



Regular Meeting of the Board of Directors

ONLINE ZOOM MEETING PER GOVERNOR'S ORDER N-29-20

Tuesday, April 28, 2020

10:00 a.m.

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

AGENDA

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. All accommodation requests will be handled swiftly and resolving all doubts in favor of access.

In response to Governor's Executive Order N-29-20, this meeting will be conducted online through Zoom. The public may access the meeting as follows:

Click here to join: <https://zoom.us/j/96542302882>

or

Dial by telephone to join: (669) 900-6833

Meeting ID: 965 4230 2882

Password: 007159

PUBLIC COMMENTS ON AGENDIZED ITEMS MAY BE SUBMITTED VIA EMAIL TO clerkoftheboard@avta.com OR BY TELEPHONE AT 661/729-2206 AT LEAST TWO HOURS PRIOR TO THE START OF THE 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, your comments must be submitted via email to clerkoftheboard@avta.com or by telephone at 661/729-2206 at least two hours prior to the start of the meeting and will be read by the Clerk of the Board during the Public Business portion of the agenda. **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 comment 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 LEGISLATIVE REPORT FOR APRIL – JUDY VACCARO-FRY

SRP 2 OPERATIONS KEY PERFORMANCE INDICATORS (KPI) REPORT – MARTIN TOMPKINS

SRP 3 MAINTENANCE KPI REPORT – CECIL FOUST

CONSENT CALENDAR (CC): Items 1 through 7 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 FEBRUARY 25, 2020 – KAREN DARR

Recommended Action: Approve the Board of Directors Regular Meeting Minutes of February 25, 2020.

- CC 2 FINANCIAL REPORT FOR FEBRUARY AND MARCH 2020 – JUDY VACCARO-FRY

Recommended Action: Receive and file the Financial Report for February and March 2020.

- CC 3 RESOLUTION NO. 2020-002, AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE ALL REQUIRED DOCUMENTS OF THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR FISCAL YEAR 2019/2020 - JUDY VACCARO-FRY

Recommended Action: Adopt Resolution No. 2020-002, a Resolution authorizing the Executive Director/CEO to execute all required documents of the FTA for FY 2020.

- CC 4 FY 2020 THIRD QUARTER LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) REPORT (JANUARY 1 – MARCH 31, 2020) – KELLY MILLER

Recommended Action: Receive and file the FY 2020 Third Quarter LASD report for the period covering January 1 through March 31, 2020.

- CC 5 AMEND THE AGENCY'S CLASSIFICATION AND SALARY SCHEDULE – AMBER JOHNSON

Recommended Action: Approve amending the Agency's Classification and Salary Schedule to add the Safety and Facilities Manager and Fleet Compliance Manager positions and promote the Senior Director of Operations and Planning to Chief Operating Officer.

- CC 6 SOLE SOURCE CONTRACT #2020-36 WITH ABB, INC. FOR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE – LYLE BLOCK

Recommended Action: Authorize the Executive Director/CEO to execute Sole Source Contract #2020-36 with ABB, Inc., Phoenix, AZ, to purchase ten Level III fast-charging stations for the public's use at AVTA's transit centers for an amount not to exceed \$281,930, plus applicable sales tax.

- CC 7 CONTRACT #2020-37 TO COMPLETE COACH WORKS FOR TRANSIT BUS DRIVER PROTECTION BARRIERS – LYLE BLOCK

Recommended Action: Authorize the Executive Director/CEO to award and execute Contract #2020-37 to Complete Coach Works, Riverside, CA, to purchase and install 57 transit bus driver protection barriers that will aid in protecting our drivers from COVID-19 for an amount not to exceed \$342,167.91, plus applicable sales tax.

NEW BUSINESS (NB):

- NB 1 RESOLUTION NO. 2020-003, CONFIRMING EMERGENCY REGULATIONS FOR PUBLIC MEETINGS TO MITIGATE TRANSMISSION OF COVID-19 – ALLISON BURNS

Recommended Action: Adopt Resolution No. 2020-003, a Resolution confirming emergency regulations for public meetings to mitigate transmission of COVID-19.

- NB 2 CONTRACT #2020-12 TO REC SOLAR COMMERCIAL CORPORATION FOR SOLAR + STORAGE ENERGY PARTNER – LYLE BLOCK

Recommended Action: Authorize the Executive Director/CEO to negotiate and execute a power purchase agreement under AVTA's Contract #2020-12 with REC Solar Commercial Corporation, Petaluma CA for a term of twenty-five years not to exceed .06478 cents per kWh, with Self-Generation Incentive Program (SGIP), Equity category rebate.

- NB 3 CONTRACT #2020-45 FOR PROPOSED LAND EXPANSION ACQUISITION – MACY NESHATI

Recommended Action: Authorize the Executive Director/CEO to negotiate, award and execute land purchase agreements under contract # 2020-45 with various landowners in an amount not to exceed \$3.5 million. Executive Director/CEO will ensure all final agreements comply with FTA requirements as well all state and local requirements and regulations and return to the Board of Directors with final negotiated terms, conditions and amounts for all parcels of land.

- NB 4 SECOND AMENDED AND RESTATED EXECUTIVE DIRECTOR/CHIEF EXECUTIVE OFFICER (CEO) EMPLOYMENT AGREEMENT – ALLISON BURNS

Recommended Action: Approve the Second Amended and Restated Executive Director/CEO Employment Agreement.

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 (tendered to Transdev): Jane Doe v. Transdev et al.
LASC Case No. 19AVCV00835
- 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)

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 May 26, 2020 at 10:00 a.m. in the Antelope Valley Transit Authority Community Room, 42210 6th Street West, Lancaster, CA.

The agenda was posted by 6:00 p.m. on April 23, 2020 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.

Legislative Update

Presentation to AVTA Board of Directors
April 28, 2020



STATE



State Update

Bills introduced mandating free transit passes for riders in specific groups: NO MOVEMENT

- AB 1350: persons 18 years or under.
- AB 2012: persons 65 years of age or over.
- AB 2176: persons attending the California Community Colleges, the California State University, or the University of California.





Transit and Intercity Rail Capital Program

1. Antelope Valley Transit Authority (AVTA)

Project: Reaching the Most Transit-Vulnerable: AVTA's Zero Emission 'Microtransit' and Bus Expansion Proposal

Award: \$6,503,000

Total Budget: \$8,481,000

Estimated TIRCP GHG Reductions 12,000 MTCO₂e

(Additional project benefits accrue to the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Program, which is anticipated to contribute \$1,355,000 to the project)

State Update

- 5 60-foot Articulated Buses
- 6 30-foot Microtransit Vehicles
- Charging Equipment
- Network Integration



FEDERAL



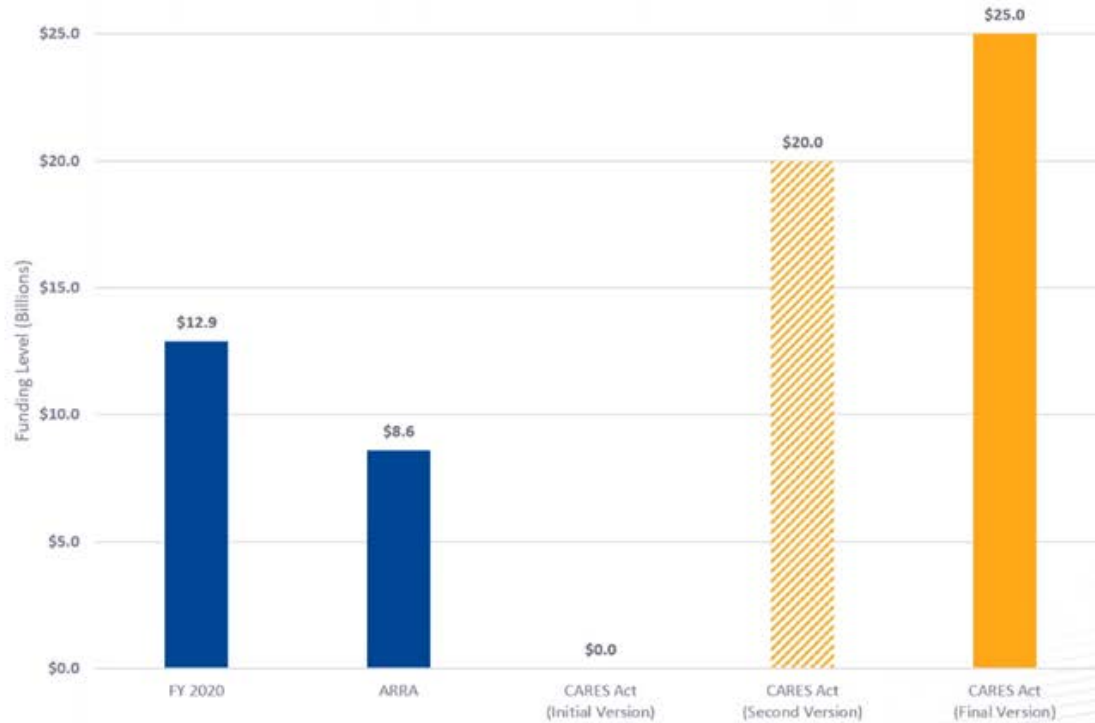
CARES

The Coronavirus Aid, Relief, and Economic Security Act



COVID-19

Public Transit Funding Comparison



COVID-19

The Coronavirus Aid, Relief, and Economic Security (CARES) Act, signed by the President March 27, 2020.

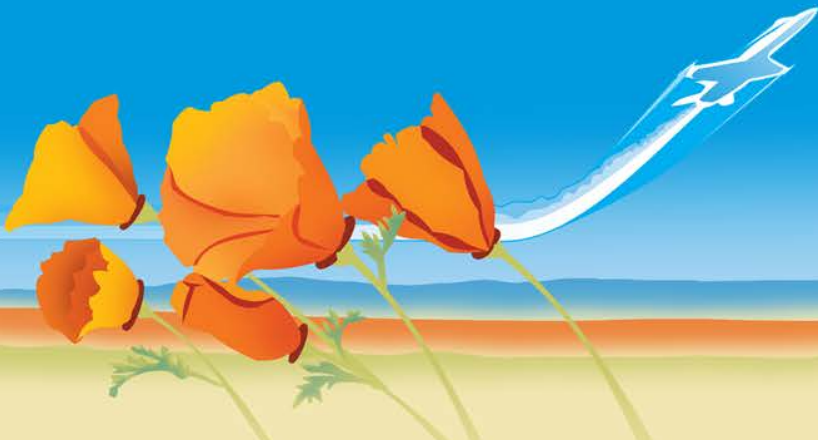
CARES PROVIDES \$25B for TRANSIT

- The CARES Act provides an unprecedented \$25 billion in funding to support the transit industry response to COVID-19
 - Urbanized Area Formula Program (49 USC 5307): \$22.7 billion
 - Formula Grants for Rural Areas (49 USC 5311): \$2.2 billion
 - Includes \$30 million for Tribal Transit formula program
 - \$75 million for administration and oversight

COVID-19

AVTA's CARES Act Appropriation

\$47,875,609



COVID-19

The U.S. Department of Transportation announced that deadlines for several Federal Transit Administration (FTA) competitive grant programs will be extended for 30 days amid the coronavirus (COVID-19) pandemic.

The 30-day extension applies to grant programs currently administered by FTA with active notices of funding opportunities (NOFOs).

> Bus and Bus Facilities – now due 4/29/2020



Thank you!
Questions?



FY 2020 Monthly Operations Key Performance Indicators

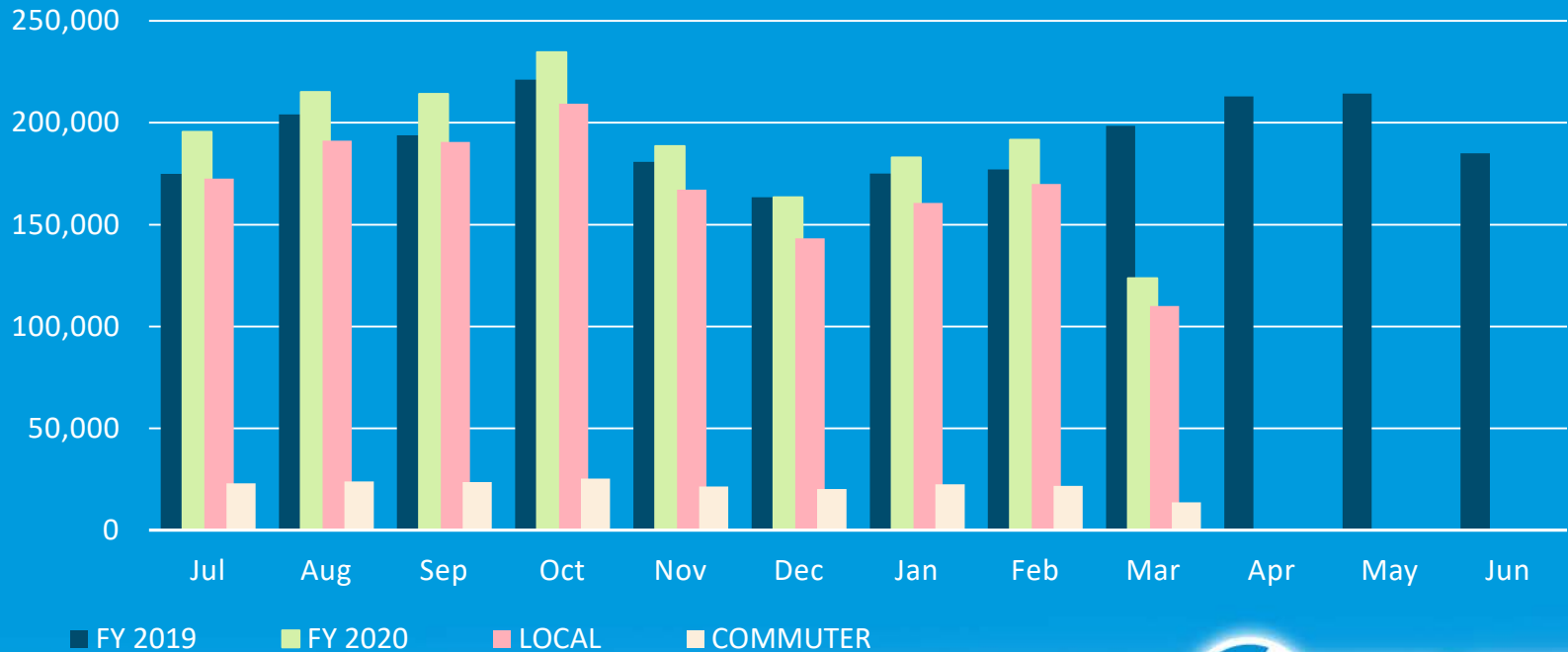
Presentation to the Board of Directors

April 28, 2020

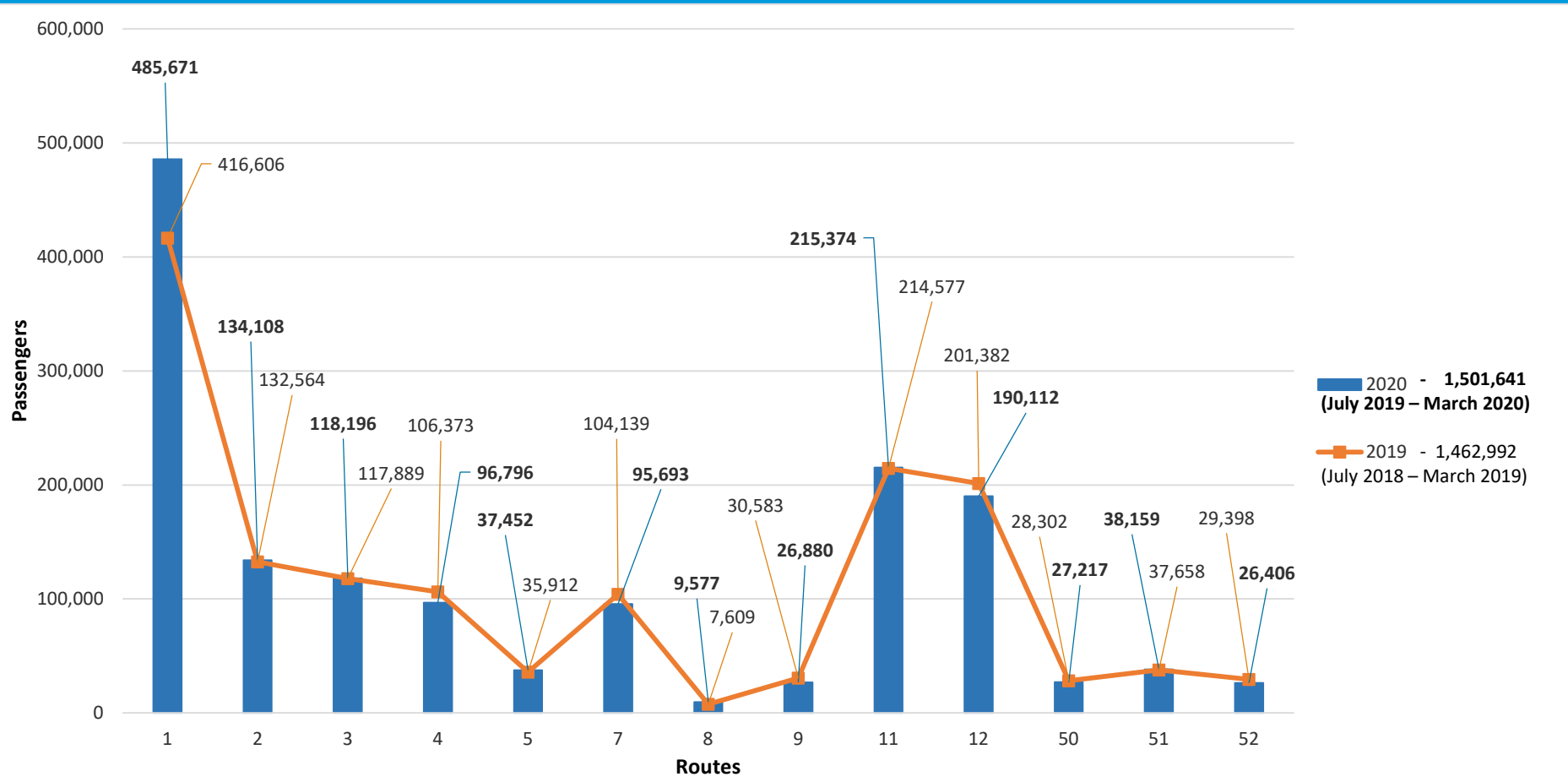


MONTHLY BOARDING ACTIVITY

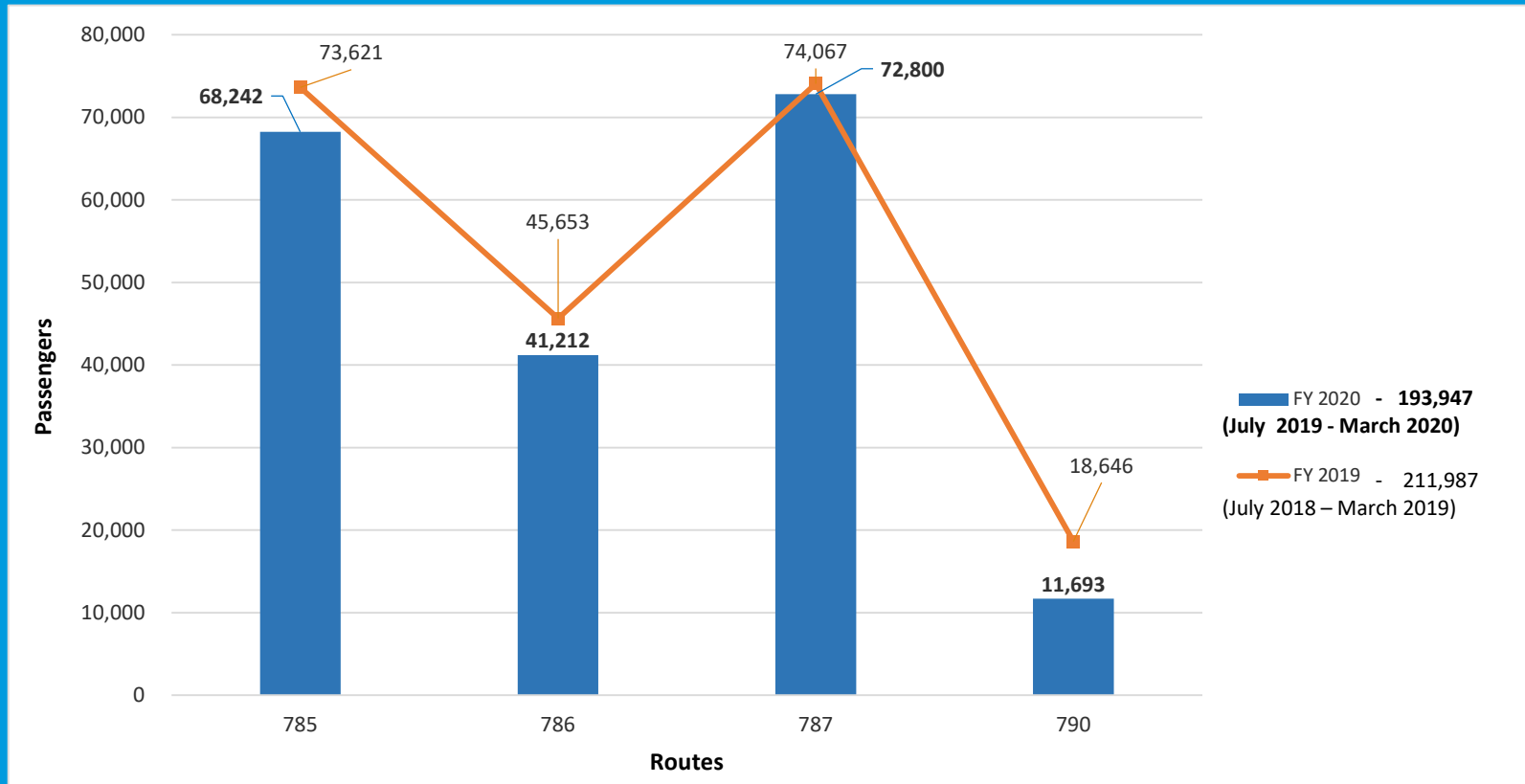
| | March FY 2020 | February FY 2020 |
|----------|---------------|------------------|
| System | 123,727 | 191,650 |
| Local | 110,092 | 169,980 |
| Commuter | 13,635 | 21,670 |



ANNUAL RIDERSHIP LOCAL ROUTES



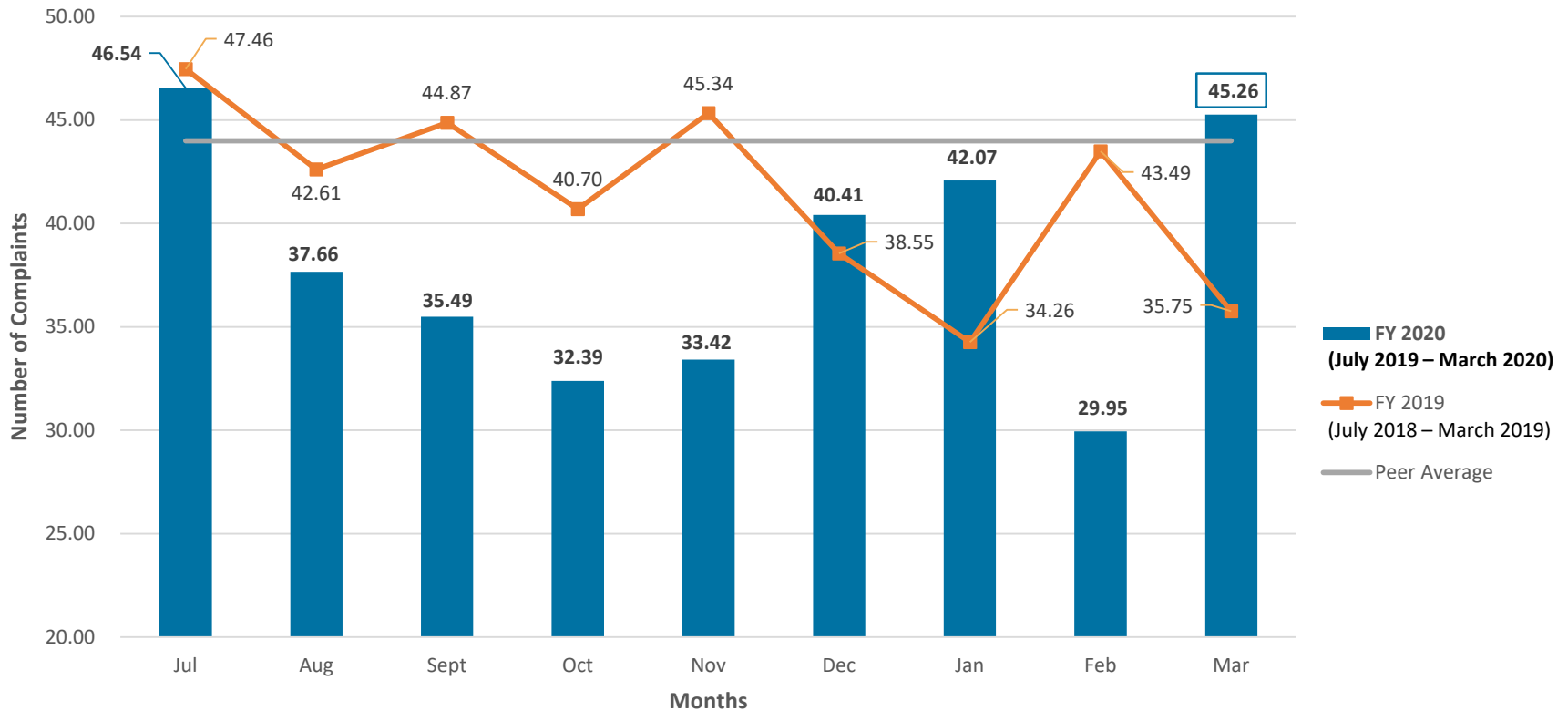
ANNUAL RIDERSHIP COMMUTER ROUTES



COMPLAINTS/100,000 BOARDINGS

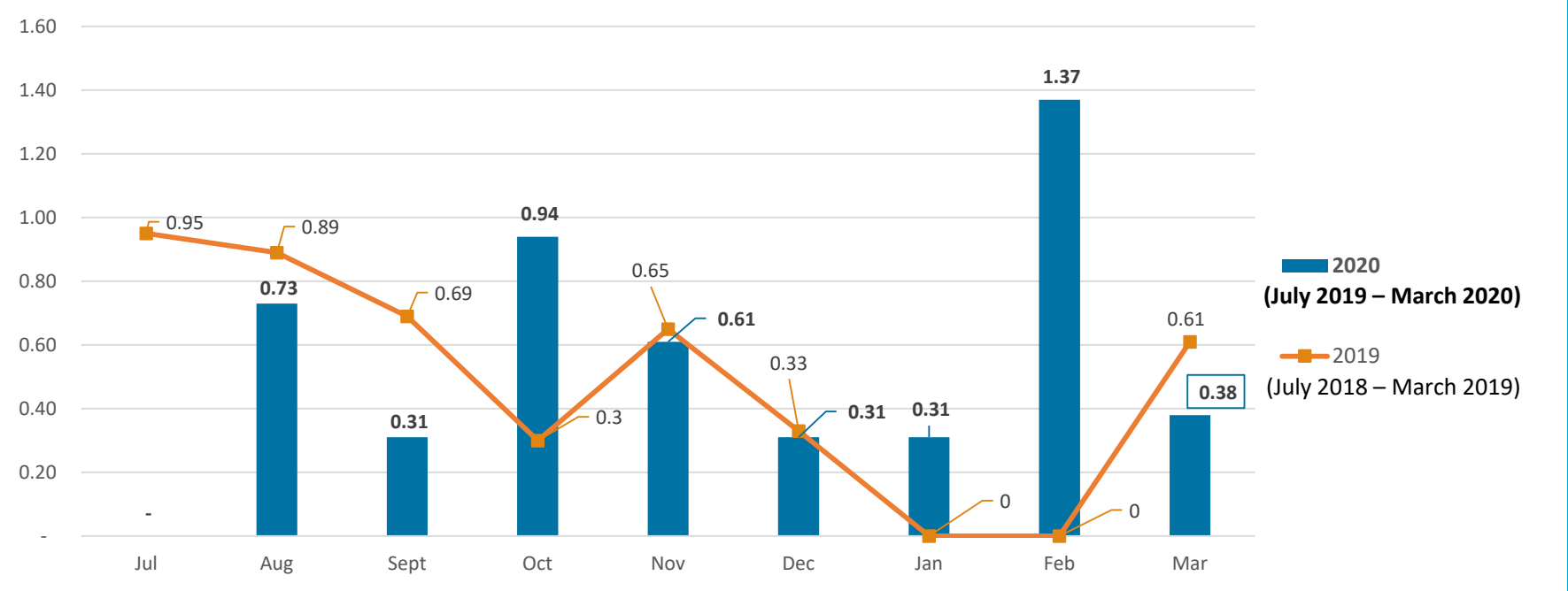
MARCH - SYSTEM WIDE AVERAGE: 45.26

PEER AVERAGE: 44.00



PREVENTABLE ACCIDENTS/100,000 MILES

MARCH - SYSTEM WIDE AVERAGE: 0.38



KEY PERFORMANCE INDICATORS

| | March FY 2020 | February FY 2020 | March FY 2019 |
|---------------------------------------|------------------|---------------------|------------------|
| Boarding Activity | 123,727 | 191,650 | 198,582 |
| Complaints / 100,000 Boardings | 45.26 | 29.74 | 35.75 |
| Preventable Accidents / 100,000 Miles | 0.38 | 1.37 | 0.61 |

Thank you!

Questions?



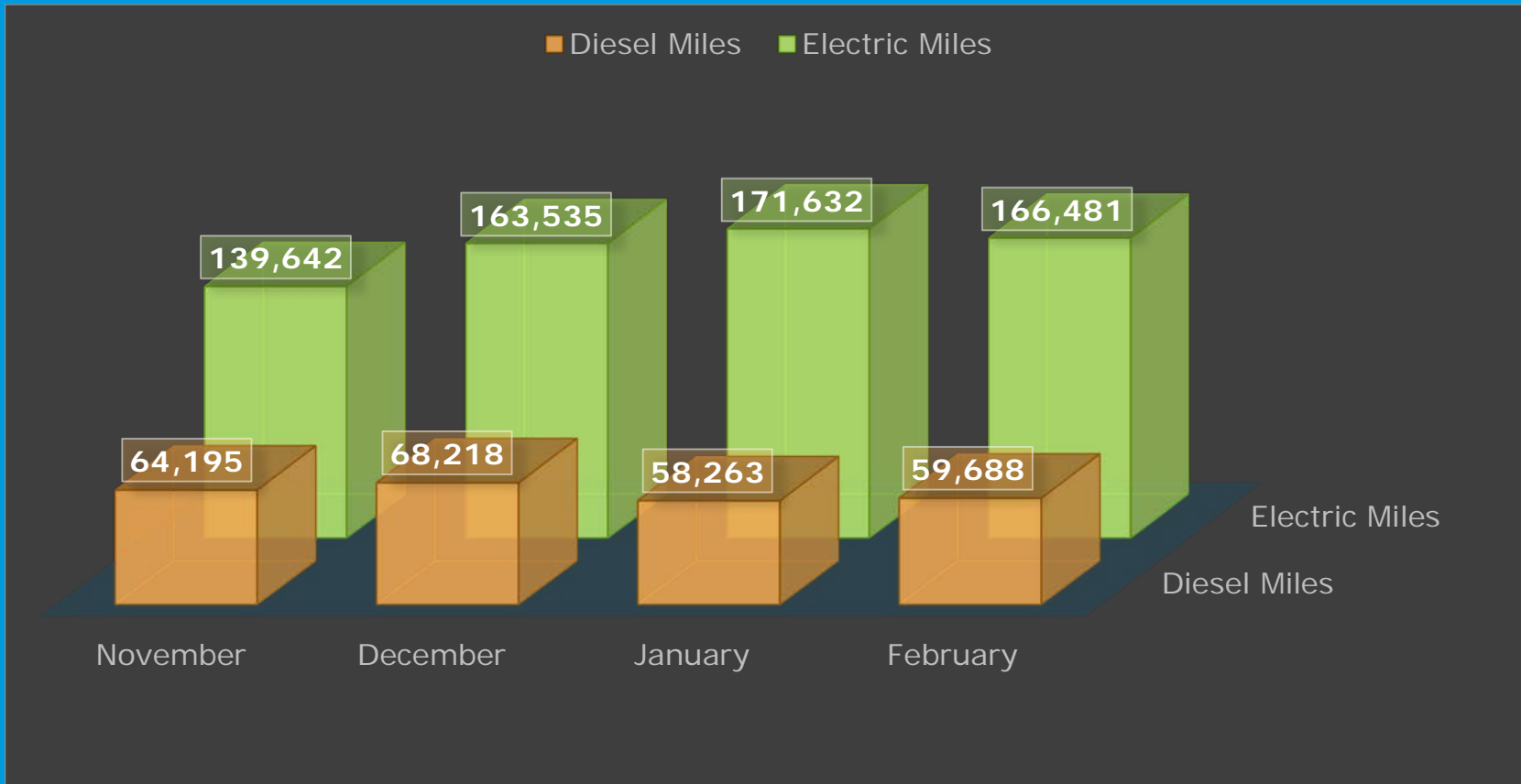
March 2020 Maintenance Key Performance Indicators

Presentation to the Board of Directors

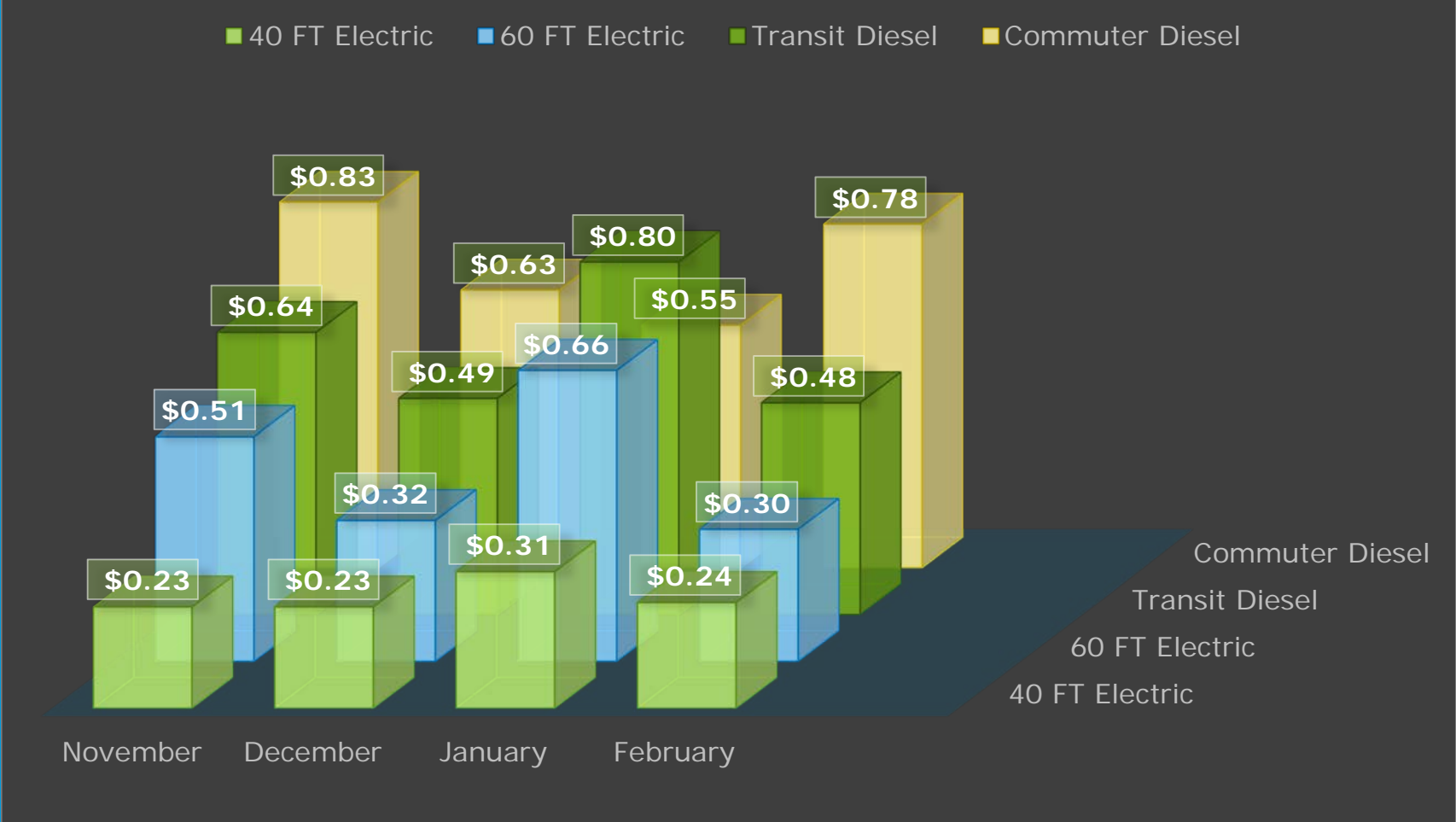
April 28, 2020



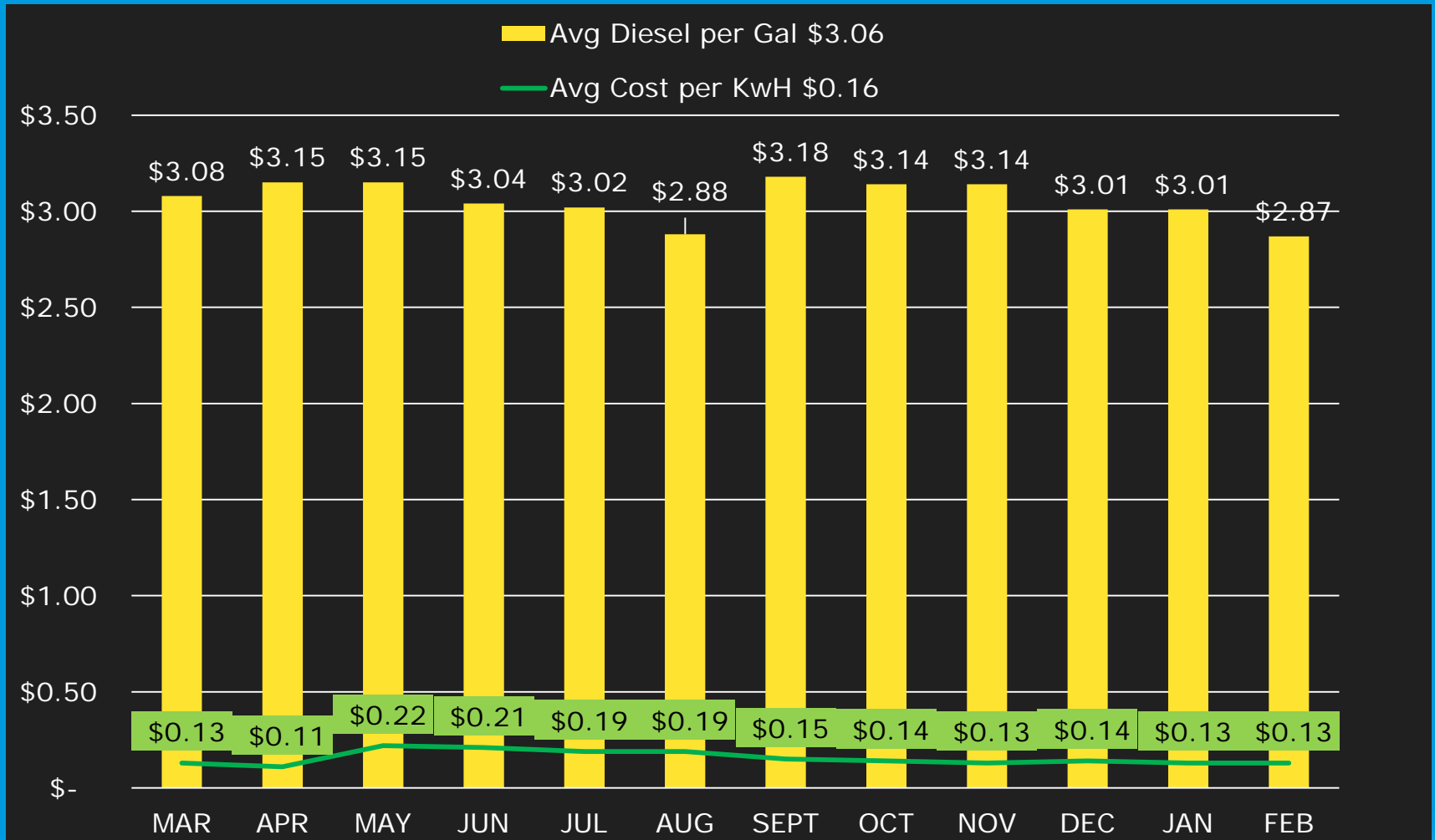
TRANSIT MILES: DIESEL vs ELECTRIC



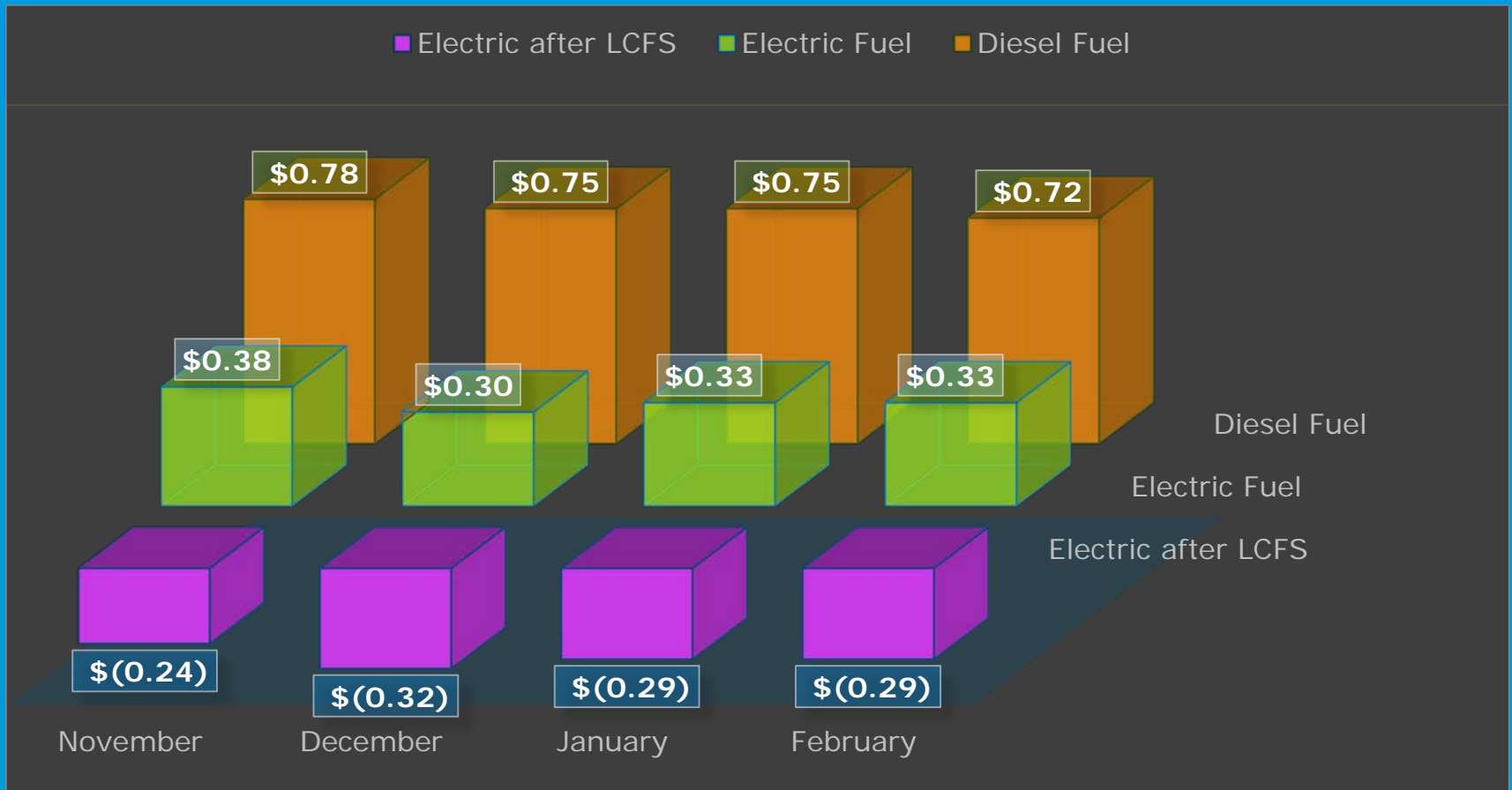
MAINTENANCE COST PER MILE BY FLEET



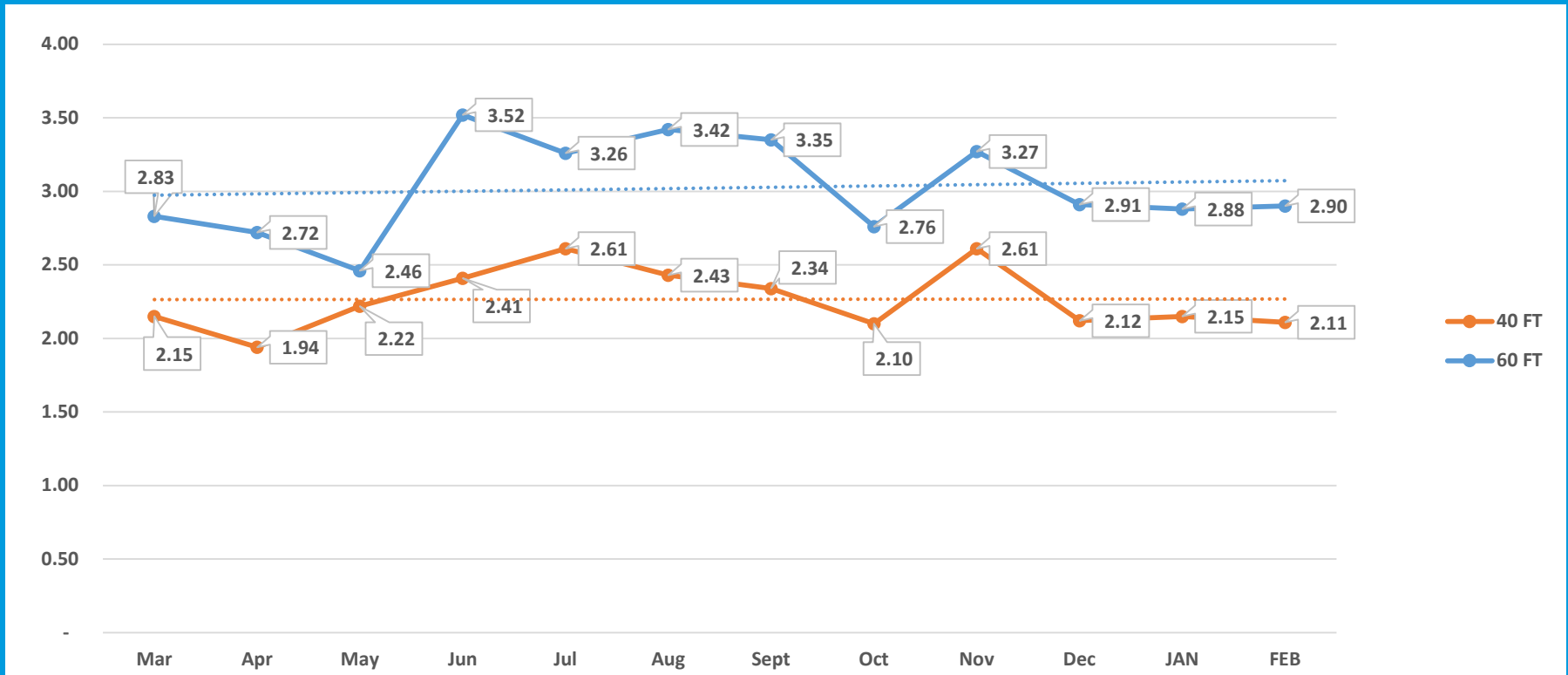
FUEL/ENERGY COST PRIOR 12 MONTHS



PROPULSION FUEL COST PER MILE w/LOW CARBON FUEL STANDARD (LCFS) OFFSET

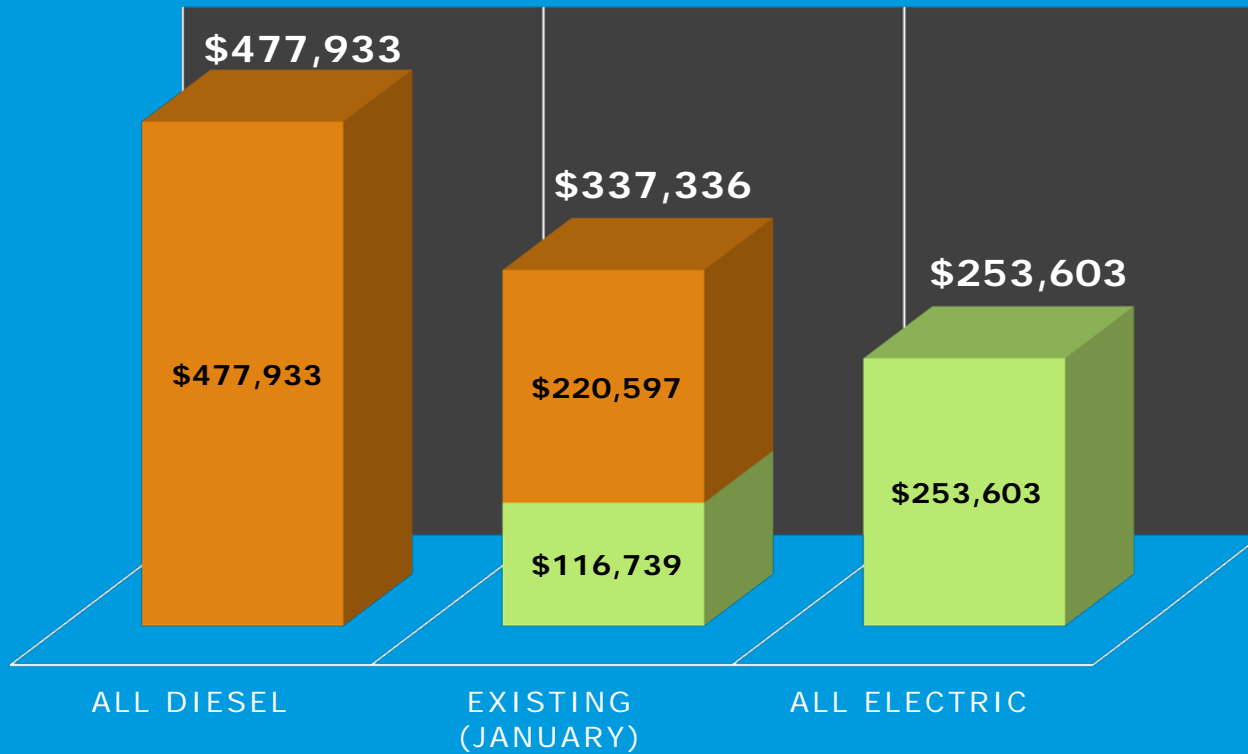


AVERAGE FUEL CONSUMPTION PER MILE (KWPM)



TOTAL FUEL & MAINTENANCE COST ASSUMPTIONS AT FULL BUILDOUT

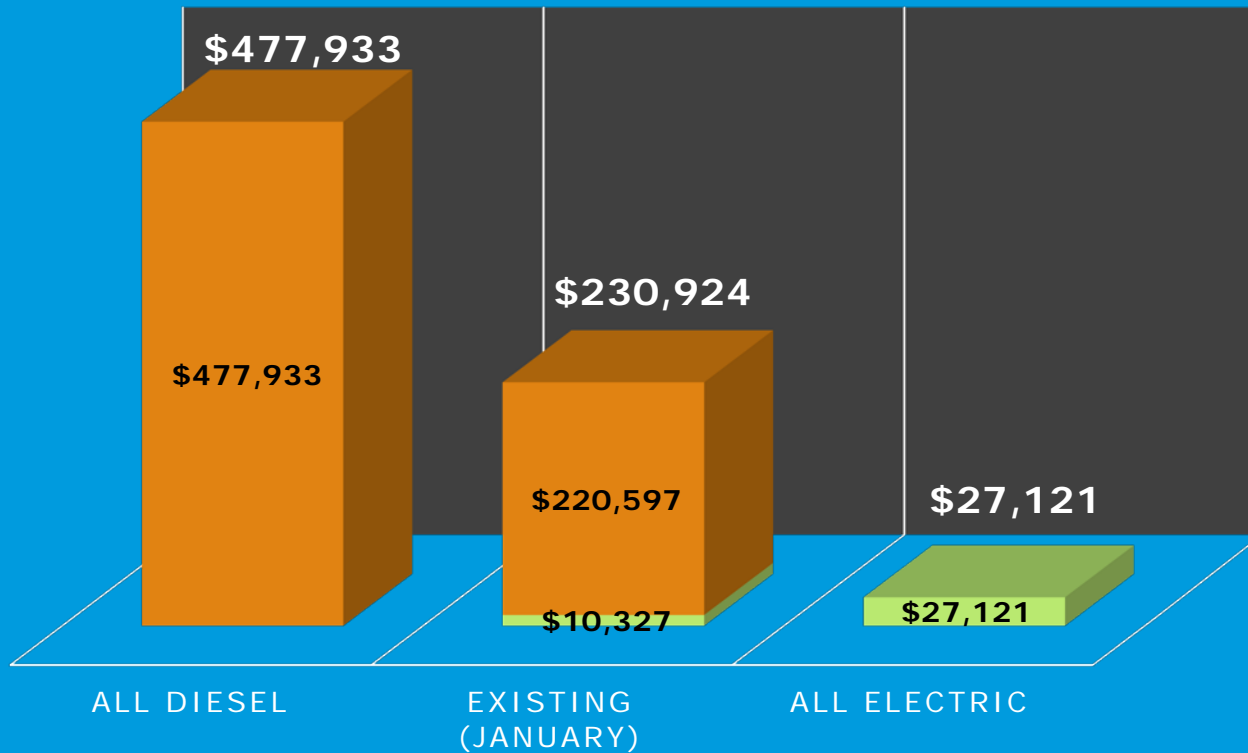
■ Electric ■ Diesel



January Savings
\$140,597

TOTAL FUEL & MAINTENANCE COST ASSUMPTIONS W/LCSF

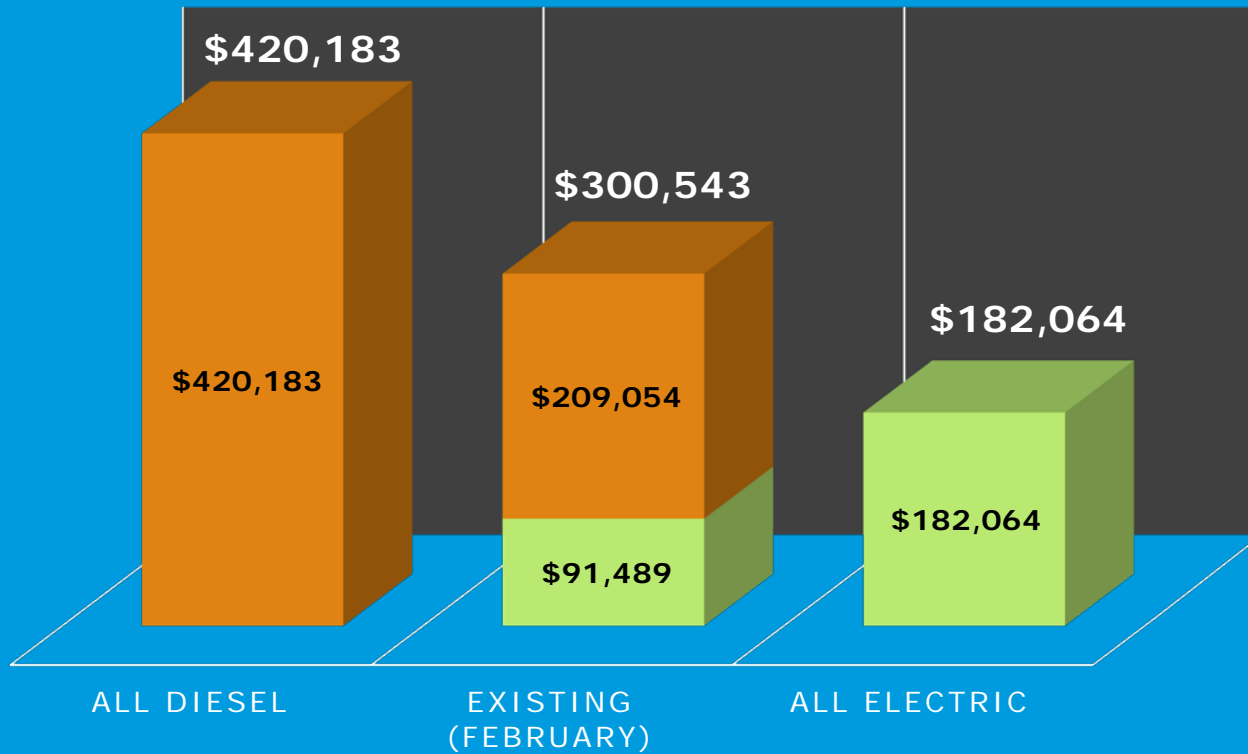
■ Electric ■ Diesel



January Savings
\$247,009

TOTAL FUEL & MAINTENANCE COST ASSUMPTIONS AT FULL BUILDOUT

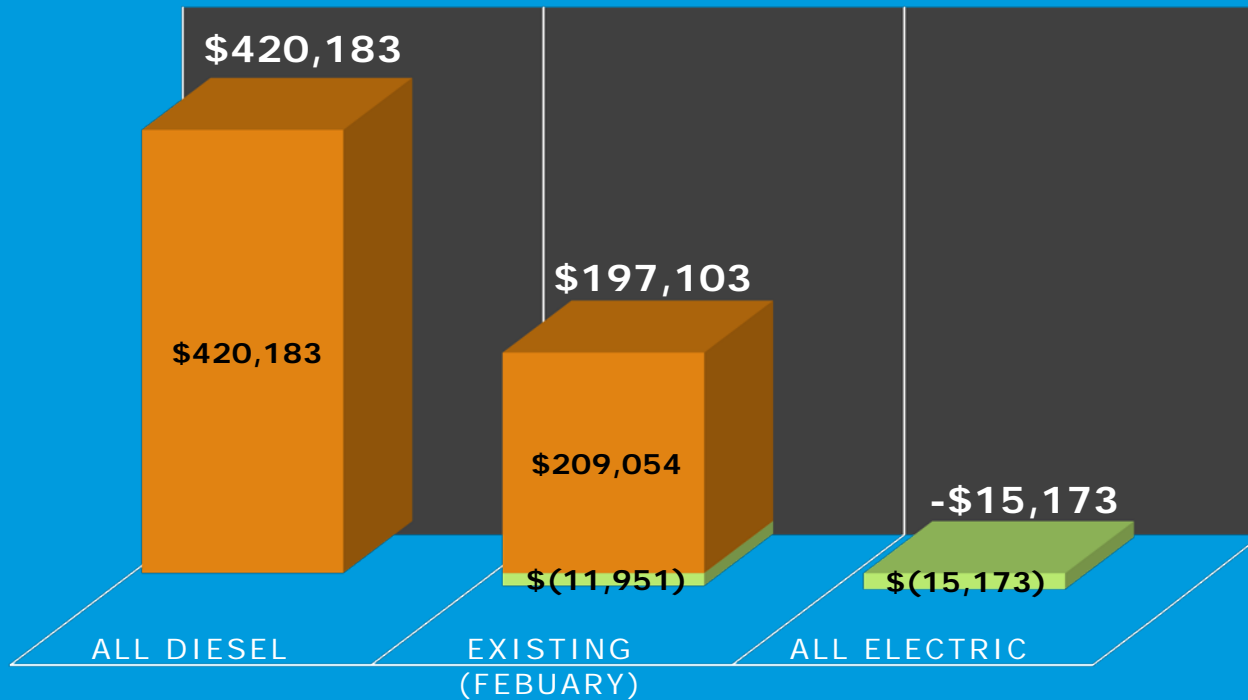
■ Electric ■ Diesel



February Savings
\$119,640

TOTAL FUEL & MAINTENANCE COST ASSUMPTIONS W/LCSF

■ Electric ■ Diesel

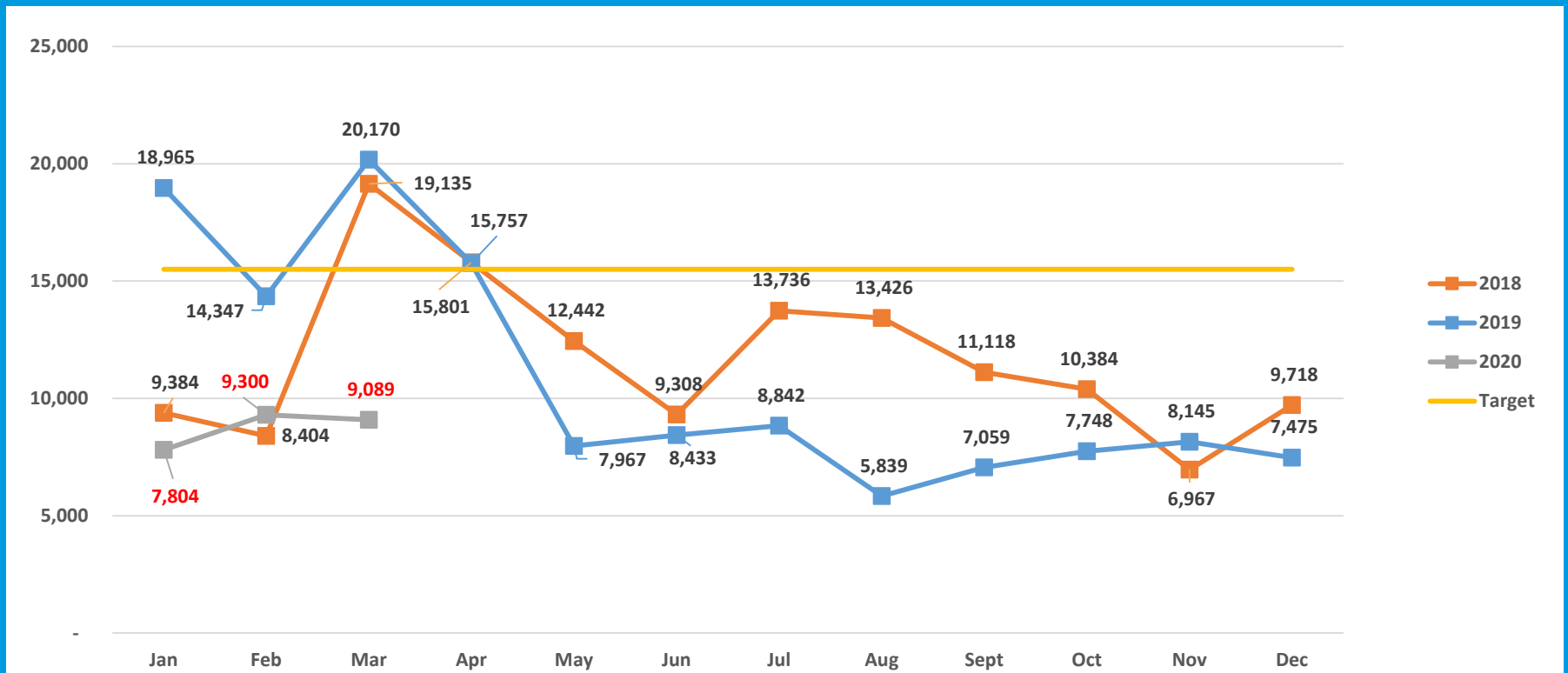


February Savings
\$223,080

AVERAGE MILES BETWEEN SERVICE INTERRUPTIONS

Peer Average: 11,206

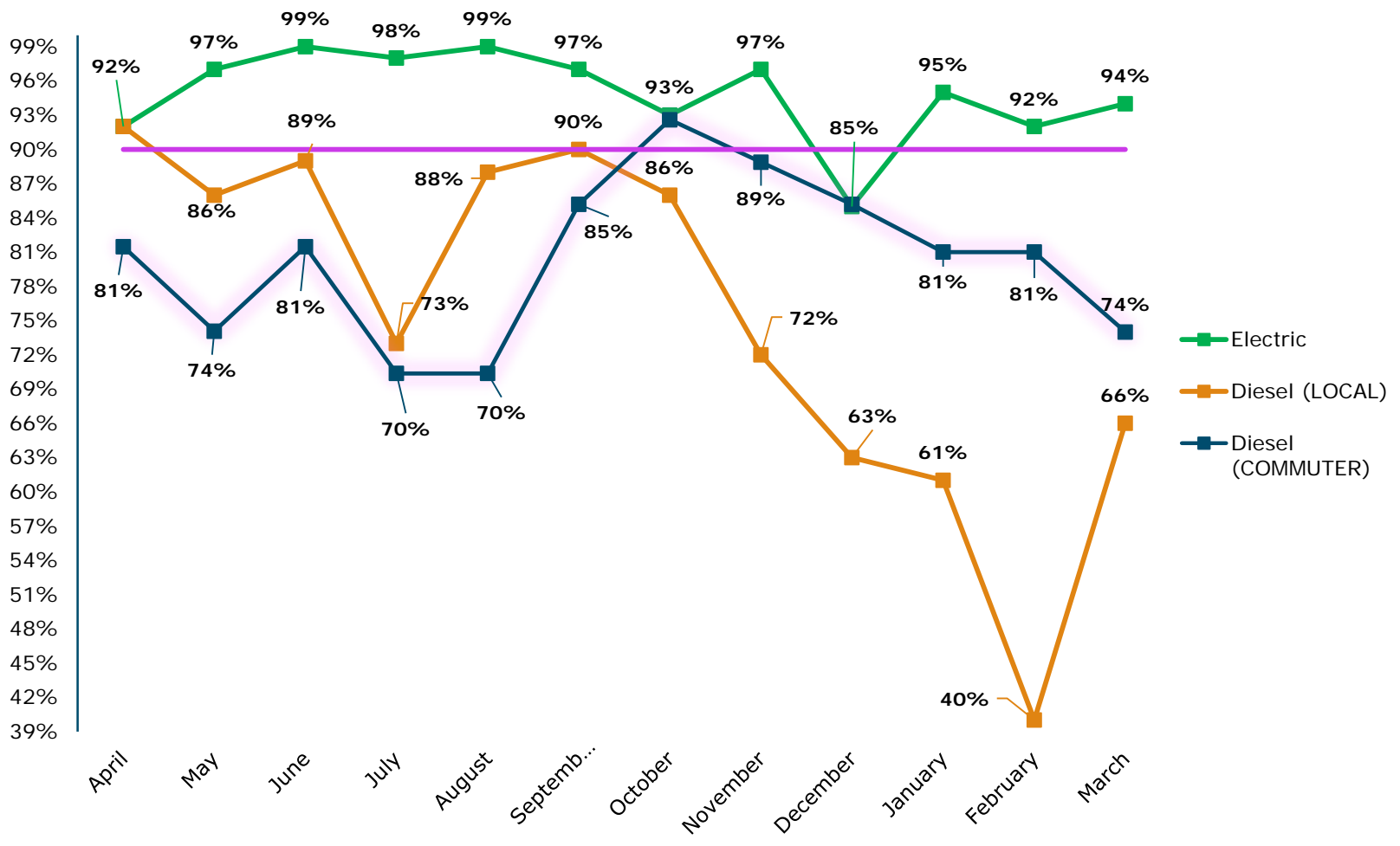
Target: 15,500



FLEET AVAILABILITY

Peer Average: 77%

Target 90%



Discussion/Questions?





Regular Meeting of the Board of Directors

Tuesday, February 25, 2020

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 10:00 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 Angela Underwood-Jacobs

Director Michelle Flanagan

Alternate Director Kathryn Mac Laren (Director Richard Loa absent)

Motion: Excuse the absence of Director Loa

Moved by Director Hofbauer, seconded by Director Flanagan

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: None

APPROVAL OF AGENDA

Motion: Approve the agenda as comprised.

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

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: None

PUBLIC BUSINESS – AGENDIZED AND NON-AGENDIZED ITEMS:

Fran Sereseres – stated Mayor Garcetti announced the Los Angeles Department of Transportation ordered 155 electric buses and asked if they were purchasing them from BYD.

Michael Rives – commended the Board Members for their consistent attendance at the AVTA Board meetings and their respective City Council meetings. He stated he is impressed with AVTA's service, the number of buses in the fleet and suggested providing free bus fare to county and city employees.

Paul Andrews – suggested providing veterans with a reduced fare TAP card for commuter services.

Trandev General Manager Rene Alvarez announced the Employee of the Month for January is Luz Perkins and the Operator of the Month for January is Jose Villalobos; both Ms. Perkins and Mr. Villalobos were unable to attend the meeting.

SRP 1 LEGISLATIVE REPORT FOR FEBRUARY

Director of Finance and Administration Judy Vaccaro-Fry provided an update regarding Assembly Bills 1350 - free transit passes to persons 18 years or under, 2012 - free transit passes for persons over 65 years of age, and 2176 – free rides for college students, Fiscal Year 2020 Federal Appropriations, Transportation Bill, and new grant opportunities. She announced AVTA received two grants from the Antelope Valley Air Quality Management District (AVAQMD) for level two and level three chargers. The Board briefly discussed AB 1350 and AB 2012.

SRP 2 OPERATIONS KEY PERFORMANCE INDICATORS (KPI) REPORT

Senior Director of Operations and Planning Martin Tompkins presented the report. The Board Members expressed their outrage regarding the number of discourteous operators and passenger pass up complaints received each month and Transdev's management team's ineffective

solutions. Transdev Regional Vice President Ibrahima Toure stated his management team is taking disciplinary action to address the operators' inadequate performance and the corporate team began implementing the Transdev Experience training program this week. He added General Manager Rene Alvarez employs recognition and incentive programs to reward exceptional employee performance. Mr. Toure will provide a status report to Executive Director/CEO Macy Neshati and Mr. Tompkins by February 27.

SRP 3 MAINTENANCE KPI REPORT

Management Analyst Cecil Foust presented the report. The Board discussed the propulsion fuel cost per mile w/low carbon fuel standard (LCFS) offset information. The Board requested LCFS information be included on the Total Fuel & Maintenance Cost Assumptions at Full Buildout slide.

CONSENT CALENDAR (CC):

- CC 1 BOARD OF DIRECTORS MEETING MINUTES OF JANUARY 28, 2020**
Approve the Board of Directors Regular Meeting Minutes of January 28, 2020.
- CC 2 FINANCIAL REPORT FOR FEBRUARY 2020**
Receive and file the Financial Report, including Quarterly Treasurer, Capital Reserve, and Farebox Recovery information, for February 2020.
- CC 3 GRANT STATUS REPORT**
Receive and file the Grant Status Report.
- CC 4 AMEND THE AGENCY'S CLASSIFICATION AND SALARY SCHEDULE**
Approve amending the Agency's Classification and Salary Schedule to add an Administrative Assistant position and reclassify the Transit Analyst to Planning Manager.

Motion: Approve the Consent Calendar.

Moved by Alternate Director Mac Laren, seconded by Vice Chair Knippel

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: None

NEW BUSINESS (NB):

NB 1 MOBILITY FORWARD – THE ANTELOPE VALLEY STRATEGIC MOBILITY PLAN

Mr. Neshati introduced Stantec Principal, Transportation Transit Advisory Lead Sasha Pejic to detail the Plan's recommendations, which focus on enhancing AVTA's core services, improving the customer experience, and building and supporting an inclusive, multimodal network.

The Board discussed service areas designated as disadvantage communities, the proposed on-request microtransit service, access to bus stops in existing neighborhoods surrounded by block walls, including bus stops and amenities in proposed residential and commercial developments, service to underserved areas (i.e. Ana Verde, Antelope Acres, etc.), coordinating AVTA's service with adjoining transit agencies, funding sources and outreach efforts.

Addressing the Board on this item:

Fran Sereseres – spoke about access to bus stops in current and future developments, on-request microtransit service, timeline to implement the Plan and lower Dial-a-Ride costs.

Motion: Authorize the Executive Director/CEO to implement the recommendations contained in the Mobility Forward – The Antelope Valley Strategic Mobility Plan.

Moved by Director Hofbauer, seconded by Vice Chair Knippel

Chairman Crist stated he is pleased with the Plan; however, it is a big undertaking and expressed his concerns with the appearance that service will be eliminated in a disadvantaged area(s) especially when Transdev's customer service is an issue and the Los Angeles County's contributions are being negotiated. Once the Transdev and Los Angeles County's issues are resolved, the Authority could move forward with implementing the on-request microtransit service portion of the Plan.

Mr. Neshati clarified the recommendation is not to eliminate Routes 50, 51, and 52, but to enhance service for residents who reside in that portion of AVTA's service area. An on-request microtransit pilot program will run parallel and shadow existing service. Staff will thoroughly monitor the service for a minimum of 90 days, re-evaluate it, and gradually implement the on-request microtransit service once positive results are achieved.

Vice Chair Knippel agreed implementing the Plan in two phases would be the prudent option. Implementation of Phase 1 would encompass Lancaster and Palmdale's heaviest areas while AVTA staff continues to

monitor Transdev's performance and implementation of Phase 2 would include on-request microtransit service after a monitoring and evaluation process is concluded. Mr. Neshati confirmed an aggressive marketing plan and outreach efforts would be conducted for at least 90 days before Phase 1 would be implemented.

Director Hofbauer amended his motion to implement the Plan in a timely manner for everything but the Lake Los Angeles 50, 51, and 52 routes, and return when the Board is comfortable with the resolution of the other issues and begin the phased in approach.

Amended Motion: Authorize the Executive Director/CEO to implement the recommendations contained in the Mobility Forward – The Antelope Valley Strategic Mobility Plan in two phases. Phase 1 will include implementing the recommendations associated with local fixed route and commuter service over a minimum 90-day period. Staff will monitor the on-demand microtransit service pilot program for 90 days and return to the Board with the evaluation results.

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, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: None

NB 2 FREE FARE DAYS - NATIONAL GET ON BOARD DAY AND EARTH DAY

Mr. Neshati presented the staff report.

Motion: Adopt a Proclamation establishing National Get on Board Day in the Antelope Valley on April 16, 2020, and approve free fare days for both National Get on Board Day and Earth Day, April 22, 2020.

Moved by Director Hofbauer, seconded by Alternate Director Mac Laren

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: None

NB 3 SOLE SOURCE CONTRACT #2020-30 WITH GREENPOWER MOTOR COMPANY INC. FOR ZERO-EMISSION SHUTTLE BUSES

Procurement and Contracts Officer Lyle Block presented the staff report. The Board discussed the sole source vendor and contract terms.

Motion: Authorize the Executive Director/CEO to execute Sole Source Contract #2020-30 with GreenPower Motor Company Inc., Vancouver, B.C., to purchase six EV-Star zero-emission shuttle buses for an amount not to exceed \$574,683, plus applicable sales tax. Staff is also requesting approval of two future options for an amount of \$191,561, plus applicable sales tax, pending available grant funding.

Moved by Director Hofbauer, seconded by Alternate Director Mac Laren

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: None

NB 4 SOLE SOURCE CONTRACT #2020-31 WITH ABB, INC. FOR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

Chairman Crist waived the presentation of the staff report.

Motion: Authorize the Executive Director/CEO to execute Sole Source Contract #2020-31 with ABB, Inc., Phoenix, AZ, to purchase six electric vehicle charging infrastructure equipment for the EV-Star zero-emission shuttle buses for an amount not to exceed \$183,948, plus applicable sales tax. Staff is also requesting approval of two future options for an amount of \$61,316, plus applicable sales tax, pending available grant funding.

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

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: None

CLOSED SESSION (CS):

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

General Counsel Allison Burns presented the items to be discussed in Closed Session.

- CS 1 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(a)
Pending Litigation (tendered to Transdev): Jane Doe v. Transdev et al.
LASC Case No. 19AVCV00835
- 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 Personnel Matters Pursuant to Government Code Section 54957(b)
Public Employee Performance Evaluation: General Counsel

RECESS TO CLOSED SESSION

The Board recessed to Closed Session at 11:47 a.m.

RECONVENE TO PUBLIC SESSION

The Board reconvened to Public Session at 12:11 p.m.

REPORT BY LEGAL COUNSEL OF ACTION TAKEN IN CLOSED SESSION

Ms. Burns stated the Board discussed Closed Session Item Nos. 3 and 4 and gave direction to legal counsel and staff; there was no reportable action.

REPORTS AND ANNOUNCEMENTS (RA):

- RA 1 Report by the Executive Director/CEO

Provided an update regarding the installation of five Level 3 chargers funded by the AVAQMD. The chargers will be installed at the Palmdale Transportation Center, Sgt. Steve Owen Memorial Park, Southeast Medical Clinic, Lancaster Metrolink Station and Antelope Valley College.

MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

There were no miscellaneous business items presented.

ADJOURNMENT:

Chairman Crist adjourned the meeting at 12:13 p.m. to the Regular Meeting of the Board of Directors on March 24, 2020 at 10:00 a.m. in the Antelope Valley Transit Authority Community Room, 42210 6th Street West, Lancaster, CA.

PASSED, APPROVED, and ADOPTED this 28th day of APRIL 2020

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: April 28, 2020

TO: BOARD OF DIRECTORS

SUBJECT: Financial Report for February and March 2020

RECOMMENDATION

That the Board of Directors receive and file the financial report for February and March 2020.

FISCAL IMPACT

| | February | | March |
|--------------------|-----------------|--------------------|--------------|
| PAYROLL | \$319,171 | PAYROLL | \$309,599 |
| CASH DISBURSEMENTS | \$4,555,837 | CASH DISBURSEMENTS | \$2,645,534 |

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: April 28, 2020

TO: BOARD OF DIRECTORS

SUBJECT: Resolution No. 2020-002, Authorizing the Executive Director/CEO to Execute all Required Documents of the Federal Transit Administration (FTA) as Required by the Department of Transportation's (DOT) Program for Fiscal Year 2019/2020 (FY 2020)

RECOMMENDATION

That the Board of Directors adopt Resolution No. 2020-002, a Resolution authorizing the Executive Director/CEO to execute all required documents of the FTA as required by the DOT's Program for FY 2020.

FISCAL IMPACT

Adopting Resolution No. 2020-002 would authorize the Executive Director/CEO to sign, on behalf of AVTA and the Board of Directors, all required documents as it relates to the Department of Transportation's Federal Transit Administration's grant programs.

BACKGROUND

AVTA receives annual apportionments from the FTA Grant Program. The AVTA Board is required to adopt Resolution No. 2020-002 in order to receive any federal grant awards in FY 2020. The Resolution will certify that the Board authorizes the Executive Director/CEO to execute all necessary documents related to this funding source.

Prepared by:

Submitted by:

Judy Vaccaro-Fry
Director of Finance and Administration

Macy Neshati
Executive Director/CEO

Attachment: A – Resolution No. 2020-002

RESOLUTION NO. 2020-002

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY TRANSIT AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE ALL REQUIRED DOCUMENTS OF THE FEDERAL TRANSIT ADMINISTRATION AS REQUIRED BY THE DEPARTMENT OF TRANSPORTATION'S PROGRAM FOR FISCAL YEAR 2019/2020

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects; and

WHEREAS, all contracts for financial assistance will impose certain obligations upon the applicant, including the provision by the contract of the project(s)' local share costs.

NOW THEREFORE, BE IT RESOLVED BY THE ANTELOPE VALLEY TRANSIT AUTHORITY (AVTA):

1. That the Executive Director/CEO is authorized to execute and file all applications on behalf of the AVTA with the U.S. Department of Transportation, to aid in the financing of all capital, training, preventive maintenance, and/or operating assistance projects.
2. That the Executive Director/CEO is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of the proposed projects.
3. That the Executive Director/CEO is designated to furnish such additional information as the U.S. Department of Transportation may require in connection with all applications.
4. Macy Neshati, AVTA Executive Director/CEO, is hereby authorized to execute all grant applications on behalf of the Authority.

PASSED, APPROVED, AND ADOPTED this 28th day of April 2020, by the following vote:

AYES: _____

NAYS: _____ ABSTAIN: _____

ABSENT: _____

Marvin Crist, Chairman of the Board
Antelope Valley Transit Authority

ATTEST:

APPROVED AS TO FORM:

Karen Darr, Clerk of the Board

Allison E. Burns, General Counsel

PROPOSED



DATE: April 28, 2020

TO: BOARD OF DIRECTORS

SUBJECT: Fiscal Year 2019/2020 (FY 2020) Third Quarter Los Angeles County Sheriff's Department Report (January 1 – March 31, 2020)

RECOMMENDATION

That the Board of Directors receive and file the FY 2020 Third Quarter Los Angeles County Sheriff's Department Report for the period covering January 1 through March 31, 2020.

FISCAL IMPACT

No fiscal impact at this time.

DISCUSSION

Deputy Maselli and his K-9 partner Doc worked a total of 468 hours during the third quarter of FY 2020.

At the beginning of each shift, Deputy Maselli contacted bus operators to ascertain if there were any concerns or problems to report, as well as anything that was reported from the previous day. On average, Deputy Maselli made contact with an estimated 25-30 buses/bus operators per day.

Deputy Maselli monitored various locations that had reported problems. These locations included: Sgt. Steven Owen Memorial Park (OMP), the Lancaster Senior Center, 6th Street East & Palmdale Boulevard, the Palmdale Transportation Center (PTC) and the Lancaster Metrolink Station.

Deputy Maselli and Doc conducted high visibility K-9 terrorism and explosives deterrence sweeps at the AVTA office, AVTA transfer centers, on AVTA buses and at random bus stop locations throughout the Antelope Valley.

On March 19, Deputy Maselli responded to Lancaster Blvd./Sierra Hwy regarding an indecent exposure (AVTA bus 60708) call for service. Suspect was arrested for 314(1) PC Indecent Exposure and booked at the Lancaster Station Jail. A digital copy of the AVTA onboard security camera footage was also booked into evidence.

The following is a list of misdemeanors, infractions and arrest warrants included on citations issued from January 1 through March 31. All citations were issued at transit centers or at bus stops in the AVTA service area.

| Citations | Jan 2020 | Feb 2020 | Mar 2020 |
|--|----------|----------|----------|
| Suspended or Unlicensed Driver | 7 | 6 | 7 |
| Expired Registration | 5 | 7 | 6 |
| Registration Not in Vehicle | 1 | 2 | 1 |
| No Proof of Insurance | 4 | 10 | 8 |
| Drinking in Public (Bus Stops) | 6 | 4 | 1 |
| Failure to Have Both License Plates on Vehicle | 1 | 5 | 5 |
| Failure to Obey Posted Signs at Transit Centers | 1 | 3 | 2 |
| Impounded Vehicle | 3 | - | 3 |
| Outstanding Warrant Arrest | 1 | - | 2 |
| Driver License Not in Possession | 1 | 1 | - |
| Using Cell Phone/Texting While Operating Vehicle | - | 3 | 1 |
| Defective Front Windshield | 2 | 1 | 1 |
| Ignition Interlock Device Required | 2 | - | - |
| Illegal Left Turn | - | 1 | - |
| Window Tinting | - | - | 1 |

During the month of January, Deputy Maselli issued fourteen (14) citations, made nine (9) arrests, one (1) warrant and impounded three (3) vehicles. All citations were transit related and issued at transfer centers and bus stop locations. He donated twenty-four (24) hours to AVTA. He warned and advised several persons regarding disobeying posted signs, smoking in prohibited areas, and traffic-related incidents at OMP and PTC.

During the month of February, Deputy Maselli issued eighteen (18) citations and made nine (9) arrests. All citations were transit related and issued at transfer centers and bus stop locations. He warned and advised several persons regarding disobeying posted signs, smoking in prohibited areas, and traffic-related incidents at OMP and PTC.

During the month of January, Deputy Maselli issued eleven (11) citations, made eleven (11) arrests, two (2) warrants and impounded three (3) vehicle. All citations were transit related and issued at transfer centers and bus stop locations. He donated eighteen (18) hours to AVTA. He warned and advised several persons regarding disobeying posted signs, smoking in prohibited areas, and traffic related incidents at OMP and PTC.

Prepared by:

Submitted by:

Kelly Miller
DBE/EEO Compliance Officer

Macy Neshati
Executive Director/CEO



DATE: April 28, 2020

TO: BOARD OF DIRECTORS

SUBJECT: Amend the Agency's Classification and Salary Schedule

RECOMMENDATION

That the Board of Directors approve amending the Agency's Classification and Salary Schedule to 1) add a Maintenance Compliance Manager position and a Safety and Facilities Manager position; and 2) reclassify the Senior Director of Operations and Planning to Chief Operating Officer.

FISCAL IMPACT

The Maintenance Compliance Manager position will be established at Range 47 (Min. \$78,874 – Max. \$102,535), the Safety and Facilities Manager position is established at Range 47 (Min. \$78,874 – Max. \$102,535), and the Chief Operating Officer will be established in Range 71 (Min. \$142,661 – Max. \$185,459) plus applicable benefits. Sufficient funds are included in the Fiscal Year 2019/2020 budget. The change will not result in a fiscal impact as the salary differences were budgeted for the vacant Director of Operations and Maintenance position. The new positions will be reflected in the proposed FY 2020/2021 Budget and future fiscal year proposed budgets.

BACKGROUND

The recommendations to add the Maintenance Compliance Manager and Safety and Facilities Manager positions were done in order to split duties previously handled by the Director of Operations and Maintenance (position vacant), are based on existing and future workload demands to maintain and enhance organizational performance measures with existing personnel.

Upon executive management review, the Senior Director of Operations and Planning position was found to be too limiting for the varied operational and planning needs of the organization. The recommendation to reclassify the Senior Director of

Amend the Agency's Classification and Salary Schedule

April 28, 2020

Page 2

Operations and Planning to Chief Operating Officer is to support the Executive Director/CEO in managing and improving day-to-day operational goals and objectives. The Management Analyst, Facilities Superintendent and Senior Director of Operations and Planning positions will remain on the Classification and Salary schedule.

Prepared by:

Submitted by:

Amber Johnson
Human Resources/Benefits Coordinator

Macy Neshati
Executive Director/CEO



DATE: April 28, 2020

TO: BOARD OF DIRECTORS

SUBJECT: Sole Source Contract #2020-36 with ABB, Inc. for Electric Vehicle Charging Infrastructure

RECOMMENDATION

That the Board of Directors authorize the Executive Director/CEO to execute Sole Source Contract #2020-36 with ABB, Inc., Phoenix, AZ, to purchase ten Level III fast-charging stations for the public's use at AVTA's transit centers for an amount not to exceed \$281,930, plus applicable sales tax.

FISCAL IMPACT

Sufficient funds are included in the Fiscal Year 2020 Budget to pay for this service as a result of a \$500,000 grant from the Antelope Valley Air Quality Management District (AVAQMD).

BACKGROUND

At the February 2020 meeting, the Board of Directors announced the Authority received a \$500,000 grant from the AVAQMD. These funds will allow the Authority to install Level 3 fast charging-stations at the five on-route charging centers dispersed around the AVTA's service area encouraging the public's use of zero-emission vehicles throughout the Antelope Valley.

The charging equipment infrastructure under this sole source contract will provide two services: 1) transfer power to private zero-emission vehicles; and 2) transfer power to the EV-Star zero emission mini buses for optimal operation.

Prepared by:

Submitted by:

Lyle A. Block, CPPB
Procurement and Contracts Officer

Macy Neshati
Executive Director/CEO



DATE: April 28, 2020

TO: BOARD OF DIRECTORS

SUBJECT: Contract #2020-37 to Complete Coach Works for Transit Bus Driver Protection Barriers

RECOMMENDATION

That the Board of Directors authorize the Executive Director/CEO to award and execute Contract #2020-37 to Complete Coach Works, Riverside, CA, to purchase and install 57 transit bus driver protection barriers that will aid in protecting our drivers from COVID-19 for an amount not to exceed \$342,167.91, plus applicable sales tax.

FISCAL IMPACT

Sufficient funds are included in the Fiscal Year 2020 Budget to pay for this service.

BACKGROUND

In January 2020, the first reported case of COVID 19 virus occurred in the United States. Since that time, staff has been encountering a very fluid situation. The spread of this virus has been fast-moving throughout the country. Since the drivers' response to the five prototypes has been overwhelmingly positive and the protection and safety of our drivers is one of our highest priorities, a barrier protection system scope of work was drafted and an Invitation to Bid was released to retrofit the balance of the fleet.

AVTA released an Invitation for Bids (IFB) on March 24, 2020 for the purchase and installation of 57 transit bus driver protection barriers. Prior to the issuance of the IFB, Board and Transit Advisory Committee members were notified and asked to submit any recommendations for potential vendors. The solicitation documents were posted to AVTA's procurement website and advertisements were placed in the *Antelope Valley Press* and the *Our Weekly Lancaster* newsletter. The local Chambers of Commerce and AV Board of Trade were also notified via their respective email lists. AVTA's procurement system provided the solicitation documents to 134 registered firms; three (3) from Lancaster and an additional 131 firms outside of the Antelope Valley.

The bid opening was held on April 15, 2020. Of the 129 firms that received notification of the IFB, only two (2) submitted bid(s). The firms that meet minimum requirements and their respective bid amounts are listed in the table below.

| Firm | Location | Price |
|-------------------------------|-----------------|--------------|
| Complete Coach Works | Riverside, CA | \$342,167.91 |
| The Aftermarket Parts Company | Delaware, OH | \$344,254.00 |

Under AVTA's procurement policy requirements, an IFB must be awarded to the lowest responsive and responsible bidder.

Based on procurement policy requirements, bids received were reviewed for requisite document submittal, staff found the lowest bid complete with pricing to be fair and reasonable. Therefore, staff is recommending the Board approve a contract with Complete Coach Works. This project is anticipated to take approximately 180 days to complete from notice to proceed.

Prepared by:

Submitted by:

Lyle A. Block, CPPB
Procurement and Contracts Officer

Macy Neshati
Executive Director/CEO

RESOLUTION NO. 2020-003**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY
TRANSIT AUTHORITY CONFIRMING EMERGENCY REGULATIONS FOR
PUBLIC MEETINGS TO MITIGATE TRANSMISSION OF COVID-19**

WHEREAS, coronavirus disease 2019 (“COVID-19”) is a respiratory disease caused by a novel (new) coronavirus now named SARS-CoV-2; and

WHEREAS, according to a “Situation Summary” that was updated by the Centers for Disease Control (“CDC”) on March 14, 2020,

[t]he complete clinical picture with regard to COVID-19 is not fully known. Reported illnesses have ranged from very mild (including some with no reported symptoms) to severe, including illness resulting in death. While information so far suggests that most COVID-19 illness is mild, a report out of China suggests serious illness occurs in 16% of cases. Older people and people of all ages with severe chronic medical conditions — like heart disease, lung disease and diabetes, for example — seem to be at higher risk of developing serious COVID-19 illness.

(<https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/summary.html>); and

WHEREAS, also according to the CDC: (a) SARS-CoV-2, the virus that causes COVID-19, is infecting people and spreading easily from person-to-person; and (b) cases of COVID-19 have been detected in most countries worldwide and community spread is being detected in a growing number of countries; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization (“WHO”) declared the COVID-19 outbreak a public health emergency of international concern; and

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency related to the COVID-19 outbreak; and

WHEREAS, on March 4, 2020, the Governor of California declared a state of emergency related to the COVID-19 outbreak; and

WHEREAS, on March 11, 2020, the WHO characterized COVID-19 as a pandemic; and

WHEREAS, on March 12, 2020, the Governor of California issued Executive Order N-25-20 (“Executive Order N-25-20”), which, in part, suspended certain requirements of the Ralph M. Brown Act, Cal. Gov’t Code §§ 54950-54963 (the “Brown Act”), to facilitate social distancing and other similar measures to mitigate transmission of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency; and

WHEREAS, on March 14, 2020, the CDC recommended that gatherings of 50 people or more should be canceled or postponed throughout the country.

WHEREAS, on March 16, 2020, the CDC further recommended that gatherings of 10 people or more should be canceled, postponed, or held virtually throughout the country for at least 15 days.

WHEREAS, on March 17, 2020, the Governor of California issued Executive Order N-29-20 ("Executive Order N-29-20"), which supersedes Executive Order N-25-20 and further suspends certain requirements of the Brown Act; and

WHEREAS, on March 19, 2020, the Governor of California issued Executive Order N-33-20 ("Executive Order N-33-20"), which, in part, requires individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, to further mitigate and disrupt the spread of COVID-19.

WHEREAS, on April 28, 2020, the Executive Director/CEO and Chairman of the Board of Directors of the Antelope Valley Transit Authority jointly issued "emergency regulations for public meetings to mitigate transmission of COVID-19" (the "Emergency Regulations") based upon (a) the existing state of emergency declared by the Governor of California on March 4, 2020; (b) Executive Orders N-29-20 and N-33-20; and (c) the CDC's recommendation to cancel or postpone all gatherings of 10 or more; and

WHEREAS, the Board of Directors desires to confirm the Emergency Regulations, subject to the provisions of this Resolution.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY TRANSIT AUTHORITY DO HEREBY RESOLVE, DETERMINE AND ORDER, AS FOLLOWS:

Section 1. The foregoing Recitals are incorporated in and constitute a substantive part of this Resolution.

Section 2. The Emergency Regulations attached to this Resolution as Exhibit "A" are hereby confirmed, subject to the provisions of this Resolution.

Section 3. The Board of Directors reserves the right to suspend, terminate or modify the Emergency Regulations.

Section 4. The Board Secretary shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED this 28th day of April 2020, by the following vote:

AYES: _____

NAYS: _____ ABSTAIN: _____

ABSENT: _____

Marvin Crist, Chairman of the Board

ATTEST:

APPROVED AS TO FORM:

Karen Darr, Clerk of the Board

Allison E. Burns, General Counsel

EXHIBIT A

ANTELOPE VALLEY TRANSIT AUTHORITY EMERGENCY REGULATIONS FOR PUBLIC MEETINGS TO MITIGATE TRANSMISSION OF COVID-19

On March 4, 2020, the Governor of California declared a State of Emergency related to coronavirus disease 2019 ("COVID-19"), which is caused by a novel coronavirus.

On March 16, 2020, the CDC recommended that gatherings of 10 people or more should be canceled, postponed, or held virtually throughout the country, for at least 15 days, to facilitate social distancing and other similar measures to mitigate transmission of COVID-19.

On March 17, 2020, the Governor issued Executive Order N-29-20 ("Executive Order N-29-20") which, in part, suspends certain requirements of the Ralph M. Brown Act, Cal. Gov't Code §§ 54950-54963 (the "Brown Act"), to facilitate social distancing and other similar measures to mitigate transmission of COVID-19.

On March 19, 2020, the Governor issued Executive Order N-33-20 ("Executive Order N-33-20") which requires individuals of the State of California to stay home or at their place of residence, except as needed to maintain continuity of operations of the federal critical infrastructure sectors.

The emergency regulations ("Emergency Regulations") issued by this order by the Antelope Valley Transit Authority (the "AVTA") are based upon (a) the existing State of Emergency declared by the Governor of California on March 4, 2020; (b) Executive Orders N-29-20 and N-33-20; and (c) recommendations by the United States Centers for Disease Control regarding social distancing.

THE FOLLOWING EMERGENCY REGULATIONS ARE HEREBY ISSUED BY THE CHINO BASIN DESALTER AUTHORITY TO MITIGATE TRANSMISSION OF COVID-19:

1. Incorporation of Prefatory Paragraphs. The paragraphs above, including the words and phrases defined therein, are incorporated herein and constitute a substantive part of these Emergency Regulations.

2. Scope and Applicability. Subject to Section 3, below, these Emergency Regulations shall apply to every meeting conducted by the AVTA.

3. Term; Amendment by the AVTA. These Emergency Regulations shall take effect immediately upon issuance and shall terminate and be of no further force

or effect whatsoever upon the earliest of the following: (a) the Governor of California terminates the State of Emergency to which these Emergency Regulations relate; (b) the Governor of California rescinds, revokes or otherwise terminates Executive Orders N-29-20 and N-33-20 or they expire, terminate or for any reason become ineffective; (c) the Board of Directors terminates these Emergency Regulations; (d) the Board of Directors does not confirm these Emergency Regulations pursuant to applicable law; or (e) applicable law prohibits all or any part of these Emergency Regulations. Notwithstanding the foregoing, and subject to applicable law, the AVTA may amend or terminate these Emergency Regulations at any time prior to the Board of Directors' confirmation.

4. Emergency Mitigation Measures. Notwithstanding the AVTA's existing public meeting procedures, whether established by custom, policy, rule, resolution, ordinance, or otherwise, the AVTA shall implement emergency measures as set forth in this Section 4 to mitigate transmission of COVID-19.

4.1. Electronic Attendance and Participation.

4.1.1. Members. A member of the Board, committee, or other body conducting a meeting may attend and participate in such meeting telephonically or otherwise electronically, to the maximum extent allowed by (and subject to the requirements and/or limitations of) of Executive Order N-29-20.

4.1.2. Public. The public may electronically attend a meeting by telephonic and/or web-based access at the dial in or web address stated on each agenda. The public may electronically participate in a meeting by sending comments to clerkoftheboard@avta.com by email or by telephone at (661) 729-2206; provided, however, that any such electronic submission shall be subject to the following requirements: (a) it must indicate the date of the meeting and agenda item number to which it relates (or indicate that it does not relate to a specific agenda item); (b) in the case of an email, it must be sent to the email address the AVTA designates to receive electronic submissions pursuant to this section; and (c) it must be actually received by the AVTA at least two (2) hours prior to the meeting. AVTA staff will endeavor to read aloud each electronic submission at the appropriate time during the meeting, subject to applicable time and/or other limitation(s).

AVTA staff will not read aloud any electronic submission that (d) does not comply with the requirements of this section, (e) contains profane, vulgar or offensive language, (f) contains insults, attacks or threats directed at any person(s) or (g) relates to an issue that is beyond the subject matter jurisdiction of the board, committee, or other body conducting the meeting. There is no express or implied representation, warranty or guarantee that an electronic submission pursuant to this section will be read aloud by AVTA staff during the meeting. Electronic

submission of comments is supplemental and in addition to the public's right to physically attend and personally offer comments at a meeting.

4.1.3. Notice of Meeting; Publicly Accessible Location. If a member of the Board, committee, or other body conducting a meeting attends and/or participates in such meeting telephonically or otherwise electronically, then, as and to the extent required by Executive Order N-29-20, the following requirements apply: (a) advance notice of the meeting must be given within the timeframe required by the Brown Act; and (b) the notice must identify at least one publicly accessible location from which the public shall have the right to observe and offer comment at the meeting.

4.1.4. Suspension of Certain Meeting Requirements. The AVTA is not required to comply with Brown Act provisions as and to the extent suspended by the Governor of California in Executive Order N-29-20.

4.2. Suspension of Other Meeting Requirements. If and to the extent other provisions of the Brown Act are suspended, whether by executive order of the Governor of California or otherwise, the Executive Director/CEO may further modify the AVTA's public meeting procedures to implement such suspension.

4.3. Additional Measures. The AVTA may implement additional emergency measures to mitigate transmission of COVID-19, as and to the maximum extent allowed by law, by issuing an order that supplements these Emergency Regulations.

5. Relationship to Other Laws. In the event of a conflict between these Emergency Regulations and the provisions of any other applicable AVTA policy, resolution or ordinance, the more restrictive provision shall control. In the event of a conflict between these Emergency Regulations and the provisions of any other applicable state or federal law, the state or federal law shall control.

6. Exceptions. These Emergency Regulations shall not apply if and to the extent application would abridge the exercise of a person's rights protected under the United States Constitution, including but not limited to, the rights of free speech and peaceable assembly.

7. Notice of Emergency Regulations. The AVTA shall provide notice of these Emergency Regulations by, at a minimum, the following: (a) mailing a copy of these Emergency Regulations to any person who has submitted a request pursuant to Section 54951.1 of the California Government Code; (b) making copies of these Emergency Regulations available at the AVTA's office to any person during normal business hours; and (c) posting a copy of these Emergency Regulations adjacent to any meeting agenda posted pursuant to the Brown Act.

8. Severability. If any section, subsection, paragraph, sentence, clause or phrase of these Emergency Regulations is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of these Emergency Regulations. The AVTA declares that it would have adopted these Emergency Regulations, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases, or portions be declared invalid or unconstitutional.

Date Issued: April 28, 2020

Marvin Crist, Chairman of the Board

Macy Neshati, Executive Director and CEO



DATE: April 28, 2020

TO: BOARD OF DIRECTORS

SUBJECT: Contract Award #2020-12 to REC Solar Commercial Corporation for Solar + Storage Energy Partner

RECOMMENDATION

That the Board of Directors authorize the Executive Director/CEO to negotiate and execute a power purchase agreement (PPA) under AVTA's Contract #2020-12 with REC Solar Commercial Corporation, Petaluma CA for a term of twenty-five years not to exceed .06478 cents per kWh, with Self-Generation Incentive Program (SGIP), Equity category rebate.

FISCAL IMPACT

There is no outlay of funds and no impact to the FY 2020 Budget. Once completed, the PPA will replace LCE and SCE as our utility.

BACKGROUND

In November 2015, the Board of Directors directed staff to pursue every opportunity to be the world leader in improving our environment. Since that time, staff has been aiding our environment through our bus fleet's use of battery electric propulsion. The next step in being a world environmental leader would be through the use of solar charging technology. To this end, staff developed and circulated a Request for Proposals (RFP).

AVTA released a Request for Proposals (RFP) on September 20, 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 sixty-one firms were notified via email with RFP instructions for downloading. Fifty-four firms registered and downloaded the RFP. Five (5) addenda was issued with the last posting on October 31, 2019.

Seven (7) proposals were submitted on November 14, 2019, in response to the RFP. Three staff members evaluated and ranked each submitted proposal on the following criteria: Price per kWh for contract term (45%), project time line (10%), financing (15%), proposed equipment (10%), project experience and references (20%).

Submitted proposals were received from the following firms:

| Firm | Location | Total Score (200 Max) |
|---|---------------|-----------------------|
| Rec Solar Commercial Corporation | Petaluma, CA | 193 |
| Sun Power | Anaheim, CA | 164 |
| Solar Optimum, Inc. | Glendale, CA | 138 |
| Only three highest scoring firms (above) were invited to attend oral evaluations. | | |
| ENGIE | Pasadena, CA | 48 |
| EDF Renewables | San Diego, CA | 43 |
| Apparent, Inc. | Novato, CA | 32 |
| Right Angle Ventures, LLC | Acton, CA | 31 |

REC Solar Commercial Corporation's 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 in depth solar experience gave them a clear insight into our requirements and mission. Staff is confident REC Solar Commercial Corporation will perform their duties diligently.

Prepared by:

Submitted by:

Lyle A. Block, CPPB
Procurement and Contracts Officer

Macy Neshati
Executive Director/CEO



DATE: April 28, 2020

TO: BOARD OF DIRECTORS

SUBJECT: Contract #2020-45 for Proposed Land Expansion Acquisition

RECOMMENDATION

That the Board of Directors authorize the Executive Director/CEO to negotiate, award and execute land purchase agreements under Contract # 2020-45 with various landowners in an amount not to exceed \$3.5 million. Executive Director/CEO will ensure all final agreements comply with FTA requirements as well all state and local requirements and regulations and return to the Board of Directors with final negotiated terms, conditions and amounts for all parcels of land shown on the attached marked as "Exhibit A – Proposed Land Expansion Acquisition".

FISCAL IMPACT

Sufficient funds are included in the Fiscal Year 2020/2021 Budget to pay for this purchase.

BACKGROUND

Since April 1, 1992, the Board of Directors has held a consistent vision of being the premiere transportation agency in the country. From our humble beginning, starting out with a few diesel-powered buses to our new state of the art fully electric battery buses which run all of our local routes, this agency has led the nation and continues to set a high bar for environmental and economic responsibility.

With the completion of our onsite 85 electric bus depot charging stations in 2018, it became clear that in order to fuel our new zero-emission fleet as cost effectively as possible, we need to push the envelope even further with our ability to generate our own electric power for our fleet.

Authorize Contract #2020-45 for Proposed Land Expansion Acquisition

April 28, 2020

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In order to power our future and expand our services, land is a critical component to accomplish all these worthy goals. To this end we request that the Director/CEO be granted the authority to negotiate, award and execute land purchase agreements under contract # 2020-45.

Prepared by:

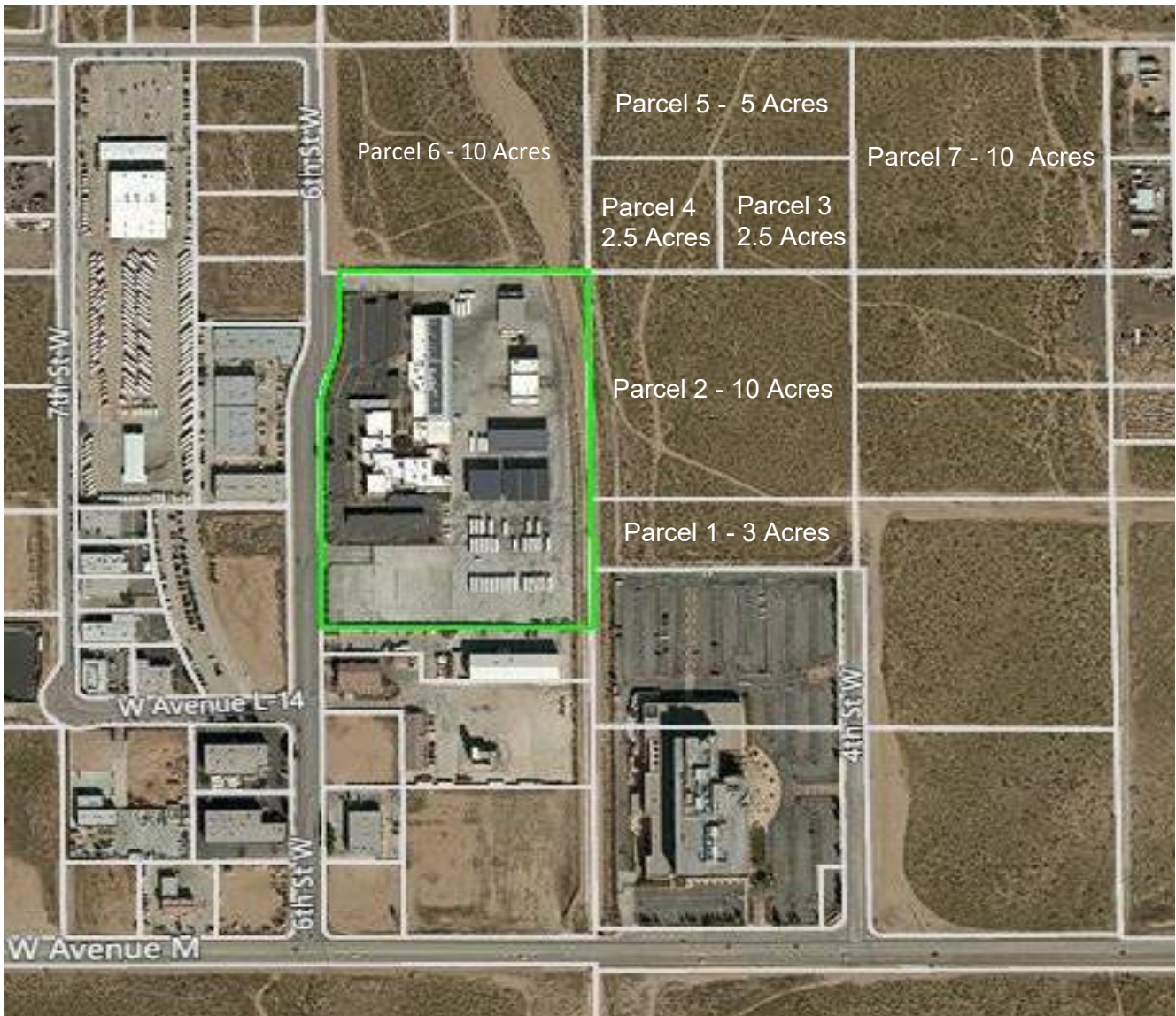
Submitted by:

Lyle A. Block, CPPB
Procurement and Contracts Officer

Macy Neshati
Executive Director/CEO

Attachment: A – Proposed Land Expansion Acquisition Parcel Map

EXHIBIT A – PROPOSED LAND EXPANSION ACQUISITION



Parcel 1 - 3 Acres (Future Solar Array)

Parcel 2 - 10 Acres (Future Solar Array)

Parcel 3 - 2.5 Acres (Future Solar Array)

Parcel 4 - 2.5 Acres (Future Solar Array)

Parcel 5 - 5 Acres (Future Solar Array)

Parcel 7 - 10 Acres (Future Solar Array)

Parcel 6 - 10 Acres (Future Park & Ride, Bus Parking and Maintenance Facility Expansion)



DATE: April 28, 2020

TO: BOARD OF DIRECTORS

SUBJECT: Second Amended and Restated Executive Director/Chief Executive Officer (CEO) Employment Agreement

RECOMMENDATION

That the Board of Directors approve the Second Amended and Restated Executive Director/CEO Employment Agreement.

FISCAL IMPACT

Funding for this item will be included in future Budgets.

BACKGROUND

The Executive Director/CEO's employment agreement was originally executed effective June 1, 2018 through May 30, 2020; a First Amended and Restated Employment Agreement was executed in May of 2019. The proposed Second Amended and Restated Employment Agreement would extend Mr. Neshati's contract until May 30, 2021, with available annual extensions. The majority of the terms and conditions will remain the same, with an increase to Mr. Neshati's salary and a one-time incentive payment. A copy of the Second Amended and Restated Executive Director/CEO Employment Agreement will be available upon request to the Clerk of the Board.

Prepared and Submitted by:

Allison E. Burns
General Counsel, AVTA