



**Regular Meeting of the Board of Directors
Tuesday, January 23, 2018
10:00 a.m.**

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

OFFICIAL MINUTES

CALL TO ORDER:

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

PLEDGE OF ALLEGIANCE:

Vice Chair Knippel led the Pledge of Allegiance.

ROLL CALL:

Present

Chairman Marvin Crist
Vice Chair Dianne Knippel
Director Steve Hofbauer
Director Austin Bishop
Alternate Director Raj Malhi (Director Angela Underwood-Jacobs absent)
Director Michelle Flanagan

APPROVAL OF AGENDA:

Motion: Approve the agenda as comprised.

Moved by Alternate Director Malhi, seconded by Vice Chair Knippel

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

PUBLIC BUSINESS – AGENDIZED AND NON-AGENDIZED ITEMS:

J.D. Arbaugh – stated the Route 52 is often late in the morning, typically the first run of the day. Requested to add a stop or relocate the bus stop at Avenue V-10 and 121st E. Norm Hickling, Chief Operating Officer, will address this.

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

SRP 1 RECOGNITION OF AVTA EMPLOYEE OF THE SECOND QUARTER (SEPTEMBER 1 – DECEMBER 31, 2017)

Mr. Hickling presented the AVTA Employee of the Second Quarter award to Senior Customer Service Representative Tisha Lanier.

SRP 2 PRESENTATION OF TRANSDEV OPERATOR AND EMPLOYEE OF THE MONTH FOR DECEMBER 2017

Hector Fuentes, Transdev General Manager, presented a plaque to the Employee of the Month Kim Hines and announced that the Operator of the Month was Carlos Angel. However, Mr. Angel was unable to attend the meeting.

SRP 3 PRESENTATION TO TRANSDEV OPERATOR ROSELIN JONES FOR GOING ABOVE AND BEYOND TO ASSIST A PASSENGER DURING A TIME OF NEED

Mr. Hickling presented Ms. Jones with an award for assisting a passenger during his time of need.

SRP 4 LEGISLATIVE REPORT FOR JANUARY 2018 – LEN ENGEL

Len Engel, Executive Director/CEO, presented information regarding the FY 2018 Federal Budget and FY 2019 State Budget. There was no discussion regarding this item.

CONSENT CALENDAR (CC):

CC 1 BOARD OF DIRECTORS MEETING MINUTES OF NOVEMBER 28, 2017
Approve the Board of Directors Regular Meeting Minutes of November 28, 2017.

CC 2 FINANCIAL REPORTS FOR NOVEMBER AND DECEMBER 2017
Receive and file the financial reports for November and December 2017.

CC 3 FY18 SECOND QUARTER LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) REPORT (OCTOBER 1 – DECEMBER 31, 2017)

Receive and file the FY18 First Quarter LASD report for the period covering October 1 through December 31, 2017.

CC 4 RESOLUTION NO. 2018-001, ADOPTING THE AMENDED CONFLICT OF INTEREST AND DISCLOSURE CODE

Adopt Resolution No. 2018-001, a Resolution of the Board of Directors of the Antelope Valley Transit Authority adopting the amended Conflict of Interest and Disclosure Code and rescinding in its entirety the current Conflict of Interest Code adopted by Resolution No. 2016-005.

CC 5 RESOLUTION NO. 2018-002, AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES FOR THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM

Adopt Resolution No. 2018-002, a Resolution of the Board of Directors of the Antelope Valley Transit Authority authorizing the execution of the certifications and assurances for the California State of Good Repair program.

CC 6 PROPOSED LEGISLATIVE PRINCIPLES FOR 2018

Approve the Proposed 2018 Legislative Principles.

CC 7 RESOLUTION NO. 2018-003, TRANSFERRING EIGHTEEN LOCAL TRANSIT BUSES TO MEMPHIS AREA TRANSIT AUTHORITY (MATA)

1) Adopt Resolution No. 2018-003, a Resolution for signature authorizing the transfer of eighteen (18) local transit buses to Memphis Area Transit Authority (MATA); and 2) authorize the Executive Director/CEO to execute an agreement to transfer eighteen (18) local transit buses that have not reached their useful life benchmark to another federal grantee, Memphis Area Transit Authority (MATA).

Motion: Approve the Consent Calendar.

Moved by Director Bishop, seconded by Director Hofbauer

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

Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop, and Flanagan, and Alternate Director Malhi

Nays: None

Abstain: None

Absent: None

CONTINUED BUSINESS (CB):

CB 1 CONTRACT EXTENSION FOR CONTRACT #2011-032 FOR FIXED ROUTE TRANSIT OPERATIONS AND MAINTENANCE SERVICES

Len Engel, Executive Director/CEO, presented the staff report. There was no discussion regarding this item.

Motion: Authorize the Executive Director/CEO to negotiate and execute a two-year extension to Contract #2011-032 for fixed route operations and maintenance services with Transdev effective January 1, 2018.

Moved by Director Hofbauer, seconded by Vice Chair Knippel

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

Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop, and Flanagan, and Alternate Director Malhi

Nays: None

Abstain: None

Absent: None

CB 2 VANPOOL PROGRAM OPTIONS

Jim Moore, Planning Consultant with Moore and Associates, presented the staff report.

Addressing the Board on this item:

Darrin Lofgren, Vice President of Operations for The Spaceship Company, spoke in support of and requested to be part of the vanpool program.

The Board discussed the reasons staff is focusing on Edwards Air Force Base (EAFB), the number of employees who reside in the Lancaster, Palmdale and LA County area, using Measure M or Antelope Valley Air Quality Management District (AVQMD) funds to offset costs for the Mojave Air & Spaceport (Spaceport) commuters, financial impact if the Spaceport employees are included without a transportation subsidy, timeline for acquiring the vans, and potential subsidies from Kern County.

Mr. Moore responded that EAFB has a Department of Defense employee commute benefit available. Congressional action late in 2017 eliminated the federal pre-tax employer transportation benefit. Therefore, based on the grant amount, AVTA does not have sufficient funds to include a non-subsidized service in the program.

In addition, staff must acquire the ten vans under the terms of the grant and then could apply for the next cycle of the Transit and Intercity Rail Capital Program (TIRCP) grant program. The next step would also include

an education campaign at the employment sites explaining the benefits of commuting.

Mr. Engel pointed out that AVTA had been working with EAFB prior to the request from the Spaceport and added that if the Board approves the vehicle purchase, staff will contact the California State Transportation Agency (CalSTA) to obtain approval to substitute the Tesla zero-emission vehicles with the Chrysler Pacifica vans. Department of Defense via EAFB would provide a transportation subsidy of \$200 per month, per passenger. If the Spaceport was included in the program, the AVTA would need to subsidize \$1000 per month, per vehicle, possibly with Measure M funds, assuming there is no cost from the rider. Staff will coordinate with the Spaceport to discuss employee/employer subsidies and with the AVAQMD for funding assistance.

Motion: Appropriate five vans to EAFB and five vans to the Mojave Air & Spaceport as the first priority. If splitting the allocation of ten vehicles is not a viable option, provide ten vans to EAFB and return to the Board with options that would include the Mojave Air & Spaceport employees.

Moved by Director Hofbauer, seconded by Director Flanagan

Vote: (6-0-0-0)
Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop, and Flanagan, and Alternate Director Malhi
Nays: None
Abstain: None
Absent: None

NEW BUSINESS (NB):

NB 1 ANNUAL REVIEW OF AVTA'S EQUAL EMPLOYMENT OPPORTUNITY (EEO) STATEMENT POLICY AND TRANSDEV'S EEO PLAN

Mr. Hickling presented the staff report. There was no discussion regarding this item.

Motion: Review, update, and reaffirm AVTA's EEO Statement Policy and Transdev's EEO Plan.

Moved by Director Bishop, seconded by Director Flanagan

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

NB 2 UPGRADE BUS WI-FI WITH FLUIDIUM CONCEPTS AND OPENMATICS

Mark Perry, Director of Fleet and Facilities, presented the staff report and confirmed that the vendor will adhere to AVTA's adopted advertising policy.

Motion: Authorize the Executive Director/CEO to execute an agreement to upgrade current Wi-Fi services and enter into a four (4) year agreement with Fluidium Concepts LLC and ZF Openmatics.

Moved by Director Bishop, seconded by Director Hofbauer

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

Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop, and Flanagan, and Alternate Director Malhi

Nays: None

Abstain: None

Absent: None

NB 3 MEMORANDUM OF UNDERSTANDING (MOU) FUNDING AMENDMENTS, CHANGE ORDERS AND SERVICE AGREEMENTS FOR AVTA/CALTRANS' JOINT ADA CONSTRUCTION PROJECT LOCATED AT 35TH ST. E. AND PALMDALE BLVD. (HWY 138)

The Board waived the presentation of the staff report. Procurement and Contracts Officer Lyle Block detailed the items that are delaying the project.

Motion: Authorize the Executive Director/CEO to execute the MOU funding amendments, contract change orders and service agreements for the AVTA/Caltrans' Joint ADA Construction Project located at 35th St. E. and Palmdale Blvd. (HWY 138).

Moved by Director Bishop, seconded by Vice Chair Knippel

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

Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Bishop, and Flanagan, and Alternate Director Malhi

Nays: None

Abstain: None

Absent: None

CLOSED SESSION (CS):

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

Allison Burns, General Counsel, presented the Closed Session discussion items.

- 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 Public Employee Performance Evaluation – Pursuant to Government Code Sections 54954.5 (e) and 54957(b))
Title: Executive Director/CEO

RECESS TO CLOSED SESSION

The Board recessed to Closed Session at 10:50 a.m.

RECONVENE TO PUBLIC SESSION

The Board reconvened to Public Session at 11:25 a.m.

REPORT BY LEGAL COUNSEL OF ACTION TAKEN IN CLOSED SESSION

Allison Burns, General Counsel, stated the Board discussed CS 5. There was no reportable action.

REPORTS AND ANNOUNCEMENTS (RA):

RA 1 Report by the Executive Director/CEO Len Engel

- Attending an Air Resources Board (ARB) Transit Workshop in Sacramento on January 25th and an ARB Transit Agency Subcommittee meeting on January 29th.
- On-time-performance has increased 14% since the service changes took effect in August 2017.
- Transdev is doing well with administering the Family and Medical Leave Act.
- Ron Bushman, Transdev's Regional Vice President, thanked the Board for their confidence in the company.

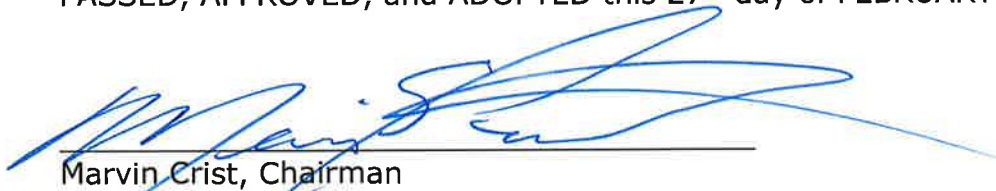
MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

There were no miscellaneous business items presented.

ADJOURNMENT:

Chairman Crist adjourned the meeting at 11:28 a.m. to the Regular Meeting of the Board of Directors on February 27, 2018 at 10:00 a.m. in the Antelope Valley Transit Authority Community Room, 42210 6th Street West, Lancaster, CA.

PASSED, APPROVED, and ADOPTED this 27th day of FEBRUARY, 2018



Marvin Crist, Chairman

ATTEST:



Karen S. Darr, Clerk of the Board

Audio recordings of the Board of Directors Meetings are maintained in accordance with state law and AVTA's Records Retention Policy. Please contact the Clerk of the Board at (661) 729-2206 to arrange to review a recording.