



Regular Meeting of the Board of Directors

Tuesday, September 24, 2019

10:00 a.m.

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

AGENDA

For record keeping purposes, and if staff may need to contact you, we request that a speaker card, located at the Community Room entrance, be completed and deposited with the AVTA Clerk of the Board. This will then become public information. Please note that you do not have to complete this form or state your name to speak. A three-minute time limit will be imposed on all speakers other than staff members.

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please contact the Clerk of the Board at (661) 729-2206 at least 72 hours prior to the scheduled Board of Directors meeting.

Translation services for Limited English Proficiency (LEP) persons are also available by contacting the Clerk of the Board at least 72 hours prior to the meeting.

Please turn off, or set to vibrate, cell phones, pagers, and other electronic devices for the duration of this meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:

Chairman Marvin Crist, Vice Chair Dianne Knippel, Director Steve Hofbauer, Director Angela Underwood–Jacobs, Director Michelle Flanagan, Director Richard Loa

APPROVAL OF AGENDA

PUBLIC BUSINESS – AGENDIZED AND NON-AGENDIZED ITEMS:

If you would like to address the Board on any agendized or non-agendized items, you may present your comments at this time. Please complete a speaker card (available as you enter the Community Room) and provide it to the Clerk of the Board. Speaking clearly, state and spell your name for the record. **State law generally prohibits the Board of Directors from taking action on or discussing non-agenda items; therefore, your matter will be referred to the Authority's Executive Director/CEO for follow-up.** Each speaker is limited to three (3) minutes.

SPECIAL REPORTS, PRESENTATIONS, AND REQUESTS FOR DIRECTION (SRP): During this portion of the meeting, staff will present information not normally covered under regular meeting items. This information may include, but is not limited to budget presentations, staff conference presentations, or information from outside sources that relates to the transit industry. **Staff will seek direction as is necessary from the Board with regard to the following item(s).**

SRP 1 RECOGNITION OF TRANSDEV OPERATOR AND EMPLOYEE OF THE MONTH FOR AUGUST 2019 – MIKE SORENSEN

SRP 2 LEGISLATIVE REPORT FOR SEPTEMBER – JUDY VACCARO-FRY

SRP 3 MAINTENANCE KEY PERFORMANCE INDICATORS REPORT FOR AUGUST 2019 – MARK PERRY

CONSENT CALENDAR (CC): Items 1 and 2 are consent items that may be received and filed and/or approved by the Board in a single motion. If any member of the Executive Board wishes to discuss a consent item, please request that the item be pulled for further discussion and potential action.

CC 1 BOARD OF DIRECTORS MEETING MINUTES OF AUGUST 27, 2019 – KAREN DARR

Recommended Action: Approve the Board of Directors Regular Meeting Minutes of August 27, 2019.

CC 2 FINANCIAL REPORT FOR AUGUST 2019 – JUDY VACCARO-FRY

Recommended Action: Receive and file the financial report for August 2019.

NEW BUSINESS (NB):

NB 1 ROUTES 5 AND 7 EARLY DEMONSTRATION PROJECTS – MARTIN TOMPKINS

Recommended Action: Authorize the Executive Director/CEO to implement the Routes 5 and 7 demonstration projects.

NB 2 CONTRACT #2020-02 TO VEHICLE TECHNICAL CONSULTANTS, INC. FOR QUARTERLY BUS FLEET INSPECTION SERVICES – LYLE BLOCK

Recommended Action: Authorize the Executive Director/CEO to execute Contract #2020-02 for quarterly bus fleet inspections to Vehicle Technical Consultants, Inc., Beaumont, CA for one (1) year with two (2) optional one-year renewal options for a combined amount not to exceed \$100,000.

NB 3 SOLE SOURCE CONTRACT #2020-11 TO OPTIBUS, INC. FOR ELECTRIC BUS PLANNING, SCHEDULING AND RUN CUTTING SOFTWARE AS A SERVICE – LYLE BLOCK

Recommended Action: Authorize the Executive Director/CEO to execute Sole Source Contract #2020-11 for Electric Bus Planning, Scheduling and Run Cutting Software as a Service (SaaS) to Optibus, Inc., San Francisco, CA for one (1) year with four (4) optional one-year renewal periods for a combined five-year amount not to exceed \$400,000.

NB 4 AMENDMENT NO. 1 TO CONTRACT #2016-31 WITH BYD COACH & MOTORS, INC. FOR THE 40, 45 AND 60-FOOT BATTERY ELECTRIC BUS PROJECT – LYLE BLOCK

Recommended Action: Authorize the Executive Director/CEO to execute Amendment No. 1 to Contract #2016-31 with BYD Coach & Bus, Lancaster, CA, for a three (3) year time extension with an overall quantity increase of five buses.

NB 5 RESOLUTION NO. 2019-007, REMOVAL OF SECTION 4.60 OF THE BYLAWS; ADDITION OF SECTION 3.30 OF THE BYLAWS – ALLISON BURNS

Recommended Action: Adopt Resolution No. 2019-007), amending the Bylaws to: (1) remove Section 4.60 entitled "Compensation" regarding the compensation of Board members, and reposition the language therein as new Section 3.30; and (2) change the heading of proposed new Section 3.30 to read "Compensation and Benefits" and add language to proposed new Section 3.30 to provide health care coverage for Board members.

CLOSED SESSION (CS):

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

- 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)
- CS 3 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(4)
Consideration of whether to initiate litigation (one potential case)
- CS 4 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(4)
Consideration of initiation of litigation (one potential case)
- CS 5 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(c)
Anticipated Litigation (two potential cases)

RECESS TO CLOSED SESSION

RECONVENE TO PUBLIC SESSION

REPORT BY LEGAL COUNSEL OF ACTION TAKEN IN CLOSED SESSION

REPORTS AND ANNOUNCEMENTS (RA):

- RA 1 Report by the Executive Director/CEO

MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

During this portion of the meeting, Board Members may address non-agenda items by briefly responding to statements made or questions posed by the public, asking a question for clarification, making a brief announcement, or making a brief report on their own activities. **State law generally prohibits the AVTA Board of Directors from taking action on or discussing items not on the agenda.** Matters will be referred to the Executive Director/CEO for follow-up.

ADJOURNMENT:

Adjourn to the Regular Meeting of the Board of Directors on October 22, 2019 at 10:00 a.m. in the Antelope Valley Transit Authority Community Room, 42210 6th Street West, Lancaster, CA.

The agenda was posted by 5:00 p.m. on September 19, 2019 at the entrance to the Antelope Valley Transit Authority, 42210 6th Street West, Lancaster, CA 93534.

Copies of the staff reports and attachments or other written documentation relating to each proposed item of business on the agenda presented for discussion by the Board of Directors are on file in the Office of the Executive Director/CEO. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the AVTA to the Board of Directors less than 72 hours prior to that meeting are on file in the Office of the Executive Director/CEO. These documents are available for public inspection during regular business hours at the Customer Service window of the AVTA at 42210 6th Street West, Lancaster or by contacting the Clerk of the Board at (661) 729-2206.

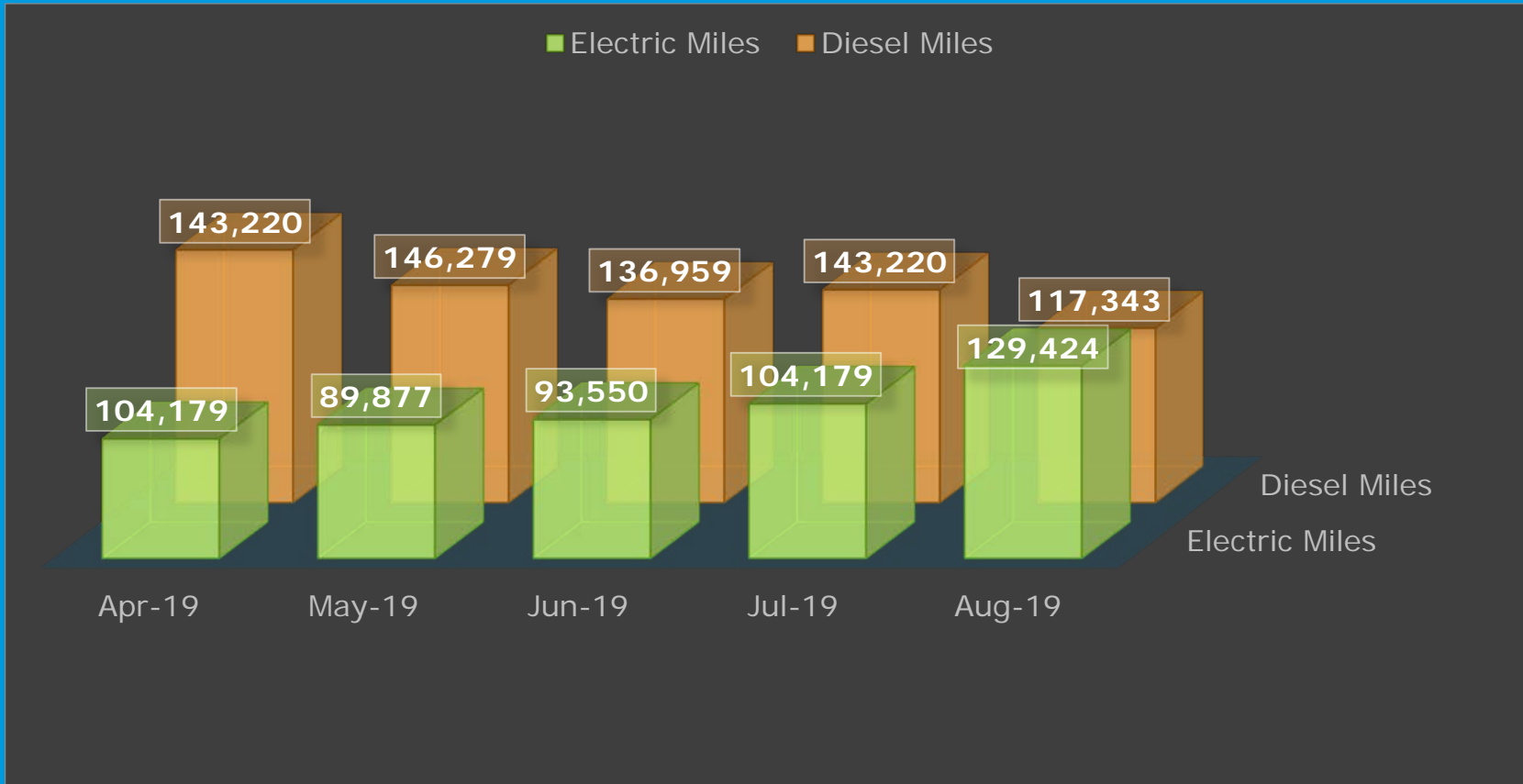
Maintenance Key Performance Indicators - August 2019

Presentation to the Board of Directors

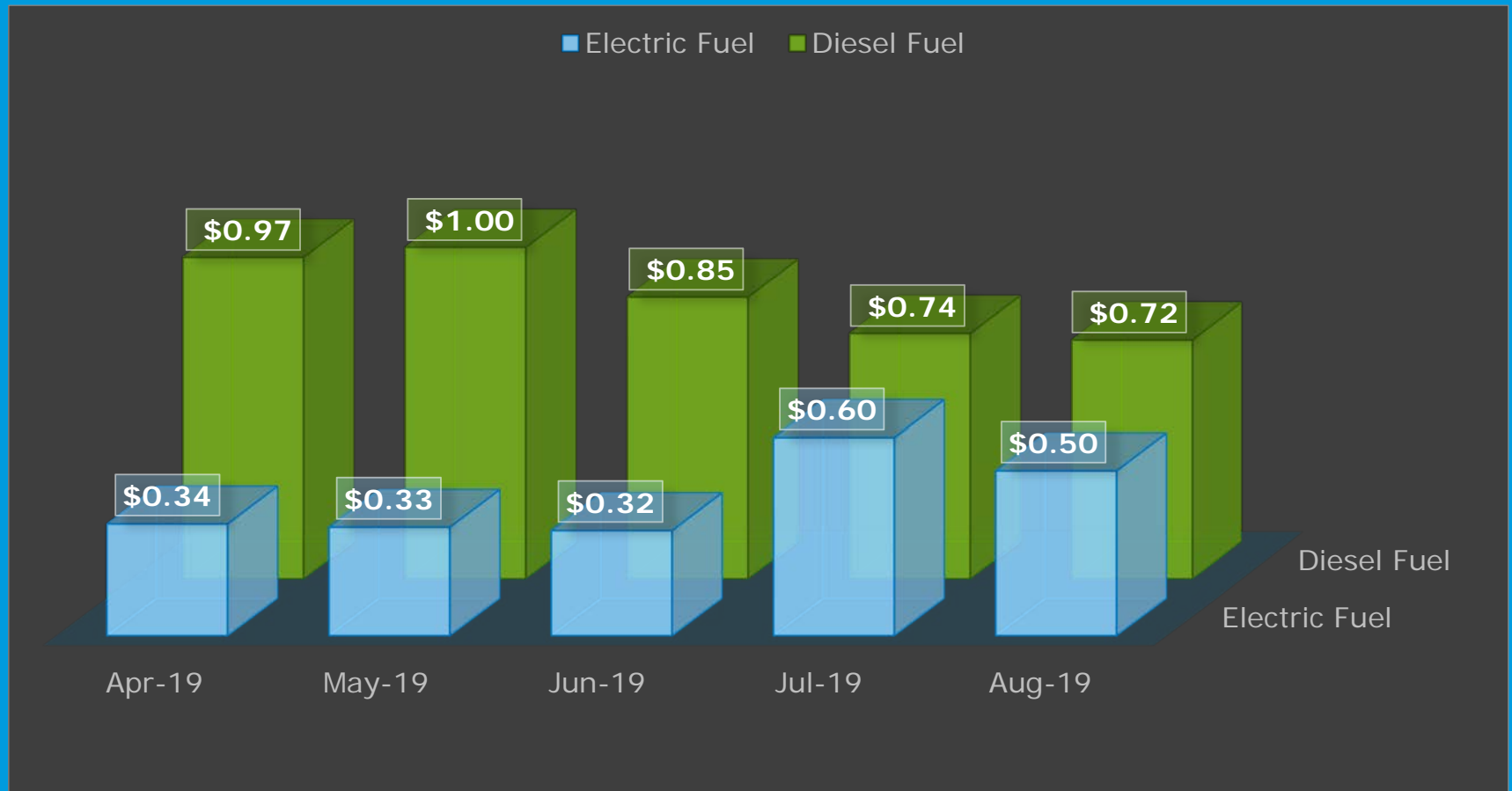
September 24, 2019



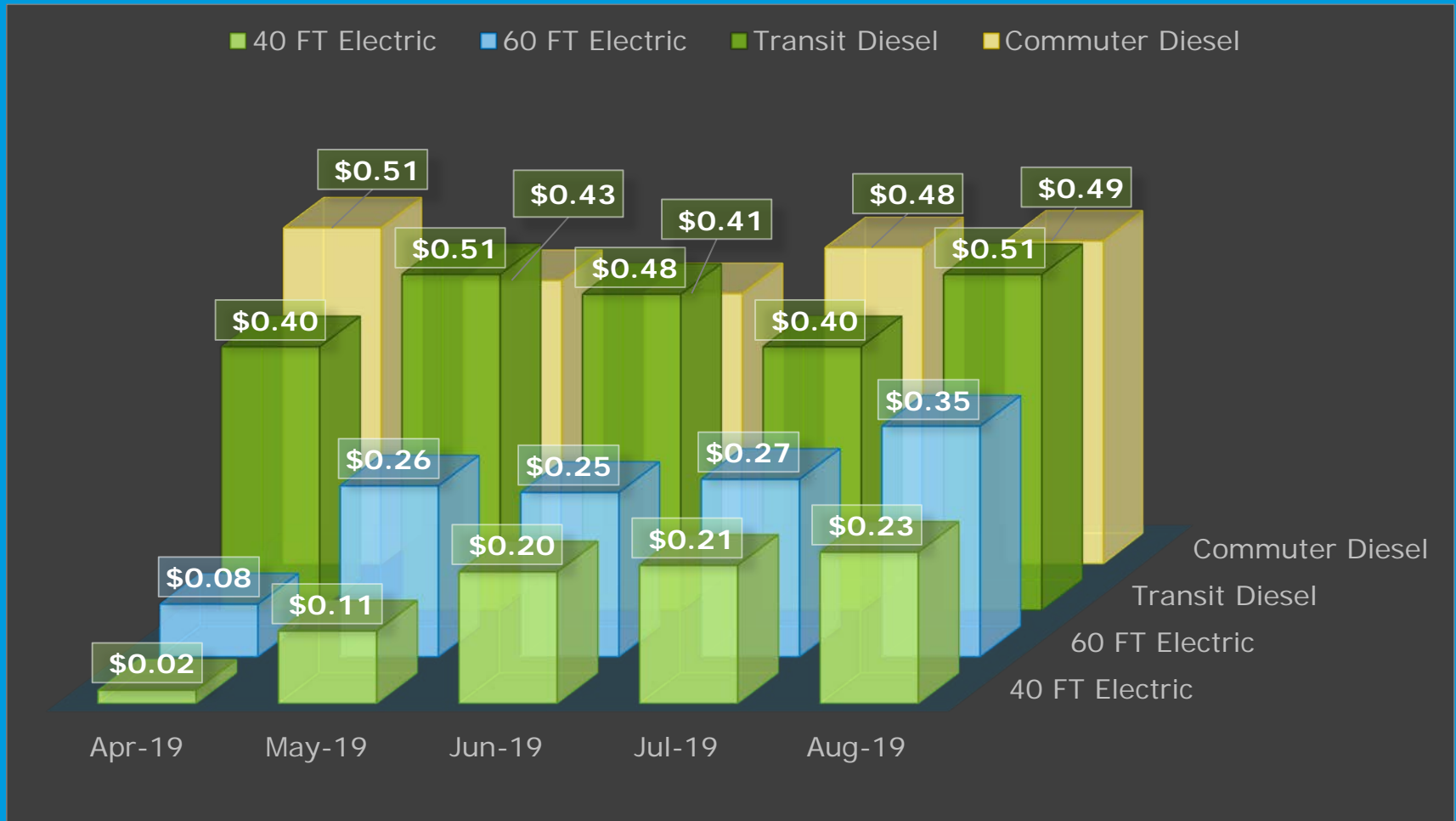
TRANSIT MILES: DIESEL vs ELECTRIC



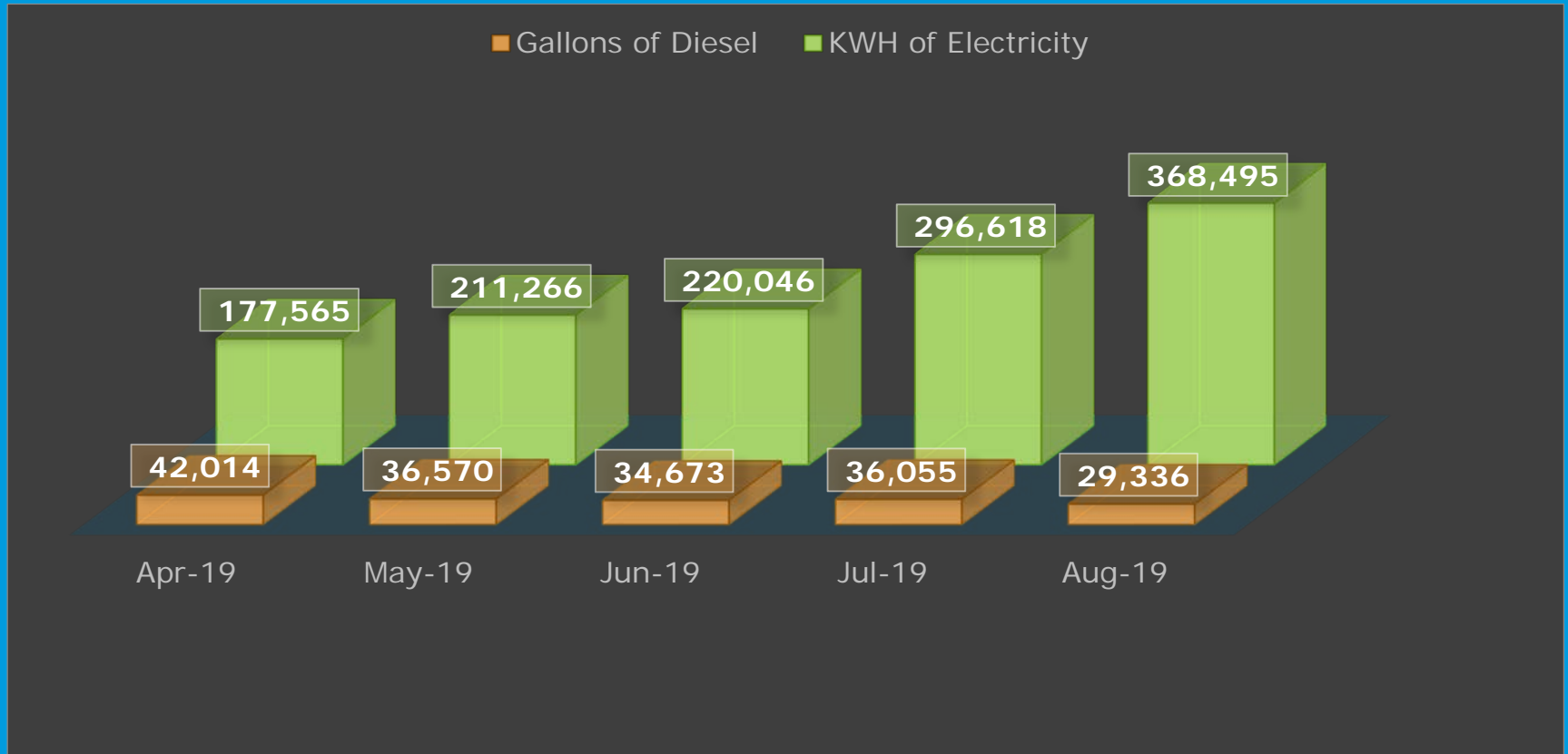
PROPULSION FUEL COST PER MILE



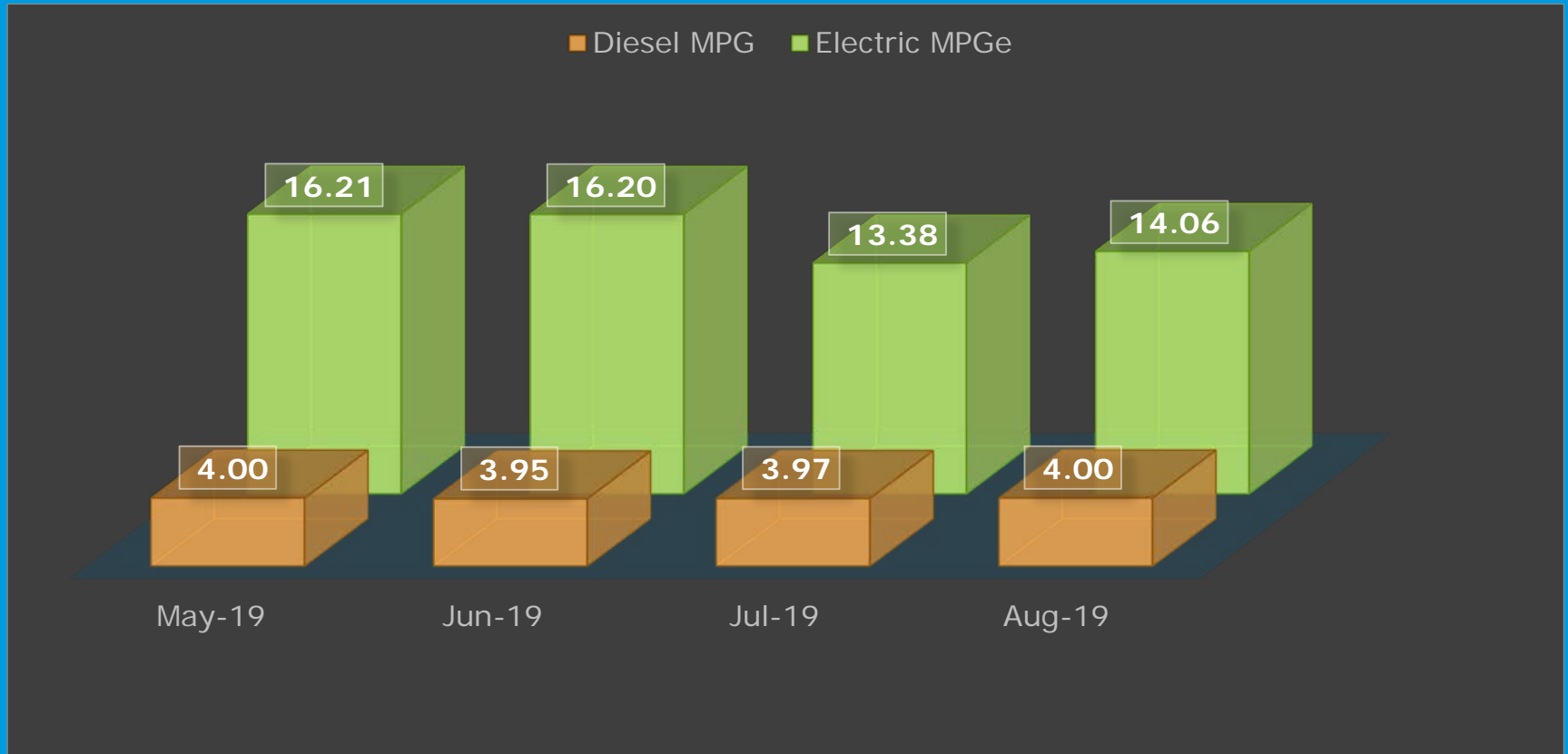
MAINTENANCE COST PER MILE BY FLEET



ELECTRIC CONSUMPTION & DIESEL FUEL REDUCTION (Local Only)

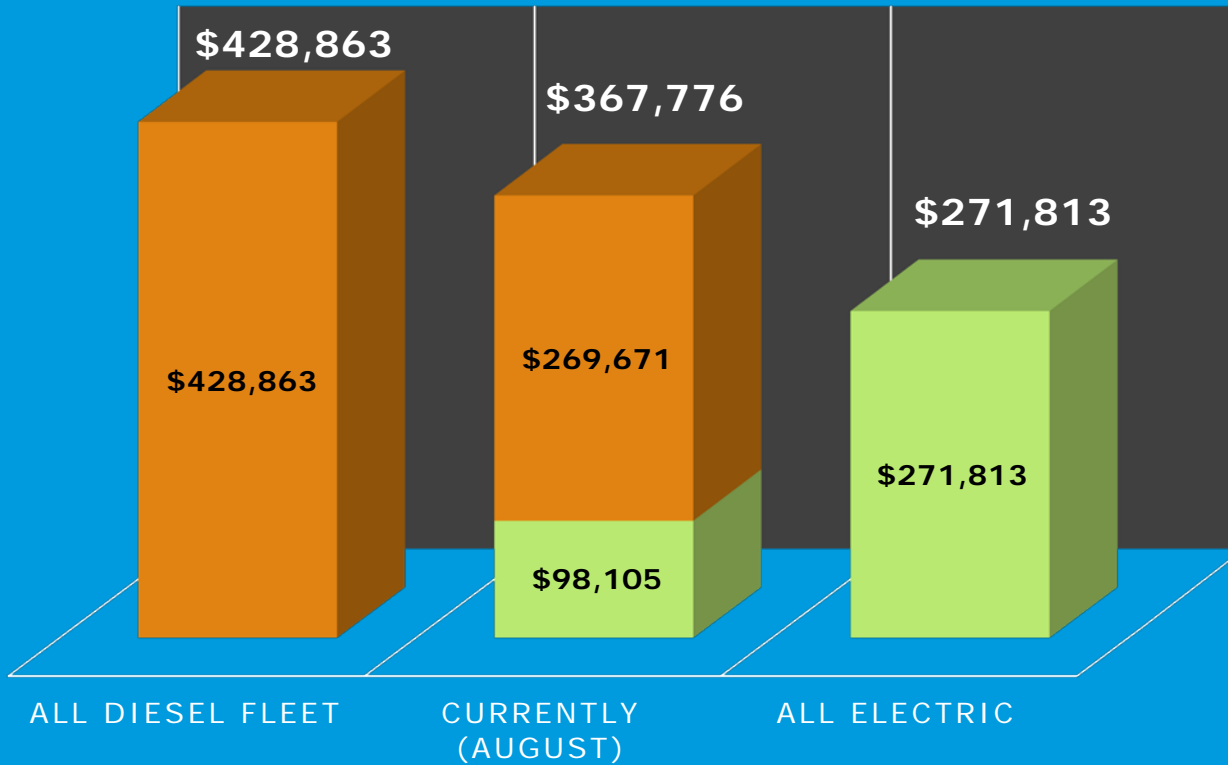


DIESEL VS. ELECTRIC MPG EQUIVALENT (Local Only)

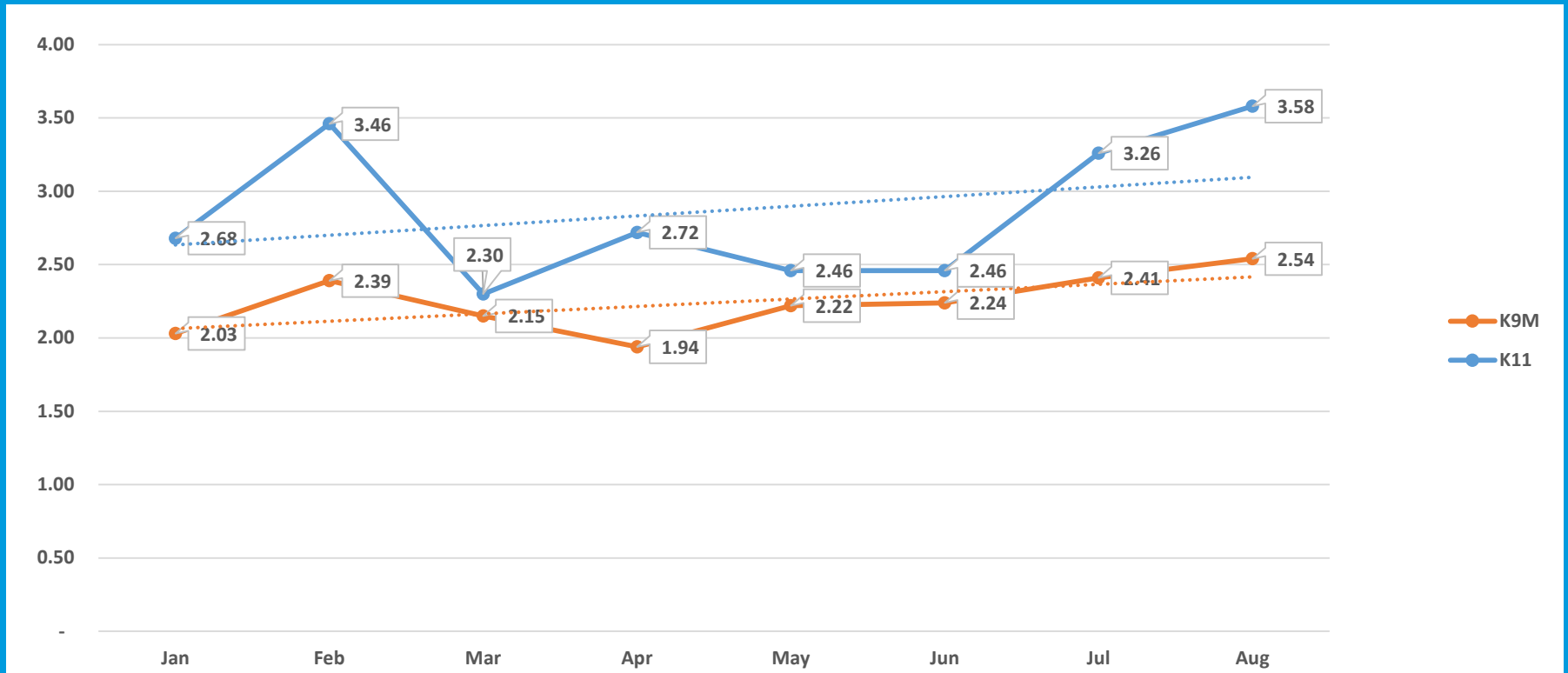


TOTAL FUEL & MAINTENANCE COST ASSUMPTIONS AT FULL BUILDOUT

■ Electric ■ Diesel



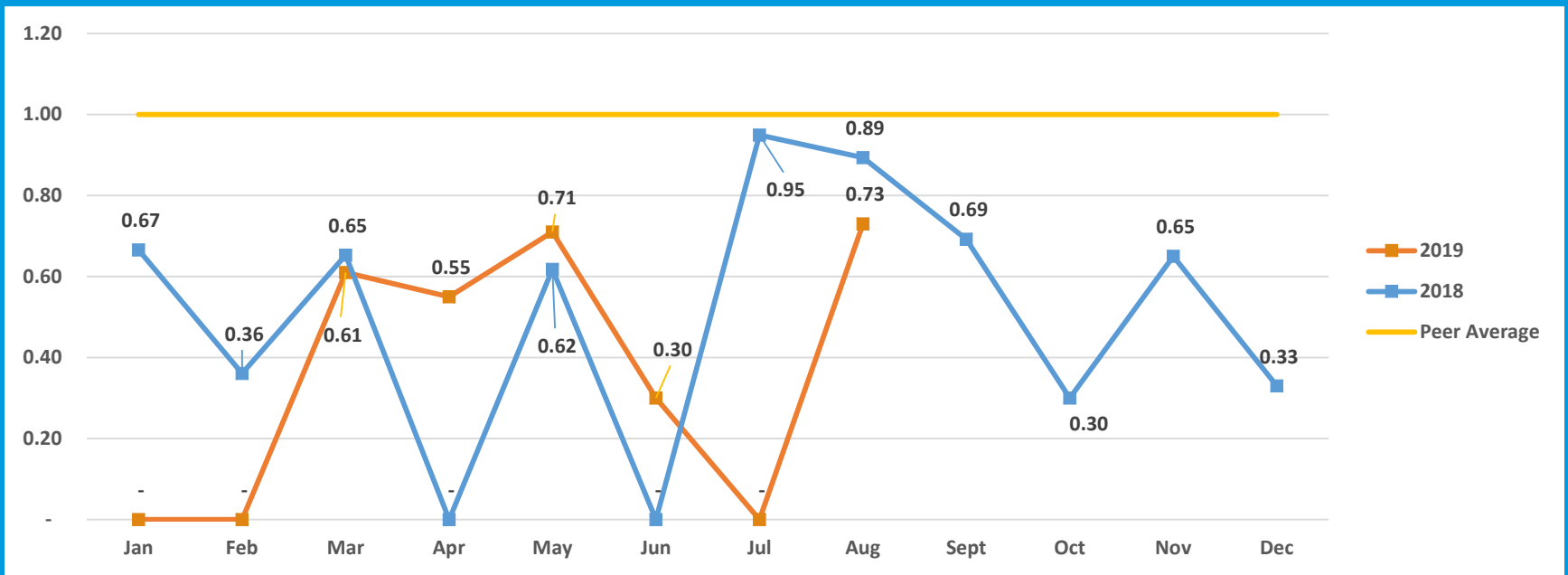
AVERAGE FUEL CONSUMPTION PER MILE (KWpM)



PREVENTABLE ACCIDENTS/100,000 MILES

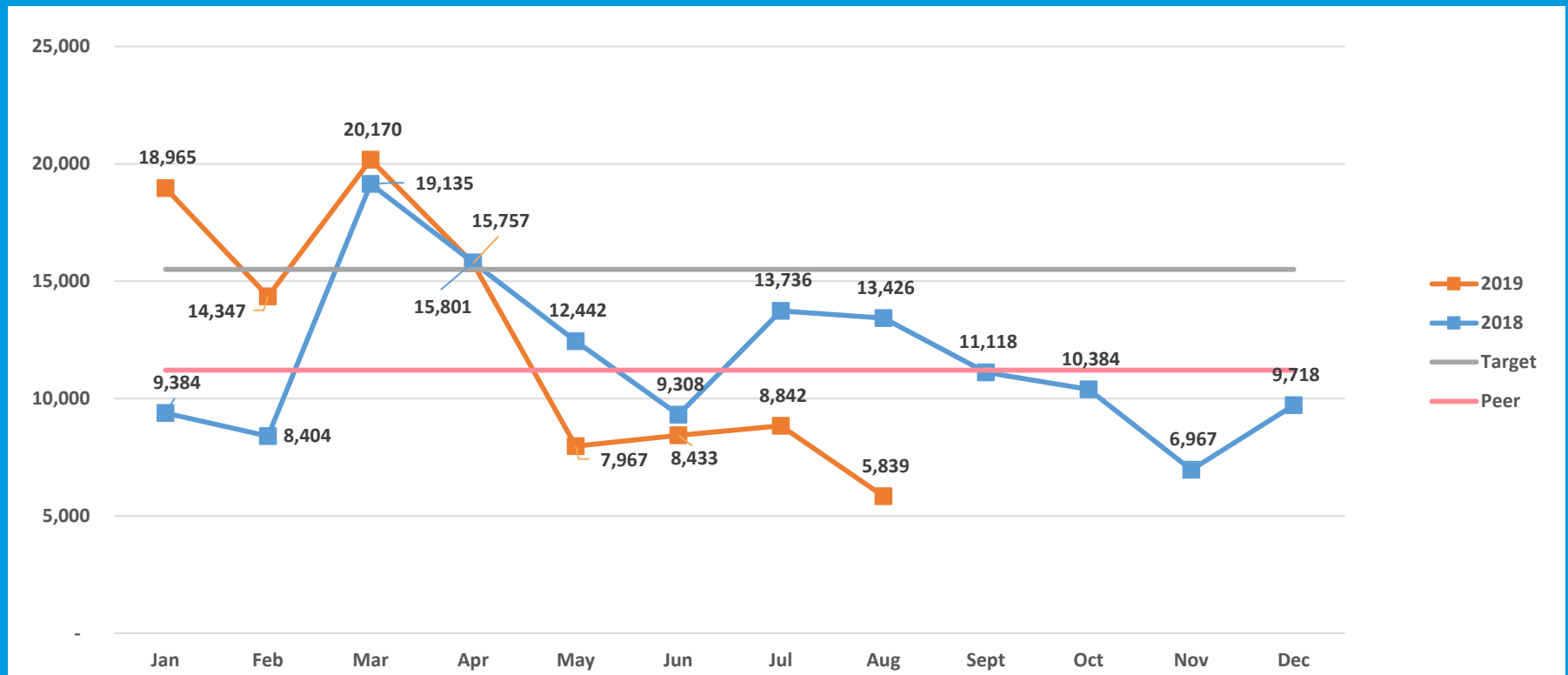
Peer Standard: 1.00 Target 1.00

August Total Accidents: 6 / Preventable Total Accidents: 3



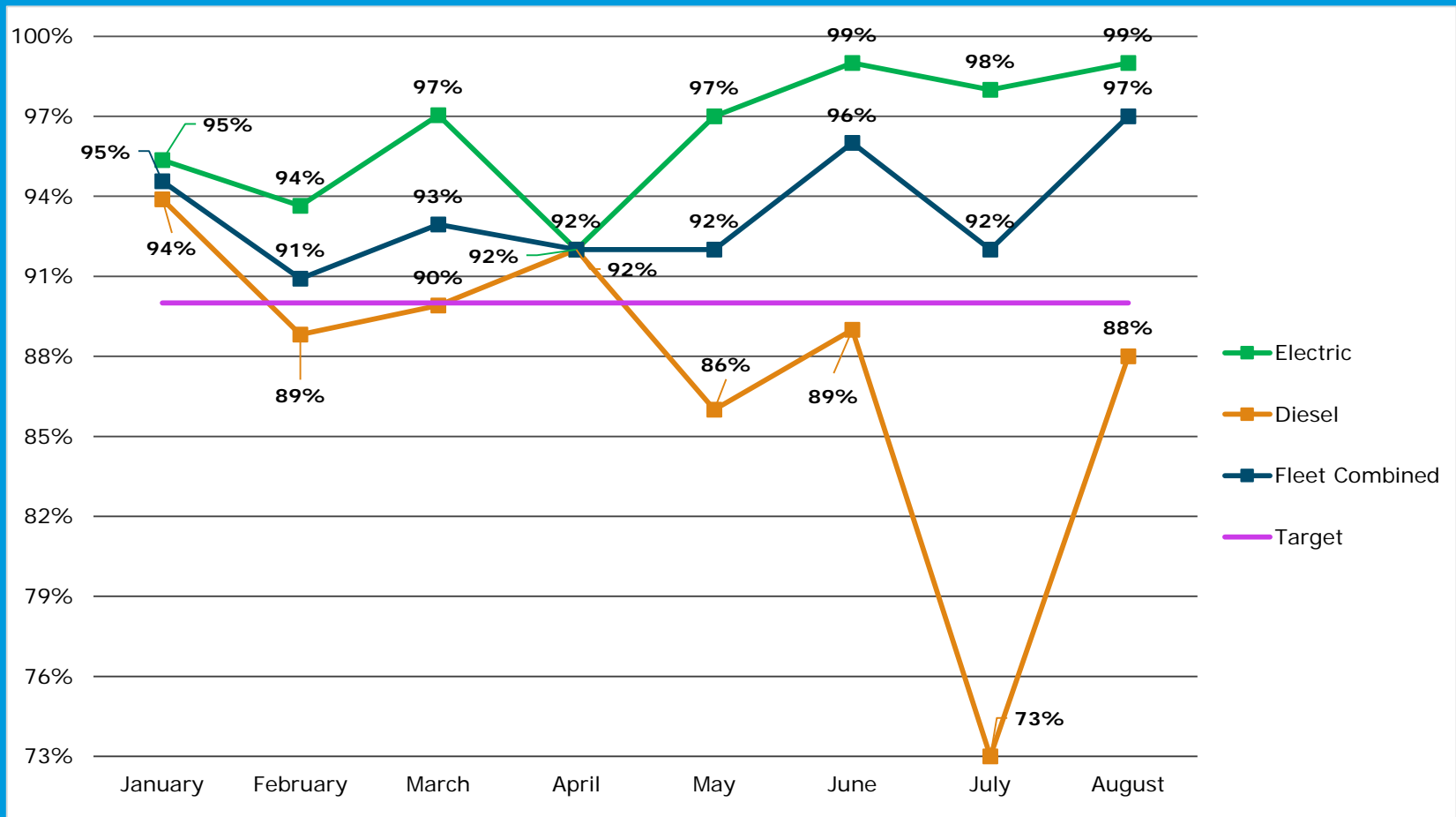
AVERAGE MILES BETWEEN SERVICE INTERRUPTIONS

Peer Average: 11,206 / Target: 15,500



AVAILABILITY

Peer Average: 77% / Target 90%



Summary

Electric bus availability for August is at 97% and diesel buses have risen to 88%.

KWPM ranges are high due to short and high consumption trips, which is a result of training and longer hot summer days causing the bus's AC to operate more hours.

High service interruptions are caused mostly from the diesel buses and emission related issues.

We have 46 e-buses on site and all are in service.

The first C-10 commuter coach is in system validation with a few issues.

An Invitation for Bid (IFB) has been released for the Palmdale South Valley Clinic charging project. Staff will be recommending a contractor at the October Board meeting.

The Lancaster Metrolink Charging Station charging project IFB will be posted this week. Staff anticipates recommending a contractor at the November Board meeting.



Discussion/Questions?





Regular Meeting of the Board of Directors

Tuesday, August 27, 2019

10:00 a.m.

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

UNOFFICIAL MINUTES

CALL TO ORDER:

Chairman Crist called the meeting to order at 10:01 a.m.

PLEDGE OF ALLEGIANCE:

Director Underwood-Jacobs led the Pledge of Allegiance.

ROLL CALL:

Present

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

APPROVAL OF AGENDA:

Motion: Approve the agenda as comprised.

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

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan, Loa

Nays: None

Abstain: None

Absent: None

PUBLIC BUSINESS – AGENDIZED AND NON-AGENDIZED ITEMS:

J.D. Arbaugh spoke about the length of time it takes to travel from the Lancaster Post Office to Littlerock, a bus leaving the Palmdale Transportation Center before Metrolink passengers could make their connection, bus stops near 47th St. E. and Avenue S being too far from the intersection, and detours on the Route 52.

Director Hofbauer suggested including the stops at 47th St. E. and Avenue S on the bus stop improvement list and possibly installing turnouts.

Paul Andrews inquired when AVTA would implement the use of e-scooters and that the bus routes should have more than one bus in case of breakdowns.

Charlotte Baxter stated the bus switch outs are causing delays, many of the new operators are extremely rude, and the operators should know when to put down the ramp.

Norma U. thanked the Board for installing the bus stop on Avenue L and 10th St. W. She spoke about the lack of running time on the Route 50 schedule, and eliminating the morning, evening, and weekend stops at Kaiser Permanente on Avenue L when the facility is closed.

Michael Rives complimented the Route 1 service and the operators. He asked about AVTA's policy regarding the operator's role when a passenger falls on the bus. He stated bus benches need to be installed in front of Walmart and Buffalo Wild Wings on 10th St. W., Avenue M-8 and 50th St. W. and Avenue J-15 and 10th St. W.

Senior Director of Operations and Planning Martin Tompkins will address the concerns.

SPECIAL REPORTS, PRESENTATIONS, AND REQUESTS FOR DIRECTION (SRP):

SRP 1 RECOGNITION OF TRANSDEV OPERATOR AND EMPLOYEE OF THE MONTH FOR JULY 2019

Transdev Operations Manager Mike Sorensen presented plaques to the Operator of the Month Roy Lopez and Employee of the Month Nakia Moody.

SRP 2 BUS STOP IMPROVEMENTS

Executive Director/CEO Macy Neshati presented the report. The Board discussed the process and necessary criteria for a bus stop improvement.

SRP 3 MAINTENANCE KEY PERFORMANCE INDICATORS REPORT

Director of Fleet and Facilities Mark Perry presented the report. The Board discussed the propulsion fuel cost per mile. Mr. Perry will separate maintenance and fuel cost information in future reports.

CONSENT CALENDAR (CC):

CC 1 BOARD OF DIRECTORS MEETING MINUTES OF JULY 23, 2019

Approve the Board of Directors Regular Meeting Minutes of July 23, 2019.

CC 2 FINANCIAL REPORT FOR JULY 2019

Receive and file the financial report for July 2019.

CC 3 GRANT STATUS REPORT

Receive and file the Grant Status Report.

CC 4 RESOLUTION NO. 2019-006, AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE AGREEMENTS NECESSARY FOR THE BUS EXPANSION PROJECT WITH FUNDS FROM THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM FOR FISCAL YEAR 2019/2020 (FY 2020)

Adopt Resolution No. 2019-006, a Resolution authorizing the Executive Director/CEO to execute agreements necessary for the Bus Expansion project with funds from the California State of Good Repair Program for Fiscal Year 2019/2020 (FY 2020).

Motion: Approve the Consent Calendar.

Moved by Director Hofbauer, seconded by Vice Chair Knippel

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan, Loa

Nays: None

Abstain: None

Absent: None

NEW BUSINESS (NB):

NB 1 CONTRACT #2020-01 TO WEBB BUILDERS CONSTRUCTION FOR SERVER ROOM UPGRADES

Procurement and Contracts Officer Lyle Block presented the staff report. The Board discussed the submitted bid.

Motion: Authorize the Executive Director/CEO to execute Sole Respondent Contract #2020-01 for the server room upgrades at AVTA's Administration Facility to Webb Builders Construction, Lancaster, CA in the amount of \$314,260, plus applicable permit fees and sales tax.

Moved by Vice Chair Knippel, seconded by Director Flanagan

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan, Loa

Nays: None

Abstain: None

Absent: None

REPORTS AND ANNOUNCEMENTS (RA):

RA 1 Report by the Executive Director/CEO

Mr. Neshati provided an update regarding the Regional Transit Plan and increased ridership on Routes 1 and 8. He detailed AVTA and Transdev's response to the Los Angeles County Sheriff's incident on August 21 and complimented staff on implementing the largest electric fleet in North America.

MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

There were no miscellaneous business non-agenda Board items presented.

ADJOURNMENT:

Chairman Crist adjourned the meeting at 10:50 a.m. to the Regular Meeting of the Board of Directors on September 24, 2019 at 10:00 a.m. in the Antelope Valley Transit Authority Community Room, 42210 6th Street West, Lancaster, CA.

PASSED, APPROVED, and ADOPTED this 24th day of SEPTEMBER, 2019

Marvin Crist, Chairman of the Board

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.



DATE: September 24, 2019
TO: BOARD OF DIRECTORS
SUBJECT: Financial Report for August 2019

RECOMMENDATION

That the Board of Directors receive and file the financial report for August 2019.

FISCAL IMPACT

| | August |
|--------------------|---------------|
| PAYROLL | \$273,671 |
| CASH DISBURSEMENTS | \$1,965,445 |

BACKGROUND

To comply with the provisions required by Sections 37202, 37208 and 6505.5 of the Government Code, the Director of Finance and Administration in conjunction with the Controller, provides a monthly payroll total and cash disbursements. The Executive Director/CEO and Treasurer certify the availability of funds.

I, Macy Neshati, Executive Director/CEO of AVTA, declare that the above information is accurate.

Prepared by:

Submitted by:

Judy Vaccaro-Fry
 Director of Finance and Administration

Macy Neshati
 Executive Director/CEO



DATE: September 24, 2019

TO: BOARD OF DIRECTORS

SUBJECT: Routes 5 and 7 Early Action Demonstration Projects

RECOMMENDATION

That the Board of Directors authorize the Executive Director/CEO to implement 70 and 75 minute "Clock Face" frequencies on the Route 5 and 7 respectively as an early action demonstration project beginning November 26, 2019 and operating up to 12 months in accordance with the Federal Transit Administration (FTA) Guidelines for demonstration projects.

FISCAL IMPACT

The anticipated budget impact for the demonstration project will be \$41,000.

BACKGROUND

As AVTA receives additional electric vehicles, staff continues to look for additional charging opportunities in order to optimize efficiency and enhance customer service. Staff has identified the current route 5-Mayflower Gardens and 7-Quartz Hill as routes that could positively impact ridership by

- revising and standardizing start times,
- improving running times to enhance on time performance,
- increasing headways to allow for additional charging opportunities at the Sgt. Steve Owens Memorial Park for Route 5 and Palmdale Transportation Center for Route 7,
- decreasing bus switch outs and reducing service delays, and
- improving connections with the Metrolink schedule.

Routes 5 and 7 Early Action Demonstration Projects

September 24, 2019

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If approved, the improved "Clock Face" start times and charging opportunities would begin on November 26, 2019 and last up to 12 months in accordance with the FTA'S demonstration project guidelines. Prior to these changes, AVTA staff will perform public outreach efforts by handing out flyers and posting info on AVTA's website and social media accounts.

Prepared by:

Submitted by:

Martin J. Tompkins
Senior Director of Operations and Planning

Macy Neshati
Executive Director/CEO



DATE: September 24, 2019

TO: BOARD OF DIRECTORS

SUBJECT: Contract #2020-02 to Vehicle Technical Consultants, Inc., for Quarterly Bus Fleet Inspection Services

RECOMMENDATION

That the Board of Directors authorize the Executive Director/CEO to execute Contract #2020-02 for quarterly bus fleet inspections to Vehicle Technical Consultants, Inc., Beaumont, CA for one (1) year with two (2) optional one-year renewal options for a combined amount not to exceed \$100,000.

FISCAL IMPACT

Sufficient funds have been included in the FY 2020 Budget and will be included in future year budgets to cover contract costs.

BACKGROUND

Since January 2012, our maintenance contractor has inspected, recorded pertinent fleet information and repaired buses. The fleet has grown substantially with the number of buses fast approaching 100. Staff would like to implement an independent system of accountability for maintenance. In order to effectively oversee our contractor, a current base line of fleet condition needs to be established. To this end, staff developed and circulated a Request for Proposals (RFP).

AVTA released a Request for Proposals (RFP) on July 2, 2019. The solicitation documents were posted to AVTA's website and advertisements were placed in the *Antelope Valley Press* and *Our Weekly Lancaster* newsletter. The local Chambers of Commerce were also notified via their respective newsletters and email lists; a total of seventy-eight firms were notified via email with RFP instructions for downloading. Ten firms registered and downloaded the RFP. One addenda was issued on July 25, 2019.

Two proposals were submitted on August 22, 2019, in response to the RFP. Three staff members evaluated and ranked each submitted proposal on the following criteria: proposer's solution (30%), project budget (20%), similar projects (10%), proposer's information (10%), project schedule / benchmarks (10%) and personnel (20%).

Submitted proposals were received from the following firms:

| Firm | Location | Total Score (300 Max) | Three-Year Estimated Contract Amount |
|-------------------------------------|--------------|-----------------------|--------------------------------------|
| Vehicle Technical Consultants, Inc. | Beaumont, CA | 272 | \$99,750 |
| TRC Engineering Services, LLC | Oviedo, FL | 250 | \$175,646 |

Vehicle Technical Consultants, Inc. proposal earned the highest combined score from the evaluation committee. In addition to their reasonable pricing, they provided the best overall solution for AVTA. It was obvious that their past experience with AVTA gave them a clear insight into our requirements and mission. Staff is confident that Vehicle Technical Consultants, Inc. will perform their duties diligently.

Prepared by:

Submitted by:

Lyle A. Block, CPPB
Procurement and Contracts Officer

Macy Neshati
Executive Director/CEO



DATE: September 24, 2019

TO: BOARD OF DIRECTORS

SUBJECT: Sole Source Contract #2020-11 to Optibus, Inc. for Electric Bus Planning, Scheduling and Run Cutting Software as a Service

RECOMMENDATION

That the Board of Directors authorize the Executive Director/CEO to execute Sole Source Contract #2020-11 for Electric Bus Planning, Scheduling and Run Cutting Software as a Service (SaaS) to Optibus, Inc., San Francisco, CA for one (1) year with four (4) optional one-year renewal periods for a combined five-year amount not to exceed \$400,000 (Attachment A).

FISCAL IMPACT

Sufficient funds have been included in the FY 2020 Budget and will be included in future year budgets to cover contract costs.

BACKGROUND

Since September 2017, our planning section has used planning, scheduling and run cutting software to map out routes and numbers of operators needed for daily service. Since that time, our fleet has been transitioning to battery electric buses and our need to incorporate electric propulsion in our service planning has grown, as well.

The uniqueness of this SaaS allows staff to program in each buses battery range with individual route charge times needed to maximize range of our fleet. Staff is unaware of any other software that allows an agency to manage individual routes with this type of programming. This type of prediction will allow for a more effective use of our fleet, infrastructure, and operators needed for each service day.

Optibus' sole source proposal, reasonable pricing, and intuitive software provides the best overall solution for AVTA's Electric Bus Planning, Scheduling and Run Cutting Software. It was obvious that their experience with this new propulsion system and programming gave them a clear insight into our requirements and mission. Staff is confident that Optibus, Inc. will perform its functions most effectively.

Prepared by:

Submitted by:

Lyle A. Block, CPPB
Procurement and Contracts Officer

Macy Neshati
Executive Director/CEO

Attachment: A – Optibus Platform Pricing

OPTIBUS PLATFORM PRICING

ANNUAL LICENSE FEES (RECURRING)

| Year | Description | Price (USD) | Quantity | Total Price (USD) | Total |
|------|--|--|----------|-------------------|------------------|
| 1 | Optibus platform Pro Tier Annual License <ul style="list-style-type: none"> ▪ Planning ▪ Timetable | \$40 per vehicle per month (on a yearly basis) | 90 | \$43,200 | \$43,200 |
| 2-3 | <ul style="list-style-type: none"> ▪ Block Optimization | \$65 per vehicle per month (on a yearly basis) | 90 | \$70,200 | \$140,400 |
| 4-5 | <ul style="list-style-type: none"> ▪ Crew Optimization ▪ Rostering ▪ Relief Vehicles Optimization ▪ GTFS Exporter Module/any necessary integrations (AVAIL etc) ▪ API Integration (if necessary) ▪ EV Module | \$97.5 per vehicle per month (on a yearly basis) | 90 | \$105,300 | \$210,600 |
| | | | | Sub Total | \$394,200 |



DATE: September 24, 2019

TO: BOARD OF DIRECTORS

SUBJECT: Amendment No. 1 to Contract #2016-31 with BYD Coach & Motors, Inc., for the 40, 45 and 60-Foot Battery Electric Bus Project

RECOMMENDATION

That the Board of Directors authorize the Executive Director/CEO to execute Amendment No. 1 to Contract #2016-31 with BYD Coach & Bus, Lancaster, CA, for a three (3) year time extension with an overall quantity increase of five buses, as shown on Attachment A.

FISCAL IMPACT

No additional approval of funds are required for this contract and subsequent amendment.

BACKGROUND

In January 2015, staff started planning for a fleet of battery electric buses. Early December 2015, the list of battery electric buses was set at 85. Subsequently, the Board awarded a contract to BYD Coach & Motors, Inc. Since that time, staff has refined bus routes and are actively planning for future expansion.

Staff is requesting a total number of 90 buses be approved with a three-year time extension, which will allow for delivery of all units required. If approved, the contract's new termination date will be June 30, 2023.

Prepared by:

Submitted by:

Lyle A. Block, CPPB
Procurement and Contracts Officer

Macy Neshati
Executive Director/CEO

Attachment: A – Contract Quantity Adjustment and Pricing Information

AVTA CONTRACT NO: 2016-31

CONTRACT TITLE: 40, 45 AND 60 FOOT BATTERY ELECTRIC BUS PROJECT

Contract 2016-31 - Original Quantities and Pricing Information

| Qty | Model | Description | Total Amount | Tax | Totals |
|-----|------------------------|-----------------|-----------------|----------------|-----------------|
| 14 | K-11M | 60' Articulated | | | |
| 35 | C-10M | 45' Commuter | | | |
| 36 | K-9M | 40' Transit | | | |
| 85 | Contract Totals | | \$72,410,000.00 | \$6,878,950.00 | \$79,288,950.00 |

Contract 2016-31 - Current Orders

| P.O. No. | New Qty | Model | Description | Total Amount | Tax | Totals |
|----------|---------------------|-------|-----------------|-----------------|-----------------|-----------------|
| 2976 | 13 | K-11M | 60' Articulated | \$13,705,179.28 | \$1,192,539.54 | \$14,897,718.82 |
| | 13 | | | | | |
| 2977 | 16 | C-10M | 45' Commuter | \$12,848,236.80 | \$1,105,970.08 | \$13,954,206.88 |
| 3605 | 13 | C-10M | 45' Commuter | \$10,451,750.01 | \$979,165.72 | \$11,430,915.73 |
| 3763 | 1 | C-10M | 45' Commuter | \$703,301.21 | \$82,475.88 | \$785,777.09 |
| | 30 | | | | | |
| 3944 | 5 | K-9M | 40' Transit | \$2,949,156.15 | \$347,315.71 | \$3,296,471.86 |
| 3945 | 5 | K-9M | 40' Transit | \$2,949,156.15 | \$347,315.71 | \$3,296,471.86 |
| 3946 | 5 | K-9M | 40' Transit | \$2,949,156.15 | \$347,315.71 | \$3,296,471.86 |
| 3061 | 11 | K-9M | 40' Transit | \$8,418,065.04 | \$762,776.11 | \$9,180,841.15 |
| 3604 | 12 | K-9M | 40' Transit | \$9,189,974.75 | \$832,748.65 | \$10,022,723.40 |
| | 38 | | | | | |
| 81 | Grand Totals | | \$64,163,975.54 | \$5,997,623.11 | \$70,161,598.65 | |

Contract Amendment 1 - New Quantity Adjustment and Pricing Information

| New Qty | Model | Description | Total Amount | Tax | Totals |
|-----------------------------|----------------------------|-----------------|-----------------|----------------|-----------------|
| 19 | K-11M | 60' Articulated | \$5,676,450.00 | \$539,262.75 | \$6,215,712.75 |
| 30 | C-10M | 45' Commuter | \$0.00 | | |
| 41 | K-9M | 40' Transit | \$1,995,882.00 | \$189,608.79 | \$2,185,490.79 |
| 90 | Adjusted Qty Totals | | \$7,672,332.00 | \$728,871.54 | \$8,401,203.54 |
| Current Order Totals | | | \$64,163,975.54 | \$5,997,623.11 | \$70,161,598.65 |
| New Contract Totals | | | \$71,836,307.54 | \$6,726,494.65 | \$78,562,802.19 |



DATE: September 24, 2019

TO: BOARD OF DIRECTORS

SUBJECT: Resolution No. 2019-007, Removal of Section 4.60 of the Bylaws; Addition of Section 3.30 of the Bylaws

RECOMMENDATION

That the AVTA Board of Directors ("Board") adopt Resolution No. 2019-007 (Attachment A), amending the Bylaws to: (1) remove Section 4.60 entitled "Compensation" regarding the compensation of Board members, and reposition the language therein as new Section 3.30; and (2) change the heading of proposed new Section 3.30 to read "Compensation and Benefits" and add language to proposed new Section 3.30 to provide health care coverage for Board members (Attachment B).

FISCAL IMPACT

The fiscal impact will be two hundred dollars (\$200.00) per Board member per month, or the cost of providing health care coverage to each Board member in the same manner and at the same cost as any other employee of AVTA.

BACKGROUND

Pursuant to current Section 4.60 of the Bylaws, Board members are not to receive compensation for their service, but may receive travel expenses if approved by the Board. Section 4.60 is currently under the heading "4.0 MEETINGS." The compensation of Board members should more appropriately fall under heading "3.0 BOARD OF DIRECTORS." Thus, Section 4.60 should become new Section 3.30.

Additionally, the Bylaws do not presently provide any health care coverage for Board members. The proposed amendment would add this coverage for Board members, if they should so elect.

The proposed Section 3.30 would read:

~~4.60~~ 3.30 Compensation and Benefits

Directors of AUTHORITY shall serve without compensation **except as set forth in this Section 3.30**. Directors may receive travel expenses as BOARD shall from time to time approve. **Permanent Directors will also be eligible to receive either health insurance coverage on the same basis and at the same cost as other AVTA employees, or if they opt out of the insurance coverage, they shall receive a stipend in the amount of two hundred dollars (\$200.00) per month.**

Prepared by:

Submitted by:

Karen Darr
Clerk of the Board

Macy Neshati
Executive Director/CEO

Attachment: A – Resolution No. 2019-007
B – Redlined Bylaws

**BOARD OF DIRECTORS
ANTELOPE VALLEY TRANSIT AUTHORITY**

RESOLUTION NO. 2019-007

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY TRANSIT AUTHORITY AMENDING THE AUTHORITY'S BYLAWS TO REMOVE SECTION 4.60 (COMPENSATION) AND REPOSITION THE LANGUAGE TO NEW SECTION 3.30 (COMPENSATION AND BENEFITS) TO PROVIDE HEALTH CARE COVERAGE FOR BOARD MEMBERS

WHEREAS, the Board of Directors of the Antelope Valley Transit Authority desires to amend its Bylaws to provide health care coverage for Board members; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY TRANSIT AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

1. Remove Section 4.60 (Compensation) regarding the compensation of Board members, and reposition the language therein as new Section 3.30.

4.60 Compensation

Directors of AUTHORITY shall serve without compensation. Directors may receive travel expenses as BOARD shall from time to time approve.

2. Change the heading of proposed new Section 3.30 to read "Compensation and Benefits" and add language to proposed new Section 3.30 to provide health care coverage for Board members.

Added Section 3.30 to read as follows:

3.30 Compensation and Benefits

Directors of AUTHORITY shall serve without compensation except as set forth in this Section 3.30. Directors may receive travel expenses as BOARD shall from time to time approve. Permanent Directors will also be eligible to receive either health insurance coverage on the same basis and at the same cost as other AVTA employees, or if they opt out of the insurance coverage, they shall receive a stipend in the amount of two hundred dollars (\$200.00) per month.

PASSED, APPROVED and ADOPTED this 24th day of September, 2019 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Marvin Crist, Chairman

ATTEST:

APPROVED AS TO FORM:

Karen S. Darr, Clerk of the Board

Allison E. Burns, General Counsel

DRAFT

BYLAWS
OF THE
ANTELOPE VALLEY TRANSIT AUTHORITY

1.0 NAME OF AUTHORITY

The name of the authority shall be Antelope Valley Transit Authority (hereinafter "AUTHORITY").

2.0 PURPOSES AND POWERS

The general purpose of the AUTHORITY shall be to provide, either directly or indirectly through contract, public transportation services on behalf of its member jurisdictions, hereinafter referred to as "MEMBER". The purposes and powers of the AUTHORITY are more fully set forth in the Joint Powers Agreement (hereinafter referred to as "AGREEMENT").

3.0 BOARD OF DIRECTORS

3.10 Membership

The membership eligibility and selection process for the Board of Directors (hereinafter referred to as "BOARD") and alternates is established in Section 3B of the AGREEMENT.

3.20 Term of Office

The term of office for each BOARD member shall be determined by the governing body which appointed that member.

3.30 Compensation and Benefits

Directors of AUTHORITY shall serve without compensation except as set forth in this Section 3.30. Directors may receive travel expenses as BOARD shall from time to time approve. Permanent Directors will also be eligible to receive either health insurance coverage on the same basis and at the same cost as other AVTA employees, or if they opt out of the insurance coverage, they shall receive a stipend in the amount of two hundred dollars (\$200.00) per month.

4.0 MEETINGS

4.10 Regular Meetings

BOARD shall have regular meetings at least once every quarter. The dates for such meetings shall be determined by BOARD.

4.20 Special Meetings

Special meetings may be called at the discretion of the Chairperson,

Vice-Chairperson, or by a majority vote of the members of BOARD.

4.30 Quorum

A majority of the members of BOARD or alternates present at a meeting shall constitute a quorum for the conducting of business, except that less than a quorum may adjourn a meeting.

4.40 Minutes

BOARD shall keep or cause to be kept written minutes of its proceedings, except executive sessions.

4.50 Officers

The BOARD shall at its April meeting, nominate and elect from its membership a Chair and Vice Chair, each from a different member agency, to take office as of July 1. The term of the Chair and Vice Chair shall be one (1) year.

If the Chair position is vacated for any reason before the full term is served, the Vice Chair becomes Chair and a new Vice Chair shall be nominated and elected. If the Vice Chair position is vacated for any reason before the full term is served, a new Vice Chair shall be selected from the jurisdiction of the departing Vice Chair to fill the remainder of the term.

~~4.60 Compensation~~

~~Directors of AUTHORITY shall serve without compensation. Directors may receive travel expenses as BOARD shall from time to time approve.~~

4.70 Order of Business

The order of business for BOARD meetings shall be determined by the Chairperson in consultation with the Executive Director/Chief Executive Officer (CEO).

4.80 Agenda Changes

Untimed items may be taken out of order at the request of the BOARD Chairperson, with majority concurrence.

4.90 Roberts Rules of Order

All rules not herein provided shall be determined by Robert's Rules of Order.

4.92 Voting

Voting shall be by members or alternate present. There shall be no proxy vote. The voting shall be by voice vote, except that any member or alternate may call for a roll call vote.

4.94 Notice

Notice of meetings shall comply with the requirements of the Ralph M. Brown Act, Government Code Sections 54950, et. seq.

5.0 TRANSIT ADVISORY COMMITTEE

There is hereby established a Transit Advisory Committee ("TAC") for the purpose of providing advisory input to the Executive Director/CEO and the Board on public transportation issues. The Board shall determine the TAC's meeting frequency. The TAC shall consist of two representatives from each member agency, upon recommendation of that member agency's City Manager (Lancaster and Palmdale) or Director of Public Works (Los Angeles County). The representatives on the TAC will be responsible for the administration of the City Councils' and Board of Supervisors' transit funding and for coordination with the Authority. The Board shall establish other advisory committees as it deems fit.

6.0 STAFF/ORGANIZATION CHART

The organization chart outlined in Appendix A is hereby established for AUTHORITY.

Pursuant to Section 7 of the AGREEMENT, the Board shall appoint an Executive Director/CEO who shall serve at the pleasure of the Board. The Executive Director/CEO, or his/her designee, shall serve as the Secretary of the Board of Directors and shall be responsible to keep its minutes, resolutions, and official papers.

BOARD may hire additional staff, or contract for additional professional services, as required.

7.0 BUDGETARY PROCESS

7.10 Preliminary Jurisdiction Contribution Estimates

The Executive Director/CEO shall propose the amounts for each of the jurisdictions' upcoming fiscal year operating and capital contributions to BOARD and Transit Advisory Committee on or before March 1 of the current fiscal year.

7.20 Final Budgets

The Executive Director/CEO shall propose the upcoming fiscal year's final operating and capital budget to BOARD on or before June 30 of the current

fiscal year which shall incorporate applicable and reasonable Article 8 unmet needs recommendations. Final operating and capital budgets shall be adopted by a majority of BOARD on or before June 30 of each year.

7.30 Budget Conflicts

If BOARD should fail to adopt the final budget by the deadline set forth above, or by such other time as may be set by the majority vote of MEMBER agencies, the Transit Advisory Committee members or the Executive Director/CEO shall present the unadopted final budget to the governing body of each MEMBER. Upon adoption by a majority of governing bodies to AUTHORITY, the budget shall become the AUTHORITY'S budget.

7.40 Budgetary Changes

Budgetary changes during the year shall be made in accordance with Section 9E of AGREEMENT.

8.0 EXECUTIVE DIRECTOR/CEO EXPENDITURE LIMITS

The Executive Director/CEO is authorized to approve the following expenditures:

Service Contract Payments - Those expenditure limits authorized through executed agreements with the AUTHORITY.

Change orders/supplemental Agreements to contracts payments - Those expenditures which do not exceed 10 percent of the approved contract costs or \$50,000, whichever is less.

Other purchases - Purchases up to \$75,000 per purchase requisition.

All other purchases over \$75,000 per purchase requisition, and the purchase of any fixed asset over \$75,000, shall be subject to BOARD approval.

9.0 AUTHORITY SERVICE DESCRIPTION, COST ALLOCATIONS

The AUTHORITY shall provide local, commuter, dial-a-ride and special event transportation services (hereinafter referred to as "SERVICES") to member agencies consisting of certain routes, headways, and hours of operation within an established service area as defined in Appendix B, which is attached and incorporated herein.

MEMBER agencies shall be responsible for their share of operating and capital costs associated with AUTHORITY service, based on the formula outlined in Appendix C.

Changes in SERVICES shall be the responsibility of AUTHORITY and not the responsibility of MEMBER agencies except as provided in AGREEMENT.

10.0 SERVICE PERFORMANCE STANDARDS

BOARD shall develop and approve the transportation service performance standards of AUTHORITY.

11.0 AMENDMENT

These Bylaws may be amended upon the majority vote of the full BOARD membership.

12.0 AUTHORITY INSURANCE

AUTHORITY shall assure that all services operated by AUTHORITY are adequately insured with general liability and automobile liability coverage, property damage and physical damage coverage, fidelity coverage, Directors' liability coverage and other coverage selected by BOARD.

AUTHORITY reserves the right to provide such coverages through direct insurance purchases, establishing contractual requirements, joining insurance pooling programs, establishing reserves, or any other methodology approved by BOARD.

13.0 INSURANCE BY OTHER PARTIES

All parties which operate buses and other equipment owned by AUTHORITY shall provide general and automobile liability coverage for all activities associated with the use of such assets, naming AUTHORITY as additional insured, and shall hold harmless and indemnify the AUTHORITY for all claims associated with the use of said equipment. The levels of required coverage shall be determined by the BOARD.

All parties which operate buses and other equipment owned by AUTHORITY shall also repair and/or replace such equipment, at their expense, if it is damaged or destroyed prior to the termination of its scheduled useful life.

14.0 DEFINITIONS

The following definitions shall apply to transit services provided:

"Vehicle Service Hours" are hours when a vehicle is being used in revenue service and do not include deadhead, training, vehicle testing, and other non-service hours.

"Vehicle Service Miles" are miles when a vehicle is being used in revenue service and do not include deadhead, training, vehicle testing, and other non-service miles.

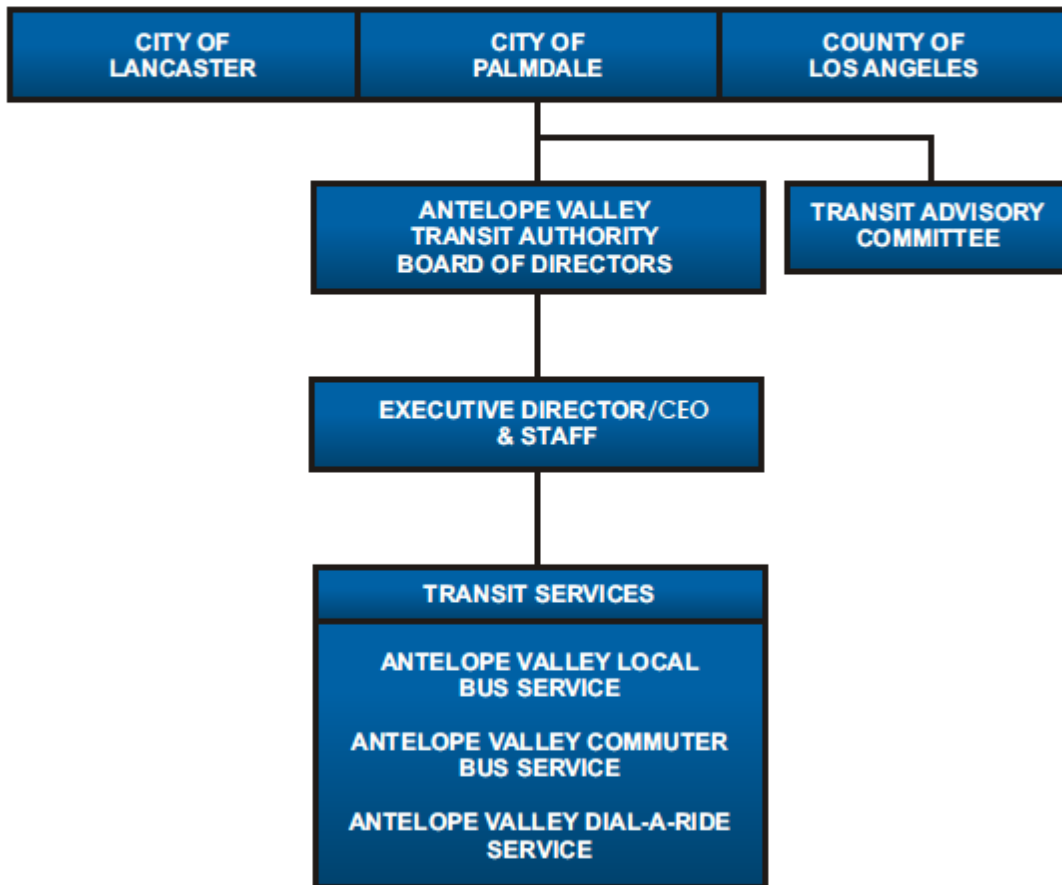
"Deadhead" means miles or hours in which a vehicle is driven while out of service to and from vehicle in-service runs.

"Vehicle Service" refers to service in which fare-paying passengers can be transported and does not include deadheading, training, or vehicle testing.

"Route" refers to the streets traveled by a public transportation vehicle while it is in vehicle service.

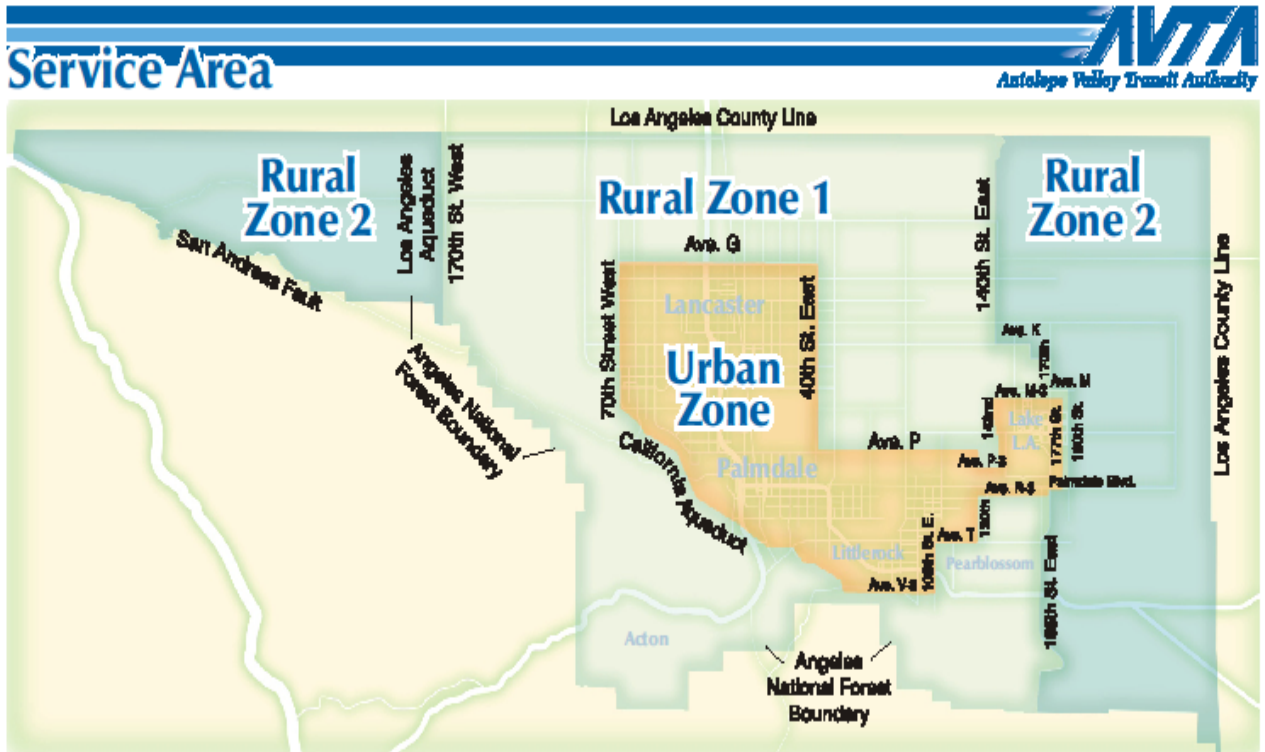


APPENDIX A ANTELOPE VALLEY TRANSIT AUTHORITY ORGANIZATION CHART



APPENDIX B

SERVICE AREA MAP



APPENDIX C

ANTELOPE VALLEY TRANSIT AUTHORITY COST ALLOCATION FORMULA

Commuter Bus Service

The capital and operational cost of the service will be allocated to each jurisdiction based on the percent ridership of each jurisdiction.

Local Fixed-Route Service

The capital and operational cost of the service will be allocated to each jurisdiction based on the percent revenue miles operated in each jurisdiction.

Paratransit and General Public Dial-A-Ride Service

The capital and operational cost of the service will be allocated to each jurisdiction based on the percent ridership of each jurisdiction.

Facilities

Capital and operational costs for operating facilities will be allocated based on the weighted average of the above service costs for each jurisdictional share.

Administration and Other

The administration and other costs provided to the Authority will be allocated based on the weighted average of the above service costs for each jurisdiction share.

Special Event Transportation Service

Jurisdictions requesting special event transportation service utilizing Authority-owned vehicles will pay the Authority an applicable per mile depreciation cost as well as the contractor's operational costs.