



**Regular Meeting of the Board of Directors**

**Tuesday, September 28, 2021**

**10:00 a.m.**

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

**HYBRID MEETING PURSUANT TO  
GOVERNOR'S EXECUTIVE ORDER N-08-21**

**OFFICIAL MINUTES**

**CALL TO ORDER:**

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

**ROLL CALL:**

Present

Chairman Marvin Crist, Vice Chair Dianne Knippel, Director Steve Hofbauer, Director Richard Loa, Director Raj Malhi, Director Michelle Flanagan

**PLEDGE OF ALLEGIANCE:**

Director Loa led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

**Motion: Approve the agenda as comprised.**

Moved by Director Hofbauer, seconded by Director Loa

Chairman Crist stated the motion carried unanimously.

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Loa, Malhi, Flanagan

Nays: None

Abstain: None

Absent: None

**PUBLIC BUSINESS – AGENDIZED AND NON-AGENDIZED ITEMS:**

Fran Sereseres – spoke about issues she is having reserving a ride on the Dial-A-Ride (DAR) service. AV Transit Management President Art Minasyan stated that it

could be difficult making reservations during peak times or if there is a shortage of vehicles. The Board discussed the DAR App available on the AVTA website and noted that many riders may not have a smartphone to access this option. Chairman Crist directed Mr. Minasyan to meet with Ms. Sereseres to resolve her issues.

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

**SRP 1 PRESENTATION TO TRANSDEV OPERATOR AND EMPLOYEE OF THE MONTH FOR AUGUST 2021**

Chief Operating Officer Martin Tompkins introduced Transdev's new General Manager Denis Jackson. Mr. Jackson awarded the Operator of the Month for August posthumously to Sterling Singleton in celebration of his life and contributions to AVTA and Transdev. Mr. Jackson read the many kind sentiments shared by Transdev and AVTA staff members. Mr. Sterling's Aunt June Thompson accepted the award on his behalf. Mr. Jackson presented an award to the Employee of the Month Evette Serrano.

**SRP 2 PRESENTATION TO ANTELOPE VALLEY TRANSPORTATION SERVICES (AVTS) EMPLOYEE OF THE MONTH FOR AUGUST 2021**

AV Transit Management President Art Minasyan presented an award to the Employee of the Month Tony Hines.

**SRP 3 LEGISLATIVE REPORT FOR SEPTEMBER 2021**

Chief Financial Officer Judy Vaccaro-Fry presented an update for Assembly Bill (AB) 917, AB 970, the Clean California Local Grant Program, potential increased TSA civil penalties on individuals who violate the federal mask mandate, Executive Order 14037 - new rules aimed at reducing automobile emissions, pilot program for a national motor vehicle per-mile user fee, the Build Back Better Act and new federal grant opportunities. The Board briefly discussed AB 917.

**SRP 4 OPERATIONS KEY PERFORMANCE INDICATORS (KPI) REPORT**

Director of Operations and Maintenance Esteban Rodriguez presented the report. The Board reiterated that the passenger pass-ups are unacceptable. Chief Operating Officer Martin Tompkins explained that Uber picks up passed-up passengers with the costs passed on to Transdev. Director Hofbauer requested that operators notify the Authority when tree branches encroach into the bus stops.

## **SRP 5 MAINTENANCE KPI REPORT**

Maintenance Compliance Manager Cecil Foust presented the report. He confirmed that maintenance costs per mile is an industry standard. Executive Director/CEO Macy Neshati provided a brief update regarding the Solar Field Project.

## **SRP 6 AVTS UPDATE (MICROTRANSIT AND DIAL-A-RIDE)**

Mr. Minasyan presented the report. The Board discussed the types of vehicles used for the service. Chairman Crist directed Mr. Neshati to submit a grant to Antelope Valley Air Quality Management District (AVAQMD) to replace one of the gas-powered vehicles.

## **CONSENT CALENDAR (CC):**

### **CC 1 BOARD OF DIRECTORS MEETING MINUTES OF AUGUST 24, 2021**

Approve the Board of Directors Regular Meeting Minutes of August 24, 2021.

### **CC 2 FINANCIAL REPORT FOR AUGUST 2021**

Receive and file the Financial Report for August 2021.

### **CC 3 GRANTS PROCEDURE MANUAL**

Approve updates to the Grants Procedure Manual.

### **CC 4 AMENDMENT NO. 2 TO CONTRACT #2019-06 WITH VEHICLE TECHNICAL CONSULTANTS, INC. FOR IN-PLANT BUS MANUFACTURING INSPECTION SERVICES**

Authorize the Executive Director/CEO to execute Amendment No. 2 to Contract #2019-06 with Vehicle Technical Consultants, Inc., Beaumont, CA. to purchase additional in-plant bus manufacturing inspection services for ten (10) - BYD K11M 60-foot battery-electric buses for an amount not to exceed \$30,000, plus applicable sales tax.

### **CC 5 AVTA'S MOTOR VEHICLE HANDHELD DEVICE POLICY AND DRIVER SAFETY POLICY**

Adopt Resolution No. 2021-014, establishing two new policies for all drivers of AVTA vehicles: Motor Vehicle Handheld Device Policy and Driver Safety Policy. Upon approval, the policies will be incorporated into AVTA's Personnel Rules and Regulations Manual.

**CC 6 RESOLUTION NO. 2021-015, AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES FOR THE CALIFORNIA STATE TRANSIT ASSISTANCE PROGRAM**

Adopt Resolution No. 2021-015, authorizing the execution of the certifications and assurances for the California State Transit Assistance Program.

**Motion: Approve the Consent Calendar.**

Moved by Director Hofbauer, seconded by Vice Chair Knippel

Chairman Crist stated the motion carried unanimously.

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

Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Loa, Malhi, Flanagan

Nays: None

Abstain: None

Absent: None

**NEW BUSINESS (NB):**

**NB 1 STUDY TO EVALUATE AND RECOMMEND EQUITABLE METHOD FOR CALCULATING JURISDICTIONAL CONTRIBUTIONS**

Executive Director/CEO Macy Neshati presented the staff report. Chairman Crist stated he received a correspondence from Supervisor Barger who was unhappy with comments made at the August Board meeting. He noted for the record that these were his comments, not Mr. Neshati's, and that he asked for the item to be included on the agenda. The Chairman stated he has yet to receive a call from the Supervisor's Transportation Deputy and has no interest in pretending like we are solving the problem. The Antelope Valley has to accomplish more with less as we are not allocated an equal share of funding. We do everything based upon industry standards and review everything based on a cost per mile. We cannot now invent new standards. It costs AVTA the same to drive from Lancaster to Lake Los Angeles with one person on the bus as it does with 20 people.

Los Angeles County Representative Vice Chair Knippel stated Supervisor Kathryn Barger wants to find the right solution to seek the cost of doing business. In the Supervisor's mind, it is not based on the cost per mile but on a range of things. The Supervisor suggested having the Los Angeles County Public Works department partner with the cities of Palmdale and Lancaster Public Works departments to craft the right contract, hopefully within 30 days. Vice Chair Knippel noted Appendix C of the JPA had not been updated since 1991, and many services and buses have been added since that time.

**Motion: AVTA Board of Directors direct Macy Neshati, our CEO, to return hopefully in 30 days with a recommendation for procurement of third party services in order to conduct a study that accesses the entirety of AVTA transit services and associated costs and that the results of which might form adjustments to Appendix C of the AVTA Bylaws.**

**I further move that the CEO's recommendation be based on input from transit experts from each member agency and contain a proposed scope of work that includes, but is not limited to, a review of the following: a review of service hours, review revenue service miles, proportional ridership surveys, maintenance and capital costs, special services and any other data consist with industry standards for calculating jurisdictional cost shares.**

Moved by Vice Chair Knippel, seconded by Director Flanagan

Discussion continued.

Chairman Crist stated AVTA sends the Federal Transit Administration documentation every year based upon miles traveled. We are wasting taxpayer and agency money to do a repeat study. Mr. Tompkins confirmed the Authority submits data to the National Transit Data Base annually, such as vehicle miles traveled and vehicle revenue miles and hours. Chairman Crist stated industry standards no longer apply to AVTA. We are the industry standards and have set the rules for others to follow.

**Speaking on this item:**

John Huang, Transit Manager for Los Angeles County Public Works Department, stated he manages the Prop A local return fund for the County and pays the jurisdictional share to AVTA annually. The County is committed to paying its fair share and has made additional funding available annually. For example, Los Angeles County contributes to the microtransit service and years ago contributed to the first set of electric buses. We are committed partners with AVTA. He added that years ago, a similar study was completed with Santa Clarita Transit where various methods of calculating the fair share were reviewed. It was determined that revenue hours are a critical method of determining the fair share between different jurisdictions because buses travel faster in rural areas versus urbanized streets. However, the County is not saying any method is fair in the Antelope Valley areas. We are asking for a study, which could potentially change the method of the calculation. We are asking to take a fair look, not to contribute less.

Mr. Huang confirmed Los Angeles County's relationship with Santa Clarita is different from that of AVTA because the County is a partner with AVTA and in a contract with the City of Santa Clarita. Chairman Crist noted the City of Santa Clarita has 200 service miles that the County pays for, whereas AVTA has 1200 miles.

Mr. Huang stated the County has no issue paying by the mile. The issue is the commuter service. Many miles are contributed to the unincorporated area where the actual travel is within the City of Los Angeles. The majority of the passengers on the commuter buses are Palmdale and Lancaster residents. Therefore, calculating by miles on the commuter mode is not a fair split.

Chairman Crist asked if the cost should be on the jurisdiction of Palmdale when a passenger is traveling from Palmdale to downtown Los Angeles. Mr. Huang replied that if he and the Chairman were taking a taxi from the Antelope Valley to downtown Los Angeles, they would each pay half. If he, the Chairman, and another Board member took the same trip, the fare would be split into thirds. That is what the County is looking at and that is how the Bylaws were written in 1991. The conditions have not changed. The proportional rider in each jurisdiction can be reviewed.

Chairman Crist stated there was no service to Lake Los Angeles and very little service to Pearblossom or Littlerock in 1991. He reminded Mr. Huang and the Supervisor that every person AVTA serves belongs to the County. The Chairman agreed the County's relationship with the City of Santa Clarita is different because it is a contract. However, as a partner with AVTA, every jurisdiction has a 33 1/3% jurisdictional share regardless of the serviced area. He does not want AVTA to be in the position that Palmdale pays the cost when someone drives from Lancaster to Palmdale to board the bus.

Director Hofbauer added that it is almost impossible to profile each rider because there are so many County pockets in the Antelope Valley. We need to simplify and move forward. This is creating tension. We need adequate funding to provide superior service to our riders, which is their only form of transportation for many.

Mr. Huang noted that his job is to ensure the services received are paid. He will discuss the representation equal to the percent of the County's jurisdictional share with the 5<sup>th</sup> District and its Board Members.

Motion carried with Chairman Crist voting nay.

Vote: Motion carried (5-1-0-0)  
Ayes: Vice Chair Knippel, Directors Hofbauer, Loa, Malhi, Flanagan  
Nays: Chairman Crist  
Abstain: None  
Absent: None

**NB 2 RESOLUTION NO. 2021-016 PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY EXECUTIVE ORDERS N-25-20, N-29-20 AND N-35-20, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR A THIRTY (30) DAY PERIOD PURSUANT TO BROWN ACT PROVISIONS**

General Counsel Allison Burns presented the staff report.

**Motion: Approve Resolution No. 2021-016, proclaiming a local emergency, ratifying the proclamation of a state of emergency by Executive Orders N-25-20, N-29-20 and N-35-20, and authorizing remote teleconference meetings for a thirty (30) day period pursuant to Brown Act provisions.**

Moved by Director Hofbauer, seconded by Vice Chair Knippel

Chairman Crist stated the motion carried unanimously.

Vote: Motion carried (6-0-0-0)  
Ayes: Chairman Crist, Vice Chair Knippel, Directors Hofbauer, Loa, Malhi, Flanagan  
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(d)(2)  
Significant exposure to litigation (two potential cases)
- CS 2 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(4)  
Consideration of whether to initiate litigation (one potential case)
- CS 3 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 11:12 a.m.

**RECONVENE TO PUBLIC SESSION**

The Board reconvened to Public Session at 11:38 a.m.

**REPORT BY LEGAL COUNSEL OF ACTION TAKEN IN CLOSED SESSION**

General Counsel Burns stated the Board discussed item CS 3 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

Mr. Neshati stated he accepted the 2021 Achievement in Reducing Emissions (AIRE) award from the AVAQMD and dedicated it to the Authority.

**MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:**

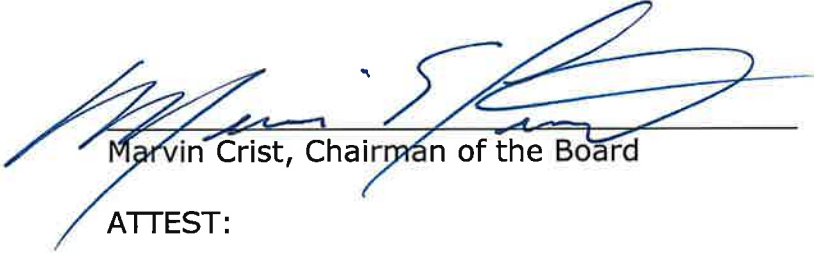
There were no miscellaneous business – non-agenda items presented.



**ADJOURNMENT:**


Chairman Crist adjourned the meeting at 11:42 a.m. to the Regular Meeting of the Board of Directors on October 26, 2021 at 10:00 a.m. in the Antelope Valley Transit Authority Community Room, 42210 6<sup>th</sup> Street West, Lancaster, CA.

PASSED, APPROVED, and ADOPTED this 26<sup>th</sup> day of OCTOBER 2021



Marvin Crist, Chairman of the Board

ATTEST:



Karen S. Darr, Clerk of the Board

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