



Regular Meeting of the Board of Directors

Tuesday, June 26, 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 10:01 a.m.

PLEDGE OF ALLEGIANCE

Director Flanagan led the Pledge of Allegiance.

ROLL CALL:

Present

Chairman Marvin Crist, Vice Chair Dianne Knippel, Director Angela Underwood-Jacobs, Director Michelle Flanagan

Absent

Director Steve Hofbauer

APPROVAL OF AGENDA

Motion: Approve the agenda with the revision to New Business 4. The rescinded resolution listed on the agenda should be Resolution No. 2018-007.

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

Vote: Motion Carried (4-0-0-1)

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

Nays: None

Abstain: None

Absent: Director Hofbauer

PUBLIC BUSINESS – AGENDIZED AND NON-AGENDIZED ITEMS:

Charlotte Baxter – spoke about air conditioning issues and the difficulty she had exiting the bus onto the curb from the rear exit of the articulated buses. Mark Perry, Director of Operations and Maintenance, is aware of the issue and is working with staff to resolve it.

Fran Sereseres – congratulated Len Engel, previous AVTA Executive Director/CEO, on his consulting agreement with the Agency. She thanked staff for the hard work they do for the senior clients.

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

SRP 1 PRESENTATION TO OUTGOING BOARD OF DIRECTOR AUSTIN BISHOP FOR HIS SERVICE AS AN AVTA BOARD MEMBER REPRESENTING THE CITY OF PALMDALE

Vice Chair Knippel recognized and thanked Director Bishop for his service as an AVTA Board Member. Mr. Bishop thanked the Board and stated it was an honor to work with the Board and staff.

SRP 2 PRESENTATION TO PREVIOUS EXECUTIVE DIRECTOR/CEO LEN ENGEL FOR HIS DEDICATED AND EXEMPLARY SERVICE TO THE AVTA

Vice Chair Knippel recognized Mr. Engel for his dedicated service, focus and hard work that led the Agency on the path to having a fully electric fleet. Chairman Crist added that Mr. Engel helped change the world. The AVTA is the first transit agency to have a fully electric fleet and Mr. Engel's leadership made this happen. Mr. Engel stated that his time at AVTA has been the capstone of his career and expressed his sincere appreciation to the Board.

SRP 3 PRESENTATION TO TRANSDEV OPERATOR AND EMPLOYEE OF THE MONTH FOR MAY 2018

Hector Fuentes, Transdev General Manager, presented plaques to the Employee of the Month Joseph Borsotti and Operator of the Month Melvin Lopez.

SRP 4 PRESENTATION TO TRANSDEV OPERATOR TIFFANY AUSTIN FOR GOING ABOVE AND BEYOND TO HELP A CHILD

Norm Hickling, Director of Development Service/DBE Officer, presented an award to Operator Tiffany Austin for going above-and-beyond to bring a missing child home safely.

SRP 5 LEGISLATIVE REPORT FOR JUNE 2018

Judy Fry, Grants Administrator, presented an update regarding the formula allocations and Bus & Bus Facilities competitive grant opportunity for Fiscal Year 2018/2019. She reported that Assembly Bill (AB) 2304 – Transit Pass Program is being considered in the Senate, AB2418 – Emerging Technologies California Smart Cities Challenge Grant Program and AB1969 – Transportation funds: transportation planning agencies: transit operators: fare revenue ratios: exemptions have been declared dead. AB3124 – Length Limitations: Buses: bicycle transportation devices is being held in the Assembly Appropriations Committee.

The language for Senate Bill 1119 has been amended to give transit agencies more flexibility on how they spend Low Carbon Transit Operation Program (LCTOP) funding. Currently, the Bill requires agencies whose service area includes a disadvantaged community (DAC) to expend at least 50% of the funds received on projects/services benefitting the DAC. The proposed changes to the Bill include waiving the requirement if funds are spent on certain activities within a DAC.

The Board discussed whether the vanpool project to Mojave and Edwards Air Force Base would qualify for LCTOP funds under the proposed changes, the requirements of the Innovative Clean Transit Measure and the impact to the AVTA as a result of the SB 1 re-vote.

The Board complimented Ms. Fry's efforts and the enthusiastic pride she displays when reporting on legislative activities and grant awards.

CONSENT CALENDAR (CC):

CC 1 BOARD OF DIRECTORS MEETING MINUTES OF MAY 8, 2018 AND MAY 22, 2018

Approve the Board of Directors Special Meeting Minutes of May 8, 2018 and Regular Meeting Minutes of May 22, 2018.

CC 2 FINANCIAL REPORTS FOR APRIL AND MAY 2018

Receive and file the financial report for April and May 2018.

CC 3 RESOLUTION NO. 2018-009, AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO EXECUTE AGREEMENTS NECESSARY FOR THE SUSTAINABLE COMMUNITIES STRATEGIES GRANT PROGRAM WITH FUNDS FROM THE STATE OF CALIFORNIA

Adopt Resolution 2018-009, a Resolution of the Board of Directors of the Antelope Valley Transit Authority authorizing the Executive Director/CEO to execute agreements necessary for the Sustainable Communities Strategy Grant Program with funds from the State of California.

CC 4 RESOLUTION NO. 2018-010, APPOINTING THE EXECUTIVE DIRECTOR/CEO AS TREASURER AND THE DIRECTOR OF FINANCE AND ADMINISTRATION AS CONTROLLER; DELEGATING INVESTMENT AUTHORITY TO THE TREASURER; ADOPTING A POLICY FOR THE INVESTMENT OF SURPLUS TRANSIT FUNDS FOR FISCAL YEAR 2018/2019; AND RESCINDING RESOLUTION NO. 2017-004

Adopt Resolution 2018-010, a Resolution of the Board of Directors of the Antelope Valley Transit Authority appointing the Executive Director/CEO as Treasurer and the Director of Finance and Administration as Controller; delegating investment authority to the Treasurer; adopting a policy for the investment of surplus transit funds for Fiscal Year 2018/2019 beginning July 1 2018 through June 30, 2019, and rescinding Resolution No. 2017-004.

CC 5 RESOLUTION NO 2018-012 AND 2018-013, AUTHORIZING SIGNATORIES FOR THE AVTA'S ACCOUNTS WITH UNION BANK, MUFG AND WELLS FARGO BANK

Approve the list of representatives authorized to deposit and withdraw funds from AVTA's bank accounts with Union Bank, MUFG and investment accounts with Wells Fargo Bank and adopt Resolution No. 2018-012 (Attachment A) and 2018-013 (Attachment B), Resolutions of the Board of Directors of the Antelope Valley Transit Authority authorizing the signatories for the AVTA's accounts with Union Bank, MUFG and Wells Fargo Bank.

CC 6 TRANSDEV'S EQUAL EMPLOYMENT OPPORTUNITY (EEO) PLAN ANNUAL REVIEW

Review and approve Transdev's EEO Plan dated May 2018.

CC 7 MEMORANDUM OF UNDERSTANDING (MOU) WITH CITY OF PALMDALE TO PROVIDE BUS STOP MAINTENANCE SERVICES – LYLE BLOCK

Recommended Action: Authorize the Executive Director/CEO to execute an MOU (AVTA Agreement No. 2019-01) with the City of Palmdale to provide bus stop maintenance services for a three-year term.

Motion: Approve the Consent Calendar.

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

Vote: Motion carried (4-0-0-1)
Yeas: Chairman Crist, Vice Chair Knippel, Directors Underwood-Jacobs and Flanagan
Nays: None
Abstain: None
Absent: Director Hofbauer

NEW BUSINESS (NB):

NB 1 CONSULTING AGREEMENT WITH LEN ENGEL

Allison Burns, General Counsel, presented the staff report. There was no Board discussion.

Motion: Authorize the Executive Director/CEO to enter into the Consulting Services Agreement with Len Engel and adopt Resolution 2018-15, a Resolution of the Board of Directors of the Antelope Valley Transit Authority requesting a 180-day wait period exception.

Moved by Director Flanagan, seconded by Director Underwood-Jacobs

Vote: Motion carried (4-0-0-1)
Yeas: Chairman Crist, Vice Chair Knippel, Directors Underwood-Jacobs and Flanagan
Nays: None
Abstain: None
Absent: Director Hofbauer

NB 2 CONTRACT AMENDMENT #2 UNDER AVTA CONTRACT #2017-37 TO MOORE & ASSOCIATES FOR PLANNING & OPERATIONS SUPPORT SERVICES

Macy Neshati, Executive Director/CEO, presented the staff report. The Board briefly discussed this item.

Motion: Authorize the Executive Director/CEO to execute Contract Amendment #2 for an additional amount of \$75,000, and a six-month time extension to Moore & Associates, Santa Clarita, CA, under AVTA Contract #2017-37, to complete additional planning and support services.

Moved by Vice Chair Dianne Knippel, seconded by Director Flanagan

Vote: Motion carried (4-0-0-1)

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

Nays: None

Abstain: None

Absent: Director Hofbauer

NB 3 AMENDED CLASSIFICATION AND SALARY SCHEDULE

Williene Jones, Human Resources and Benefits Coordinator, presented the staff report. There was no Board discussion.

Motion: Approve the amended classification and salary schedule.

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

Vote: Motion carried (4-0-0-1)

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

Nays: None

Abstain: None

Absent: Director Hofbauer

CLOSED SESSION (CS):

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

Ms. 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: 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

Pending Litigation: Edsger Alvarez v. AVTA Summons Case No. BC700987

Benjamin Alfaro v. AVTA Summons Case No. BC701049

- 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 - Existing Litigation: Pursuant to Government Code section 54956.9(a) - Eco Energy Solutions, Inc. dba High Volt Electric v. The Board of Directors of Antelope Valley Transit Authority, et al. LASC Case Number BS 173920
- CS 4 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(4)
Consideration of whether to initiate litigation (one potential case)
- CS 5 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(4)
Consideration of initiation of litigation (one potential case)
- CS 6 Public Employee Appointment – 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 10:37 a.m.

RECONVENE TO PUBLIC SESSION

The Board reconvened to Public Session at 10:45 a.m.

REPORT BY LEGAL COUNSEL OF ACTION TAKEN IN CLOSED SESSION

Ms. Burns reported the Board discussed CS 3 and authorized approval of a settlement agreement with Eco Energy Solutions with regard to that matter and subject to certain conditions; there was no reportable action or public comments presented.

NB 4 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY TRANSIT AUTHORITY RESCINDING RESOLUTION NO. 2018-007, SECTION 1

Motion: Adopt Resolution No. 2018-014, A Resolution of the Board of Directors of the Antelope Valley Transit Authority rescinding Resolution No. 2018-007, Section 1.

Moved by Director Flanagan, seconded by Director Underwood-Jacobs

Vote: Motion carried (4-0-0-1)

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

Nays: None

Abstain: None

Absent: Director Hofbauer

REPORTS AND ANNOUNCEMENTS (RA):

RA 1 Report by the Executive Director/CEO Macy Neshati

- Applauded Mr. Engel and staff for receiving three consecutive CalSTA awards. He complimented the talented, hard-working and dedicated team at the AVTA.
- Spoke about the AVTA's transition from a diesel fleet to a zero-emission bus fleet.
- Stated that as ridership steadily declines nationwide, staff's goal is to preserve the various modes of public transit as a desirable product and relevant transportation option for our stakeholders and community members. The majority of the comments he reviewed over the last several months emphasized the length of time and number of transfers it takes to get to a destination, and the need for improved bus schedules throughout the Los Angeles area.

The following priorities will become effective July 2018:

- ✓ The AVTA directors and key staff members will ride the bus at least one day a month to network with community members, observe bus service, understand what operators are encountering, and listen to the voice of our customers.
- ✓ Determine if we are servicing our largest employers and quickly develop service where it is deficient.
- ✓ Review transfer and fare collection systems.
- ✓ Review route structures and locate areas where improvements can be made.

- ✓ Launch service from Antelope Valley College’s Lancaster Campus to the Palmdale Center in August 2018.
- ✓ Establish partnerships with developers to create demonstration routes near new developments.
- ✓ Form a citizens and business advisory committee to keep AVTA staff informed of employment trends, housing and business development projects, and additional data points that would provide the necessary tools to plan our service and products effectively and proactively.

MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

Vice Chair Knippel thanked staff for supplying free Wi-Fi on the buses.

ADJOURNMENT:


Chairman Crist adjourned the meeting at 11:00 a.m. to the next Regular meeting of the Board of Directors on July 24, 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 24th day of JULY, 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.