Operating Officer Norm Hickling presented the system-wide KPI report. The Board discussed the discounted passes Metro is providing to Metrolink passengers. Mr. Hickling stated he and Mr. Engel are part of the group that will conduct a study of the Antelope Valley Metrolink line. Staff will be able to incorporate any appropriate information into future service changes and provide a recommendation to the Board. The study will likely not be completed until sometime in 2019.

Motion: Receive and file the FY17 Fourth Quarter System-Wide KPI Report for the period covering April 1 through June 30, 2017.

Moved by Vice Chair Knippel, seconded by Director Underwood-Jacobs

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop Underwood-Jacobs, Flanagan
Nays: None
Abstain: None
Absent: None

CONSENT CALENDAR (CC):

CC 1 BOARD OF DIRECTORS MEETING MINUTES OF JULY 25, 2017

Approve the Board of Directors Regular Meeting Minutes of July 25, 2017.

CC 2 FINANCIAL REPORTS FOR JUNE AND JULY 2017

Receive and file the financial reports for June and July 2017.

CC 3 FY17 FOURTH QUARTER CAPITAL RESERVE REPORT (APRIL 1 – JUNE 30, 2017)

Receive and file the FY17 Fourth Quarter Capital Reserve Report for the period covering April 1 through June 30, 2017.

CC 4 GRANT STATUS REPORT THROUGH JULY 31, 2017

Receive and file the Grant Status Report through July 31, 2017.

Motion: Approve the Consent Calendar.

Moved by Vice Chair Knippel, seconded by Director Bishop

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop Underwood-Jacobs, Flanagan
Nays: None
Abstain: None
Absent: None

NEW BUSINESS (NB):

NB 1 AROUND AV CONTRACT EXTENSION

Director Bishop stated he needed to recuse himself from the discussion due to past and possible future business dealings with Around AV and left the dais.

Executive Director/CEO Len Engel presented the staff report. The Board discussed: 1) the fiscal impact of the contract extension; 2) signed

commitment from a national advertising firm; and 3) the feasibility of having this service performed by in-house personnel.

Motion: Authorize the Executive Director/CEO to execute an amendment to Contract #2017-07 extending the contract four (4) years and providing for an additional percentage split of net revenues.

Moved by Director Hofbauer, seconded by Vice Chair Knippel

Vote Motion carried (5-0-1-0)
Yeas: Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan
Nays: None
Recused: Director Bishop
Absent: None

Director Bishop returned to the dais at this time.

NB 2 ANAVERDE SERVICE OPTIONS

Mr. Hickling presented the staff report. The Board discussed AVTA and jurisdictional staff coordinating efforts to ensure transit needs are addressed at the preliminary phase of developments and the number of Anaverde residents who use transit services and Dial-a-Ride.

Mr. Engel responded that staff reviewed subdivision transit needs when the Comprehensive Operational Analysis was performed in 2014. He stated AVTA staff could develop transit standards for the jurisdictions to use for future developments. The Board instructed staff to schedule a Strategic Planning Workshop to discuss transit needs.

Motion: Receive and file the Anaverde Service Options.

Moved by Director Bishop, seconded by Director Hofbauer

Vote Motion carried (6-0-0-0)
Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop Underwood-Jacobs, Flanagan
Nays: None
Abstain: None
Absent: None

CLOSED SESSION (CS):

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

General Counsel David Palmer stated that the Board will not be addressing items CS 1 and CS 2; however, the Board will address added item CS 3.

- CS 1 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(a)
Pending Litigation: Clark v. AVTA, LASC Case No. MC026036
Pending Litigation: Sabina M. Andrade v. AVTA
Pending Litigation: Marsh v. AVTA USDC case No. 2:16-cv-0937-PSG
- CS 2 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(2)
Significant exposure to litigation (one potential case)

Added item

- CS 3 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(4)
Consideration of whether to initiate litigation (one potential case)

RECESS TO CLOSED SESSION:

The Board recessed to Closed Session at 10:46 a.m.

RECONVENE TO PUBLIC SESSION

The Board reconvened to Public Session at 11:31 a.m.

REPORT BY LEGAL COUNSEL OF ACTION TAKEN IN CLOSED SESSION

Alternate General Counsel David Palmer stated the Board discussed CS 3; there was no reportable action.

REPORTS AND ANNOUNCEMENTS (RA):

- RA 1 Report by the Executive Director/CEO Len Engel
- He will be out of the office the week of August 28.

MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

Director Hofbauer stated that long time City of Palmdale employee Kelly Long lost her battle with cancer and passed away August 21, 2017. He requested the meeting be adjourned in her memory.

ADJOURNMENT:

Chairman Crist adjourned the meeting at 11:43 a.m. in memory of City of Palmdale Public Safety Supervisor Kelly Long.

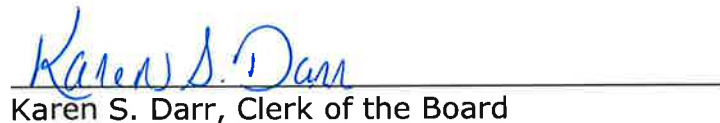
The next Regular Meeting of the Board of Directors will be held on September 26, 2017 at 10:00 a.m. in the Antelope Valley Transit Authority Community Room, 42210 6th Street West, Lancaster, CA.

PASSED, APPROVED, and ADOPTED this 26th day of SEPTEMBER 2017



Marvin Crist, Chairman

ATTEST:



Karen S. Darr, Clerk of the Board

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 661/729-2206 to arrange to review a recording.