



ANTELOPE VALLEY TRANSIT AUTHORITY

Regular Meeting of the Board of Directors
Tuesday, March 26, 2013
10:00 a.m.

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 10:03 a.m.

PLEDGE OF ALLEGIANCE:

Director Cano led the Pledge of Allegiance.

General Counsel D. Craig Fox requested that the Board address Consent Calendar (CC) Item 1 – February 26, 2013 Board of Directors Minutes to allow Director Cano to vote before relinquishing his Board position to Dianne Knippel. There was no objection from the Board.

CC 1 Board of Directors Meeting Minutes for February 26, 2013 – Karen Darr

Motion: Approve CC 1.

Moved by Director Cano, seconded by Director Hofbauer

Vote: Motion carried (4-0-2-0)

Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Cano and Hofbauer

Nays: None

Abstain: Directors Mann and Lackey

Absent: None

OATH OF OFFICE:

General Counsel Fox administered the Oath of Office to Dianne Knippel, representative for the County of Los Angeles.

ROLL CALL:

Present

Chairman Norm Hickling
Vice Chairman Marvin Crist
Director Ken Mann
Director Tom Lackey
Director Steve Hofbauer
Director Dianne Knippel

APPROVAL OF AGENDA:

Chairman Hickling stated that the Board received a revised staff report for New Business 1 – Fare Evasion.

Motion: Approve the agenda as comprised.

Moved by Vice Chairman Crist, seconded by Director Mann

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

Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Mann, Lackey, Hofbauer and Knippel

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 business items presented.

SPECIAL REPORTS and PRESENTATIONS:

SRP 1 Recognition of Outgoing Director Michael Cano for his service as an AVTA Board Member representing the County of Los Angeles

Executive Director Julie Austin presented a plaque to Director Cano in recognition of his service to AVTA as a member of the Board since 2009.

Director Cano reflected on his time serving the AVTA and thanked Supervisor Antonovich, staff, and the Board members for their support and leadership to create successful partnerships.

SRP 2 Presentation of Veolia Operator of the Month

Veolia General Manager Hector Fuentes and Executive Director Julie Austin presented a plaque to Sterling Singleton, Operator of the Month for February 2013.

SRP 3 AVTA's Safety Culture

Director of Maintenance and Operations Len Engel detailed numerous safety practices as they pertain to AVTA and Veolia staff, facility maintenance, buses and equipment, passengers, and operators. The Board discussed incorporating ISO 9100 standards into AVTA's safety plans. Ms. Austin stated that as part of the Moving Ahead for Progress in the 21st Century (MAP-21) surface transportation legislation, Congress authorized a set-aside of 0.5 percent of Section 5307 (Urbanized Area Formula Grant) to Federal Transit Administration (FTA) funding recipients for training of safety personnel responsible for development of comprehensive safety plans.

SRP 4 2013 Legislative Update

Grants Administrator Judy Vaccaro-Fry presented an update regarding Federal Legislation and Marketing Manager Wendy Williams presented an update regarding State Legislation. There was no discussion regarding the Federal Legislation.

The Board discussed the State's Cap and Trade auction. Chairman Hickling noted that although the legislation regarding reduction of voter thresholds required to pass a tax measure may represent the priorities of the California Transit Association, AVTA has not endorsed or taken any official action pertaining to presented legislation.

CONSENT CALENDAR:

CC 2 Financial Reports for March 2013 – Colby Konisek

CC 3 FY13 Key Performance Indicators Report for January 2013 – Dietter Aragon

CC 4 Trapeze Software Maintenance and Support Agreement – Robert Keys

Motion: Approve CC items 2 through 4.

Moved by Vice Chairman Crist, seconded by Director Lackey

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

Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Mann, Lackey, Hofbauer and Knippel

Nays: None

Abstain: None

Absent: None

NEW BUSINESS:

NB 1 Fare Evasion on AVTA Buses

Ms. Williams presented the staff report, which was prompted by a request following the January 26, 2013 ad hoc Safety meeting. The Board discussed the Transit Access Pass (TAP) card, awareness campaign (marketing literature and fare evasion warning sweeps), degree of the fare evasion problem, and programmable tracking keys

Motion: Authorize the Executive Director to implement an enforcement program that includes: 1) developing an informational campaign to raise awareness of AVTA's intent to enforce its fare; 2) implementing Mobile Pass Validators (MPV) to identify fare evaders; 3) evaluating the cost-benefit of installing equipment on fareboxes that would provide receipts to cash paying customers; 4) analyzing the fare evasion data provided by the TAP tracking system; 5) coordinating with local law enforcement to conduct undercover fare evasion operations in tandem with truancy sweeps; 6) improving driver training; and 7) changing AVTA's policy regarding the length of time a reduced fare TAP card is valid from three years to one year.

Moved by Director Hofbauer, seconded by Vice Chairman Crist

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

Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Mann, Lackey, Hofbauer, and Knippel

Nays: None

Abstain: None

Absent: None

NB 2 Capital Reserve Contributions for FY13

Director of Finance Colby Konisek presented the staff report. The Board discussed the current economic needs of the jurisdictions, the impact to AVTA if the FY13 capital contributions are not paid, and maximizing existing and potential funding sources.

Motion: Approve resumption of Capital Reserve Contribution payments by jurisdiction members effective July 1, 2013, the beginning of the first quarter of FY14.

Moved by Vice Chairman Crist, seconded by Director Mann

No vote was taken.

Discussion continued. Director Hofbauer restated the city of Palmdale's position regarding when payments should resume and requested clarification pertaining

to the potential financial impact to the jurisdictions if the payments are not resumed until July 1, 2013.

Ms. Austin informed the Board that one year of contributions is roughly equivalent to the cost of one local transit bus. She explained how AVTA's funding is allocated under the new MAP 21 programs, and summarized staff's efforts to obtain other funding sources to offset the required jurisdictional match for capital purchases. The Board discussed the jurisdictions' annual financial obligation to AVTA.

Vice Chairman Crist and Director Lackey called for the question. Director Hofbauer made a substitute motion to modify the staff's recommendation to resume payments effective April 1, 2013. The discussion continued regarding the jurisdiction's financial commitment to AVTA. Director Lackey seconded Director Hofbauer's motion.

Discussion continued regarding the current balance in the Capital Reserve account. Director Mann called for a vote on Vice Chairman Crist's motion.

Chairman Hickling requested clarification regarding which motion is voted on first. General Counsel clarified the order of the motions; Vice Chairman Crist agreed that the Board could vote on the Substitute Motion first.

Substitute Motion: Approve resumption of Capital Reserve Contribution payments by jurisdiction members effective April 1, 2013, the beginning of the fourth quarter of FY13.

Moved by Director Hofbauer, seconded by Director Lackey

Vote: Motion failed (3-3-0-0)
Yeas: Directors Lackey, Hofbauer, and Knippel
Nays: Chairman Hickling, Vice Chairman Crist, and Director Mann
Abstain: None
Absent: None

Vice Chairman Crist called for the question.

Original Motion: Approve resumption of Capital Reserve Contribution payments by jurisdiction members effective July 1, 2013, the beginning of the first quarter of FY14.

Moved by Vice Chairman Crist, seconded by Director Mann

Vote: Motion failed (3-3-0-0)
Yeas: Vice Chairman Crist, and Directors Mann and Hofbauer
Nays: Chairman Hickling, and Directors Lackey and Knippel
Abstain: None
Absent: None

The Board continued the discussion.

Motion: Reconsider approving the resumption of Capital Reserve Contribution payments by jurisdiction members effective July 1, 2013, the beginning of the first quarter of FY14.

Moved by Director Hofbauer, no second received

Vice Chairman Crist asked Ms. Austin if the Board could table the item in order to receive additional clarification from the city of Lancaster's finance staff. Ms. Austin referenced Section 11.B - PAYMENT AND REIMBURSEMENT – Obligation of the Parties of the Joint Exercise of Powers Agreement (JPA), which calls for quarterly payments by April 1. Chairman Hickling suggested that a special Board meeting be scheduled prior to the April 23, 2013 Board meeting in order to discuss this issue further.

Modified Motion: Schedule a Special Budget Board meeting before the April 23, 2013 Board meeting to discuss the Capital Reserve contributions for FY13 and to include presentations and testimony from the jurisdictions.

Moved by Vice Chairman Crist, seconded by Director Mann

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

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

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

CS 1 Public Employee Performance Evaluation (California Government Code Section 54957(b))
Title: General Counsel

RECESS TO CLOSED SESSION:

The Board recessed to Closed Session at 12:03 p.m.

RECONVENE TO PUBLIC SESSION:

The Board reconvened to Public Session at 12:23 p.m.

REPORT BY EXECUTIVE DIRECTOR OF ACTION TAKEN IN CLOSED SESSION:

Executive Director Julie Austin stated that there was no other reportable action.

REPORTS AND ANNOUNCEMENTS:

RA 1 Executive Director's Report

The following information was provided:

- There were only minor issues resulting from the March 25 service changes.
- A letter regarding Veolia's name change to TransDev is in the Board's information folders.
- Wendy Williams and staff were recognized for the great job they did coordinating AVTA's dedication ceremony held on March 20 to acknowledge the completion of Phase II. Fleet and Facilities Manager Mark Perry received special recognition during the ceremony for the outstanding job he did completing the project.
- Chairman Hickling and Ms. Austin attended the APTA Legislative Conference in Washington, D.C., March 10-13. Ms. Austin participated in a group meeting with the California Transit Association and Senator Boxer's staff, and deferred to Chairman Hickling for additional information on the trip.
- Ms. Austin will be on vacation March 28 through April 2, 2013.

A voice mail from commuter passenger Mary Helen regarding an operator compliment was played for the Board.

MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

Director Hofbauer complimented the staff regarding the great job that was done with the facility remodel and the coordination of the site tour.

The Board welcomed Director Dianne Knippel.

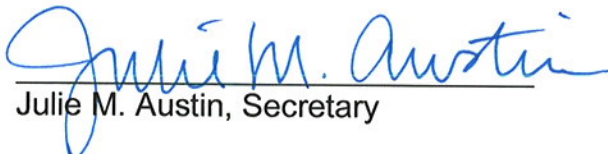
Chairman Hickling provided additional information regarding the trip to Washington, D.C. and his meetings with Art Leahy, MTA's Chief Executive Officer, Congressmen Buck McKeon and Kevin McCarthy (Majority Whip). He and Julie were proud to share AVTA's success story.

ADJOURNMENT:

Chairman Hickling adjourned the meeting at 12:30 p.m. to the next Regular Meeting of the Board of Directors on April 23, 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 23rd day of April, 2013.


Norman L. Hickling, Chairman


Julie M. Austin, Secretary

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