



Regular Meeting of the Board of Directors

Tuesday, January 22, 2019

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 Hofbauer led the Pledge of Allegiance.

OATH OF OFFICE:

Director Hofbauer administered the Oath of Office to Councilmember District 2 Richard Loa, representative for the City of Palmdale.

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 Hofbauer, seconded by Vice Chair Knippel

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

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

Nays: None

Abstain: None

Absent: None

PUBLIC BUSINESS – AGENDIZED AND NON-AGENDIZED ITEMS:

Fran Sereseres – thanked staff for appointing her to the AVTA Community Advisory Board. She asked if H.R. 267 funds could be used for new Access Services’ buses and stated there is a need for volunteers to count the homeless; information can be found at TheyCountWillYou.org website.

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

SRP 1 PRESENTATION TO AVTA EMPLOYEE OF THE SECOND QUARTER FOR FISCAL YEAR 2018/2019 (FY19) (OCTOBER 1 – DECEMBER 31, 2018)

Director of Operations and Maintenance Mark Perry presented the AVTA Employee of the Second Quarter award to Facility Worker Valvina Vasquez.

SRP 2 PRESENTATION TO OPERATOR ANAFLOICIA TURNER FOR GOING ABOVE AND BEYOND TO HELP A CHILD IN NEED

Director of Strategic Planning and Development Norm Hickling presented an award to Anafloicia Turner for going above-and-beyond to help a child in need of assistance.

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

Trandev General Manager Martin Tompkins announced the Operator of the Month for November is Benny Barner and the Employee of the Month for December is Kerry Jefferson; both Mr. Barner and Mr. Jefferson were unable to attend the meeting. Mr. Tompkins presented awards to Silvia Flamenco, the Employee of the Month for November and Nequal Jones, the Operator of the Month for December.

SRP 4 PRESENTATION TO TRANSDEV OPERATOR AND EMPLOYEE OF THE YEAR

Mr. Tompkins presented an award to the Operator of the Year, Brenda Jones and announced the Employee of the Year is Xiomara Garcia. Ms. Garcia was unable to attend the meeting.

SRP 5 LEGISLATIVE REPORT FOR JANUARY 2019

Director of Finance and Administration Judy Vaccaro-Fry provided information regarding the federal government shutdown and its impact to public transit, specifically AVTA, and Fiscal Year 2019-20 funding estimates for the State Transit Assistance, Low-Carbon Transit Operations, and the

Transit and Intercity Rail Capital Programs. The Board discussed how the government shutdown could affect AVTA's ability to fund operations.

Chairman Crist requested to add an item to the agenda as New Business 4 - Allow federal employees to ride free on AVTA buses pending the resolution of the government shutdown. He stated the matter came to the attention of the Board after the posting of the agenda and there is a need to take immediate action. General Counsel noted that adding an item requires a two-thirds vote of the Board.

Motion: Add New Business 4 to the agenda with the findings as stated by Chairman Crist.

Moved by Chairman Crist, seconded by Director Hofbauer

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

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

Nays: None

Abstain: None

Absent: None

SPR 6 DISCUSSION OF THE AMENDMENT TO THE AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT (JPA)

Executive Director/CEO Macy Neshati presented the report. The Board discussed amending the JPA to allow the cities of Palmdale and Lancaster to appoint two Directors without the requirement that both appointees be Council Members. Chairman Crist directed Mr. Neshati to coordinate with the Transit Advisory Committee members to draft amended language and present the item for a vote at the February 26, 2019 meeting.

CONSENT CALENDAR (CC):

CC 2 FINANCIAL REPORTS FOR NOVEMBER AND DECEMBER 2018

Receive and file the financial reports for November and December 2018.

CC 3 FY19 SECOND QUARTER LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) REPORT (OCTOBER 1 – DECEMBER 31, 2018)

Receive and file the FY19 Second Quarter LASD report for the period covering October 1 through December 31, 2018.

CC 4 PROPOSED LEGISLATIVE PRINCIPLES FOR 2019

Approve the Proposed 2019 Legislative Principles.

CC 5 ANNUAL REVIEW OF AVTA'S EQUAL EMPLOYMENT OPPORTUNITY (EEO) STATEMENT POLICY AND TRANSDEV'S EEO PLAN

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

CC 6 PROCUREMENT POLICY AND PROCEDURES MANUAL (REVISION NO. 8)

Approve Revision No. 8 to the Procurement Policy and Procedures Manual.

CC 7 FUNDING AGREEMENT #2019-63 WITH ANTELOPE VALLEY COLLEGE (AVC) FOR THE ROUTE 8

Authorize the Executive Director/CEO to execute Funding Agreement #2019-63 with the AVC for the Route 8.

Motion: Approve Consent Calendar Item Nos. 1-7.

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

Chairman Crist requested CC 1 be pulled and voted on separately as Director Loa was not a Board Member at the November 27, 2018 meeting.

Amended Motion: Approve Consent Calendar Item Nos. 2-7.

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

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

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

Nays: None

Abstain: None

Absent: None

CC 1 BOARD OF DIRECTORS MEETING MINUTES OF NOVEMBER 27, 2018

Approve the Board of Directors Regular Meeting Minutes of November 27, 2018.

Motion: Approve Item No. CC 1.

Moved by Director Hofbauer, seconded by Vice Chair Knippel

Vote: Motion Carried (5-0-1-0)

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

Nays: None

Abstain: Director Loa

Absent: None

NEW BUSINESS (NB):

NB 1 FY19 MID-YEAR BUDGET REVIEW AND PROPOSED ADJUSTMENTS

Ms. Vaccaro-Fry presented the staff report noting there are funds to employ a security guard at the Palmdale Transportation Center.

Motion: Approve the Proposed FY19 Mid-Year Budget adjustments.

Moved by Director Hofbauer, seconded by Vice Chair Knippel

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

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

Nays: None

Abstain: None

Absent: None

NB 2 CONTRACT AMENDMENT FOR ADDITIONAL SECURITY GUARD SERVICES AT SERGEANT STEVE OWEN MEMORIAL PARK (SSOMP)

Mr. Hickling presented the staff report. The Board discussed the contract for security guard services approved at the September 25, 2018 Board meeting and employing a security guard at the Palmdale Transportation Center.

Motion: Authorize the Executive Director/CEO to execute an amendment to Contract #2019-04 to OPSEC Specialized Protection, Lancaster, CA for additional security guard services at SSOMP.

Moved by Vice Chair Knippel, seconded by Director Hofbauer

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

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

Nays: None

Abstain: None

Absent: None

NB 3 AMENDED CLASSIFICATION AND SALARY SCHEDULE

Director Flanagan stated she needs to recuse herself from the discussion due to a potential conflict of interest. Director Flanagan left the dais at this time.

Mr. Hickling presented the staff report.

Motion: Approve a title change (Director of Communications to Director of Marketing) and revised job description, and provide authorization to recruit and fill the position as deemed necessary.

Moved by Director Hofbauer, seconded by Vice Chair Knippel

Vote: Motion Carried (5-0-1-0)
Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Loa
Nays: None
Recused: Director Flanagan
Absent: None

Director Flanagan returned to the dais at this time.

Added agenda item:

NB 4 FEDERAL EMPLOYEES RIDE FREE DURING GOVERNMENT SHUTDOWN

Motion: Implement a program to allow federal employees to ride free on AVTA's system during the term of the federal government shutdown and to implement policies consistent with those adopted by Metro.

Moved by Chairman Crist, seconded by Director Hofbauer

Staff was directed to work out the details and implement the program immediately. Chairman Crist stated the mayors of Lancaster and Palmdale will be meeting to discuss how the cities can also assist federal employees.

Vote: Motion Carried (6-0-0-0)
Yeas: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Underwood-Jacobs, Flanagan, Loa
Nays: None
Abstain: None
Absent: None

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 – 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)

RECESS TO CLOSED SESSION

The Board recessed to Closed Session at 10:58 a.m.

RECONVENE TO PUBLIC SESSION

The Board reconvened to Public Session at 11:24 a.m.

REPORT BY LEGAL COUNSEL OF ACTION TAKEN IN CLOSED SESSION

Ms. Burns reported the Board discussed CS 1 Pending Litigation: Edsger Alvarez and Benjamin Alfaro v. AVTA and gave direction to staff and legal counsel. There was no reportable action.

REPORTS AND ANNOUNCEMENTS (RA):

- RA 1 Report by the Executive Director/CEO Macy Neshati
- Welcomed Richard Loa to the Board of Directors.
 - Congratulated Director Hofbauer for being elected mayor of Palmdale.

- Stated service to Edwards Air Force Base was launched today. He thanked Mr. Hickling, Community Outreach Specialist Kelly Miller, Transit Analyst Geraldina Romo, and Customer Service Supervisor Carlos Lopez for joining him to greet the first customers of the new service.
- Stated the Antelope Valley Board of Trade Outlook Conference will be on February 22, 2019 where AVTA is a Title Sponsor. Staff will use this opportunity to provide additional education to the community regarding the economic and health benefits of zero-emission vehicles.
- Stated he and Chairman Crist are attending the California Air Resources Board (CARB) and AVTA Technology Showcase and Symposium in Sacramento February 6 and 7, 2019. Chairman Crist will be a keynote speaker on February 7 and will accept an award from CARB for AVTA's exemplary service. Mr. Neshati commended the leadership of the former Executive Director Len Engel and Board Directors for making AVTA the first transit system in North America to declare a commitment to a 100% zero-emission fleet.

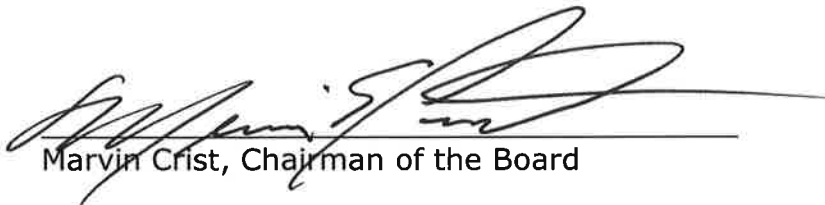
MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

There were no miscellaneous business items presented.

ADJOURNMENT:

Chairman Crist adjourned the meeting at 11:29 a.m. to the Regular Meeting of the Board of Directors on February 26, 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 26th day of FEBRUARY, 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.